

Summary: Intervention & Options Annex D

Department /Agency: Department for Children, Schools and Families	Title: Impact Assessment of duty on schools to invite and consider pupils' views on matters to be prescribed in regulations.	
Stage: Consultation	Version: 2	Date: 10 December 2009
Related Publications: [insert consultation documents once prepared]		

Available to view or download at:

<http://www.> [insert web link to consultation once known]

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What is the problem under consideration? Why is government intervention necessary?

Helping young people to fulfil their full potential through active participation has potentially significant economic and social benefits for society. Schools are currently under a duty to have regard to statutory guidance on consulting pupils. However, Ofsted's latest TellUs survey (September 2008) indicated that 34% of pupils do not currently feel adequately consulted. This suggests a lack of equity in the current arrangements. It also indicates that schools may be basing their decisions on imperfect information and not considering the positive externalities for society resulting from effective pupil participation.

What are the policy objectives and the intended effects?

The aim of this policy is to increase the equity of current arrangements by increasing the proportion of pupils who have the opportunity to participate in decisions on matters of importance to them. The policy is also designed to boost current efficiency by clarifying to schools the benefits of pupil participation and the matters on which they should, at a minimum, invite and consider the views of their pupils.

What policy options have been considered? Please justify any preferred option.

No intervention

To replace the existing duty on governing bodies of maintained schools to have regard to statutory guidance on pupil voice with a new duty to invite and consider pupils' views on matters to be prescribed in regulations. This is the preferred option as it allows schools to build upon current good practice and avoids placing undue burden on schools who are complying with existing legislation. The regulations will require schools to consult on three core policies, as a minimum: their Equalities policy, their Curriculum policy and school session times.

When will the policy be reviewed to establish the actual costs and benefits and the achievement of the desired effects? September 2013 (3 years after introduction)

Ministerial Sign-off For consultation stage Impact Assessments:

I have read the Impact Assessment and I am satisfied that, given the available evidence, it represents a reasonable view of the likely costs, benefits and impact of the leading options.

Signed by the responsible Minister:



Date:

17-12-09

Summary: Analysis & Evidence

Policy Option: Duty on schools

Description: A new duty on schools to invite and consider pupils' views on matters to be prescribed in regulations.

COSTS	ANNUAL COSTS		Description and scale of key monetised costs by 'main affected groups' As the new duty replaces one to have regard to statutory guidance and relates to existing functions we do not anticipate an increased annual cost. <i>The duty is on governing bodies but we have calculated a one-off cost assuming each head of a maintained nursery, primary and secondary school will spend an additional hour reading and responding to new guidance.</i>
	One-off (Transition)	Yrs	
	£		
	Average Annual Cost (excluding one-off)		
	£ 0		
	Total Cost (PV)		£
Other key non-monetised costs by 'main affected groups' Governing bodies are already obliged to have regard to statutory guidance on considering pupils' views. The new duty does not prescribe the methods of consultation or most appropriate representative group of pupils. We therefore do not anticipate any additional costs on governing bodies.			

BENEFITS	ANNUAL BENEFITS		Description and scale of key monetised benefits by 'main affected groups' It is impossible to quantify the monetised benefits of this duty, however, increasing the number of young people who fulfil their full potential and feel empowered has potential future financial gains for society that we believe far outweigh the costs. Improvements to attendance, behaviour and engagement with learning will also contribute to these benefits.
	One-off	Yrs	
	£		
	Average Annual Benefit (excluding one-off)		
	£		
		Total Benefit (PV)	£
Other key non-monetised benefits by 'main affected groups' There are wide-ranging potential benefits to society from increasing equity in pupil participation resulting from an improvement in relationships within schools, increased engagement in learning and improved behaviour and attendance. It is also fundamental to the ECM agenda and respecting young people's rights.			

Key Assumptions/Sensitivities/Risks It has been assumed that replacing the current duty with one based on existing functions will not increase annual costs in any school. There is a risk not prescribing the number of pupils to be consulted on a particular issue will inhibit the policy's impact. Accompanying guidance will, therefore, set out best practice in increasing overall pupil participation.

Price Base Year	Time Period Years	Net Benefit Range (NPV) £	NET BENEFIT (NPV Best estimate) £		
What is the geographic coverage of the policy/option?			England		
On what date will the policy be implemented?			01/10/10		
Which organisation(s) will enforce the policy?			Ofsted		
What is the total annual cost of enforcement for these organisations?			£ 832		
Does enforcement comply with Hampton principles?			Yes		
Will implementation go beyond minimum EU requirements?			No		
What is the value of the proposed offsetting measure per year?			£ 0		
What is the value of changes in greenhouse gas emissions?			£ 0		
Will the proposal have a significant impact on competition?			No		
Annual cost (£-£) per organisation (excluding one-off)		Micro	Small	Medium	Large
Are any of these organisations exempt?		No	No	N/A	N/A
Impact on Admin Burdens Baseline (2005 Prices)				(Increase - Decrease)	
Increase of £		Decrease of £		Net Impact	£ 832

Key: Annual costs and benefits: Constant Prices (Net) Present Value

Evidence Base (for summary sheets)

[Use this space (with a recommended maximum of 30 pages) to set out the evidence, analysis and detailed narrative from which you have generated your policy options or proposal. Ensure that the information is organised in such a way as to explain clearly the summary information on the preceding pages of this form.]

The Children's Plan sets out the Government's aim for all young people to want and be able to participate and take responsible action. Giving children and young people a say in decisions that affect them is an important aspect of the Every Child Matters agenda. It is also consistent with Article 12 of the United Nations Convention on the Rights of the Child which requires that all children have the right to express their views and have them taken into account and given due weight, according to their age and maturity, in all matters affecting them.

Whilst we are not able to quantify the benefits of increasing pupil participation (through pupil voice) a recent summary of existing research by the GTC indicates that these benefits are wide ranging and have the potential for significant impact on pupils' lives (The voice, role and participation of children and young people, GTC 2007).

A literature by NFER of research into 'pupil voice' approaches identified nine areas where effective pupil voice can have a positive impact:

- confidence and self-esteem;
- social, personal and emotional confidence;
- sense of responsibility, efficacy and skills;
- new knowledge and skills;
- communication and collaborative skills;
- civic and political competence;
- attendance;
- achievement;
- behaviour.

A study by the Carnegie Young People Initiative study (Davies et al, 2006) also found an indirect link with academic achievement, highlighting increased self-esteem and confidence amongst pupils, as well as a greater sense of direction in their own lives.

In combination these benefits offer increased opportunities for young people to succeed and contribute positively to society, both economically and socially. They also provide potential economic benefits to schools by reducing the burden resulting from poor behaviour and by allowing pupils to take responsibility for certain aspects of a school's policy development in a carefully considered way.

Many schools already consult their pupils on issues that affect them. The clearest measurement of the level of equity of current policy is from Ofsted's Tellus3 survey. This was a survey of children and young people in England in 2008 designed to investigate their experiences and views of their life, school and local area. The online questionnaire was developed jointly by Ofsted, the Department for Children, Schools and Families (DCSF) and Ipsos MORI to gather comparable data on children and young people's views across the country. It provided statistically reliable data which was representative of the local area. It also allowed comparison against national benchmarks.

One of the questions asked by the survey was 'How much do you feel children and young people's views are listened to in the running of your school?' 12% of young people surveyed answered 'A great deal' and 47% responded 'A fair amount'. However, 27% of young people felt they were listened to 'Not very much' and 7% 'Not at all'. 7% 'Didn't know'. This indicates a current lack of equity, with some pupils benefitting from good opportunities to participate which are currently not provided to others. It also suggests that some schools are not fully considering

the benefits to society that effective pupil participation can provide, possibly though imperfect information on its importance.

By replacing the current duty to have regard to statutory guidance with a new duty to invite and consider pupils' views on matters to be prescribed in regulations we aim to clarify to schools what matters they should, at a minimum, consult their pupils on. We intend the new duty to build upon current good practice in schools and avoid placing any additional burden on them. Therefore, the duty only applies to existing functions of the governing body and does not remove the discretion of schools to consult their pupils on any matter outside of the new regulations. As there is a variety of good practice currently in place, tailored to the local context of the school, the duty does not prescribe the method by which schools should seek their pupils' views nor remove the power of schools to judge the most appropriate representative group of pupils to seek views from. The new duty and inspection process therefore do not place an additional annual burden on schools who were already complying with previous legislation.

Our ultimate aim is to increase the number of pupils who feel that they are well consulted on matters of importance to them and, in doing so, increase the equity and efficiency of current policies on pupil voice.

Specific Impact Tests: Checklist

Use the table below to demonstrate how broadly you have considered the potential impacts of your policy options.

Ensure that the results of any tests that impact on the cost-benefit analysis are contained within the main evidence base; other results may be annexed.

Type of testing undertaken	<i>Results in Evidence Base?</i>	<i>Results annexed?</i>
Competition Assessment	No	No
Small Firms Impact Test	No	No
Legal Aid	No	No
Sustainable Development	No	No
Carbon Assessment	No	No
Other Environment	No	No
Health Impact Assessment	No	No
Race Equality	No	No
Disability Equality	No	No
Gender Equality	No	No
Human Rights	No	No
Rural Proofing	No	No

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