

Proposals to amend the requirements for registration of the education workforce in Wales: Full list of respondees and published responses

List of respondees

- Acorn Learning Solutions Ltd
- Affinity Education Limited
- Ashley Consult
- Association of School and College Leaders Cymru
- The Association of Teachers and Lecturers (ATL)
- Awdurdod Addysg Gwynedd
- Board of Governors, University of Glamorgan
- Caerphilly County Borough Council Youth Service
- Care Council for Wales
- Clybiau Plant Cymru Kids' Clubs
- Coleg Gwent
- Coleg Llandrillo Cymru
- ColegauCymru
- Conwy County Borough Council
- Council for Wales of Voluntary Youth Services (CWVYS)
- Deeside College
- Department of Teacher Education and Training, Cardiff School of Education, Cardiff Metropolitan University.
- Deri View Primary School
- Director of PGCE (PCET) Programmes, Cardiff University.
- Education/Employment Training
- Education/Employment Training Swansea
- ESRC centre on Skills, Knowledge and Organisational Performance, School of Social Sciences, Cardiff University
- Estyn
- Education Training Standards (ETS) Wales
- General Teaching Council for Northern Ireland
- General Teaching Council for Scotland (GTCS)
- General Teaching Council for Wales (GTCW)
- Glyndwr University
- Governors Wales
- Griffithstown Primary School
- Higher Education Funding Council for Wales (HEFCW)
- ISA Training Limited
- Jamaica Teaching Council (JTC)
- Lifelong Learning and Employment Training Service (City and County of Swansea)
- Lifelong Learning Swansea
- Merthyr Tydfil College
- Mudiad Meithrin
- NAHT Cymru (National Association of Head Teachers)

- National Association of School Business Management.
- National Training Federation for Wales (NTfW)
- Neath Port Talbot College
- New Directions Education Ltd
- Newport City Association of School Governors
- Newport YMCA
- NIACE Dysgu Cymru
- National Union of Teachers (NUT) Cymru
- Ontario College of Teachers
- Pembrokeshire College
- Pembrokeshire Youth
- Play Wales
- Powys County Council
- RCT Detached Youth Work Team
- Representing Conference of Newport Secondary Headteachers
- Reserve Forces' and Cadets' Association for Wales
- Rhydyfro School, NPTCBC
- ScoutsWales
- St Marys Wrexham
- St. Christopher's School
- St. Joseph's Catholic & Anglican High School, Wrexham
- St. Joseph's High School
- Stonewall
- Swansea Lifelong Learning & Employment Training Service
- The City and Guilds of London Institute (City and Guilds)
- The College Ystrad Mynach
- The Open University
- Torfaen County Borough Council
- Undeb Cenedlaethol Athrawon Cymru
- UNISON Wales
- Unite the Union (Community & Youth Workers Section)
- Universities Council for the Education of Teachers (UCET) Cymru
- University and College Union (UCU)
- University of Wales, Newport
- Urdd Gobaith Cymru
- Vocational Skills Partnership (Wales) Ltd
- Voice the Union
- Wales Centre for Pharmacy Professional Education
- Wales Principal Youth Officers' Group (PYOG)
- Welsh Local Government Association WLGA
- Wrexham County Borough Council
- Wrexham Early Education Team
- Yale College
- YMCA
- Ynys Mon Youth Service

Published responses

Below are all the responses from the respondents have agreed for their comments to be published. These responses are published in the language that they were received in.

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Name: Hayley Stockdale-Smith

Organisation: Affinity Education Limited

Question 1

Do you agree that registration should be extended beyond school teachers to the wider education workforce in Wales, to include school learning support staff, further education lecturers and the work-based learning workforce?

Affinity Education is an Education recruitment company who specialise in the recruitment of temporary staff for Secondary Schools within South Wales. We strongly believe that the regulation of education staff should be extended to the wider education workforce.

In addition to our standard registration procedure of obtaining references and processing an Enhanced Disclosure CRB check, it is reassuring for us a provider of education staff for schools that school teachers are part of a regulated professional body. We ensure that every teacher with QTS are registered with the GTCW prior to placing them into a school as Teacher who would be engaging in specified work. We check that all our Teachers renew their annual registration. The fact that school teachers are members of a regulated body also provides additional reassurance to our clients (schools).

We would like to extend this reassurance to our schools with regards to our Teaching/Learning Support Assistants and FE Lecturers when placing them in schools that they too are members of a professional body as opposed to being unregulated as they are at present.

The requirement for temporary Teaching and Learning Support Staff has increased over the years and their role in supporting Teachers and pupils has become more defined. As they play an integral role in school life, we feel that registration should be extended to such staff in order to raise and maintain standards.

With regards to Further Education Lecturers again we agree with registration being extended to them. As an education agency specialising in the recruitment of staff for Secondary Schools, we have many FE Lecturers registered with us. As their teaching qualification does not have QTS, we generally place them into schools for day to day short term cover as Cover Supervisors. On occasions where a school is seeking a particular subject specialist to cover a long term placement and there is not a suitable Teacher with QTS, FE Lecturers can be placed as to cover a particular subject as 'Unqualified Teachers/Instructors' until such a time whereby a suitable subject

specialist with QTS becomes available. FE Lecturers are often part of secondary school life and would therefore benefit from this recognition. We have also just started working with Colleges therefore we believe that if FE Lecturers belonged to a professional body, this would enhance their status.

In addition to Teaching and Learning Support Assistants and FE Lecturers, Affinity Education would like to see registration extended to Cover Supervisors within Secondary Schools. Since the School Workforce Remodelling and the introduction of Cover Supervisors within secondary schools for short term classroom supervision, the demand for Cover Supervisors to cover short term day to day absences within schools has increased. This is mainly due to the cost effective aspect of a Cover Supervisor in comparison to a qualified teacher. However, as a Cover Supervisor does not have to have a specific qualification it would be reassuring to have such individuals registered and members of a regulated professional body.

Furthermore, if there is incident of unacceptable professional conduct, serious professional incompetence and or where a Supply Teacher has been convicted of a relevant offence there is a formal disciplinary, a procedure in place via the GTCW. However, as Teaching and Learning Support Assistants, Cover Supervisors and FE Lectures are not members of a regulated, professional body, should one of these individuals placed via an Education agency engage in unacceptable professional conduct, serious professional incompetence or has been convicted of a relevant offence there is no formal independent disciplinary procedure in place for such individuals.

Question 2

Do you think that any other members of the education workforce, for example youth workers, play workers and other school staff, should be registered?

Affinity Education believes that it is not necessary to extend registration to the mentioned individuals. We believe that registration is only required and of a benefit to those whose role is engaging with pupils for the purpose of teaching and learning.

Question 3

Do you agree that the functions of a registration body in Wales should include checks that individuals are appropriately qualified and fit to practice and a disciplinary function leading to potential barring of individuals who are deemed unfit?

Affinity Education agrees that the function of a registered body in Wales most certainly should include checks to ensure that individuals are appropriately qualified and fit to practice. We also strongly agree that the registered body should provide a disciplinary function which may lead to the barring of unfit individuals. All of these functions are essential and provide support and reassurance to us as providers of education staff and reassurance to the schools.

Question 4

Do you agree that decisions about functions such as discipline and professional competence should be made independent of government?

Affinity Education agree that decisions about functions such as discipline and professional competence should be made by the professional regulated body independent of the government.

Question 5

Do you agree that wider functions should be added on a phased basis into the work of the new or reconstituted registration body? These could include approval of initial training courses, requirements for continuing professional development and setting of professional standards.

Affinity Education agree that that wider functions such as the approval of initial training courses, requirements for CPD and setting professional standards should realistically be introduced on a phased basis. However setting achievable dates to phase in wider functions should be established and met. Affinity Education would like to see consideration and a budget available to Supply Teachers and Education Support Staff. Affinity Education did not approve of the abolishment of CPD bursaries for Supply Teachers as they provide such an invaluable contribution to school life. CPD is essential to raise and maintain standards of the teaching profession in Wales. We strongly believe that this must be a function re-introduced by the regulated body.

Question 6

Are there any other specific functions you think that the new or reconstituted registration body should undertake?

Affinity Education believe that the registration body should undertake the wider functions as discussed in Question 5.

Question 7

Do you think that a single professional council, with a membership with expertise across the wider education workforce, is the best way to secure appropriate professional expertise for the new or reconstituted registration body, or would a series of sector councils each specialising in a specific area of the workforce be more appropriate?

Affinity Education strongly supports that a single professional council is the best way to secure appropriate professional expertise for the registered body. To have in effect a 'one stop shop' within a single professional council would provide a seamless and collective registered body. Despite there being specific specialist areas that that the registered body would be responsible for, all areas are related and would therefore be best placed with a single professional council as opposed to a series of sector councils.

Question 8

Do you think that there should be a flat-rate fee for registration payable by all those registered or should differentiated fee rates apply?

Affinity Education believes that there should be differentiated fee rates depending on the position within the education professional. We believe that the registration fee should be relative to the salary bracket of the education professional.

Question 9

Do you think that greater clarity and coherence in requirements for matters such as qualifications, professional standards, performance management and professional development could support our drive to improve standards and flexibility across the wider workforce?

Affinity Education totally supports the fact that greater clarity and coherence in the mentioned matters would support the aim of improving standards and flexibility across the wider education workforce.

Question 10

We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them:

In summary, Affinity Education strongly support the proposal of extending registration of a professional body to all education professionals within schools whom are responsible for any aspect of teaching and learning of pupils. As the dynamics of schools has evolved over the years with Teaching/Learning Support Assistants, Cover Supervisors and FE Lectures being more prominent in schools providing an invaluable contribution to school life, it is essential that the wider education workforce are regulated. This will ensure that reassurance is provided to schools, parents and education agencies, will provide recognition and status to those individuals and will inevitably raise and maintain standards throughout schools and the wider education workforce.

Furthermore Affinity Education strongly supports the reconstitution of the regulated professional body to be the present regulated body for education in Wales, The GTCW.

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Name: Roderic Ashley

Organisation: Ashley Consult

Question 1

Do you agree that registration should be extended beyond school teachers to the wider education workforce in Wales, to include school learning support staff, further education lecturers and the work-based learning workforce?

Yes. It is absurd to exclude other teaching professionals from registration.

Question 2

Do you think that any other members of the education workforce, for example youth workers, play workers and other school staff, should be registered?

Those directly involved directly in teaching and learning should be registered. It is inappropriate to involve other support staff – although they should be encouraged to be involved with their own professional grouping.

Question 3

Do you agree that the functions of a registration body in Wales should include checks that individuals are appropriately qualified and fit to practice and a disciplinary function leading to potential barring of individuals who are deemed unfit?

Yes. A key element in the definition of any profession is that its independent, professional body should act as gatekeeper to entry and barring from the profession. This used not to be the case for teaching which is why it was regarded as a second-rate profession compared with, for example, law and medicine.

Question 4

Do you agree that decisions about functions such as discipline and professional competence should be made independent of government?

Yes – it is crucial that this is the case, otherwise there is no ownership of the profession by its members and the membership body would be seen merely as a mouthpiece of government.

Question 5

Do you agree that wider functions should be added on a phased basis into the work of the new or reconstituted registration body? These could include approval of initial training courses, requirements for continuing professional development and setting of professional standards.

Whilst it is appropriate for the professional, regulatory body to develop and approve professional standards, as long as the training courses are in the province of higher education, higher education institutions are rightly, in association with advice from the regulatory body, the guardians of academic standards.

Question 6

Are there any other specific functions you think that the new or reconstituted registration body should undertake?

No comment

Question 7

Do you think that a single professional council, with a membership with expertise across the wider education workforce, is the best way to secure appropriate professional expertise for the new or reconstituted registration body, or would a

series of sector councils each specialising in a specific area of the workforce be more appropriate?

The professional skills of teaching are generic across all sectors and settings. There would be no benefit in sub-dividing areas further. This would merely create small, disjointed bodies.

Question 8

Do you think that there should be a flat-rate fee for registration payable by all those registered or should differentiated fee rates apply?

Fee levels need to reflect the income and professional service of professionals. It is inappropriate for a part-time adult education tutor to be expected to pay the same fee as a senior manager.

Question 9

Do you think that greater clarity and coherence in requirements for matters such as qualifications, professional standards, performance management and professional development could support our drive to improve standards and flexibility across the wider workforce?

Yes, greater clarity and coherence in standards would assist. These standards should also reflect the changing nature of the sectors and settings represented by the profession, although there should be a single, all-embracing professional body.

Question 10

We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them:

Whilst professionals should be encouraged to register (including in the independent sector), there should be clear benefits articulated for membership. It should not be seen as a heavy-handed, top-down approach but rather an approach which underpins the quality and variety of teaching and learning.

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Name: Gareth Jones

Organisation: Association of School and College Leaders Cymru (ASCL)

Question 1

Do you agree that registration should be extended beyond school teachers to the wider education workforce in Wales, to include school learning support staff, further education lecturers and the work-based learning workforce?

Yes

Question 2

Do you think that any other members of the education workforce, for example youth workers, play workers and other school staff, should be registered?

Given that education in school is not confined to the formal classroom but involves all interactions between adults and young people, there are grounds for requiring all staff directly employed by a school or college to be registered. This would avoid situations where an adult other than a teacher has several roles within the institution but only some of which require registration. Staff deployed to education premises by an external body (e.g. cleaners, caterers) would not be included as they are not directly employed by the school. It may be that there are different categories of registration. Thus staff other than qualified teachers, FE lecturers and Higher Level Teaching Assistants, who would not be required to demonstrate competence against the professional standards, could be registered on a 'licence' basis rather than being required to meet qualification criteria.

Question 3

Do you agree that the functions of a registration body in Wales should include checks that individuals are appropriately qualified and fit to practice and a disciplinary function leading to potential barring of individuals who are deemed unfit?

Yes- that is a core function of a regulatory body.

Question 4

Do you agree that decisions about functions such as discipline and professional competence should be made independent of government?

Very definitely.

Question 5

Do you agree that wider functions should be added on a phased basis into the work of the new or reconstituted registration body? These could include approval of initial training courses, requirements for continuing professional development and setting of professional standards.

Yes- it would be sensible if legislation enabled the introduction of registration of personnel other than teachers on a phased basis as each group or category will present its own issues to be resolved. The merits or demerits of whether a specific category of personnel should be registered can be considered on a case by case basis.

Question 6

Are there any other specific functions you think that the new or reconstituted registration body should undertake?

We would support the proposal that the body should retain an advisory function on behalf of education staff. However whether the registration body should undertake other functions on behalf of the government is a vexed

question. There are concerns that such functions, such as professional development, could be seen as undermining the independence of the body from the government if it is seen as being partly at least funded by government.

Question 7

Do you think that a single professional council, with a membership with expertise across the wider education workforce, is the best way to secure appropriate professional expertise for the new or reconstituted registration body, or would a series of sector councils each specialising in a specific area of the workforce be more appropriate?

There must be a single council with appropriate representation from each of the categories of membership on cost grounds which has implications for the registration fee.

However, regulations need to stipulate that in exercising its disciplinary functions, the council must ensure that relevant policies, such as a code of conduct, are determined by the representatives of the staff to whom the policy will apply. Thus the council, in operation, may have a sub grouping structure.

Question 8

Do you think that there should be a flat-rate fee for registration payable by all those registered or should differentiated fee rates apply?

Given that there will be different categories of member, with varying entry requirements, a policy of differentiated registration fee is appropriate.

Question 9

Do you think that greater clarity and coherence in requirements for matters such as qualifications, professional standards, performance management and professional development could support our drive to improve standards and flexibility across the wider workforce?

Yes.

Question 10

We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them:

It would be very helpful and a positive move if the revised council became the 'one stop shop' for information pertaining to individuals seeking to or working within the education sector. This would ease administrative and related cost burdens regarding the provision of CRB checks for 'supply' teachers for example or indeed for system leaders who are engaged to assist in school improvement in another local authority.

Sefydliad: Awdurdod Addysg Gwynedd

Cwestiwn 1

Ydych chi'n cytuno dylai cofrestru gael ei ymestyn i gynnwys y gweithlu addysg ehangach yng Nghymru, fel staff cymorth dysgu ysgolion, darlithwyr addysg bellach a'r gweithlu dysgu seiliedig ar waith, yn hytrach na dim ond athrawon ysgol?

Cytuno

Cwestiwn 2

Ydych chi'n credu dylai unrhyw aelodau eraill o'r gweithlu addysg, er enghraifft gweithwyr ieuenctid, gweithwyr chwarae, staff eraill yr ysgol, gael eu cofrestru?

Na. Dim eto.

Cwestiwn 3

Ydych chi'n cytuno dylai swyddogaethau corff cofrestru yng Nghymru gynnwys cadarnhau fod unigolion wedi'u cymhwyso'n briodol ac yn addas i ymarfer yn ogystal â swyddogaeth ddisgyblu a honno'n arwain, o bosibl, at wahardd unigolion y bernir eu bod yn anaddas?

Cytuno

Cwestiwn 4

Ydych chi'n cytuno dylai penderfyniadau am swyddogaethau fel disgyblaeth a chymhwysedd proffesiynol gael eu gwneud yn annibynnol ar y llywodraeth?

Cytuno

Cwestiwn 5

Ydych chi'n cytuno dylai'r corff cofrestru newydd neu'r corff sydd wedi'i ailgyfansoddi, pa un bynnag y penderfynir arno, gael swyddogaethau ehangach gam wrth gam? Gallai'r rheini gynnwys cymeradwyo cyrsiau hyfforddiant cychwynnol, y gofynion ar gyfer datblygiad proffesiynol parhaus a gosod safonau proffesiynol.

Cytuno

Cwestiwn 6

Yn eich barn chi, a oes unrhyw swyddogaethau penodol eraill dylai'r corff cofrestru newydd neu'r corff a ailgyfansoddwyd ymgymryd â nhw?

Dim byd ar hyn o bryd.

Cwestiwn 7

Yn eich barn chi, sut orau mae cael arbenigedd proffesiynol priodol ar gyfer y corff cofrestru newydd neu'r corff a ailgyfansoddwyd? Ai sefydlu un cyngor proffesiynol, sydd ag aelodau ag arbenigedd o bob rhan o'r gweithlu addysg ehangach, neu

sefydlu cyfres o gynghorau sector, a phob un o'r rheini ag arbenigedd mewn rhan benodol o'r gweithlu?

Cyfres o gynghorau sector.

Cwestiwn 8

Ydych chi o'r farn dylai pob un sy'n cofrestru dalu un ffi safonol, neu a ddylid cyflwyno ffioedd amrywiol?

Ffioedd amrywiol.

Cwestiwn 9

Ydych chi'n credu gallai cael mwy o eglurder a chydlyniant yn y gofynion ar gyfer materion fel cymwysterau, safonau proffesiynol, rheoli perfformiad a datblygiad proffesiynol helpu ein hymgyrch i wella safonau a hyblygrwydd ar draws y gweithlu ehangach?

Cytuno

Cwestiwn 10

Rydyn ni wedi gofyn nifer o gwestiynau penodol. Os oes gennych unrhyw faterion cysylltiedig nad ydyn ni wedi mynd i'r afael â nhw, defnyddiwch y lle hwn i wneud hynny:

Dim esboniad.

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Name: Rhian Huws Williams

Organisation: Care Council for Wales

Question 1

Do you agree that registration should be extended beyond school teachers to the wider education workforce in Wales, to include school learning support staff, further education lecturers and the work-based learning workforce?

Yes

Question 2

Do you think that any other members of the education workforce, for example youth workers, play workers and other school staff, should be registered?

Given the significance placed on play within Welsh Government policy it seems relevant to include play workers within a regulatory system. Youth workers come from a wide range of backgrounds and many have no or limited qualifications so this may prove to be problematic in terms of sessional youth workers. Full time youth and community workers should be regulated in the same way as other educational professionals.

Question 3

Do you agree that the functions of a registration body in Wales should include checks that individuals are appropriately qualified and fit to practice and a disciplinary function leading to potential barring of individuals who are deemed unfit?

This should include a qualification based registration requirement, where people demonstrate not only their competence to teach or assess but also have a qualification (occupational competence) in the subject area they teach and have CPD requirements for that as well as teaching and education practice. This is particularly relevant in areas that have a strong vocational content such as health and social care and early years and child care.

Question 4

Do you agree that decisions about functions such as discipline and professional competence should be made independent of government?

Yes.

Question 5

Do you agree that wider functions should be added on a phased basis into the work of the new or reconstituted registration body? These could include approval of initial training courses, requirements for continuing professional development and setting of professional standards.

Yes, but attention has to be paid to the subject area to be taught or assessed and not just relate to the qualification to teach or assess. In social care and child care these subjects are often taught by people who have no qualifications or experience in the sector, but have space on their timetable. This is unacceptable practice and undervalues the importance of having a highly skilled and professional workforce providing care and support to the most vulnerable people in our society.

Question 6

Are there any other specific functions you think that the new or reconstituted registration body should undertake?

No.

Question 7

Do you think that a single professional council, with a membership with expertise across the wider education workforce, is the best way to secure appropriate professional expertise for the new or reconstituted registration body, or would a series of sector councils each specialising in a specific area of the workforce be more appropriate?

We can see the logic in having a single teaching council that regulates all educators. As the regulator of the social care workforce we would prefer to have some influence over the regulatory requirements in order to efficiently address the quality issues that exist for our sector.

Question 8

Do you think that there should be a flat-rate fee for registration payable by all those registered or should differentiated fee rates apply?

Given the differences in salaries, contractual arrangements and conditions of service between lecturers in colleges, teachers and work based learning assessors differentiated payments would seem fair.

Question 9

Do you think that greater clarity and coherence in requirements for matters such as qualifications, professional standards, performance management and professional development could support our drive to improve standards and flexibility across the wider workforce?

Yes; we fully support this suggestion and believe it should cover the occupational area as well as teaching/assessing and educational practice.

Question 10

We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them:

No further comments

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Name: Liz Kidd

Organisation: ETS Wales

Question 1

Do you agree that registration should be extended beyond school teachers to the wider education workforce in Wales, to include school learning support staff, further education lecturers and the work-based learning workforce?

In principle yes - ETS Wales can see a number of benefits for youth workers (and others) and for the profession in their being included in a registration scheme. However the arrangements must be designed to suit the needs of each professional area and the approach should not simply a "one size fits all" approach that is primarily designed to reflect the needs of the school teaching profession and formal education. The operational arrangements also need to take account of existing structures and professional bodies, working with them and not seeking to supersede them. The concept of "subsidiarity" is helpful here.

It would be essential that the new organisation was seen to belong to all the professions involved and not simply to teachers with others "tagged on". Youth workers would not find a teacher dominated body acceptable. Those involved in leading the new body would have to be able to demonstrate that they are able to understand the needs of the whole range of professions catered for and take account of their distinctive nature in each case.

We would also wish to be persuaded that any additional arrangements put in place would add real value to the current landscape and have a positive impact on learners. We would be reluctant to see arrangements put in place that were unduly bureaucratic, costly, or which sought to replace well established arrangements in place in any of the professions listed just for the sake of it.

Question 2

Do you think that any other members of the education workforce, for example youth workers, play workers and other school staff, should be registered?

Yes we think that in principle it may be appropriate for youth workers to be registered and this is already an action that is noted as part of in the Youth Service Workforce Plan. However, we are aware that the voluntary youth sector has some reservations because of the nature of the volunteer workforce. Our other concerns are those already set out in Question 1, in particular the need to respect arrangements that are already in place and ensure that arrangements meet the needs of different professional areas. I have repeated that section here so that it is not lost:

In principle yes - but provided that the arrangements are designed to suit the needs of each professional area and the approach is not simply a "one size fits all" approach that is primarily designed to reflect the needs of the school teaching profession. The arrangements also need to take account of existing structures and professional bodies, working with them and not seeking to supercede them. The concept of "subsidiarity" is helpful here. We do not wish to see the distinctive nature of youth work and its values diluted. The Welsh Government should also be aware that throughout Wales, youth workers are not always located within education departments and are not always seen as part of the education sector.

It would be essential that the new organisation was seen to belong to all the professions involved and not simply to teachers with others "tagged on". Youth workers would not find a teacher dominated body acceptable. Those involved in leading the new body would have to be able to demonstrate that they are able to understand the needs of the whole range of professions catered for and take account of their distinctive nature in each case.

We would also wish to be persuaded that the arrangements put in place would add real value to the current landscape and have a positive impact on learners. We would be reluctant to see arrangements put in place that were unduly bureaucratic, costly, or which sought to replace well established arrangements in place in any of the professions listed just for the sake of it.

Question 3

Do you agree that the functions of a registration body in Wales should include checks that individuals are appropriately qualified and fit to practice and a disciplinary function leading to potential barring of individuals who are deemed unfit?

Yes in principle, but with the following condition:- provided that these responsibilities, carried out within the overall framework of the registration

body, are under the direct control of the relevant professional body or other suitable body. These responsibilities should not be handled by a generic body that does not specifically represent the profession concerned. The question of the position of the voluntary youth sector needs to be subject to much more detailed discussion.

Question 4

Do you agree that decisions about functions such as discipline and professional competence should be made independent of government?

Yes

Question 5

Do you agree that wider functions should be added on a phased basis into the work of the new or reconstituted registration body? These could include approval of initial training courses, requirements for continuing professional development and setting of professional standards.

The registration body should concentrate initially on registration. It should not proceed to take on other functions without further consultation down the line. Some of the functions suggested are already provided for by an appropriate professional body, in the case of youth work, by ETS Wales. Youth work already has arrangements in place for the endorsement of courses to meet JNC requirements through ETS Wales and any new arrangement would need to make use of such arrangements where they already exist rather than seek to replace them.

Question 6

Are there any other specific functions you think that the new or reconstituted registration body should undertake?

Not at this stage

Question 7

Do you think that a single professional council, with a membership with expertise across the wider education workforce, is the best way to secure appropriate professional expertise for the new or reconstituted registration body, or would a series of sector councils each specialising in a specific area of the workforce be more appropriate?

No we do not agree that there should be a single professional council. We feel that each sector could have its own sector council (eg ETS Wales in the context of youth work) and that each of these councils could nominate a member (its Chair?) to a General Council responsible for securing the overarching organisational framework and the overall governance of the organisation. It is not appropriate for a single professional council to set standards across the board when there are already arrangements in place (in the case of youth work driven by the JNC) to do that.

Question 8

Do you think that there should be a flat-rate fee for registration payable by all those registered or should differentiated fee rates apply?

Who would be required to register? We would assume that in the case of youth work, all those whose qualification is recognised by the JNC would be required to register (ie Professional Youth Worker and Youth Support Worker). In the voluntary sector, however, the issues of who should be registered are more complex and this would require considerable further advice from the voluntary youth sector itself.

The question of a fee is equally problematic. We understand that in the first instance, when the GTCW was set up, the cost of registering teachers was arranged by the inclusion of the cost of registration in a pay settlement for that year and notionally carried forward. The cost of registration should be related directly to the level of salary (possibly in bands?). There is a particular issue in relation to volunteers, who should not be required to pay.

Question 9

Do you think that greater clarity and coherence in requirements for matters such as qualifications, professional standards, performance management and professional development could support our drive to improve standards and flexibility across the wider workforce?

This is a leading question and we don't quite understand where it is going! Greater clarity and coherence are always desirable ends. However, whilst these may be desirable ends (No-one would argue against "greater clarity and coherence") we do not yet know enough about the nature of the ideas or means that are being proposed here to know whether or not such arrangements would indeed have clarity or coherence or necessarily lead to improvements for learners as a result. We acknowledge that there may indeed be benefits, but as we do know what is being proposed, it is hard to comment.

Nor are we aware of any loud demands for such additional joint development beyond registration. We also imagine that there must be many priorities within the broad and demanding Minister's portfolio in terms of both needs, time and funding than what could become an overly detailed, lengthy and possibly contentious process with no assurance that it would add any value for young people. Similar attempts to undertake such a process in other sectors and jurisdictions have run out of steam.

In order to improve standards we need people whose roles are clear and who understand their roles, are well-trained and excellent at what they do. They need to be able to meet the specific needs of those with whom they work in the specialist settings in which they operate. Watering down these distinctive skills in the interests of "clarity" or coherence" or implying that they are interchangeable would not be helpful in this and would negatively affect learners however "tidy" or apparently "coherent" such an arrangement might look on paper.

Clarity and coherence may be "necessary" conditions for securing the improvements that we would all like to see, but they are not "sufficient conditions". We do not necessarily see a causal link to improved standards. These factors, whilst valuable in themselves, are not more valuable than the distinctive skills and qualities of the individual professions. Teaching or training are not the same as youth work, although there may be some areas of commonality. Youth work requires different skills, takes place in very different settings and is fundamentally different in that the young people engage with youth workers on an entirely voluntary basis and in a wide range of settings. It is not only about schools.

The National Occupational Standards for youth work and the Sector Qualification Strategy set out the distinctive nature of youth work.

Question 10

We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them:

In principle we support the proposals for registration on the model that we have described above in response to Question 7, provided that the arrangements respect the roles of other well established professional bodies. However we would wish to reserve our position on the other functions suggested (as set out in Q9) at this stage because we do not have enough information about what is proposed to be able to express an informed view.

7

Name: Wendy Hawkins

Organisation: Clybiau Plant Cymru Kids' Clubs

Question 1

Do you agree that registration should be extended beyond school teachers to the wider education workforce in Wales, to include school learning support staff, further education lecturers and the work-based learning workforce?

Yes, Clybiau Plant Cymru Kids' Clubs agrees that registration should be extended to the adult further education providers and include the work based learning training provider workforce. This would help to bring recognition and clarity about the requirements for those who train adults.

We are not in a position to comment on school learning support staff.

Question 2

Do you think that any other members of the education workforce, for example youth workers, play workers and other school staff, should be registered?

This is very general – if the function of the job role is to ensure that learning is delivered e.g. for school staff there may be a case but, for Playworkers this does not seem appropriate. Whilst children undoubtedly learn through play,

Playworkers who work with school age children and who hold recognised Playwork qualifications do not measure learning outcomes of the children that they work with as the children are in an informal learning environment. To formally identify these workers as part of the education workforce may not be the ideal way for them to be on a professional register. There are other mechanisms in place to ensure that Playworkers are properly qualified e.g. by meeting Care and Social services Inspectorate Wales requirements for registration.

Question 3

Do you agree that the functions of a registration body in Wales should include checks that individuals are appropriately qualified and fit to practice and a disciplinary function leading to potential barring of individuals who are deemed unfit?

Yes, individuals who are involved in training should be appropriately qualified (according to the type of training that they deliver) and yes they should be “fit to Practice” with proven CPD.

There would need to be a process whereby the Registration body could “strike off” anyone who was deemed by an employer to be unfit to practice.

Question 4

Do you agree that decisions about functions such as discipline and professional competence should be made independent of government?

Yes, decisions about functions such as discipline should be made independent of government.

Question 5

Do you agree that wider functions should be added on a phased basis into the work of the new or reconstituted registration body? These could include approval of initial training courses, requirements for continuing professional development and setting of professional standards.

Yes – a new body seems preferable to a reconstituted body. Requirements for registration should enable occupationally competent trainers to become qualified as trainers within a set timescale after registering. Sector Skills Councils can advise on the definition of “occupationally competent “ for their sectors.

Question 6

Are there any other specific functions you think that the new or reconstituted registration body should undertake?

CRB checks for individuals who could then work across different training providers/training institutions.

Question 7

Do you think that a single professional council, with a membership with expertise across the wider education workforce, is the best way to secure appropriate

professional expertise for the new or reconstituted registration body, or would a series of sector councils each specialising in a specific area of the workforce be more appropriate?

Yes – it would help to ensure standardisation of delivery of qualifications and training

Question 8

Do you think that there should be a flat-rate fee for registration payable by all those registered or should differentiated fee rates apply?

Flat rate sounds good, for parity, but at the moment LEAs pay for teachers, therefore a fair system needs to be introduced as other education providers may not do this for employees.

Question 9

Do you think that greater clarity and coherence in requirements for matters such as qualifications, professional standards, performance management and professional development could support our drive to improve standards and flexibility across the wider workforce?

Yes

Question 10

We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them:

No further comments.

8

Name: Lyndon Price

Organisation: Coleg Gwent

Question 1

Do you agree that registration should be extended beyond school teachers to the wider education workforce in Wales, to include school learning support staff, further education lecturers and the work-based learning workforce?

Yes

Question 2

Do you think that any other members of the education workforce, for example youth workers, play workers and other school staff, should be registered?

No

Question 3

Do you agree that the functions of a registration body in Wales should include checks that individuals are appropriately qualified and fit to practice and a disciplinary function leading to potential barring of individuals who are deemed unfit?

Yes

Question 4

Do you agree that decisions about functions such as discipline and professional competence should be made independent of government?

Yes

Question 5

Do you agree that wider functions should be added on a phased basis into the work of the new or reconstituted registration body? These could include approval of initial training courses, requirements for continuing professional development and setting of professional standards.

Yes

Question 6

Are there any other specific functions you think that the new or reconstituted registration body should undertake?

No

Question 7

Do you think that a single professional council, with a membership with expertise across the wider education workforce, is the best way to secure appropriate professional expertise for the new or reconstituted registration body, or would a series of sector councils each specialising in a specific area of the workforce be more appropriate?

Single profession council, please no more committees

Question 8

Do you think that there should be a flat-rate fee for registration payable by all those registered or should differentiated fee rates apply?

Differentiated scale applying to contract terms eg Full Time staff pay more than part time or fractional staff

Question 9

Do you think that greater clarity and coherence in requirements for matters such as qualifications, professional standards, performance management and professional development could support our drive to improve standards and flexibility across the wider workforce?

Yes

Question 10

We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them:

No further comments

9

Name: Gerry Jenson

Organisation: Coleg Llandrillo Cymru

Question 1

Do you agree that registration should be extended beyond school teachers to the wider education workforce in Wales, to include school learning support staff, further education lecturers and the work-based learning workforce?

Yes. The College would welcome a single registration system that covers all post 16 teaching practitioners.

However it is important that the process is simple and the need to manage and maintain professional standards, the key benefit that will follow from workforce registration, is not lost because of a burdensome administrative system

The process would need to include clear definitions of “associate teacher roles”. There is a lack of clarity in FE between the roles of lecturers, trainers, instructors and assessors. Registration of people in such roles, alongside clear definitions of these roles, would be very helpful and would help to professionalise these groups within the teaching workforce.

This may however have financial implications for institutions and detailed discussions with the sector would be needed to ensure implementation would be manageable and would not have any destabilising consequences.

Question 2

Do you think that any other member of the education workforce, for example youth leaders, playworkers and other school staff, should be registered

The priority groups for registration should be those who are delivering accredited learning. However there are a range of staff within the workforce who deliver non formal learning including support staff within FE who should also be included in the professionalization of the educational workforce.

Question 3

Do you agree that the functions of a registration body in Wales should include checks that individuals are appropriately qualified and fit to practice and a disciplinary function leading to potential barring of individuals who are deemed unfit?

Yes. However there needs to be discussion and agreement on what would be considered “appropriately qualified” for each of the roles requiring registration.

For example, a lecturer would need a different qualifications set to a work based assessor. It would be essential that there is an objective analysis of the qualifications needed for each role. This will ensure a high quality service to learners without creating any unnecessary barriers to those wishing to enter the various roles within the educational workforce.

It would seem essential that anyone responsible for delivering learning to students and assessing and providing feedback on student work has an appropriate level of literacy and numeracy,

There would be clear benefits in having a central body that works with Colleges in the context of ensuring an individual is fit to practice both in the context of Safeguarding and in the context of anyone dismissed from an educational institution.

However responsibility for the disciplinary function needs to remain with colleges.

Question 4

Do you agree that decisions about functions such as discipline and professional competence should be made independent of government?

Yes. The independent body would need to consult widely with the education sector in developing criteria, procedures and sanctions in light of the need for these to link into institutions’ own procedures.

Question 5

Do you agree that wider functions should be added on a phased basis into the work of the new or reconstituted registration body? These could include approval of initial training courses, requirements for continuing professional development and setting of professional standards.

Yes.

There is an urgent need for a body in Wales to take over the work of LLUK. There is no body in Wales currently managing and maintaining the professional standards for FE lecturers. There are no requirements in Wales, as there are in England, for FE lectures to undergo CPD. There is also no mechanism whereby welsh FE Lectures can achieve QTLS status which, for staff in England, may enable them to teach in schools without the need for QTS.

It is important that registration and associated system do not act as a barrier to members of the workforce wishing to move from one country to the other. Mutual cross border recognition needs to be built in on an on-going basis,

whilst recognising the central importance of bilingualism to the delivery of education and training in Wales.

Question 6

Are there any other specific functions you think that the new or reconstituted registration body should undertake?

The GTCW hold a staff development budget for teachers which are distributed to schools. If a requirement for CPD was introduced for FE teaching staff in Wales then the funding of this would need to be considered.

Question 7

Do you think that a single professional council, with a membership with expertise across the wider education workforce, is the best way to secure appropriate professional expertise for the new or reconstituted registration body, or would a series of sector councils each specialising in a specific area of the workforce be more appropriate?

The new body must include those with professional expertise from the different sectors. For example the needs and roles within FE are very different from those within the school sector and this needs to be recognised when the new body is developed.

Consideration might need to be given to a post 16 section within an overarching Council structure. This would need to be aligned to IfL to ensure cross border issues are considered. It would also need to cover all post 16 practitioners.

However, given that the post 16 teaching workforce is split between schools, FE and training providers, this body would need to be closely aligned with whichever “section” of the council took over the work of the GTCW because most school teachers work across pre and post 16 as do some FE lecturers through school/college partnerships.

To ensure that the needs of the key sectors are adequately represented it is suggested that a number of representatives should be elected from representative bodies such as Colegau Cymru and NTfW.

Question 8

Do you think that there should be a flat-rate fee for registration payable by all those registered or should differentiated fee rates apply?

There should be a differentiated fee based on the type and size of the individual's contract.

There may be an argument for a different fee for those in “associate teacher” roles such as work based assessors.

Question 9

Do you think that greater clarity and coherence in requirements for matters such as qualifications, professional standards, performance management and professional development could support our drive to improve standards and flexibility across the wider workforce?

Yes. It will also facilitate movement of staff between sectors. However the key aim of improving standards must not be lost in a system that is overly bureaucratic and costly to administer.

Question 10

We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them:

There needs to be the development of a clear teaching qualification framework for Wales for FE lecturers and those in “associate teaching roles”. This would also need to be aligned to the standards already in place for Wales.

In order to ensure value for money and high standards, after the registration procedures are in place, public money for the delivery of educational provision to learners should only be made available to organisations with a regulated work force.

10

Name: John Greystone

Organisation: ColegauCymru

Question 1

ColegauCymru accepts that registration should be extended to include further education lecturers and the work-based learning workforce.

Welsh Government (WG) statistics showed that in 2008/09 colleges employed 13,565 members of staff, of which 6,030 were full-time and 7,535 part-time. There were 9,055 contracts for teaching staff.³ WG statistics for 2009/10 are not comparable as they focus not on the number of staff (headcount) but on full-time equivalent (fte) staff. In 2009/10 5,100 fte staff were ‘employed in teaching and learning departments’.⁴

WG statistics covering 2007/08 gave a more detailed breakdown of teaching staff by type of contract and mode of contract, set out in the Table below.

	Full-time	Contracts	Part-time	Contracts	Total	
	No	%	No	%	No	%
Permanent	2,480	87	2,035	31	4,515	49
Fixed term	235	8	2,900	45	3,135	34
Hourly Paid/casual	125	4	1,530	24	1,655	18
Total	2,840		6,460		9,305	

Of the 9,305 teaching staff contracts, almost 70% were part-time and just under one half were permanent, reflecting the pattern of courses that changes annually in response to local demand. Interestingly this proportion mirrors the type of enrolment in FE where around 70% of learners attend part-time,

The Welsh Government has suspended the collection of data on FE college staff. This makes it difficult to identify trends. The proposed registration body would be able to publish data on FE staff regularly and in a more consistent way than has been the practice recently. This would help with planning more focused teacher training programmes aimed at providing teachers for underrepresented parts of the FE sector.

"Staff involved in teaching and instruction in colleges vary widely. They may be managers, lecturers, tutors, instructors, trainers, training advisers, workshop supervisors and assessors, often in hybrid posts. All those involved in the delivery of learning should be included in a new registration body.

The level of qualification varies between categories of FE staff. The qualifications required for teaching in FE are set out in some detail in the introductory remarks and in response to question 10 below. Agreed professional standards for teachers, tutors and trainers are in place in the lifelong learning sector in Wales but as yet no there is no qualifications framework in respect to the training of these staff."

"A new registration body must recognise that there are many part-time hourly paid lecturers in further education and that colleges employ specialists (such as local solicitors or accountants) as occasional lecturers.

At present, ColegauCymru is negotiating a common contract for staff with the joint trade unions. A successful conclusion to these negotiations would make membership of an education registration body more relevant."

Question 2

"The priority groups for registration should be those who are delivering accredited learning. However there are a range of staff including support staff who work with learners to raise aspirations and improve performance, and who deliver non formal learning. They who should also be included in the professionalisation of the educational workforce. It might be seen as divisive to 'professionalise' part of the education workforce while omitting the rest. The learning coaches should be included with this professionalisation to reflect the important work that they do.

There would need to be clear guidance on the categories of staff eligible for membership. This would be particularly important if membership was compulsory."

Question 3

"Yes. These functions are central to the work of a professional body. Colleges currently are responsible for checking that individuals are appropriately qualified and fit to practice and for carrying out Criminal Records Bureau (CRB) checks. In Wales, there is no central body to work with colleges in carrying out these functions.

There needs to be discussion and agreement on what should be considered 'appropriately qualified' for each of the roles requiring registration. For example, a lecturer would need different qualifications from a work-based assessor. An objective analysis of the qualifications needed for each role is essential."

"The management and discipline of staff is the direct responsibility of FE colleges. The articles of government of each college set out the respective responsibilities of the governing body in respect to senior post holders and of the principal in respect to other staff. Disciplinary procedures are carried out internally following agreed published legal procedures. The registration body should not be directly involved in college disciplinary cases.

It would, however, be helpful if a college could refer to the new registration body the case of an individual who had been through the disciplinary procedure and dismissed, in order to test whether or not that person is still fit to practice and able to maintain membership of the registration body. Colleges should also be able to refer information to the registration body where an individual has been withdrawn from a teaching qualification for breach of Suitability to Practice Regulations and subject to normal due process."

"In respect to investigations by the registration body into whether or not a dismissed person is fit to practice, Colegau Cymru has concerns that some media have chosen to cover disciplinary cases of teachers in a way which acts to the detriment of the public perception of the teaching profession as a whole. In dealing internally with disciplinary cases, colleges have not encountered such negative publicity.

In order to meet the Welsh Government's priority to develop literacy and numeracy skills, it would be essential that anyone responsible for delivering learning, assessing or providing feedback on student work has an appropriate level of literacy and numeracy skills. The Skills Test Review Group, recently remitted by the UK Government's Department for Education to develop a new basic skills test for teachers in England, is potentially relevant to Wales.6"

Question 4

"Yes. A professional body should be independent from the Welsh Government and be overseen and run by the professional education workforce. To have functions such as discipline and professional competence determined by central government would undermine the professionalism of the registration body."

The Welsh Government has an important role in respect to ensuring that relevant legislation is passed to establish the new body and that the new body is operating effectively, is fulfilling its remit and is properly audited."

Clearly the Welsh Government might have a more active role if it paid or contributed fees to the new body. Representation from the Welsh Government, as observers or full members, on the board or council of the registration body could be considered to ensure that appropriate links are maintained."

Question 5

"Yes. ColegauCymru agrees that the potential functions of the body should be broadened to enable it to play a key role in establishing and monitoring standards within the education workforce. These new functions should be phased in to allow time for proper consideration involving interested parties. A new body in Wales is urgently needed to take over the work of LLUK."

There is no organisation in Wales currently managing and maintaining the professional standards for FE lecturers. There are no requirements in Wales, as there are in England, for FE lectures to undergo continuing professional development (CPD). There is no mechanism whereby Welsh FE lecturers can achieve Qualified Teacher Learning & Skills (QTLS) status which, for staff in England, may enable them to teach in schools without the need for Qualified Teacher Status (QTS)."

As a minimum, the new registration body should establish the contents of a Teacher Training Qualifications Framework for Wales and this framework should include minimum standards of literacy and numeracy for teacher, tutors and trainers."

It is important that registration and associated systems do not act as a barrier to members of the workforce wishing to move from one country to another. Mutual cross-border recognition needs to be built in on an on-going basis, while recognising the importance of bilingualism to the delivery of education and training in Wales."

Question 6

"The consultation paper suggests that these functions might include the approval of initial teacher training courses, requirements for continuous professional development and setting professional standards. A coherent set of qualifications would also enable the recognition of professional equivalence across the sectors and enable the movement of individuals within the education workforce to the benefit of employers and students.

A coherent framework structure should be established that allows people to specialise in literacy, numeracy, basic skills support etc within one system."

Question 7

"A new single professional council should be established with membership reflecting the wider education workforce. This should be a new body with new powers and responsibilities. It should not be the current GTCW with an expanded remit.

The Council should be no greater than 25 members. At present, of the GTCW's Council's 25 members, 12 are elected teachers, nine are nominated by teacher unions and other educational organisations and four are appointed by the National Assembly for Wales. The Council of the new body should reflect the new membership with elections covering all three broad categories – schools, colleges and training providers. It may be necessary to have committees in place covering each of these which would report to the main Council. It will be important that the registration body is not dominated by any one group.

Consideration might need to be given to the establishment of a post-16 section within an overarching council structure. This might need to be aligned to equivalent bodies in England, Northern Ireland and Scotland. It would need to include all post-16 practitioners inclusive of schools, FE colleges and training providers."

"The chair of the new Council should be appointed by the Council to serve for a maximum of two years. A deputy chair should also be appointed for the same term of office. To ensure balance, the chair should be rotated between the three key institutions – schools, colleges and training providers.

As noted in the introductory remarks to this ColegauCymru response, Lifelong Learning UK (LLUK), the sector skills council (SSC) that covered FE and work-based learning⁷, ceased to exist on 1 April 2011. Some of its functions for FE transferred to the Learning and Skills Improvement Service (LSIS), an England-based body. LSIS is not however an SSC and the coverage of the LLUK footprint is currently under review. There has not been a SSC covering schoolteachers.

In the absence of an appropriate SSC, a different SSC or SSCs should not take on responsibilities for specific areas of the workforce."

Question 8

"A flat fee is the preferred option. However, given the wide range of staff employed in FE colleges including part-time hourly paid staff, there needs to be some flexibility in fee levels to reflect the annual salaries of staff. Practice in respect to fees varies between professional bodies.

The GTCW, the General Teaching Council for Northern Ireland, the General Teaching Council for Scotland, the General Teaching Council for England (GTC) (which is being closed down with its functions transferring to the Teachers' Agency) and the Institute of Learning (IfL)⁸, which covers FE lecturers in England, have flat fees.

Currently in England, Northern Ireland and Wales, membership is aimed at schoolteachers only; in Scotland, school teachers and FE lecturers may join; in England, the IfL has only lecturers and trainers in membership. The GTCW charges a fee of £45 of which £33 is 'reimbursed through the teacher's pay settlement'. In the GTCs in England, Northern Ireland and Scotland, the respective fees are: £36.50 (with £33 reimbursed through the teachers' pay); £44 (reimbursed by Government) and £45 (deducted from salary). There are no concessionary fees relating to salary."

"The IfL has a concessionary fee for those whose annual income does not exceed than £7,475 and another concessionary fee for those whose annual income does not exceed £16,190.9 Members are responsible for paying their own IfL fees. This has led to opposition by some lecturers and by the University and College Union. Please note the interim report of the review of IfL being conducted on behalf of the Education Minister in England (see note 7, above).

The GTCW website shows the fees charged by other professional bodies¹⁰. In some of these, payment is at the discretion of the employer – for example, in the case of nurses, 50% of the fee is paid by the employer. It would not be acceptable at a time of financial constraint for colleges to take on the costs of registration for their staff. A fee of say £40 per individual would cost the sector around £300,000 per year, a sum of money which should be directed at learners. The Welsh Government is unlikely to wish to take on this additional expenditure. Some college staff might be reluctant to pay a fee if membership of the new organisation was compulsory. In addition, FE staff would not welcome having to pay the full fee if school teachers continue to have almost three-quarters of their fee reimbursed."

"Colegau Cymru believes that as the registration body benefits the education workforce the fee should be paid by members of the education workforce, perhaps with a pump-priming contribution for the first two years of the new body. There should be consistency in approach for all members. It would not be acceptable, for example, for school teachers to have their fee reimbursed through the teachers' pay settlement while college staff have to pay the full fee. The fee level should be flat rate with one or two concessions to take account of salary, similar to the IfL practice.

Given the size of the reconstituted body, there may be efficiency savings and the fee could be lower than that currently charged by the GTCW. However the level of fee depends on the services to be provided.

It will be essential that the new professional body is seen to add value to its members, particularly as membership will be compulsory. These benefits must be over and above what relevant staff employed in colleges currently receive."

Question 9

"Yes. A well run professional body could help in the move towards greater clarity and coherence. It would also facilitate movement of staff between sectors. One particular issue in FE is the lack of a qualifications framework for lecturers. Standards for lecturers are already in place but, unlike England, there is no qualifications framework in place (see answer to question 10, below).

The strength of the new body is that it would help in the sharing of good practice across sectors."

Question 10

"1 The GTCW as currently constituted is focused on schoolteachers. Colegau Cymru would support a reconstituted professional body with a new title - suggestions include the Education Workforce Council for Wales or the Education Council for Wales.

To ease transition, the jobs of existing GTCW staff (except for the chief executive/ accounting officer) should be safeguarded and transferred with new responsibilities. New staff should be appointed with a background that reflected the widening membership. It will be important that staff with a background in FE and WBL are appointed. The GTCW should be dissolved and its assets and liabilities transferred to the new organisation. Efficiency savings could be brought about by economies of scale."

"2 LLUK published its Professional Standards for Teachers, Tutors and Trainers in the Lifelong Learning Sector in Wales in 2007. These standards were based on those adopted in England. John Griffiths, then Deputy Minister for Skills, described these as contributing "greatly to improving the quality of teaching, training and learning" and meeting the sector's wish "to develop the professionalism of their workforce".

In England, the Further Education and Teachers' Qualifications (England) Regulations 2007¹¹ require all new teachers, tutors and trainers appointed from 1 September 2007 to hold or acquire a 'Preparing to Teach in the Lifelong Learning Sector (PTLLS)' qualification. They then must hold either a Diploma in Teaching in the Lifelong Learning Sector (DTLLS) at minimum level 5 for those in a full teaching role, or a Certificate in Teaching in the Lifelong Learning Sector (CTLLS) at level 3 or level 4 for those in an associate teaching role."

However there is as yet no clear qualifications framework in Wales for those taking FE teacher training that match the standards set out. This matter needs to be addressed urgently in order to ensure that lecturers are enabled to reach an acceptable standard.

3 The reconstituted body could have an important responsibility to ensure the regular and consistent publication of information about the education workforce in Wales. This might include data on the numbers and types of contract and mode of employment, background and qualifications of staff, and number of full-time equivalent staff. As noted in the answer to question 1, statistics from the Welsh Government have been inconsistent over recent years and are currently in suspension. Measuring staff trends in FE has been difficult.

"3 Staff at Further Education Institutions in Wales 2008/09 SDR 130/2010 Statistics for Wales First Release 26 Aug 2010. These figures exclude Merthyr Tydfil College which is merged with the University of Glamorgan.

"4 Staff at Further Education Institutions in Wales 2008/09 SDR 122/2011 Statistics for Wales First Release 21 July 2011.

"5 Staff at Further Education Institutions in Wales 2007/08 SDR 121/2009 Statistics for Wales First Release 19 Aug 2009"

**"6 Department for Education Press Notice 27 March 2012
<http://www.education.gov.uk/inthenews/inthenews/a00205843/traintest>**

"7 LLUK's footprint also included youth work, libraries, higher education etc.

"8 On 27 March 2012, the independent review of the IfL chaired by Lord Lingfield published its interim report. This recommended an end to compulsory membership of IfL; the return to lecturers of fees paid; the revocation of the FE Teachers' Qualification, England Regulations and replacement with discretionary advice to employers on appropriate qualifications for staff and CDP; and an appropriate government body to take on register of staff found guilty of gross misconduct. This is an interim, not final, report and the UK Government has yet to announce its view on these recommendations."

"9 IfL also has several categories of membership. The fees charged for 2012/13 are affiliate (£38), associate (£38), member (£38), fellow (£53) and companion (£38)9. Concessions are given for those in full-time teacher training (full fee £17); those retired from teaching, unemployed or on maternity leave when joining or renewing membership.

10 They include the General Medical Council (doctors - £410); the Nursing and Midwifery Council (nurses - £76); General Dental Council (dentists - £438); Care Council for Wales (social workers - £30)."

Name: Enid Christie/Christine Wynne

Organisation: Conwy County Borough Council

Question 1

Do you agree that registration should be extended beyond school teachers to the wider education workforce in Wales, to include school learning support staff, further education lecturers and the work-based learning workforce?

The extended registration would support the work of school learning support staff ie those who have a role directly involved with teaching and learning and consequently in maintaining and raising standards of pupil performance.

Question 2

Do you think that any other members of the education workforce, for example youth workers, play workers and other school staff, should be registered?

With particular reference to other school staff, it would not be appropriate as they do not have remit for teaching and learning.

Question 3

Do you agree that the functions of a registration body in Wales should include checks that individuals are appropriately qualified and fit to practice and a disciplinary function leading to potential barring of individuals who are deemed unfit?

Yes as it provides a reassurance to employers that staff are adequately qualified and are fit for purpose

Question 4

Do you agree that decisions about functions such as discipline and professional competence should be made independent of government?

It does ensure that professionals who are in breach of professional conduct are not able to teach/work in other authorities

Question 5

Do you agree that wider functions should be added on a phased basis into the work of the new or reconstituted registration body? These could include approval of initial training courses, requirements for continuing professional development and setting of professional standards.

Any new function will benefit from consultation so that its adoption is acceptable to those who are responsible for implementation particularly in relation to CPD as this is embedded practice in schools and through PLCs.

Question 6

Are there any other specific functions you think that the new or reconstituted registration body should undertake?

Nothing outside the current remit of the GTCW

Question 7

Do you think that a single professional council, with a membership with expertise across the wider education workforce, is the best way to secure appropriate professional expertise for the new or reconstituted registration body, or would a series of sector councils each specialising in a specific area of the workforce be more appropriate?

A single professional council is preferable as sector councils would lead to inconsistency and incoherence. It would also be more cost-effective.

Question 8

Do you think that there should be a flat-rate fee for registration payable by all those registered or should differentiated fee rates apply?

Differentiated fee rates according to the professional status of the member

Question 9

Do you think that greater clarity and coherence in requirements for matters such as qualifications, professional standards, performance management and professional development could support our drive to improve standards and flexibility across the wider workforce?

Yes it could contribute to a clearer understanding but it depends on how this will be communicated. At present, very little information comes from the GTCW directly to its members.

Question 10

We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them:

No further comments

12

CWVYS response

The Council for Wales of Voluntary Youth Services is the national representative body for the voluntary youth sector in Wales with a membership of 59 organisations that work with over 250,000 young people between the ages of 11–25 years. It is estimated that 40,000 volunteers support work with young people from the member organisations.

CWVYS welcomes the opportunity to respond to the consultation and would like to make the following points:

1. Overall the move towards registration is welcomed. The proposal raises several further queries and issues of concern, however.

2. The concept of registration is seen as having potential to help drive up standards, improve the status of the youth worker, and in assist voluntary sector organisations in sourcing funding or in the commissioning arena.
3. It is strongly suggested that the effects on the voluntary sector need to be fully researched before a decision is made on the proposed scheme: registration could prevent volunteers from coming forward to join the sector. If a fee is payable by volunteers for registration, there are concerns about who will pay. There are also other issues around a possible danger of creating a 2 tier youth service if volunteers are not required to pay for their registered status.

An additional issue is not only the cost of registration itself but a query arises over the possibility that youth worker salaries will be brought into line with those of teaching staff and of the wider education workforce.

The positives for the voluntary sector could include assistance in driving up standards but it would be a mistake to assume that those standards do not already exist. Again, further research and investigation is suggested, here.

4. It is suggested that the differences between registration and a 'licence to practice' are clarified in finer detail. There is current confusion about this issue within the voluntary sector.
5. It has been expressed that youth work could be driven by formal education and influenced by the schools agenda, which in turn could affect the core principles and purposes of youth work. Also, how might this fit with the notion of 'personalised services' for young people?
6. Will the proposal take into account the registration systems currently operated by voluntary sector other organisations e.g. ScoutsWales and GirlGuiding Cymru. We would suggest that there is much to learn from these existing current systems.
7. Will the proposal scheme fit with similar developments in Scotland and England? For example, CWVYS is aware of the momentum gathering behind the work being carried out in England by the Catalyst consortia on an 'Institute for Youth Work'.
8. How will performance management be monitored and which body would undertake this activity?

9. Young People: we include a direct quote from one of our member organisations here:

‘Consideration should be given to the fact that some young people respond better to ‘non-teaching’ staff and trying to regulate this function could be detrimental’.

13

Name: Deeside College

Organisation: Deeside College

Question 1

Do you agree that registration should be extended beyond school teachers to the wider education workforce in Wales, to include school learning support staff, further education lecturers and the work-based learning workforce?

Yes

Question 2

Do you think that any other members of the education workforce, for example youth workers, play workers and other school staff, should be registered?

Yes

Question 3

Do you agree that the functions of a registration body in Wales should include checks that individuals are appropriately qualified and fit to practice and a disciplinary function leading to potential barring of individuals who are deemed unfit?

Yes

Question 4

Do you agree that decisions about functions such as discipline and professional competence should be made independent of government?

Yes

Question 5

Do you agree that wider functions should be added on a phased basis into the work of the new or reconstituted registration body? These could include approval of initial training courses, requirements for continuing professional development and setting of professional standards.

Yes

Question 6

Are there any other specific functions you think that the new or reconstituted registration body should undertake?

No

Question 7

Do you think that a single professional council, with a membership with expertise across the wider education workforce, is the best way to secure appropriate professional expertise for the new or reconstituted registration body, or would a series of sector councils each specialising in a specific area of the workforce be more appropriate?

Yes

Question 8

Do you think that there should be a flat-rate fee for registration payable by all those registered or should differentiated fee rates apply?

Differentiated fee rates

Question 9

Do you think that greater clarity and coherence in requirements for matters such as qualifications, professional standards, performance management and professional development could support our drive to improve standards and flexibility across the wider workforce?

Yes

Question 10

We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them:

No further comments

14

Name: Paul Herrington & Sharne Watkins

Organisation: Department of Teacher Education and Training, Cardiff School of Education, Cardiff Metropolitan University.

Question 1

Do you agree that registration should be extended beyond school teachers to the wider education workforce in Wales, to include school learning support staff, further education lecturers and the work-based learning workforce?

Agreed on the basis that the professional conduct or competence of support staff is not currently regulated by any central body, and that anyone within that group who is dismissed for unacceptable conduct may then go on to work in another learning environment without investigation by a regulatory body. To further improve the safe-guarding of children, it would be appropriate for registration to be extended beyond school teachers to anyone supporting the learning of pupils under the age of 18.

Question 2

Do you think that any other members of the education workforce, for example youth workers, play workers and other school staff, should be registered?

Agreed. This, however, needs only to be restricted to those supporting pupils as part of the learning process in order to maintain a tight focus on developing 'education'.

Question 3

Do you agree that the functions of a registration body in Wales should include checks that individuals are appropriately qualified and fit to practice and a disciplinary function leading to potential barring of individuals who are deemed unfit?

Agreed. This is essential in maintaining robust safe-guarding procedures within education in Wales. It would also be useful if the regulatory body became more involved in the checks made on students before a period of study leading to QTS or other qualifications leading to working within the education workforce. At present, acceptance on to programmes is left to the discretion of further and higher institutions and there is no guarantee that a student with prior convictions who is accepted on to a programme will be given permission to work in schools once qualified.

Question 4

Do you agree that decisions about functions such as discipline and professional competence should be made independent of government?

Agreed. Decisions should be made by an independent authority that is not influenced by political, media or community pressures.

Question 5

Do you agree that wider functions should be added on a phased basis into the work of the new or reconstituted registration body? These could include approval of initial training courses, requirements for continuing professional development and setting of professional standards.

Agreed, but only on the basis that the introduction of wider functions is also subject to consultation. Without the detail of how such work might look, it is difficult to provide a definitive response to this question.

Question 6

Are there any other specific functions you think that the new or reconstituted registration body should undertake?

No

Question 7

Do you think that a single professional council, with a membership with expertise across the wider education workforce, is the best way to secure appropriate professional expertise for the new or reconstituted registration body, or would a

series of sector councils each specialising in a specific area of the workforce be more appropriate?

A single professional council, with a membership with expertise across the wider education workforce is a more appropriate way to move forward if there is an aim to remove inconsistencies across the workforce. However, in developing professional standards, it will be important that important specific detail relevant to the various roles within the education sector is not lost in the creation of a 'one size fits all' model.

Question 8

Do you think that there should be a flat-rate fee for registration payable by all those registered or should differentiated fee rates apply?

A differentiated fee representing the salaries of those involved is a fairer process. However, the workforce needs to feel that they are receiving something in return for what will feel like an extra tax on their jobs. When the GTCW was first established, teachers knew their money would help develop CPD opportunities that they could benefit from. Those opportunities have currently gone and so the benefits of this fee are no longer transparent to all.

Question 9

Do you think that greater clarity and coherence in requirements for matters such as qualifications, professional standards, performance management and professional development could support our drive to improve standards and flexibility across the wider workforce?

It's not clear how this would improve standards and flexibility but greater clarity and coherence would be welcomed as there are already inconsistencies across the standards within the teaching profession, let alone the wider education workforce.

Question 10

We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them:

In terms of regulation of the wider workforce any further/future initiatives should not undermine the professional role of the teacher or affect the quality of education delivered to pupils.

15

Name: James J Penhaligan

Organisation: Education/Employment Training Swansea

Question 1

Do you agree that registration should be extended beyond school teachers to the wider education workforce in Wales, to include school learning support staff, further education lecturers and the work-based learning workforce?

Yes

Question 2

Do you think that any other members of the education workforce, for example youth workers, play workers and other school staff, should be registered?

Yes

Question 3

Do you agree that the functions of a registration body in Wales should include checks that individuals are appropriately qualified and fit to practice and a disciplinary function leading to potential barring of individuals who are deemed unfit?

Yes

Question 4

Do you agree that decisions about functions such as discipline and professional competence should be made independent of government?

Yes

Question 5

Do you agree that wider functions should be added on a phased basis into the work of the new or reconstituted registration body? These could include approval of initial training courses, requirements for continuing professional development and setting of professional standards.

Yes

Question 6

Are there any other specific functions you think that the new or reconstituted registration body should undertake?

No

Question 7

Do you think that a single professional council, with a membership with expertise across the wider education workforce, is the best way to secure appropriate professional expertise for the new or reconstituted registration body, or would a series of sector councils each specialising in a specific area of the workforce be more appropriate?

Yes

Question 8

Do you think that there should be a flat-rate fee for registration payable by all those registered or should differentiated fee rates apply?

Yes

Question 9

Do you think that greater clarity and coherence in requirements for matters such as qualifications, professional standards, performance management and professional development could support our drive to improve standards and flexibility across the wider workforce?

Yes

Question 10

We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them:

None

16

Name: Professor Caroline Lloyd

Organisation: ESRC centre on Skills, Knowledge and Organisational Performance, School of Social Sciences, Cardiff University

Question 1

Do you agree that registration should be extended beyond school teachers to the wider education workforce in Wales, to include school learning support staff, further education lecturers and the work-based learning workforce?

What are the costs associated with the setting up of a new registration body and dismantling an existing organisation? Have these been effectively assessed in relation to the benefits that such a change may have? It is also unclear how the 'work-based' learning workforce would be included. Would they just be trainers who work for private training companies or would they also include individuals who are trainers within their own organisation? Clearly this latter group covers a large number of individuals.

Question 2

Do you think that any other members of the education workforce, for example youth workers, play workers and other school staff, should be registered?

Many of these jobs require no qualifications to undertake them and are not autonomous professions. What is the purpose of registration and is there evidence that existing disciplinary processes are failing? This might increase bureaucracy for the school/college/play centre and the individual without adding any significant benefits.

Question 4

Do you agree that decisions about functions such as discipline and professional competence should be made independent of government?

No. Government should play a role in these issues alongside the profession (trade unions) and the employers. Tripartite organisations are most effective in

providing a voice for all parties in deciding the framework, ie. what kind of professional competence is required. Decisions about individuals should be independent of government.

Question 5

Do you agree that wider functions should be added on a phased basis into the work of the new or reconstituted registration body? These could include approval of initial training courses, requirements for continuing professional development and setting of professional standards.

It seems a sensible procedure. However, in terms of including compulsory CPD as a requirement for registration, there is little evidence of the benefits. Our research on FE teachers in England found a lack of support for the activities of the Institute for Learning and no widespread benefits of compulsory CPD requirements (Lloyd and Payne 2012). Teachers complained that the process was bureaucratic, took too much time and that many colleges were taking a 'whole staff' approach to the provision of CPD. The college management decides the training needs and puts on whole day events that are generic, such as teaching with ICT or dealing with diversity, which do not necessarily match individual or team development needs.

Question 7

Do you think that a single professional council, with a membership with expertise across the wider education workforce, is the best way to secure appropriate professional expertise for the new or reconstituted registration body, or would a series of sector councils each specialising in a specific area of the workforce be more appropriate?

A Wales sector skills council for lifelong learning financed by Government and that dealt with issues around workforce development, professional standards and career pathways across the sector would be useful. Any new body or bodies would be more effective if they had equal representation of the workforce through professional bodies/trade unions and employers. 'Experts' would be better used in advisory positions, not as decision-makers.

Question 8

Do you think that there should be a flat-rate fee for registration payable by all those registered or should differentiated fee rates apply?

Fees are a major problem. The English Institute for Learning for FE teachers is currently facing a fees boycott by trade unions. For those who have never had to pay fees, this is highly controversial and would have to be able to demonstrate benefits, besides allowing access to a job. To expect some of the lowest paid workers in the country, such as teaching assistants and play workers, to pay a fee (however low) is likely to be even more controversial.

Question 9

Do you think that greater clarity and coherence in requirements for matters such as qualifications, professional standards, performance management and professional

development could support our drive to improve standards and flexibility across the wider workforce?

Regulation would be useful in raising standards if it is associated with robust and high level qualifications requirements that are appropriate for the job. Registration with low level standards, see the fitness industry and the door staff/security sector (Lloyd 2005, Fernie 2009), makes little difference. Centralised performance management systems create high levels of bureaucracy and ‘game playing’. They are costly and lead to more managers being employed and limit teachers ability to focus on teaching and learning (see Coffield 1999). Consider actions that will support teachers rather than focus on target-driven approaches.

Question 10

We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them:

I have spent the last three years researching the FE sector in England and Wales and comparable institutions in Norway and France. The focus has been on aspects of the education and training of teachers, their skills and the organisation and management of their work.

Other suggestions to improve the standard of teaching and learning

- Better CPD provision. FE teachers need time to undertake CPD and the provision of appropriate courses. Inset days (as with school teachers) would help if the CPD is driven by the teachers (rather than the priorities of college management). Training and education courses (including Masters) are free to teachers in Norway and France, and are normally undertaken within working time. In Wales, providing more appropriate free or low cost continuous training, particularly around pedagogic practice, might be a useful investment. However, all the evidence indicates that unless the individual has the time and space to implement what they have learnt in the workplace, then it is largely ineffective.
- Our research found that the main factors holding back teachers in FE include high levels of paper work associated with competence based vocational qualifications, constant changes with the curriculum/qualifications etc. and the bureaucracy associated with targets, such as the paper trail around the retention of students. In addition, high levels of casualisation are a major problem in terms of teaching quality and increased workload for those who are the core workforce. Addressing these issues are central if teachers are to have the space to implement improvements to teaching and learning.

References

Coffield, F. (2008) ‘Just suppose teaching and learning became the first priority...’, Learning and Skills Network.
Fernie, S. (2009) ‘Occupational licensing in the UK: the case of the private security industry’, London School of Economics.

Lloyd, C. (2005) 'The regulation of the fitness industry: training standards as a policy option?' *Industrial Relations Journal*, 36,5.

Lloyd, C. and Payne, J. (2012) 'Raising the quality of vocational teachers: continuing professional development in England, Wales and Norway', *Research Papers in Education*. 27,1.

17

Name: Lin Howells

Organisation (if applicable): Estyn

Question 1

Do you agree that registration should be extended beyond school teachers to the wider education workforce in Wales, to include school learning support staff, further education lecturers and the work-based learning workforce?

All learners are entitled to have confidence in a highly skilled and well-regulated education workforce. In theory, registration should lead to greater parity between different groups of staff and ensure compliance with a set of professional standards across Wales. However, the skills and professional requirements of the wider workforce are varied. Registration of certain groups may lead to an 'underclass' of practitioners who are not eligible for registration purely because it would be too complicated or costly to do so.

The role of the classroom/teaching assistant has evolved greatly over recent years. Changes in the curriculum have placed far greater emphasis on the involvement of all classroom practitioners in the planning and assessment process. The introduction of the workload agreement has led to classroom assistants taking far more responsibility within the classroom including the facilitation of PPA (Planning, preparation and assessment time). The work that is undertaken in the primary classrooms is very much a partnership between the teacher and the other support staff working alongside them. Extending the registration to include school support staff is a positive step. This would give recognition to the work that classroom assistants and support staff do. However the range of skills and abilities of the workforce who would come into that bracket is wide ranging. For example - from a level 1 classroom support whose duties are more administrative/auxiliary, to a level 4 teaching assistant, who undertakes pupil assessments, delivers PPA cover, inputs into planning and evaluations and has areas of responsibility within the school. Professional standards would need to be developed to cater for the wide range of support staff and would need to be progressive.

The registration of full time further education staff would give parity of esteem with school staff and help to progress 14-19 (and 14-16) developments. However, staff in FE colleges have a range of qualifications and professional standards so an 'equivalent' qualification would need to be established with CPD arrangements corresponding to those required of school teachers. There would be similar issues for the work-based learning workforce although registration would be desirable and lead to the raising of standards.

Full-time youth workers now play a significant role in supporting schools in the education of some of the most challenging and vulnerable pupils. They are now highly educated to degree level and beyond and registration would help to give recognition to the work of the profession as well as facilitate the sharing of standards across different groups who work with young people.

The registration of part-time staff in FE colleges will be more challenging. Those who meet qualification requirements but choose to work part time should not pose any difficulties although the extra cost to them may be prohibitive. However the many staff who bring a wealth of professional expertise or specialist skills into colleges on a more occasional part-time basis may find it difficult to meet registration requirements. If a requirement to register were to exclude them from sharing up-to-date technical knowledge and skills with FE learners, this would have a hugely detrimental effect on learning in Wales.

Question 2

Do you think that any other members of the education workforce, for example youth workers, play workers and other school staff, should be registered?

The aim of the reform is “to improve educational standards and attainment for the people of Wales”. Therefore registration should apply to all practitioners whose main job it is to deliver education directly to children young people and adults. All full-time youth workers are now professionally qualified as are many community development workers working in Communities First programmes. Registration would raise the status of these professionals, who make an invaluable contribution to the workforce. However, as with the answer to question one, issues of parity of qualifications and part-time status would also be raised. This would also be the case for play workers and adult learning tutors.

It is not clear why ‘other school staff’ would need to be registered if they were not involved in delivering education.

Question 3

Do you agree that the functions of a registration body in Wales should include checks that individuals are appropriately qualified and fit to practice and a disciplinary function leading to potential barring of individuals who are deemed unfit?

Checks on individuals being fit to practice are appropriate and it is sensible and logical to have this information captured centrally by one body.

Checks on whether individual are “appropriately qualified” is far more problematic. Many staff will not have a ‘teaching’ qualification so there would need to be a list of appropriate qualifications such as diplomas and certification in care/education/early childhood studies etc. or an easily achievable ‘top-up’ qualification. (The PCET qualifications recommended by a recent working group in Wales headed up by the then LLUK would be expensive and onerous for people to achieve particularly if they work on a part-time basis.) There is a wide range of accreditation and qualifications

linked to education and classroom practice. Would this mean that perhaps a very skilled and experienced classroom assistant, who may not have any formal qualifications but has done this type of work for 20 years, is not “appropriately qualified”? As mentioned in answers to questions 1 and 2 this could also be the case for many experienced post-16 staff. Registration would not be advisable if failure to meet registration requirements would mean that valuable staff would become unemployable.

Storing details of practitioners’ qualifications is perfectly acceptable but we need to be careful that stringent or difficult to access qualification requirements do not exclude or restrict membership. For example, we need to have confidence that expensive and time-consuming conditions to be met for registration do not have the effect of excluding from FE classrooms people whose practice in an occupational area of learning is inspirational and motivating for students but who may not be qualified, trained or need to be registered.

It would be sensible to ensure that professional standards are clear and progressive and that staff are appropriately matched to the standards based on their skills, experience and, to some extent, their qualifications.

Question 4

Do you agree that decisions about functions such as discipline and professional competence should be made independent of government?

These functions do not necessarily need to be independent of government, although there are administrative advantages for them to continue to be so. Either way, these functions should be administered at a national level to ensure that there is consistency across the country. We should avoid a position whereby the registration body is perceived to have a purely punitive function. Staff who register would need to see some positive benefit from registering.

Question 5

Do you agree that wider functions should be added on a phased basis into the work of the new or reconstituted registration body? These could include approval of initial training courses, requirements for continuing professional development and setting of professional standards.

We do not agree with the new registration body approving initial training courses or requirements for CPD, or setting professional standards. For teaching and related professions, these functions should remain with the government, as is the position currently. Outsourcing these functions to an independent registration body would severely limit government’s ability to direct education policy in Wales.

Question 6

Are there any other specific functions you think that the new or reconstituted registration body should undertake?

None.

Question 7

Do you think that a single professional council, with a membership with expertise across the wider education workforce, is the best way to secure appropriate professional expertise for the new or reconstituted registration body, or would a series of sector councils each specialising in a specific area of the workforce be more appropriate?

A single registration body would provide coherence and be more cost effective than a series of sector councils. On the other hand sector skills councils would have greater impact on raising standards as the level of contributing expertise would be greater and more sector specific. It will also depend on how many professional categories will be required to register as this would determine the range of expertise required by the registration body. However it will be important to avoid duplication or 're-inventing the wheel'.

Question 8

Do you think that there should be a flat-rate fee for registration payable by all those registered or should differentiated fee rates apply?

Differentiated fees would be more appropriate and would take into account the wide range of salaries.

Many members of school support staff and part-time workers refuse to join a union due to the monetary charges. They may feel resentful about registration fees unless the benefits are made very clear to them. It will also seem unfair to them if they are made to pay the same amount as colleagues who are on larger salaries.

Question 9

Do you think that greater clarity and coherence in requirements for matters such as qualifications, professional standards, performance management and professional development could support our drive to improve standards and flexibility across the wider workforce?

Clarity and coherence in professional standards at the different levels would drive improvement.

The skills, knowledge and aptitude, for the different roles and at the different levels needed to meet the standards would be essential. Clarity and cohesion in this would also enhance the professional development of school support staff and other professionals working with young people and adults. It would also improve performance management processes.

The range of qualifications that may be suitable, could be linked to the standards. This would assist those staff wishing to undertake further professional development and move on to the next stage in their career. However – it will take a large body with many highly experienced staff to provide this function effectively. It is important to avoid building a bureaucracy that is not respected by the professionals that the bureaucracy serves.

A phased approach to the development of the registration body may be preferable, starting with substantive school support staff, full-time FE lecturers, WBL staff and full-time youth workers. Once a body of expertise is built up in the organisation it could then consider dealing with part-time staff and those from other professional disciplines.

Question 10

We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them:

Would membership be compulsory for other groups of staff, as it is for teachers in schools?

18

Name: Barney Ball Acting Registrar

Organisation: General Teaching Council for Northern Ireland

Question 1

Do you agree that registration should be extended beyond school teachers to the wider education workforce in Wales, to include school learning support staff, further education lecturers and the work-based learning workforce?

The General Teaching Council for Northern Ireland (the Council) is the independent, self-regulatory professional body for the teachers in Northern Ireland. It is dedicated to enhancing the status of teaching and promoting the highest standards of professional conduct and practice.

In making its response the Council is mindful that how teachers, and the wider education system, is regulated in Wales is essentially a matter for the Welsh Government, the teaching profession and other related professional groups in Wales. However, the Council has a legitimate interest in developments in professional self-regulation throughout the United Kingdom and the impact such developments might have on professional standing and status, as well as the regulation and control of teacher migration between jurisdictions.

There is merit in extending registration/regulation to help ensure accountability and to maintain public confidence in the school and FE workforce. Extended registration would provide a consistent and coherent regulatory framework for those engaged in the education of young people from 4-19 years old. The Council currently only has responsibility for teachers in Northern Ireland's grant-aided schools; however, there is a proposal to extend the Council's responsibilities to include FE lecturers.

Question 2

Do you think that any other members of the education workforce, for example youth workers, play workers and other school staff, should be registered?

In responding to this Question and Question 3 the Council notes that the terms 'professional body' and 'registration body' seem to be used interchangeably in this consultation. There is an important distinction to be made and the Council feels that this is not just a matter of semantics.

Professional self-regulation, by an independent, professional body, is a privilege afforded to well established and respected professions which are held in high public regard and have been afforded a high degree of public trust and confidence.

Self-regulating professional bodies perform a number of key functions, one being registration. Therefore, a 'registration body' is a much more restricted entity than a 'self-regulatory professional body.' The Council is concerned, as it would be a backward step in terms of professional self-regulation, if this consultation was proposing that the current self-regulatory professional body i.e. GTC Wales was to be restructured/replaced with a 'registration body' with more limited responsibilities.

The importance of continuing professional self-regulation should not be underestimated. In times of increasing accountability and public scrutiny, professional activity can either be regulated by the State (Government departments) or can be self-regulating. The option of not being regulated is unrealistic and incompatible with the current expectations placed on professionals.

It is the Council's view that the most effective model of regulation is self-regulation which confers and confirms professional status, reflects the ethical and value-based nature of teacher's work, and enhances and maintains public confidence in the profession. Self-regulation for teachers means that it is the profession itself, through its professional body, which sets the standards for teaching, determines the entry qualification required for the profession and, through registration, ensures that only teachers of good character and with appropriate qualifications are able to teach.

A teacher 'registration body' is not the same as a professional self-regulatory body for teachers (and, as proposed, other related professions). Before extending professional self-regulation to other members of the 'education workforce' the above mentioned features of professional self-regulation would need to be taken into account.

Question 3

Do you agree that the functions of a registration body in Wales should include checks that individuals are appropriately qualified and fit to practice and a disciplinary function leading to potential barring of individuals who are deemed unfit?

These are entirely appropriate functions for a self-regulatory professional body. The Council has liaised closely with GTC Wales, over the years, as GTCW has discharged its responsibilities efficiently and effectively in regard to registration and regulation.

Question 4

Do you agree that decisions about functions such as discipline and professional competence should be made independent of government?

The Council strongly believes that in order to maintain credibility with the profession, and to help maintain and enhance public confidence, professional self-regulation must be independent of Government. However, it is important to note that professional self-regulation is not about self-interest, rather it is the alignment of professional and public interest for the benefit of all.

Question 5

Do you agree that wider functions should be added on a phased basis into the work of the new or reconstituted registration body? These could include approval of initial training courses, requirements for continuing professional development and setting of professional standards.

These functions are central to the core work of any professional body. They could be introduced on a phased basis or commenced on establishment of any reconstituted or new body. Currently, the Council accredits Northern Ireland-based ITE provision and is responsible for the establishment and ongoing development of the Northern Ireland Teacher Competences.

Question 6

Are there any other specific functions you think that the new or reconstituted registration body should undertake?

Other appropriate specific functions would be:

- ***To act as the Competent Authority in respect of EU Directive 2005/36/EC work.***
- ***To provide government and employers with advice on a range of related issues (as per GTCW's current remit); and***
- ***The undertaking of activities that enhance and promote professional status.***

Question 7

Do you think that a single professional council, with a membership with expertise across the wider education workforce, is the best way to secure appropriate professional expertise for the new or reconstituted registration body, or would a series of sector councils each specialising in a specific area of the workforce be more appropriate?

The GTCNI would support the concept of a 'single professional council.' This structure would be particularly appropriate and effective if registration was to be extended to the FE lecturing workforce.

Question 8

Do you think that there should be a flat-rate fee for registration payable by all those registered or should differentiated fee rates apply?

In order to ensure independence from government professional bodies should be funded through the collection of fees from registrants and not be funded from the public purse; this is a pivotal and quintessential feature of professional self-regulation. In respect of flat-rate or differentiated fees this should be determined by the relative remuneration arrangements of the professional groups involved.

Question 9

Do you think that greater clarity and coherence in requirements for matters such as qualifications, professional standards, performance management and professional development could support our drive to improve standards and flexibility across the wider workforce?

The Council is of the opinion that greater clarity and coherence would indeed support the drive to improve standards and flexibility across the wider workforce. A regulatory/accountability framework that involves a professional body working alongside employers and government would help ensure that was achieved.

Question 10

We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them:

No response

19

Name: Gary Brace

Organisation: General Teaching Council for Wales

Question 1

Do you agree that registration should be extended beyond school teachers to the wider education workforce in Wales, to include school learning support staff, further education lecturers and the work-based learning workforce?

Registration with the GTCW assures employers, parents, pupils and the general public that teachers:

- ***Are appropriately qualified (hold QTS).***
- ***Are not barred from teaching by the Independent Safeguarding Authority (ISA), the Secretary of State, GTCW or any of their equivalents in other countries.***
- ***Have been deemed suitable for registration following a CRB disclosure and other enquiries into the teacher's previous history.***
- ***Have, where required, successfully passed a statutory Induction period in Wales or England.***

In addition, for teachers, both individually and collectively, independent professionally-led regulation provides assurance that they are a profession. However, over the past ten years there has been a noticeable change in the profile of those involved in educating children and young people in Wales. In particular:

- Schools have recruited a wide range of support staff to meet the requirements of the national 2003 agreement to reduce teachers' workloads.***
- Following the Welsh Government's Transforming Education agenda, by which schools and colleges are required to work in partnership in order to provide genuine choice of learning pathways to 14-19 year olds, there has been an increase in numbers of FE teachers in secondary schools and pupils taught in FE colleges.***

Despite this change, it remains the case that only qualified teachers in schools are professionally regulated, with large numbers of others involved in the teaching and learning process remaining unregulated. This is a situation that clearly needs to be addressed for the benefit of the pupils and parents concerned, those persons working within such posts, and the general public as a whole.

Council is of the view that all those who have a role in teaching should be regulated by the professional body for teaching, in particular, the following groups:

a) Learning support staff

Following the introduction of school workforce reform in 2003, schools have recruited a wide range of staff to meet the requirements of the national agreement. A summary and categorisation of the range of support posts in schools was produced by the TDA. Such staff play an important role in supporting both pupils and teachers and are integral in helping to ensure that schools run smoothly and efficiently.

The significant increase in the number of support staff working in maintained schools in Wales over this period is shown below: Indeed, the 2010-11 figures equate to well over half the number of registered teachers working in schools in Wales.

Table 1: Support staff in maintained schools (full-time equivalents)

	2003-04	2010-11
Teaching Assistants		
HLTAs	Not recorded	1,044
Teaching Assistants	2,860	10,492
Special needs support staff	2,219	4,591
Other	3,205	429
	8,284	16,556
Administrative staff		
Technicians	2,774	3,468
	1,034	1,101
Other support staff	635	193
Total	12,717	21,318

However, despite the significant increase in support staff in Welsh schools, little consideration has been given to a range of related factors in relation to these persons in Wales, in particular:

- The development of national professional standards so as to bring clarity of role.***
- Initial and continuing professional development arrangements.***
- Professional and/or academic recognition.***
- A standardised system of performance management.***
- The safeguarding of pupils, parents and the public through the establishment of a Register and the setting and maintaining of standards of professional conduct and competence in the interests of pupils, parents, the general public and the profession.***

Indeed, in respect of the latter point, matters have actually deteriorated in recent years. On the establishment of the new Vetting and Barring Scheme (VBS) under the Independent Safeguarding Authority (ISA), conduct and criminal offences committed by a member of support staff working in a maintained school in Wales that do not involve “a risk of harm to children” are no longer considered by government. This represents a major loophole in Wales meaning that under current arrangements, two persons could be dismissed for identical allegations of unacceptable professional conduct or commit identical criminal offences. The registered teacher would be referred to GTCW, but the member of support staff would not be investigated by any

regulatory authority and so would be free to continue working elsewhere in the maintained sector.

The Council therefore believes that there is a need to extend professional regulation to the wider school workforce. In particular, professionally-led regulation would be a driver for:

- ***Establishing and providing clarification on what the requirements are to work in a particular role, including:***
 - ***Qualifications required to enter a role and the ongoing training and continuing professional development available/required.***
 - ***National professional standards which underpin certain support roles. As with the national standards developed in England, these would help individuals in their daily tasks and help establish the link between the aims and objectives of a school and what is required to achieve these, so they can support school improvement.***
 - ***Professional conduct and competence requirements, both for entry to a particular profession and to continue to work within it.***

Developing these on a national level would help to reduce local inconsistencies which currently exist and foster greater professionalism. It would also provide greater clarity and transparency to parents and the public as to who is contributing towards the education of children in Wales.

- ***Providing clarification, both to persons working within particular professions and to the public of the inherent purpose and value of different support roles and how they fit into the delivery of education within our schools.***
- ***Acknowledging that increasing numbers of support staff are working in schools and that under Welsh Government Regulations many of these persons can undertake the “specified work” of a teacher, subject to certain provisions.***
- ***Producing benefits to the education system in Wales through a rise in standards of pupil achievement.***
- ***Improving the status of support posts through better structures and support.***

The Council also considers that a decision needs to be made as to which groups of support staff should be regulated. In this regard, the Council finds it helpful to make a distinction between those who have a direct impact on pupil learning and achievement, such as HLTAs and learning support assistants, and staff who have an indirect impact on pupil achievement, such as administrative staff or librarians. Based on this distinction, the Council advocates that only persons who are working in support of teachers and have direct contact with pupils as part of the learning process should be registered over and above existing safeguarding arrangements. On this basis, examples

of the types of posts which the Council considers should be included are set out below as illustration:

Types of posts which should fall within the compass of professionally-led regulation (over and above existing safeguarding requirements).

- ***HLTAs.***
- ***Cover supervisors.***
- ***Teaching assistants.***
- ***Learning support assistants.***
- ***Learning coaches.***
- ***Inclusion coordinators.***
- ***Behaviour mentors.***
- ***Residential child-care officers in special schools.***

Types of posts which should not be included (over and above existing safeguarding or other professions' regulatory requirements)

- ***Administrative staff, including bursars, data managers, IT managers.***
- ***Librarians.***
- ***School counsellors.***
- ***Technicians.***
- ***Caretakers.***
- ***Catering staff.***

The lists above are not exhaustive and the posts used are illustrative only.

b) Instructors within schools

A particular anomaly continues to exist in schools in Wales regarding the employment of 'instructors' i.e. teachers who do not have Qualified Teacher Status (QTS).

Instructors can play an important role in curriculum provision outside the traditional school subjects e.g. vocational subjects or specialist academic subjects for which there is no PGCE provision. They can also be used under Welsh Government Regulations, to carry out the 'specified work' of a teacher, if no suitable qualified teachers, or teachers on an employment-based scheme are available for appointment. Furthermore, instructors should only be employed for a period when no qualified teachers are available for appointment.

Many instructors are employed in compliance with the Regulations, however many others are not, as the Welsh Government does not monitor schools' compliance with the requirement.

However, while undertaking the same work as a teacher, instructors do not currently need to be registered with GTCW and are not subject to its requirements in respect of professional conduct and competence. Indeed, the Council has had previous experience where a registered teacher and an instructor had been dismissed for similar reasons, yet only the registered teacher could be investigated by GTCW while the instructor remained eligible to teach. Similarly, the Council has had a number of instructors in schools referred to it in respect of criminal offences but has been unable to consider them.

Furthermore, instructors are not subject to the same requirements or entitled to the same opportunities in respect of professional development as registered teachers, despite undertaking the same work. For example, an instructor is unable to undertake Induction and cannot access early professional development funding.

The Council believes that this anomaly needs to be resolved urgently, so that instructors are brought within the scope of professionally-led regulation.

c) Teachers in Independent Schools

A further irregularity with the existing regulatory arrangements in Wales is that there is no legal responsibility for Independent schools to employ qualified and registered teachers.

In other professions such as medicine, nursing or dentistry, it would be unthinkable for doctors, nurses or dentists who work in private practice not to be registered and subject to professional regulation; however, this is the case in teaching in Wales.

Currently, a teacher can be dismissed following serious allegations of misconduct or incompetence in an independent school but can continue to teach both in the maintained sector or the independent sector without any referral to GTCW (unless the teacher has chosen to register voluntarily). This is clearly illogical, particularly when a teacher in the maintained sector could be subject to similar allegations, in which case their employer would be legally required to refer the matter to GTCW.

The Council considers that this loophole needs to be closed, so that teachers and support staff in the Independent sector should also be regulated. Up to this point, the definitions of registration in primary legislation have limited the possibility of anyone other than teachers with QTS registering. However, if greater scope were given to the Council to define its categories of registration, then it would be possible to bring all teachers in the independent sector within the compass of professionally-led regulation.

d) Further Education Teachers

An ever-increasing number of pupils of compulsory or post-compulsory school age (14-19 year olds) are being, or will be, taught either in FE settings by FE teachers or by such staff in school settings. Currently 27% of FE students (64,000) are under the age of 19. Conversely, some adult education takes place in school settings. This move to greater flexibility in learning settings designed to match the learners' curriculum with their desires, ambitions and aptitudes is a welcome one - but it throws into sharp contrast a number of inconsistencies in the ways that learners and teachers are treated across both sectors.

Under the 'Transforming Education' programme, schools and colleges in Wales are required to work together in partnership in order to deliver genuine choice to learners under Learning Pathways 14-19. However, parents do not differentiate between vocational and non-vocational courses in individual settings and do not understand why some rules and entitlements apply to schoolteachers but not FE teachers.

There is a need for coherence and consistency in approach. This is already in place in some areas, for example the Ministerial decision in Wales that there should be parity for FE teachers with the main pay scale for schoolteachers, but not in other areas, for example, different arrangements exist for qualifications, registration and professional development.

Based on the experiences of the GTCW since its inception and those of other UK professional bodies in teaching or in other professions, we would suggest that a professional body in the FE sector could make a very strong contribution in the following areas:

- The establishment and further development of initial and continuing professional development arrangements. This is an area where the FE sector continues to fall behind the maintained schools sector. A professional regulatory body with a remit for raising standards would be well placed to drive this work forward in liaison with the Welsh Government.**
- The setting and maintaining of standards of professional conduct and competence in the interests of learners, parents, the public and the profession. This would include registering FE teachers, the establishment of fitness to practise arrangements and the introduction of a Professional Code.**
- Helping to raise the status and standing of educators in the FE sector.**

In addition, regulation of the FE sector would bring parity with arrangements in England, where the IfL has undertaken this role since 2007.

The Council set out a detailed position on these matters in its 2009 position paper “Coherence and Consistency in 14-19 Education – the case for professional self-regulation in Further Education”.

e) Work-based learning workforce

Whilst the case for extending professionally-led regulation for FE teachers is strong, a fundamental question in deciding whether any group should be included within the compass of a professional body for teaching is whether potential registrants would regard themselves as fundamentally in the business of ‘teaching’.

Council concludes that the work-based learning workforce providing vocational training would regard themselves as trainers and tutors, if not teachers. However, there are a number of fundamental issues to address with regard to this workforce and it is for this reason that Council is of the view that introducing professionally-led regulation for work-based learning workforce should not be a priority at this stage. If, as is suggested in the consultation, an incremental approach is taken to the registration of a wider group of practitioners, Council believes that priority should be given to the groups listed in a) to d) above.

Issues in deciding to extend regulation

While the arguments for expanding professional self-regulation to the wider school workforce and FE sector is strong, the Council also recognises that such a development would not come without issues, including:

- Some teachers take the view that the professional body for teaching should be confined to those who hold QTS. Others do not share this view, believing that it is appropriate for a professional body to encompass different groups of practitioners. Professional status is protected in those bodies which register a range of practitioners (e.g. the General Dental Council, Institute of Engineering & Technology) by having different categories of registration. Council is of the latter view that a single professional body for all teachers, instructors and learning support staff would enhance status for all those practitioners.***
- Potential difficulties in gaining wider support for the benefits of regulating learning support staff and FE. In particular, the Council would expect the charging of a registration fee to be an issue, especially for some learning support staff whose pay is relatively low. It is therefore pleasing to see that the government proposes to adopt the principle of a limited range of differential fees.***
- The financial costs involved in the independent professional regulation of a wider group of practitioners. However, such costs would be mitigated by widening the scope incrementally to the GTCW and would, in any case, be self-funding via differentiated registration fees.***

Costing

If regulation were to be extended to a wider constituency of 'teaching' staff, it would have the following financial implications.

Registration of some 16,000 learning support staff (see Table 1) with a reconstituted GTCW would require some additional registration and professional standards staff and add to direct costs, but would benefit significantly from the infrastructure, experience and expertise of the GTCW's current teams and processes thus giving major efficiencies and economies.

Regulation of 9,000 FE teachers would increase direct costs by an additional £107,500 annually, again primarily due to professional standards case work. The increased registration and professional standards staff referred to above would absorb this additional workload.

It is expected that the GTCW would need to source new premises to accommodate the current and additional staff, but except for the one-off costs of moving, ongoing costs should remain as currently.

<i>Total annual cost of regulating learning support staff</i>	<i>£270,000</i>
<i>Total annual cost of regulating FE teachers</i>	<i>£107,500</i>
<i>'One-off' accommodation costs</i>	<i>£75,000</i>

This would be self-funding via registration fees, differentiated as per the Welsh Government proposal in Q8.

However, as described in this and other sections of this response, despite these challenges there are over-riding arguments for the professionally-led regulation of learning support staff, FE teachers, instructors, teachers in the independent sector and the work-based learning workforce.

Summary

GTCW supports the extension of registration to the wider education workforce to include:

- School learning support staff.***
- Further education lecturers; and***
- Instructors within schools.***
- Teachers in independent schools.***

GTCW believes the registration of the work-based learning workforce should be introduced after the above.

Question 2

Do you think that any other members of the education workforce, for example youth workers, play workers and other school staff, should be registered?

As stated above, a fundamental question in deciding whether any group should be included within the encompass of a professional body for teaching is whether potential registrants would regard themselves as fundamentally in the business of 'teaching'.

If government itself concluded that there were benefits in professionally-led regulation for play workers and youth workers, it may wish to consider whether these groups fell more naturally within the responsibility of another professional body.

In respect of 'other school staff', our response to Q1 distinguishes between those who have a direct impact on pupil learning and achievement such as HLTAs and learning support assistants and staff who have an indirect impact on pupil achievement such as administrative staff or catering staff. As stated above, the Council advocates that only persons who are working in support of teachers and have direct contact with pupils as part of the learning process should fall within the encompass of professional regulation. Other school ancillary and support staff would probably not regard themselves as fundamentally in the business of teaching and, in any case, may themselves already be associated with other professional bodies in their respective fields such as accountancy or librarianship.

Summary

GTCW supports the extension of registration to instructors in maintained schools and teachers in independent schools (see answer to Q1 above).

GTCW believes that it would be inappropriate to require youth workers, play workers or school support staff whose principal role does not involve teaching & learning, to be registered with the professional body for teaching.

Question 3

Do you agree that the functions of a registration body in Wales should include checks that individuals are appropriately qualified and fit to practise and a disciplinary function leading to potential barring of individuals who are deemed unfit?

Controlling admission or entry to the profession and setting and maintaining its standards of conduct and competence is a key feature of any profession. GTCW has exercised these regulatory functions on behalf of the profession since 2001 (conduct and competence) and 2006 (suitability for registration). Since inception, it has developed and revised a Code of Professional Conduct & Competence; maintained an accurate Register of Qualified Teachers; issued the award of Qualified Teacher Status (QTS) and Induction; and investigated and, where necessary, heard cases relating to a teacher's fitness to practise.

The inability of some professions to police themselves has in the recent past been an argument for their reform or of a more fundamental criticism of self-regulation. The Shipman case, for example, raised significant criticism of the medical regulator and led to its reform following Dame Janet Smith's report. The GTCW has always been careful to act in the public interest as it is required

to under its primary legislation. The Council has always seen this work - which sometimes leads to negative publicity for the tiny number of teachers concerned - as essentially a positive act of a mature profession prepared to and able to represent the high standards to which the vast majority (over 99%) of teachers adhere. The proven ability of the GTCW to regulate in the public interest is demonstration of this.

GTCW would assert that its regulatory work has had a long-term positive impact on the status of teaching and of teachers as a profession.

Prior to the existence of the Council, professional misconduct was considered by Westminster government officials acting on a Wales and England basis. Investigations and decisions were made in private. Only the most serious cases of misconduct were dealt with, resulting in barring from teaching. Professional incompetence was not considered at all by officials resulting in a 'recycling' – albeit of a tiny minority – of incompetent teachers through the education system.

The toleration of misconduct that was anything lower than the most serious examples and the lack of engagement at all at national level with professional competence matters could be said to have had a weakening effect on expectations of acceptable behaviour and practice within the profession. There is a real danger that there will be a return to these expectations in England with the demise of GTCE.

By contrast, the advent of the GTCW brought the profession's and society's own expectations to bear on particular cases - with disciplinary panels composed of both registered teachers and lay persons. The profession's pride in high standards has 'raised the bar' in respect of the expected conduct and practice of teachers and consequent impact on standards of teaching and example to children. The same rigorous standards are also applied by the Council when considering the suitability of applicants for registration and in hearing induction appeals by teachers.

GTCW has built significant expertise in dealing with professional standards cases from the development of systems and processes, the recruitment of and training of panel members, the investigating and hearing of cases by officers and panel members and the public-facing aspects of this sensitive work. It is argued that such expertise in respect of teaching does not reside currently elsewhere.

Article 6 of the Human Rights Act provides for every individual to have the right to a fair hearing and this has underpinned Council's approach taken to disciplinary work since the commencement of its responsibilities. Acting in the public interest in disciplinary casework, has always involved deciding whether the public interest argument is outweighed by individual interests, by the 'waiving' of the right to a public hearing often-argued for by the teacher union representative of an individual teacher. Almost without exception, Professional Conduct & Competence Committees conclude that it is in the wider interest of the profession for hearings to be in public.

Despite the press tendency to make salacious headlines from the small number of cases (20 to 25 per year) which culminate in a hearing, Council takes the view that there is a public expectation that such hearings should be open and that holding them in public avoids the accusation that would be levied that the profession was protecting 'its own' at the expense of the interest of parents and pupils. The Council is of the strong view that holding hearings in private would be immensely more damaging for the reputation of the profession.

Summary

GTCW agrees that the core functions of a professional regulatory body must include powers to make checks on individuals to ensure that they are appropriately qualified and fit to practise and a disciplinary function leading to potential barring of individuals who are deemed unfit. The GTCW has over ten years experience in this area of work.

Question 4

Do you agree that decisions about functions such as discipline and professional competence should be made independent of government?

Professor Gareth Elwyn Jones writing in spring 2010 in the IWA's journal, Agenda, said "If the GTCW did not exist, its professional functions would be taken over by the Welsh Government. Standards of conduct would be established and enforced by anonymous bureaucrats there or in the local authorities. The teaching profession needs as much recognition as it can manufacture of its own involvement in regulating itself."

Indeed, the decision by the Secretary of State in England to abolish the GTCE and bring a limited number of regulatory functions in relation to teacher misconduct into government forecasts a number of problems.

The major impact is that from April 2012 England will be the only country in the UK where teachers do not have their own independent professional regulatory body, and in contrast to the global trend toward professional regulation in teaching.

England's teaching profession will have all its fundamental precepts and professional and ethical frameworks outside the stewardship of its own regulatory body. Instead, these defining aspects of professionalism will reside largely under the direct control of the Secretary of State and his department. It is the Secretary of State who will have the power to investigate referrals of allegations of unacceptable professional conduct, or conduct which may bring the profession into disrepute or where there has been a criminal conviction.

Where unacceptable professional conduct is found, the only sanction that will be available is the prohibition of a teacher. This single option replaces the much more nuanced system in operation in Wales (and until 31 March in England), where sanctions also include a reprimand, conditional registration order or suspension order. There will no longer be a statutory duty for a head

teacher to refer cases of professional misconduct, and this will be replaced with only an obligation for heads to consider referral. Without a universal benchmark, a referral system and only a single sanction available, the new situation will place school leaders in an unenviable position.

There will be no provision for national regulation of teachers' competence. Instead, individual employers will make their own local decisions about a teacher's performance, again without recourse to a universal benchmark. The GTCW would question the fairness, transparency and consistency of such an arrangement.

The GTCW considers that the new regulatory environment in England will disempower the teaching profession there from taking collective responsibility for its standards; children and young people will not have an equal and consistent entitlement in relation to the good standing and expertise of their teachers; and the potential for further collective advancement of the standards of teaching and the profession as a whole will be undermined.

The benefits of accountability, transparency and assurance of standards which professionally-led regulation delivers are accepted in all other professions. Yet a comparable expectation within the education service for children in England will be removed, thus increasing the potential for inconsistency in practice and outcomes and weakening the assurance that parents should be entitled to.

These are strong arguments for professionally-led regulation rather than such professional standards functions, including misconduct and incompetence, being carried out within government.

Summary

The GTCW strongly agrees that it is the role of the professional regulatory body, rather than government, to uphold the profession's standards of competence and conduct.

Question 5

Do you agree that wide functions should be added on a phased basis into the work of the new reconstituted registration body? These could include approval of initial training courses, requirements for continuing professional development and setting of professional standards.

In addition to the regulatory, advisory and operational roles which Council currently has, the International Forum for Teacher Regulatory Authorities (IFTRA) Charter for Teaching Councils states that Councils often have a wider range of functions. In particular, Council believes it should be responsible for the following areas:

a) Guardian and owner of professional standards

The Council's position on professional standards has been set out in a series of advisory documents (a Professional Development Framework for Teachers, 2005, 2006, 2007) emphasising to government the need for a coherent and progressive continuum of professional development from QTS to senior leadership.

It is the Council's strong view that teachers' professional standards belong to the profession. As the independent regulatory body for the profession, whose aims in legislation include contributing to improved standards of teaching, the Council advocates that ultimate responsibility for standards should rightly rest with it rather than with government or employers.

In order for professional standards to be relevant, fit for purpose and generic enough to respond to developments in education policy and priorities, it is essential that they be 'owned by the profession' and not viewed by practitioners as external to their work.

The Welsh Government has already responded by putting in place three of the GTCW's proposed four professional milestones. The Council was also pleased to see also that the last review of standards conducted by government indicated that a more fundamental review would take place in the future. One of the issues that Council has long advocated is the development of standards under a common set of headings so as to promote coherence and assist teachers in determining what is appropriate at different stages of their careers. Transferring responsibility to the regulatory body for setting standards in future reviews would bring about that professional coherence which both government and the teaching profession desires.

b) Accreditation of ITET courses

As with the majority of other professions, including the teaching professions in Scotland, Northern Ireland and Ireland, the Council feels it is logical and highly appropriate that a professional body be responsible for accrediting the appropriateness of courses leading to entry into that profession.

Although the Welsh Government issues criteria for the accreditation of Initial Teacher Education and Training (ITET) courses which cross-refer to courses preparing students to meet the QTS standards, these criteria do not set out the content that all ITET courses should cover. Furthermore, accreditation of provision is given by HEFCW whilst largely deferring to the institutional inspections of Estyn.

The Council believes that a system whereby the professional body for teachers accredits initial teacher education and training courses would be a logical, rational and consistent approach to determining the professional relevance of courses.

ITET programmes leading to professional status must clearly integrate with professional development frameworks and, as such, ITET must be seen as the first stage in coherent, progressive and quality-assured ongoing professional learning.

Whilst the approach to ITET accreditation adopted in Wales broadly mirrored the structure of accreditation in England, it was peculiar that responsibility lay with the HE funding body. Logic would normally dictate that funding bodies focus on funding and professional bodies upon the professional relevance and quality of ITET provision.

Under the present system, the inevitable focus is upon existing standards and historical issues which are compounded by the related long legislative lead times required to bring about change to ITET courses. These flaws tend towards approaches to accreditation that are based around the historical needs of the profession and compliance checking, rather than a more dynamic and pro-active approach to prepare aspiring teachers for current and emerging professional challenges.

As the autonomous professional body for teachers in Wales charged with upholding and maintaining standards in teaching, and, as an organisation committed to the professional development of teachers throughout their careers, the GTCW is well placed to assure both the public and the profession that courses of initial teacher education are fit for purpose.

Any proposed process would build on the already strong working relationships with HEI Schools of Education in Wales which GTCW has. The GTCW has a remit to advise the Welsh Government and other designated bodies on the training, career development and performance management of teachers.

It is the Council's opinion that its role should, therefore, include the accreditation of ITET courses, courses which are the foundation stone of a teacher's career, and which mark the start of a teacher's professional journey.

c) CPD requirements and quality assurance of provision

In keeping with the appropriateness of the profession owning its own professional standards (see a) above), the Council is of the firm view that on-going professional development for teachers is also best led by the profession itself.

One of the seven key principles in the GTCW's Code of Professional Conduct & Practice is that, 'Registered teachers take responsibility for maintaining the quality of their professional practice.' This indicates the desire that the Council has to ensure that teachers take personal responsibility for maintaining and developing their professional knowledge, understanding and skills throughout their teaching careers and that they reflect on and evaluate their practice as part of their CPD.

Developing the detail of this, the GTCW, working with partners and at the request of a former Education Minister, led the development of a major suite of advice on a Professional Development Framework for Teachers.

Based on this advice, Council has previously advised and continues to advocate that it would be appropriate for it to take responsibility for:

- Setting out the key milestones and standards and associated national CPD programmes throughout a career in teaching.***
- Setting out requirements to ensure that teachers are able to maintain high levels of professional practice and keeping these under review.***
- Providing guidance to assist teachers in planning their professional development.***
- Developing professional recognition arrangements and awarding professional qualifications e.g. for experienced teachers, an extended programme for Masters in Educational Practice could be linked to professional recognition in the form of Chartered Teacher.***
- Hosting a web-based Professional Development Portfolio to enable individual teachers' professional reflection and aid the performance management process. (Council is currently a partner in an EU-funded, pan-European organisation project to develop such a portfolio).***
- Quality-assuring the provision of CPD by kite-marking providers (including provision made by LAs, HE and other private providers) through the development and maintenance of a Code of Practice for CPD providers and a list of accredited providers and their programmes.***

Underpinning the above, alongside individual professional responsibility for CPD, GTCW will continue to advocate that provision of CPD opportunities is an entitlement for all professionals in teaching.

Council agrees that such additional functions should be phased in but would argue that a specific timetable be established for any such functions so that appropriate plans and budgets can be put in place and to avoid policy drift.

Costing

If the functions proposed e.g. accreditation of ITET courses, or quality assurance of teachers' CPD were to be added to the responsibilities of GTCW, it would have the following financial implications:

Panels of experts would need to be appointed to undertake accreditation and quality- assurance work, supported by an additional member of GTCW staff. There would also be associated recruitment and training costs.

Total cost of additional functions e.g. accrediting ITET courses: £68,800

This would be self-funding via registration fees, differentiated as per the Welsh Government proposal in Q8. Depending on the registrant population (38,000 (current registrants) / 54,000 (including learning support staff)/63,000 (including learning support staff and FE teachers), these functions would

increase the registration fee by between £1.10 and £1.80 (based on current registration fee).

Summary

In keeping with other professional bodies for teaching and most other professions GTCW agrees that the registration body should have the following responsibilities:

- ***Being the guardian & owner (the 'setter') of professional standards.***
- ***Approving ITET courses as being professionally appropriate.***
- ***Setting requirements for teachers' CPD and the quality assurance of CPD provision.***

Question 6

Are there any other specific functions you think that the new or reconstituted registration body should undertake?

a) Advisory functions

In addition to its regulatory functions, under current primary legislation, GTCW has responsibilities for advising the Welsh Government and other organisations of its own volition on specified teaching issues or to respond to other government requests for advice. The specified teaching issues on which the GTCW may advise are:

- ***Standards of teaching.***
- ***Standards of conduct for teachers.***
- ***The role of the teaching profession.***
- ***The training, career development and performance management of teachers.***
- ***Recruitment to the teaching profession.***
- ***The supply of teachers.***
- ***The retention of teachers within the profession.***
- ***The standing of the teaching profession.***
- ***Medical fitness to teach.***
- ***And, if requested by the Welsh Government, on any other matters relating to teaching.***

The GTCW is not a union, an inspectorate or government agency but an independent regulatory body. As such, it is uniquely placed and equipped to speak on issues that impact on the profession of teaching, based on evidence from research, the perspective provided from different phases and sectoral interests, and the coherence that a professional body brings.

In other words, it provides:

‘A clear professional voice, independent of government, but working with (them) to raise standards.’[1]

Not all regulators have this advisory function, but GTCW would argue strongly of its value, some of which is a natural bi-product of its regulatory work. The following two examples illustrate how as a professional body, working with others, it has been responsible for providing balanced impartial advice to government on major areas of policy which has been recognised as influential.

Following GTCW’s inception, it was largely taken for granted by teacher unions and others that, following reports in the UK press, teaching in Wales was suffering from a recruitment and retention crisis. In 2001 and 2002, GTCW undertook major quantitative and qualitative research to ascertain the situation in Wales, culminating in a major piece of advice to government, the ‘Action Plan for Teacher Recruitment & Retention in Wales’ in 2003. This concluded that no such crisis existed in Wales but identified pressure points and issues to be addressed such as an oversupply of primary teachers. One of the many consequences of this was the commissioning by the Welsh Assembly Government of the Furlong Review of Initial Teacher Education and Training and its consequent decision to reduce training numbers.

Between 2005 and 2007, at the Minister’s request, GTCW took the lead in developing a ‘Professional Development Framework for Teachers in Wales’. Whilst much was in place for teachers’ CPD, it was neither coherent nor progressive. GTCW was able to bring a professional perspective to the issue. Following consultation, a suite of three major pieces of GTCW advice - on professional milestones and standards; professional development and accreditation; self-reflection and quality assurance – appears to have been valued by and has influenced significantly recent Welsh Government policy on the professional development of teachers, by providing it with direction and coherence.

There are a large number of other pieces of advice and responses to consultations by government and other organisations which have been developed by the GTCW (see www.gtcw.org.uk) and have had a positive effect on the teaching profession.

Through its own professional body, the teaching profession has been able to indicate its commitment to improved teaching quality and consequent raised standards of pupil achievement. For example, it has contributed to recent government thinking about a Masters level profession which should, in the long-term, improve the professional preparation of teachers. There are also occasions when, as an independent body, GTCW has been constructively critical of policy.

In addition to the functions and responsibilities argued for in answer to Q5, GTCW believes that its advisory function, which has already proved very

successful but is not specifically referred to in the consultation proposals, should continue following the review.

Costing

There are no financial implications for the Council if the decision is to continue GTCW's functions and remit for qualified teachers as currently, including regulatory and advisory functions. However, there would be staff redundancy implications and possibly some legal costs if the advisory functions were to be removed.

Cost of removing advisory function = £16,000

b) Operational functions

Under current legislation, and only at the request of the Welsh Government, the GTCW may 'undertake activities designed to promote recruitment to the teaching profession and the continuing professional development of teachers'.

In respect of the latter function, GTCW has administered a funding programme for teachers' Induction & Early Professional Development. It also administers the award of Qualified Teacher Status and Induction, including issuing certificates and hearing Induction Appeals. In this work, it builds on the 'live' employment and registration information contained in the Register. Council believes that this is a valuable function which government would want to maintain and enhance as these arrangements are joined-up and cost effective. The alternative would be to use the 22 LAs or four consortia to undertake these functions, which would be more expensive, less efficient and would lead to duplication of work. Neither would it be appropriate for some of these professional functions, such as the award of QTS or Induction, to be carried out by anyone other than the professional body.

However, the government has, to date, not asked GTCW to 'undertake activities designed to promote recruitment to teaching', although it was the intention behind the Teaching & Higher Education Act to enable GTCW to perform the function in Wales that the TDA carried out for England. Instead, the Welsh Assembly Government contracted the TDA to perform general teacher recruitment functions for it. The Welsh Government may now consider it appropriate to require the professional body to undertake such work in Wales building on the unique and valuable data in its Register, and especially now that the TDA has been abolished.

Costing

Operational work, as listed above, are functions undertaken by GTCW at the request of the Welsh Government. This work is paid for by Welsh Government grant.

Summary

The GTCW believes the professional body should retain an advisory function on relevant professional issues e.g. teacher supply and demand, standards, initial & continuing professional development and recruitment & retention.

The GTCW also supports government retaining an option to invite the professional body to carry out operational responsibilities e.g. in the field of professional development taking advantage of the information it holds about registrants. The Welsh Government may consider it timely to require the professional body to undertake operational activities in the field of teacher recruitment.

Question 7

Do you think that a single professional council, with a membership with expertise across the wider education workforce, is the best way to secure appropriate professional expertise for the new or reconstituted registration body, or would a series of sector councils each specialising in a specific area of workforce be more appropriate?

The Council strongly believes that the most practical and cost effective of these options is to expand the GTCW's existing statutory responsibilities to cover the wider school workforce and the FE sector. This is based on the following arguments:

a) GTCW is a well-established and successful body. Since inception in September 2000, the Council can cite a number of significant achievements, despite operating in an environment where both GTCW and GTCE have come under intense scrutiny by teachers, teacher unions and other stakeholders. Particular achievements have included:

- The introduction and maintenance of a 38,000-strong Register of Qualified Teachers, which is well regarded in Wales and heavily relied upon by employers, agents and other stakeholders in Wales.***
- The creation of robust suitability for registration processes that help to safeguard pupils and reassure parents, employers/agents and the general public in Wales. These include checks on teachers' qualifications, any criminal records (over 360 CRB disclosures have been considered by GTCW for relevant offences, since assuming these powers in 2006), professional background and child protection matters.***
- The establishment and exercise of efficient and consistent processes to consider the small number of teachers who might potentially bring the profession into disrepute following concerns about their conduct or competence. Over 300 referrals have been considered by the GTCW professional standards processes since its inception.***
- The development of a Code of Professional Conduct and Practice which is referred to by individual teachers, schools, employers, ITET***

institutions and teacher unions and has become the benchmark for professional standards for teachers in Wales.

- *The development of advice to the Welsh Government in a number of key areas, notably recruitment and retention (including an influential 65-point Action Plan for Teacher Recruitment & Retention which has shaped government policy towards teacher training numbers) and major policy development at the request of the Minister on continuing professional development. In addition, the Council also led the development of advice on a Professional Development Framework for Teachers in Wales and the piloting of a Chartered Teacher Programme in Wales.*
- *The production of valuable policy data from the Register of Qualified Teachers, which in turn is used to publish an Annual Statistics Digest and respond to high numbers of enquiries from the Welsh Government and other stakeholders. This includes the provision of data annually for the Welsh Government's Teacher Supply Model and which is increasingly relied on by the Government's Statistical Directorate.*
- *The successful administration of a number of functions for the Welsh Government, including the administration of the award of QTS, the issue of Induction certificates, acting as the appeals body in respect of Induction and the administration of the funding of Induction & EPD and, formerly, of individualised CPD.*
- *The provision of a large number of responses to Welsh Government consultations and involvement in a number of key working groups on behalf of the teaching profession.*
- *The establishment of the Annual Education Lecture, which is now in its ninth year, as a major event in the education calendar in Wales.*
- *Taking a lead role in the International Forum of Teaching and Regulatory Authorities (IFTRA), including hosting the third conference in Cardiff and putting Wales, the Welsh Government and its education system on the world map.*
- *The establishment of well-honed internal administrative processes in respect of Finance, Human Resources, fee collection and corporate governance. For example, since inception, each year Council has received an unqualified external audit from the WAO. Internal audit reports have consistently resulted in a full statement of assurance for GTCW e.g. "In our opinion, the Council has an adequate and effective system of internal controls which provides reasonable assurance regarding the effective and efficient achievement of the Council's objectives" (Deloitte LLP, 2011).*

b) GTCW would provide savings in terms of experience and costs. As a well-established organisation, the Council is able to offer a number of economies of scale in terms of experience and costs by building on existing systems and processes rather than creating one or more new organisations. Indeed, given the potential number of additional registrants referred to in Q1, it

would make little economic or administrative sense to develop additional regulatory bodies in Wales.

By way of example:

- **Officers of the Council have specific and specialised experience in setting up and running a regulatory body in an educational environment.**
- **The Register of Qualified Teachers currently holds details of over 38,000 registered teachers. This could easily be expanded to hold details of both learning support staff, instructors and FE teachers with minimal amendment or costs. Similarly, the Council's registration processes (applications, suitability for registration, qualification checks, telephone and web-based support services) would need little revision in order to accommodate new registrants.**
- **The Council's processes for considering allegations relating to misconduct, incompetence and criminal offences would need little change in order to apply them to the learning support staff and FE sector.**
- **The Council's experience in developing a Code of Professional Conduct and Practice for registered teachers is likely to be invaluable in establishing similar Codes for learning support staff, FE teachers and other registrants. The Council has found that this is an extremely sensitive area of work and needs to be developed carefully in consultation with registrants and their trade unions.**
- **The Council's unique expertise in administering professional development funding arrangements on behalf of the Welsh Government could be utilised for learning support staff and the FE sector, if required. Indeed, the Welsh Government will be aware that a centralised system linked to the Register of Qualified Teachers has proven far more efficient and cost-effective than more varied arrangements working through Local Authorities or consortia.**
- **The Council's internal administrative processes in areas such as Finance, Human Resources, I.T, Council Member Support and bilingual provision are well established e.g. "his (GTCW) is a happy and very productive work place. People get on with one another. They are also committed to working efficiently to provide an effective service and to continually improve standards." (liP Feedback Report to GTCW, 2011).**

These internal systems and processes could be extended quickly and easily as necessary to cover a wider range of registrants.

- **More than one sector council would not guarantee greater coherence, but rather the reverse. There would be a tendency for each sector Council to protect its own interests rather than consider professional standards overall and the needs of learners as a whole.**

the experience of the separate bodies for GTCE (for school teachers) and the Institute for Learning (for FE teachers) in England suggests this to be the case.

- Introducing one or more new organisations would clearly result in additional bureaucratic burdens and duplication for schools, Local Authorities and other stakeholders, who would be required to deal with more than one organisation for activities such as compliance with registration requirements, fee collection, professional standards cases and professional development funding.*
- If additional bodies were formed in Wales to regulate the learning support staff or the FE sector it is likely that they would want to make extensive use of the Council's knowledge and processes in setting up their own organisations and systems. This would result in additional work for GTCW. Alternatively, incorporating the existing functions of GTCW into another organisation would also undoubtedly lead to some transfer costs and the potential loss of some existing GTCW staff.*

Vesting regulatory responsibility for learning support staff, FE teachers, instructors and work-based learning workforce within a reconstituted GTCW would require refinement of the governance structures; however, this could be achieved easily to ensure that the various educational practitioners from different sectors had ownership of their professional body (see following constitutional implications).

The Implications For Gtcw

If a reconstituted GTCW were to be given the responsibilities proposed, there would, however, be a number of implications and opportunities. These are seen to be as follows:

c) Constitutional implications

The General Teaching Council for Wales has a governing body of teachers, educationalists and lay members, with the majority being teachers. This ensures that the Council is able to represent the profession, the wider educational community and the public on important educational issues which affect teachers and teaching.

The Council consists of 25 members; twelve are teachers elected by their peers. Nine members are appointed by Welsh Ministers following nominations made by the teacher unions and other educational organisations. Four members are direct appointments of Welsh Ministers. At present, members serve four-year terms and the Council is refreshed every two years via the election or the appointments process.

If regulation were to encompass other education professionals, then these groups would naturally expect representation on Council, as elected and/or nominated members.

As members of Council, professionals from these areas would be able to inform the strategic, operational and advisory activities of the GTCW just as Council members do now, through participation in the GTCW Committee structure, and through participation in external working groups and so on. Thus, Council supports the idea of “reconstituting” its governing body in order to reflect the wider profession it would regulate. It also provides an opportunity for government to consider the size of the Council in the context of the general trend for Boards to be smaller in size whilst ensuring that it remains broadly representative.

The requirement in Regulations that members act as individuals and not as representatives of organisations to which they may belong has worked well in ensuring that Council decisions are made in the best interest of the public and the profession. Council would strongly advocate that this approach is continued in a reconstituted body.

d) The name of the organisation

We have heard some argue that the GTCW should become a ‘General Education Council’. In the Council’s view, this would mean an entirely different organisation advising on education policy as is the case with European civil society organisations, which advise their respective governments on a range of policy matters. The GTCW is an entirely different type of organisation - a professional self-regulating body relating to the profession of teaching. It is thus important that ‘teaching’ is at the core, not only of the organisation’s purpose, but its name.

A few years ago, the General Dental Council moved from registering only dentists to registering all dental health professionals without a name change. There are similar examples of professional bodies with a wide range of registrants e.g. the Care Council for Wales and the Institute for Engineering and Technology.

Retaining the organisation’s name would also indicate that the GTCW’s successes and achievements summarised earlier in this section were recognised and were being built on. It would also be the case that the name of the organisation with ‘General’ in its title would more accurately reflect the broader range of education practitioners which the body would include.

Finally, there would be costs associated with a change of name for the reconstituted body in that the body would require a new logo, rebranding and other such associated matters. Teachers know what the GTCW is and what it does. To rename the organisation could create confusion for teachers and could be perceived as starting from scratch.

Thus, Council would argue that there is no need for a change of name, although it would be a reconstituted body with wider responsibilities and scope.

e) Opportunity for greater independence and enhanced reputation

Building on the GTCW would enhance further the reputation of the Council which, after eleven years, is now well-established amongst qualified teachers. The Council was established in 2000 as an independent corporate body and the 2002 Act took steps to reinforce the Council's independence by removing the requirement for Ministerial permission in respect of contractual and financial matters including remuneration. Council believes it is right and proper for a professional body to exercise such freedoms and would hope that this approach would be continued in a reconstituted body.

The opportunity presents itself to further strengthen the independence of the Council in the way that the Scottish Government is enabling the General Teaching Council for Scotland. It is thus pleasing to see the Welsh Government's proposals for a 'profession-led approach' to raised standards and for proposals to enhance the body's responsibilities and functions.

In particular, there is one matter which the Council has frequently raised and that is Ministerial control over the Council's registration fee. The extent to which GTCW can carry out its statutory regulatory and advisory work is affected by its income. Council would ask that the opportunity be taken in future legislation to remove the Ministerial approval of the fee in order to enable the Council to have the financial security to deliver its statutory responsibilities with confidence. GTCW's decision to propose maintaining the fee at the same level in 2011-12 and 2012-13 even after a three-year fixed fee period together with the attendant cuts that this required, should be sufficient evidence of the Council's sensitivity to balance the level of fee against the need to have the financial capacity to fulfil its statutory responsibilities. To remove this Ministerial control would enable the Council to act as a truly independent body and government would be signalling the trust it had in the professional body for teaching.

f) Financial implications

As can be seen from the costing below, it is clear that creating a new body, rather than extending the scope and functions of the GTCW, would have significant financial implications.

Costing

If the Government were to consider creating a new registration body rather than reconstituting the GTCW, there would be significant winding-up costs for the GTCW.

If the Council's primary responsibilities – regulatory, advisory and operational – continued in the new body, GTCW staff would probably have TUPE rights to transfer their employment to the new body. However, if TUPE rights did not apply, redundancy costs for GTCW staff are estimated at £670,000. The new organisation would need to locate to new larger premises and residual accommodation costs would also be incurred by GTCW estimated at £125,283. Legal costs would be incurred, estimated at £10,000.

In addition to the winding-up costs of the GTCW, there would be significant additional costs in respect of establishing the new registration body, ranging from the sourcing and re-fitting of office premises (estimated at £75,000), recruitment of staff and training costs (estimated at £25,000) and other ‘set-up’ costs, such as IT, which may incur costs of up to £130,000.

It should be noted that the GTCW received revenue grant-in-aid totalling £3,013,000 in support of its setting-up and running costs during the transition to becoming self-financing. (These costs have not been included in this summary)

Total cost of establishing a new registration body
(if TUPE rights apply) £413,283
(if TUPE rights did not apply) £805,283

In terms of funding these costs, at 31st March 2010 Council had a General reserve of £458,000 (£367,000 after netting off the Fixed asset value). Due to ministerial constraints on the level of registration fee, building an adequate reserve has been impossible. In this case, the Council would have to request financial support from the Welsh Government to honour final liabilities.

Council has considered the financial implications of each of the Welsh Government’s proposals and these have been listed in the boxed sections in the respective responses to the consultation questions.
By far the most cost-effective option is to add functions and extend the scope of the GTCW (i.e. ‘reconstitute the GTCW’), rather than create a new registration body or bodies. This is summarised below:

Financial summary of options

	Estimated costs
	£
a) Expanded functions given to reconstituted GTCW	68,800
b) Extension of regulation given to reconstituted GTCW:	
Wider school workforce	270,000
FE teachers	107,500
c) Status quo with no advisory function	16,000
d) Creation of new registration body in place of GTCW	805,283

Summary

The GTCW supports a single professional council with membership and expertise from the wider education workforce. We do not think that separate sector councils each specialising in a specific area of the workforce would promote coherence.

The GTCW strongly believes that by far the most practical and cost-effective approach to a single professional council is to reconstitute the GTCW, extending its functions and expanding its scope, rather than creating a new registration body.

The GTCW advocates that the Council should retain the name the 'General Teaching Council for Wales'. In keeping with the proposed wider scope and responsibilities, the GTCW encourages government to strengthen the financial independence of the body.

Question 8

Do you think that there should be a flat-rate fee for registration payable by all those registered or should differentiated fee rates apply?

GTCW strongly supports the principle of professionals paying for their professional regulatory bodies. This is the only way in which independence of the bodies can be ensured (see also e) in response to Q 7).

However, fees should be differentiated according to the level of qualification and professional status of the registrant. It would clearly be wrong for a teaching support assistant to pay the same registration fee as a qualified registered teacher on a much higher salary. However, these would be practical matters for the reconstituted Council to address, rather than for government. Once the principle of differentiated fees was established in legislation, the Council would need to balance the issue of to what extent one registrant group should subsidise another in pursuit of the overall aims of the new Council. This should not be insurmountable, as differentiated categories of registration and fees apply in a number of professional bodies such as the General Dental Council and Institute of Engineers.

Summary

The GTCW supports the principle of professionals paying for their professional bodies as this ensures their independence.

The Council agrees that fee levels would need to be appropriate to different groups of registrants but the details of these should be left for the professional body to determine.

Question 9

Do you think that greater clarity and coherence in requirements for matters such as qualifications, professional standards, performance management and professional

development could support our drive to improve standards and flexibility across the wider workforce?

GTCW supports this view and argues that a single reconstituted Council incorporating representation from different sectors (rather than government or separate sector councils), would be best placed to help ensure coherence across matters such as qualifications, CPD, performance management and professional standards.

For example, as early as 2002, the GTCW wrote to the government about ways in which comparability might be established between PGCE (QTS) and PGCE (FE). Between the school and FE sectors, there is a strong need to establish a relationship between qualifications and expectations in ways which would better justify transfer of employment between sectors.

Summary

The GTCW agrees that greater clarity and coherence in qualifications, professional standards, performance management and professional development would support the government's drive to improve standards and flexibility across the education workforce.

GTCW reiterates that a single council rather than separate sector councils would help ensure this coherence.

Question 10

We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them:

Based on Council's operational work since inception in September 2000, there have been a number of matters where changes to primary legislation and/or Welsh Government Regulations would be helpful for the Council in carrying out its statutory responsibilities. The opportunity now presents itself to address these matters in legislation. They are as follows:

a) Fitness to practise

The Teaching and Higher Education Act 1998 (as amended) and Welsh Government Regulations require the Council to investigate and hear cases of unacceptable professional conduct, serious professional incompetence and/or where a teacher has been convicted of a relevant offence.

However, it would be helpful for the legislation to be amended in order that the Council can move to a more "holistic" term which better described the Council's regulatory role, namely that the Council is responsible for investigating and hearing allegations which call into question a person's

“fitness to practise” as a teacher. This approach is favoured for a number of reasons:

- It is common for cases not to fit neatly into one of the three groups referred to in the existing legislation, namely “unacceptable professional conduct”, “serious professional incompetence” or “a relevant offence”, with the allegations in some cases covering more than one of these groups.***
- The term “conviction of a relevant offence” does not make reference to other means of police disposal, such as a caution, reprimand or warning. As such, the Council has to list these under allegations of unacceptable professional conduct rather than under criminal offences which is cumbersome and confusing for teachers and Committees.***
- Current legislation makes a number of references to the word “disciplinary”, including the actual 2001 Regulations which set out the Council’s regulatory role. The wording “disciplinary” can be deemed punitive and can send the wrong message to teachers and teacher unions about the Council’s role, particularly its advisory role and requirement to contribute to the standards of teaching and quality of learning. The term “fitness to practise” better explains the Council’s role and is considered more appropriate in explaining its legal responsibility to maintain and improve standards of conduct and practice in the interests of the public.***
- Most other professional regulators now use the term “fitness to practise” or similar and have moved away from separate references to conduct, competence, health and criminal offences. For example, GTC Scotland has recently consulted on a move to this model.***

b) Categories of registration

As a general point, GTCW would request that future legislation be ‘enabling’ on matters such as categories of registration so that the Council can be responsive to new situations. For example, the Regulations governing GTCW’s suitability for registration state that the Council may determine the criteria for suitability, rather than defining them in detail. This is helpful and, for example, has enabled the Council to introduce a ‘Returning to Teaching’ requirement for a certain group of qualified teachers who have been out of practice for a period of time, without needing recourse to the Welsh Government to request change to Regulations.

The proposed approach, therefore, is to enable Council itself to determine categories of registration as in the example below relating to defining ‘provisional’ and ‘full’ registration. This would bring benefits as registration is proposed to be extended to other groups of practitioners requiring the creation of ‘nuanced’ categories of registration.

Example:

The 2002 Education Act introduced a category of provisional registration for persons who do not have QTS.

The Council wrote to the Minister in April 2010 advocating that the existing legislation should be revised so that teachers during their Induction year should be given provisional registration and full registration should only be granted following the successful achievement of the Induction standard.

Such a change will have the effect of giving enhanced professional recognition and status to new teachers who have practised for a year and successfully achieved the new Practising Teacher Standards. It would also resolve the current anomaly whereby teachers who fail to meet the Induction standard are unable to be registered with GTCW (and cannot work as qualified teachers) but retain their QTS.

The Minister recognised the issue but indicated that legislation was needed to make this change. This has not been forthcoming.

If defining the categories of registration was left to the Council, it could respond to such situations without needing recourse to legislation each time.

Summary

Based on operational experience over the last 12 years, the Council would ask:

- ***For a change to a broader ‘fitness to practise’ definition for its regulatory work rather than separate criteria for misconduct, incompetence and relevant criminal offence.***
- ***That legislation on categories of registration be ‘enabling’ to allow the Council to determine them rather than the detail being set out in legislation.***

[1] DfEE 1997 Teaching: High status, High standards

20

Name: Philip Bassett

Organisation: Glyndwr University

Question 1

Do you agree that registration should be extended beyond school teachers to the wider education workforce in Wales, to include school learning support staff, further education lecturers and the work-based learning workforce?

Yes

Question 2

Do you think that any other members of the education workforce, for example youth workers, play workers and other school staff, should be registered?

Yes

Question 3

Do you agree that the functions of a registration body in Wales should include checks that individuals are appropriately qualified and fit to practice and a disciplinary function leading to potential barring of individuals who are deemed unfit?

Yes

Question 4

Do you agree that decisions about functions such as discipline and professional competence should be made independent of government?

Yes: the profession must accept the responsibility that comes with the authority

Question 5

Do you agree that wider functions should be added on a phased basis into the work of the new or reconstituted registration body? These could include approval of initial training courses, requirements for continuing professional development and setting of professional standards.

Yes

Question 6

Are there any other specific functions you think that the new or reconstituted registration body should undertake?

No. This is sufficient at this stage. The designated body, with a representative council will be in a position to advise on other issues once formed and operational for a period of time.

Question 7

Do you think that a single professional council, with a membership with expertise across the wider education workforce, is the best way to secure appropriate professional expertise for the new or reconstituted registration body, or would a series of sector councils each specialising in a specific area of the workforce be more appropriate?

A single Council with sub-groups dedicated to the various interests. Separate bodies may create a lack of cohesion and offer the potential for a 'mixed messages' scenario that would be unhelpful.

Question 8

Do you think that there should be a flat-rate fee for registration payable by all those registered or should differentiated fee rates apply?

Differentiated fees to reflect the differentiated pay and salary scales. All should pay a fee.

Question 9

Do you think that greater clarity and coherence in requirements for matters such as qualifications, professional standards, performance management and professional development could support our drive to improve standards and flexibility across the wider workforce?

Undoubtedly in the longer term. Currently there are too many bodies promoting their own agendas. With an ability to influence entry qualifications, standards and CPD the profession will be well-placed to undertake rigorous analysis and implement effective programmes for development.

Question 10

We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them:

No further comments

21

Organisation: Governors Wales

Question 1

Do you agree that registration should be extended beyond school teachers to the wider education workforce in Wales, to include school learning support staff, further education lecturers and the work-based learning workforce?

Yes, especially in the context of the principles of the 14-19 Learning Pathways.

Question 2

Do you think that any other members of the education workforce, for example youth workers, play workers and other school staff, should be registered?

Governors Wales believes that school learning support staff, FE lecturers and the work-based learning workforce, as indicated in Question 1, should be registered in the first instance.

Question 3

Do you agree that the functions of a registration body in Wales should include checks that individuals are appropriately qualified and fit to practice and a disciplinary function leading to potential barring of individuals who are deemed unfit?

Yes, this is important. Some concerns exist, however, regarding the amount of bureaucracy that may lay ahead.

Question 4

Do you agree that decisions about functions such as discipline and professional competence should be made independent of government?

Yes, but it is important to have a cross section of expertise.

Question 5

Do you agree that wider functions should be added on a phased basis into the work of the new or reconstituted registration body? These could include approval of initial training courses, requirements for continuing professional development and setting of professional standards.

Yes, in due course, but it is important to ensure that the changes arising from Question 1 are embedded first.

Question 6

Are there any other specific functions you think that the new or reconstituted registration body should undertake?

Not at this stage.

Question 7

Do you think that a single professional council, with a membership with expertise across the wider education workforce, is the best way to secure appropriate professional expertise for the new or reconstituted registration body, or would a series of sector councils each specialising in a specific area of the workforce be more appropriate?

It would seem best to have a single council, reflecting the membership of the wider school workforce (as mentioned in question 1). It would therefore seem sensible to extend the remit of the GTCW, where appropriate, to cover the wider school force, as procedures are already established. Careful consultation with all stakeholders involved will be required.

Question 8

Do you think that there should be a flat-rate fee for registration payable by all those registered or should differentiated fee rates apply?

Differentiated fee rates will be preferable, paid preferably by the employer.

Question 9

Do you think that greater clarity and coherence in requirements for matters such as qualifications, professional standards, performance management and professional development could support our drive to improve standards and flexibility across the wider workforce?

Yes.

Question 10

We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them:

The main concern would be the increased amount of administration required and any reduction to education budgets.

Question 1

Do you agree that registration should be extended beyond school teachers to the wider education workforce in Wales, to include school learning support staff, further education lecturers and the work-based learning workforce?

Yes

Question 2

Do you think that any other members of the education workforce, for example youth workers, play workers and other school staff, should be registered?

No

Question 3

Do you agree that the functions of a registration body in Wales should include checks that individuals are appropriately qualified and fit to practice and a disciplinary function leading to potential barring of individuals who are deemed unfit?

Yes

Question 4

Do you agree that decisions about functions such as discipline and professional competence should be made independent of government?

Yes

Question 5

Do you agree that wider functions should be added on a phased basis into the work of the new or reconstituted registration body? These could include approval of initial training courses, requirements for continuing professional development and setting of professional standards.

Yes

Question 6

Are there any other specific functions you think that the new or reconstituted registration body should undertake?

No comment

Question 7

Do you think that a single professional council, with a membership with expertise across the wider education workforce, is the best way to secure appropriate professional expertise for the new or reconstituted registration body, or would a

series of sector councils each specialising in a specific area of the workforce be more appropriate?

The former

Question 8

Do you think that there should be a flat-rate fee for registration payable by all those registered or should differentiated fee rates apply?

Differentiated

Question 9

Do you think that greater clarity and coherence in requirements for matters such as qualifications, professional standards, performance management and professional development could support our drive to improve standards and flexibility across the wider workforce?

Absolutely

Question 10

We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them:

No further comments

23

Name: Alison Allan

Organisation: Higher Education Funding Council for Wales (HEFCW)

We do not consider it appropriate to answer all the questions but have made a comment on Question 1 and dealt in particular with Question 5. We have deleted the other questions from our response.

Question 1

Do you agree that registration should be extended beyond school teachers to the wider education workforce in Wales, to include school learning support staff, further education lecturers and the work-based learning workforce?

A number of further education lecturers are involved in higher education provision and some of these will be Fellows of the Higher Education Academy (HEA). The UK Professional Standards Framework (owned by the higher education sector and managed by the HEA) will already apply to these staff. <http://www.heacademy.ac.uk/ukpsf> This needs to be borne in mind in any future arrangements.

Question 5

Do you agree that wider functions should be added on a phased basis into the work of the new or reconstituted registration body? These could include approval of initial

training courses, requirements for continuing professional development and setting of professional standards.

The Higher Education Funding Council for Wales (HEFCW) is responsible for the accreditation of institutions as providers of initial teacher training (ITT) for school teachers against criteria set by the Welsh Government (Regulation 7 of the Education (School Teachers' Qualifications) (Wales) Regulations 2004). HEFCW has held these responsibilities, under relevant legislation, since the 1994 Education Act.

We are concerned and surprised about the inclusion of the "approval of initial teacher training courses" within any possible wider functions of a registration body. We are, however, aware that the General Teaching Council for Wales (GTCW) has made representations on this matter in the past from its own position, seeing this as belonging to it as a professional body.

Such a move would return to the pre-1994 position where individual courses were subject to approval. Both cost and efficiency savings have been achieved through the accreditation of institutions rather than courses. The reintroduction of approval at course level would incur additional costs and thus an additional, unnecessary use of public funding. Moreover, there are important quality as well as cost considerations in institutional as opposed to course level accreditation and these are set out below in our description of how HEFCW is able to undertake its accreditation responsibilities.

HEFCW fulfils its accreditation responsibilities as part of its normal activities. Therefore, there are no additional resource requirements, nor are there fees to providers wishing to be accredited or for providers to maintain their accreditation. It is likely that if these responsibilities were transferred to another body there would be significant resource implications to provide the necessary capacity.

ITT is undertaken before those concerned enter the education workforce, not once they are within that workforce. ITT provision already has to meet detailed requirements and standards set by the Welsh Government governing entry requirements, training and assessment, management of partnerships with schools and quality assurance. These include ensuring that trainees have the capacity and are provided with appropriate support and a curriculum to enable them to achieve Qualified Teacher Status Standards which likewise are set by the Welsh Government. They require that trainees are rigorously assessed against those standards. The ITT providers themselves are subject to a regular cycle of inspection by Estyn (the Office of Her Majesty's Chief Inspector in Wales) which provides assurance of the quality and standards of provision.

HEFCW has in place rigorous accreditation procedures, which are revised as required from time to time, and which cover the accreditation of new providers, addressing non-compliance and, if necessary, the withdrawal of accreditation(http://www.hefcw.ac.uk/documents/publications/circulars/circulars_2012/W12%2002HE%20Accreditation%20of%20providers%20of%20initial%20teacher%20training%20in%20Wales.pdf). These procedures have been

developed in consultation with the Welsh Government, Estyn, ITT providers and other interested parties, including the GTCW.

We would emphasise that HEFCW accredits providers, not individual courses. This means that in judging fitness to provide ITT we take a whole institution approach, whereby our consideration of whether criteria will be met/are being met is informed by our wider knowledge of a higher education institution's quality assurance processes, strategic direction and financial position. This is made possible by our overall responsibilities for assuring the quality and standards of higher education in Wales and monitoring performance, including financial health. In taking account of these matters, we have access to commercially confidential information which is submitted to us by HEIs, and which would therefore not be available to another body. We can draw on appropriate additional professional expertise on accreditation matters as required.

We are also able to work with the Quality Assurance Agency for Higher Education (QAA), with whom we contract to provide assurance of the quality and standards in higher education in Wales, and Estyn. We have a HEFCW-QAA-Estyn Memorandum of Understanding to secure effective working and information sharing and avoid unnecessary duplication or overlap. We hold regular liaison meetings between our three organisations. The QAA and Estyn have taken part in each other's training for review and inspections.

It would not seem beneficial to assuring the quality of ITT in Wales to move responsibility to a body which does not have this fuller understanding of the position of the higher education institutions concerned, or to a course-based approach in which it would be difficult to take account of the full context in which the ITT provider operated. Nor would it be helpful to separate ITT in some way from other higher education provision which the institutions concerned offer. It could create an additional layer of bureaucracy in that institutions' responsibility for assuring the quality and standards of ITT qualifications as for all their other higher education awards they offer, and on which they are subject to review by the QAA, would remain.

In earlier discussions with the GTCW, we have indicated that we would be willing to invite them to be represented on any panel concerned with accrediting a new provider, so that they can contribute to the process. There are regular liaison meetings between HEFCW and the GTCW so that any concerns on either side can be raised. We would be happy to continue this relationship with any new or reconstituted registration body.

We work closely with Estyn on ITT matters. Estyn acts as an observer on any panel for the accreditation of a new provider, and undertakes a visit to the applicant to provide an assessment for the accreditation panel of ability to meet the criteria. Providing assurance that an ITT provider continues to meet the criteria, or identifying any issues of non-compliance, is an integral part of Estyn's inspection process for ITT. HEFCW and Estyn engage jointly with an ITT provider where any non-compliance occurs. Non-compliance is serious

issue for a provider, as it threatens accreditation for all its ITT provision not just a particular problem course. Since 1994, there have only been two instances of non-compliance in the ITT sector in Wales, both of which were addressed promptly by the providers concerned through our processes.

HEFCW has other responsibilities under the Education Act 2005 for funding providers of initial teacher training (ITT) for school teachers and commissioning research to improve the standards of teachers and teacher training. These responsibilities include having regard to the Welsh Government's forecast of demand for newly qualified teachers. Hence, our accrediting role is not an isolated ITT activity in HEFCW but part of an integrated policy area. We allocate ITT intake targets to providers following the receipt of sector targets from the Welsh Government, liaising with its officers and ITT providers on the policy considerations or implications surrounding these. In particular, we have recently overseen a major reconfiguration of ITT provision in Wales, in the light of reducing ITT intake targets to align with the supply requirements for newly-qualified teachers in Wales. This has led to the formation of three ITT Centres in North and Mid, South-East, and South-West Wales, each comprising a partnership of two higher education institutions.

We encourage providers to enhance their ITT provision through ITT strategies, which have received significant funding support from HEFCW over a number of years. We are also able to bring ITT within our wider policies for Welsh medium higher education and have recently begun discussions with the Coleg Cymraeg Cenedlaethol on how it can support an area of provision which is so important to the Welsh education system and the fostering of a bilingual Wales.

The picture across the UK in terms of the role of professional bodies and the accreditation of training is a varied one. As far ITT is concerned, whilst the General Teaching Council for Scotland accredits ITT in Scotland, this would seem to be for historical reasons, as it was established before the establishment of the higher education funding councils, the General Teaching Council for England or the GTCW.

Moreover, there is a difference between the role of a professional body which sets standards for a profession to which individuals in that profession are expected to adhere and the provision and quality assurance of education and training.

Thus, the UK Professional Standards Framework, operated by the Higher Education Academy, relates to individual members of staff. The HEA is a national, independent, organisation funded by the UK HE funding bodies and by subscriptions and grants. It supports the higher education sector to enhance the quality and impact of learning and teaching. This includes providing academic staff with professional recognition. The HEA consulted on and developed the UK Professional Standards framework on behalf of the higher education sector as whole, at the request of the representative bodies for higher education (Universities UK, Guild HE) and the HE funding bodies. The framework is therefore owned by the higher education community.

The role of the Framework and the HEA is separate from that of the Quality Assurance Agency for Higher Education. The QAA is also an independent body funded by institutional subscription and through contracts and agreements with the UK HE funding bodies. However, its role is to uphold quality and standards in UK higher education. The UK Quality Code for Higher Education sets out the expectations all providers of UK higher education are required to meet and provides guidance to institutions on their policies for maintaining academic standards and quality. It carries out reviews on how institutions are fulfilling the requirements and publishes reports on the findings.

These considerations about roles apply not just to ITT but also to any input which a registration body might have in continuing professional development for the education workforce at higher education level. Full account would need to be taken of the over-riding responsibility of higher education providers to assure the quality and standards of their provision and any awards they offer. This would include having appropriate control over the curriculum, delivery methods and assessment to enable this.

24

Name: Dr. Winsome Gordon

Organisations: Jamaica Teaching Council (JTC)

Question 1

In Jamaica our legislation will require that all persons have an impact on the training and performance of a teacher should be registered and licensed to function in the profession. This includes educators in public and private institutions, teacher trainers, principals and teacher supervisor.

We will also regulate any person who provides educational services to school children, such services may include teachers aids and infant school practioners.

Question 2

We have not yet considered non-teaching personnel but in the light of the responsibility of a school to provide a safe and enabling environment,Isupport the idea to license non-teaching staff persons.

Question 3

Qualifications and discipline are core functions of a regulatory body. All persons who are deemed unfit for the education system should be identified and made to leave the system. We must always keep in mind that whereas in many other professions the client chooses its service provider, to a large extent, the government of a country assure the clients for the teaching profession. This being so it is the responsibility of a regulatory body to ensure that the services provided are of the highest standards.

Question 4

It is the role of the professional body to uphold the standards and conduct of the profession. However, since the Government is responsible for the education of the nation it is accountable to the public for the teaching profession. A partnership between the Government and the Teaching Council in this respect would benefit all.

Question 5

The registration body must be the guardian of the standards, set qualifications framework and give oversight to both pre-service and in-service teacher training. An up-to-date teacher data base should be kept in order to inform policy and advise government on needed directions in order to advance the profession

Question 6

The Council should organize various levels of awards for outstanding performance.

Question 7

One of the main reason for establishing the Council is to reduce or eliminate fragmentation and wastage in the teaching profession. the Council has the potential to create articulation and synergy among the various inter related dimensions of the teaching profession. Such an integrated approach will enhance the benefits accruing to both teachers and learners

Question 8

Differentiated fees are more reasonable. The fees should be prorated on a portion of the base salary in each scale. A small percentage, eg .07 or .07 could be applied

Question 9

With advancement in technology, there is no need to fragment the services that regulate and advance the teaching profession. Resources are more effectively utilized in a consolidated structure and outcomes can be monitored better.

25

Name: Hywel Jones

Organisation: Mudiad Meithrin

Question 1

Do you agree that registration should be extended beyond school teachers to the wider education workforce in Wales, to include school learning support staff, further education lecturers and the work-based learning workforce?

Mudiad Meithrin is of the opinion that the current system for checking suitability of early years staff by CSSIW is adequate. However a national register of all those working in the education field is not unwelcome. However,

we would press for a registration model that would exclude practitioners working in the non-maintained early years sector from having to pay a registration fee. This is because many of this workforce currently exist on a minimum wage. A registration fee would discourage potential practitioners from entering the profession. It is at present very difficult to recruit and retain early years practitioners, especially in the Welsh-medium sector, a factor which would hinder the success of the Government's new Welsh-medium Education Strategy.

Question 2

Do you think that any other members of the education workforce, for example youth workers, play workers and other school staff, should be registered?

No Response

Question 3

Do you agree that the functions of a registration body in Wales should include checks that individuals are appropriately qualified and fit to practice and a disciplinary function leading to potential barring of individuals who are deemed unfit?

Yes, certainly

Question 4

Do you agree that decisions about functions such as discipline and professional competence should be made independent of government?

Yes

Question 5

Do you agree that wider functions should be added on a phased basis into the work of the new or reconstituted registration body? These could include approval of initial training courses, requirements for continuing professional development and setting of professional standards.

Mudiad Meithrin is content with the present role of the Care Council Council for Wales as the Sector Skills Council for Wales in this respect

Question 6

Are there any other specific functions you think that the new or reconstituted registration body should undertake?

No

Question 7

Do you think that a single professional council, with a membership with expertise across the wider education workforce, is the best way to secure appropriate professional expertise for the new or reconstituted registration body, or would a series of sector councils each specialising in a specific area of the workforce be more appropriate?

See our response to Question 5, as a Sector Skills Council with vast expertise

Question 8

Do you think that there should be a flat-rate fee for registration payable by all those registered or should differentiated fee rates apply?

No. See our response to Question 1. This we feel most strongly about, especially in the wider context of Welsh-medium Education.

Question 9

Do you think that greater clarity and coherence in requirements for matters such as qualifications, professional standards, performance management and professional development could support our drive to improve standards and flexibility across the wider workforce?

Yes, but this function is currently successfully carried out by the Care Council for Wales, in its role as the Sector Skills Council for Early Years

Question 10

We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them:

No further comments

26

Name: Anna Brychan

Organisation: NAHT Cymru (National Association of Head Teachers)

Question 1

Do you agree that registration should be extended beyond school teachers to the wider education workforce in Wales, to include school learning support staff, further education lecturers and the work-based learning workforce?

NAHT Cymru members are not persuaded of the merits of extending registration to cover the entire school workforce. We support the principle of an independent professional body to register and regulate the teaching profession but believe membership should be restricted to those who hold teaching qualifications. Thus, we would support the registration of lecturers in Further Education Institutions, for example but would not support wider registration of non-teaching staff.

Question 2

Do you think that any other members of the education workforce, for example youth workers, play workers and other school staff, should be registered?

No.

Question 3

Do you agree that the functions of a registration body in Wales should include checks that individuals are appropriately qualified and fit to practice and a disciplinary function leading to potential barring of individuals who are deemed unfit?

Yes.

Question 4

Do you agree that decisions about functions such as discipline and professional competence should be made independent of government?

Yes.

Question 5

Do you agree that wider functions should be added on a phased basis into the work of the new or reconstituted registration body? These could include approval of initial training courses, requirements for continuing professional development and setting of professional standards.

If the functions are to be widened, it would make sense for these to be introduced on a phased basis.

Question 6

Are there any other specific functions you think that the new or reconstituted registration body should undertake?

No.

Question 7

Do you think that a single professional council, with a membership with expertise across the wider education workforce, is the best way to secure appropriate professional expertise for the new or reconstituted registration body, or would a series of sector councils each specialising in a specific area of the workforce be more appropriate?

If the registration is extended to cover the wider workforce, NAHT Cymru would support a single council to include appropriate representation from each of the categories of membership. It must however be clear that in exercising its disciplinary function, the council would have to ensure that policy and procedures which apply to each category of membership are determined by representatives of that group of members.

Question 8

Do you think that there should be a flat-rate fee for registration payable by all those registered or should differentiated fee rates apply?

This will depend on the categories of membership. If registration is restricted to those with teaching qualifications (the model which NAHT prefers), a common registration fee would seem sensible.

Question 9

Do you think that greater clarity and coherence in requirements for matters such as qualifications, professional standards, performance management and professional development could support our drive to improve standards and flexibility across the wider workforce?

Yes.

Question 10

We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them:

NAHT Cymru wishes to see the establishment of a new, independent professional body for teachers because:

- ***Teaching is a profession on a par with the legal and medical professions. The abolition of the English GTCE reflects a wider political determination to de-professionalise teaching. We do not wish to see a replication of this in Wales.***
- ***We are concerned that the English model risks adopting a piecemeal, less rigorous approach to suitability checks may put children at risk.***
- ***We wish to see an independent professional body whose remit is tightly defined to cover:***
 - i. The maintenance of a register of teachers and others who hold teaching qualifications; and carrying out the suitability checks in relation to that register.***
 - ii. Dealing firmly and fairly with teachers whose fitness to teach in terms of conduct and capability is in doubt.***
 - iii. Act as advocate for the teaching profession especially in relation to the training and development of the workforce.***

27

Name: William Simmonds

Organisation: National Association of School Business Management.

Question 1

Do you agree that registration should be extended beyond school teachers to the wider education workforce in Wales, to include school learning support staff, further education lecturers and the work-based learning workforce?

Yes, it is important for team development. The “them and us” pathway has never been successful.

Question 2

Do you think that any other members of the education workforce, for example youth workers, play workers and other school staff, should be registered?

Yes. It is so important that recognition is given to all staff. In addition, it provides information on who is working where.

Question 3

Do you agree that the functions of a registration body in Wales should include checks that individuals are appropriately qualified and fit to practice and a disciplinary function leading to potential barring of individuals who are deemed unfit?

Yes. The Registration Body should ensure that the individuals have appropriate qualifications for their role. Such a register will encourage those without the appropriate qualifications to work towards them.

I would also agree that the Body should have such a disciplinary function and should be charged with fulfilling that role. There would be the need for an appeal process.

Question 4

Do you agree that decisions about functions such as discipline and professional competence should be made independent of government?

Absolutely. Government should not be involved in such decisions. They should be represented possibly, or alternatively be kept in fully informed on these issues.

Question 5

Do you agree that wider functions should be added on a phased basis into the work of the new or reconstituted registration body? These could include approval of initial training courses, requirements for continuing professional development and setting of professional standards.

If the Body fully understands that CPD is a legal requirement for all staff, recognises the levels of competencies required for each role and sets professional standards that can be recognised by other professional bodies, i.e CIPFA, CMI etc, so that those employees who wish to can gain access to the higher level qualifications.

Question 6

Are there any other specific functions you think that the new or reconstituted registration body should undertake?

It should regularly send out Bulletins on what is happening, information on new qualifications and recognise those who have achieved the higher qualifications. This will encourage others to follow that route and raise standards generally.

Question 7

Do you think that a single professional council, with a membership with expertise across the wider education workforce, is the best way to secure appropriate professional expertise for the new or reconstituted registration body, or would a series of sector councils each specialising in a specific area of the workforce be more appropriate?

I would recommend a single professional council, incorporating professionals to advise on each specific area of the workforce. Sector Councils would make the Body larger than needed and less cost effective.

Question 8

Do you think that there should be a flat-rate fee for registration payable by all those registered or should differentiated fee rates apply?

I would recommend a flat-rate fee.

Question 9

Do you think that greater clarity and coherence in requirements for matters such as qualifications, professional standards, performance management and professional development could support our drive to improve standards and flexibility across the wider workforce?

Yes. This Association has been promoting training levels that school staff should aim for and providing the training. The higher the competencies level, the higher the standards achieved. It also encourages collaboration between schools.

Question 10

We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them:

No

28

Your name: Rob Fowler

Organisation: Neath Port Talbot College

Question 1

Do you agree that registration should be extended beyond school teachers to the wider education workforce in Wales, to include school learning support staff, further education lecturers and the work-based learning workforce?

Yes – in order to provide secure regulation of the educational workforce in its broadest connotation. Currently, there is too much inconsistency within sectors and across sectors.

Anyone operating in a professional capacity with learners in education and/or training should be registered with a body which sets standards and professional rules by its members. Such a system is for the benefit and protection of all involved, learners, staff, employers and for the public in general.

A regulatory body to which all its members are registered has the function of providing a structure through which that competence and commitment can be publicly affirmed and validated.

A learner is entitled to be assured that the tutor/trainer has an appropriate level of expertise and abides by a code of behaviour. The learner must have confidence that the professional practitioners who are involved in their education and/or training are fully competent and are certified as such in their field of work, no matter what sector it is in which they are operating.

Question 2

Do you think that any other members of the education workforce, for example youth workers, play workers and other school staff, should be registered?

Yes – many of the staff involved have direct contact with learners who are particularly vulnerable. It should be a requirement, as an indication of fitness to practice, that anyone working in education should be registered while due attention must be paid to the safeguarding agenda.

Registration to a professional body and observation, and acceptance, of its systems should assure the fitness for purpose of tutors' competence to practise and verify their continuing competence to practise. This precept is at the heart of professional regulation and public protection.

Question 3

Do you agree that the functions of a registration body in Wales should include checks that individuals are appropriately qualified and fit to practise and a disciplinary function leading to potential barring of individuals who are deemed unfit?

Yes – provided that these functions are transparent, undertaken within the remit, and under the auspices, of the body itself.

It is the insistence on adherence to a code of professional conduct, both on entry to the profession and continuously thereafter, which ensures that not only are members properly educated and trained at the outset, but are required to maintain their competence as standards and expectations progress with time. The current national occupational standards provide a structure for the code.

This college would not wish to pass on responsibility for the discipline of staff to a central body. The current system operating within FEIs, enshrined in the articles of government, functions well and does not attract the adverse publicity which currently follows cases which are dealt with by the GTCW.

Question 4

Do you agree that decisions about functions such as discipline and professional competence should be made independent of government?

Yes – this would reflect practice currently prevalent in most ‘professions’. However, consideration should be given to the possibility that decisions made by an independent body could be prone to a degree of inconsistency, be open to manipulation and maybe to sharp practice. Systems would need to be clearly transparent to avoid the conclusion that issues were being ‘whitewashed’ in order to mask instances of professional incompetence. If any of these functions were to be dependent on government, systems would inevitably become overly bureaucratic and slow to act.

Question 5

Do you agree that wider functions should be added on a phased basis into the work of the new or reconstituted registration body? These could include approval of initial training courses, requirements for continuing professional development and setting of professional standards.

Yes – the phasing would allow for the original functions to bed in.

A key feature of a professional or statutory regulatory body is that it has members or registrants who intend to stay in membership or stay registered for some period into the future. It is not concerned simply with ‘snapshot’ assessments of competence, valid only on the day of assessment. It is concerned with the commitment to continued professional competence, as the needs of practice change with time, research innovation, new technology, new business structures etc. Continuing professional education and development are the essence of a ‘profession’.

It follows that the profession has to incorporate a recognised body of knowledge and requires understanding and skill in its application. Tutors should be required to demonstrate that they are committed to maintaining their competence as relevant technology and best practice develop and that they always act with integrity and honour.

Question 6

Are there any other specific functions you think that the new or reconstituted registration body should undertake?

Yes – nationally initiated continuous professional development.

Question 7

Do you think that a single professional council, with a membership with expertise across the wider education workforce, is the best way to secure appropriate professional expertise for the new or reconstituted registration body, or would a series of sector councils each specialising in a specific area of the workforce be more appropriate?

A single body may be more effective in maintaining a consistent and unified approach to the learning dimension. The model of a series of sector councils, taking the SSCs as a case in point, has shown that there can be too many variations in the approaches taken and in the quality of leadership for the model to have an appropriate impact. This would be unacceptable in the context of providing public confidence in the competence and in the ethical and moral standards of the educational workforce. A single body is more likely to provide that degree of confidence.

The single body should incorporate the three main sectors involved in the provision of teaching, learning and assessment: schools, colleges and training providers. The GTCW should be dissolved and be assimilated into this new body.

Question 8

Do you think that there should be a flat-rate fee for registration payable by all those registered or should differentiated fee rates apply?

A flat rate should be the best option but it should not be set at a prohibitive level, given the wide range of employed categories of staff within FEIs nor should it deter new entrants to the profession.

A differentiated rate may be perceived as fairer but it would have too many challenges in its application. Professional roles are becoming increasingly complex with an associated lack of clarity.

The acid test in terms of an individual's willingness to pay for registration and ultimate success of the body would be the perceived benefits and general value of membership.

Question 9

Do you think that greater clarity and coherence in requirements for matters such as qualifications, professional standards, performance management and professional development could support our drive to improve standards and flexibility across the wider workforce?

Yes – registration with such a body should have a positive impact, raise expectations and improve standards. From the learners' perspective, they should be entitled to receive a professional service, irrespective of the context of their learning. If professionalism is clearly defined and the sharing of good practice is facilitated by the body across all sectors, it should lead to a more consistent and valued service.

Question 10

We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them:

- 1. Achieving consistency in standards will be a major challenge. There is a danger that registration could become a bureaucratic, fee generating exercise which has little impact on improving the education service.***

Registration needs to carry with it a 'currency value' so that the benefits of registration are manifested clearly to those required to register and to pay a fee.

2. There should be sufficient resource to provide a fit for purpose service.

3. The revised system needs to be able to demonstrate 'added value' in relation to what is currently in operation.

29

Name: Irene Cameron

Organisation: Newport City Association of School Governors

Question 1

YES The Management Committee of NASG wholeheartedly supports that registration should be extended beyond school teachers to the wider education workforce in Wales.

The time is now right to standardise the imbalance between regulation of the teaching staff and the wider education workforce.

In recent time there have been TWO elements of expansion –

- a. Involvement and employment of support staff to meet requirements of National agreement to help reduce teachers' workload.
- b. Use of FE Teachers/Lecturers in schools and pupils attending FE Colleges.

We, as Governors, do not see a problem in this proposed initiative and support registration. We feel this has been long overdue – similar conditions already exist in other professions –

eg solicitors Legal executives/Accountants & Architects/Technicians. Model examples already exist as a model of Professionals and Sub-Professionals ensuring complete clarity of the differing roles, but, at the same time recognising the partnership in education.

Question Two

As Governors, we have mixed views on this question.

We recognise there are qualified teachers applying for support roles in education who have been unable to obtain teaching posts. This means that there are members of the Support Staff who are qualified teachers but who undertake roles such as School Librarian, Business Managers, LSAs etc who are involved in pupil learning and this could go further to include Youth Workers and Play Workers, if these posts are being filled by qualified teachers both these and other support staff suitably qualified, should be included.

However, we see no reason at this point of time, to include Administrative Staff who have no direct role in the education of pupils.

Question Three

Yes – fully support

Equality of treatment for the education workforce – this should and must include checks that individuals are appropriately qualified and fit to practice. Also a disciplinary function leading to potential barring.

Question Four

Yest = wholeheartedly support independence of government.

Essential to provide stability, continuity and independence from any political point of view.

Question Five

Yes

Support and strongly felt it is impossible to decide the competence of someone unless training is recognised, monitored and accredited. Continuing professional development should be a standard which is accessible to the entire education workforce.

Question Six

The new body should embody those members of staff they represent – be independent of Government whilst still reflecting and ensuring they follow and are aware of education policies. Training must be provided to ensure effectiveness.

Question Seven

The question of cost would play a significant part in this decision, initially a single professional council could be established, monitor progress to establish the need for any change.

Question Eight

We were unanimous that the fee should be differentiated. Support staff are on a completely different pay scale.

Question Nine

Yes, welcome greater clarity and coherence. We welcome the drive to improve standards and flexibility across the wider workforce.

Question 10

As Governors we would like to be more involved in the formation and planning of this new body.

As School Governors we have responsibilities for the Whole School Development Plan, all Staffing Issues. In addition managing the School Budget and Disciplinary Matters etc – we welcome the formation of an Education Workforce.

30

Name: Peter Landers

Organisation: Newport YMCA

Question 1

Do you agree that registration should be extended beyond school teachers to the wider education workforce in Wales, to include school learning support staff, further education lecturers and the work-based learning workforce?

Yes. It should include all those who work with young people in the furtherance of their educational development and are not covered by other professional registration. (Doctors and nurses)

Question 2

Do you think that any other members of the education workforce, for example youth workers, play workers and other school staff, should be registered?

Youth workers absolutely, particularly bearing in mind the fact that so many of the current youth work profession in Wales are graduate qualified. Play workers yes but ancillary staff no, the key issue is the type of contact. If the contact is pedagogical or developmental then those workers must be registered.

Question 3

Do you agree that the functions of a registration body in Wales should include checks that individuals are appropriately qualified and fit to practice and a disciplinary function leading to potential barring of individuals who are deemed unfit?

This is a function that could properly be taken on by the registration body, given legislative authority and proper resources.

Question 4

Do you agree that decisions about functions such as discipline and professional competence should be made independent of government?

Yes.

Question 5

Do you agree that wider functions should be added on a phased basis into the work of the new or reconstituted registration body? These could include approval of initial training courses, requirements for continuing professional development and setting of professional standards.

This would be undermining the role and authority of Estyn, which would be a bad thing.

Question 6

Are there any other specific functions you think that the new or reconstituted registration body should undertake?

No

Question 7

Do you think that a single professional council, with a membership with expertise across the wider education workforce, is the best way to secure appropriate professional expertise for the new or reconstituted registration body, or would a series of sector councils each specialising in a specific area of the workforce be more appropriate?

Sector councils work to a managing council would make much more sense as there remain significant differences in working practice in the different sectors

Question 8

Do you think that there should be a flat-rate fee for registration payable by all those registered or should differentiated fee rates apply?

Differentiation is necessary as a play worker on just over £20,000 fte can not be expected to contribute as much as a senior teacher on £60,000+.

Question 9

Do you think that greater clarity and coherence in requirements for matters such as qualifications, professional standards, performance management and professional development could support our drive to improve standards and flexibility across the wider workforce?

Yes

Question 10

We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them:

The raising of standards across all levels of engagement with young people is vital to the well being of young people in Wales and the future of the country.

31

Name: Richard Spear

Organisation: NIACE Dysgu Cymru

Question 1

Do you agree that registration should be extended beyond school teachers to the wider education workforce in Wales, to include school learning support staff, further education lecturers and the work-based learning workforce?

We feel that it may be appropriate, over a sensible timeframe, to extend registration to tutors, trainers and assessors etc within the further education (FE) and work-based (WBL) learning sectors. Extended registration would reflect the professionalism of the staff within these sectors and may assist partnership working and the mobility of the lifelong learning workforce. Care needs to be taken, however, to ensure the benefits of any new registration body outweighed the costs (particularly in light of the recommendation to remove the requirement for the registration of FE staff in England, see response to question 10 below).

It should be recognised, however, that these sectors are significantly different to schools. There is a different relationship and set of responsibilities between the providers in these sectors and their employees. Also, a significant proportion of staff in FE and WBL are part-time and many are on fixed term contracts. These important differences will need to be taken into account by the new registration body.

The other important consideration to take into account is the lack of a teaching qualifications framework for Wales.

These differences and issues may warrant a phased approach to the extension of registration as suggested (in broad terms) below:

- 1. Establish a new body, with adequate representation from, and expertise of, the wider lifelong learning sector*
- 2. Agree qualifications framework for Wales (the advice previously provided to WG by LLUK had widespread support from the sector)*
- 3. Invest in a workforce development programme to support the implementation of the qualifications framework*
- 4. Introduce registration for full-time teaching/training staff within FE colleges and WBL providers*
- 5. Introduce registration for part-time teaching/training staff within FE colleges and WBL providers*
- 6. Review arrangements and consult on extending the registration to other sectors such as Local Authority Adult Continuing Education and the designated FE institutions.*

The Welsh Government will need to ensure that the benefits of registration are communicated clearly to members of the workforce affected by the new arrangements.

It may also be worth the Welsh Government considering the phased approach to registration adopted in Northern Ireland.

Question 2

Do you think that any other members of the education workforce, for example youth workers, play workers and other school staff, should be registered?

Although there is an argument for widening the scope of those who are subject to the new registration requirements, we feel that it would be sensible for the new body to focus on those who directly deliver education and training in the first instance; and to do so in a staged manner as set out above. We feel that broadening the registration arrangements beyond FE and WBL should be subject to separate consultation once the new body is established and running effectively.

Question 3

Do you agree that the functions of a registration body in Wales should include checks that individuals are appropriately qualified and fit to practice and a disciplinary function leading to potential barring of individuals who are deemed unfit?

Yes, although it should be noted that the management of staff, including discipline, is the responsibility of individual FE colleges and WBL providers. The case of an individual who has been through their employer's disciplinary procedures and dismissed should be referred to the new body to test whether or not that person is still fit to practice and able to maintain their registration.

Question 4

Do you agree that decisions about functions such as discipline and professional competence should be made independent of government?

Yes. A professional body should be able to take decisions on these matters independent of government. The Welsh Government should, however, be responsible for ensuring that the new body is operating effectively, with appropriate governance and audit arrangements.

Question 5

Do you agree that wider functions should be added on a phased basis into the work of the new or reconstituted registration body? These could include approval of initial training courses, requirements for continuing professional development and setting of professional standards.

Yes. The proposed additional functions appear sensible, although further consultation on these specific issues may be helpful in due course.

Question 6

Are there any other specific functions you think that the new or reconstituted registration body should undertake?

There may be benefits in the new organisation taking on some of the functions of the previous LLUK (such as labour market intelligence gathering). The body could also play a pivotal role in relation to the safeguarding agenda and in promoting gender equality and encouraging fair access to senior posts.

Question 7

Do you think that a single professional council, with a membership with expertise across the wider education workforce, is the best way to secure appropriate professional expertise for the new or reconstituted registration body, or would a series of sector councils each specialising in a specific area of the workforce be more appropriate?

It is our view that the GTCW should be dissolved and a new, single professional council established with membership reflecting the wider education workforce.

Question 8

Do you think that there should be a flat-rate fee for registration payable by all those registered or should differentiated fee rates apply?

A flat-rate fee is simple to manage and administer. However, given the high number of part-time staff within FE and WBL, one or two concessionary rates should be available to take into account the diversity of salary levels.

Question 9

Do you think that greater clarity and coherence in requirements for matters such as qualifications, professional standards, performance management and professional development could support our drive to improve standards and flexibility across the wider workforce?

Yes. In particular, we would support the advice submitted to the Welsh Government previously by LLUK on the development of a teaching qualifications framework for Wales.

Question 10

We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them:

The Welsh Government will wish to consider ‘Professionalism in Further Education’, the interim report of the independent review panel established by the UK Minister of State for Further Education, Skills and Lifelong Learning. That report recommends removing the legislative requirement for FE staff to be registered with the Institute for Learning. Further information is available on the BIS website:

<http://www.bis.gov.uk/assets/biscore/further-education-skills/docs/p/12-670-professionalism-in-further-education-interim.pdf>

It must be recognised that a wide range of individuals who will fall outside of the proposed requirements, including volunteers, add significant value to the lifelong learning offer in Wales. The role of this broader, informal ‘workforce’ should be considered and supported by the Welsh Government.

We would also wish to reiterate three key points:

- ***A completely new body (with a new name) should be established to reflect and serve the needs of the broader lifelong learning sector in Wales.***
 - ***The registration of staff within the FE and WBL sectors should be preceded by the implementation of a new teaching qualification framework for Wales, supported by an appropriate workforce development programme; and***
 - ***The extension of registration, and the development of the new body's functions, should be undertaken in a staged manner and take into account differences in the sectors within the lifelong learning footprint.***
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32

Name: Owen Hathway

Organisation: NUT Cymru

Question 1

Do you agree that registration should be extended beyond school teachers to the wider education workforce in Wales, to include school learning support staff, further education lecturers and the work-based learning workforce?

The NUT believes that teaching assistants should be regulated to ensure that their actions are moderated and they are accountable to an external body. It would be appropriate to extend the registration beyond school teachers to take into account support staff that work in schools.

The continued rise in the numbers of support staff involved in teaching and learning, from 8,284 in 2003/4 to 16,556 in 2010/11 highlights the need to ensure a consistency of regulation. Given the nature of the role of teaching assistants and their close working relationships with children, it would be appropriate that they are regulated. Similar to how the actions of a teacher will be scrutinised by the GTCW, with their continued professional development often determined by the body, the actions of teaching support staff should also be regulated.

Registering support staff in this way would encourage more professionalism amongst the workforce.

However, we do believe that it is important that even though teaching support staff may be regulated and registered by an external body for the education sector, no legitimacy should be given to the notion of teaching assistants teaching lessons. We believe that in bringing teaching support staff under registration it should be part of the remit of any regulatory body to ensure that only qualified teachers are tasked with teaching in classrooms. Under no

circumstances should the registration of support staff be viewed as reducing the professionalism or necessity of having a qualified teacher for every class.

The registration of FE lecturers would also be advisable. The pathways between 14-19 years requires working partnerships between schools and FE institutions, and the registration of this section of the education sector would also ensure easier and more controlled transitions of employment between the two.

It might be helpful to have a definition of 'teaching work' which sets out the roles and responsibilities of those with QTS. This would ensure that a single registering body, if established, avoids conflating the role of teachers with others such as education support staff and those in FE without an equivalent qualification to QTS.

Question 2

Do you think that any other members of the education workforce, for example youth workers, play workers and other school staff, should be registered?

No.

Question 3

Do you agree that the functions of a registration body in Wales should include checks that individuals are appropriately qualified and fit to practice and a disciplinary function leading to potential barring of individuals who are deemed unfit?

The registering body should be predicated on the principle that it is the profession itself that identifies and upholds its standards, entitlements to CPD etc. With that understood, it does make sense that the registration body would ensure scrutiny of the system. This would not only include ensuring that individuals adhered to the standards and regulations expected, but also ensured that only qualified teachers were tasked with teaching in schools.

Question 4

Do you agree that decisions about functions such as discipline and professional competence should be made independent of government?

Yes. There should be no political interference in matters relating to discipline or capabilities. If the registration body was, as is suggested in question 3, to be responsible for professional standard it would fit naturally that this body would also be responsible for issues relating to discipline and competence. It is important that practitioners know there is one body responsible for the registration of teachers, detailing professional standards, ensuring standards are adhered to and dealing with accusations and issues relating to competence and discipline. For all these issues to come under one umbrella would give teachers more confidence in a unified and consistent approach.

Question 5

Do you agree that wider functions should be added on a phased basis into the work of the new or reconstituted registration body? These could include approval of initial

training courses, requirements for continuing professional development and setting of professional standards.

As stated above the registration body should be the guardian for professional standards for the education profession. It would lead naturally that this would also include detailing the entitlement to CPD training. The body should be tasked with ensuring that teachers have access to regular CPD and ensuring that such courses meet professional standards and are accredited as such.

Question 6

Are there any other specific functions you think that the new or reconstituted registration body should undertake?

No comment

Question 7

Do you think that a single professional council, with a membership with expertise across the wider education workforce, is the best way to secure appropriate professional expertise for the new or reconstituted registration body, or would a series of sector councils each specialising in a specific area of the workforce be more appropriate?

Each sector has its own unique challenges. It would be appropriate to ensure that each sector has the confidence in any professional body, especially if it is to take responsibility for disciplinary and competence issues. There should be separate sector councils specialising in each specific area, i.e primary, secondary or leadership etc., but ultimately answerable and feeding into the body as a whole.

Question 8

Do you think that there should be a flat-rate fee for registration payable by all those registered or should differentiated fee rates apply?

We believe there should be one single flat fee for registration. Furthermore given that the registration fee is a condition of employment we believe that additional funding should be made available to the education sector to provide for that cost.

Question 9

Do you think that greater clarity and coherence in requirements for matters such as qualifications, professional standards, performance management and professional development could support our drive to improve standards and flexibility across the wider workforce?

Yes.

Question 10

We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them:

We do believe that while a new regulatory body could also incorporate the FE sector and teaching assistants, any hearings should be conducted on a sector specific basis. i.e Any hearings involving teachers should be dealt with specifically by those within the teaching sector to ensure that decisions are made with experience in that field. This is an important issue in order to ensure support from the teaching sector.

33

Name: Michael Salvatori

Organisation: Ontario College of Teachers

The Ontario College of Teachers (the College) licenses, governs and regulates the profession of teaching in the public interest in Ontario, Canada. It sets standards of practice and ethical standards, conducts investigations and disciplinary hearings and accredits teacher education programs affecting its more than 230,000 members in publicly funded elementary and secondary schools across Ontario.

The College has worked closely with the GTC Wales for many years and values the crucial role that the GTC Wales in the regulation of the teaching profession both in Wales and internationally. We look forward to continued collaboration with the GTC Wales and to strengthening a relationship that benefits our teachers and teachers in Wales as growing familiarity with each others' practices facilitates the registration process for all.

Teaching Councils like the GTC Wales and Ontario College of Teachers work in the public interest. We assure the public that qualified, certified teachers are teaching their children. An independent body for the teaching profession, like the GTC Wales is a necessary tool for raising the standards of teaching, ensuring the competence of teachers and promoting the professionals to whom we entrust our children.

As the largest self-regulatory body in Canada, the College is pleased to provide input on the proposal from the Welsh Government for extending registration to a wider group of education professionals within the structure of the current General Teaching Council of Wales.

Question 1

Do you agree that registration should be extended beyond school teachers to the wider education workforce in Wales, to include school learning support staff, further education lecturers and the work-based learning workforce?

The College agrees that the protection of the public interest is an important consideration when taking into account the extension of registration to the wider education workforce in Wales. In Ontario, teachers and early childhood educators are considered separate and distinct professionals, each with their own self-regulatory body and legislation. Some members of the wider education community, such as psychologists or social workers, may also be

members of other professionally regulated bodies. The local district school board is responsible for determining the knowledge and skills required of members of the wider education community who are not considered to be members of a profession, such as education assistants.

The College believes that regulatory bodies are the appropriate agencies to register individuals of identified professions. Employers play a vital role in ensuring that members of the wider education community have the requisite knowledge and skills to ensure safe and competent delivery of programs. Under the Regulated Health Professions Act, provision is made to permit disclosure of certain information among regulated health professions that would otherwise not be possible because of confidentiality requirements. The College believes that collaboration between professional regulatory bodies and employers helps to assure that the public's interest is protected. In addition, the College feels it is essential that regulators whose members work in the same setting (for example, psychologists, social workers, or early childhood educators working in schools) collaborate to support their members and promote mutual understanding and co-operation.

Question 2

Do you think that any other members of the education workforce, for example youth workers, play workers and other school staff, should be registered?

Should registration of individuals who work in a school setting and who are not members of another regulated profession be contemplated, the following factors should be considered:

- ***to what extent can the new or reconstituted regulatory body articulate standards that would appropriately reflect the unique nature of each of the roles played by members of the body (for example, teachers or education assistants)***
- ***how might the professional identity of each of the constituent groups be affected if the membership were expanded.***

Question 3

Do you agree that the functions of a registration body in Wales should include checks that individuals are appropriately qualified and fit to practise and a disciplinary function leading to potential barring of individuals who are deemed unfit?

The primary duty of a self-regulatory body is to protect the public interest. Ensuring that individuals who apply for licensing are qualified and deserving of the public's confidence is inherent to this process. Ensuring that they remain qualified is also an important function of self-regulators. It is vital that open and transparent disciplinary processes be part of a self-regulatory body's mandate to ensure the accountability of the profession to the public it serves.

Question 4

Do you agree that decisions about functions such as discipline and professional competence should be made independent of government?

The College agrees that regulatory bodies, not the government, should be responsible for making decisions regarding members' conduct and competence.

Question 5

Do you agree that wide functions should be added on a phased basis into the work of the new reconstituted registration body? These could include approval of initial training courses, requirements for continuing professional development and setting of professional standards.

The College believes that teachers possess the necessary skills, knowledge and background to develop the standards inherent in their practice. Through the accreditation function, the public can be assured that quality pre-service and in-service teacher education programs will be developed using these standards as a foundation. The College strongly supports extending these functions to a newly reconstituted registration body.

Question 6

Are there any other specific functions you think that the new or reconstituted registration body should undertake?

No comment

Question 7

Do you think that a single professional council, with a membership with expertise across the wider education workforce, is the best way to secure appropriate professional expertise for the new or reconstituted registration body, or would a series of sector councils each specialising in a specific area of workforce be more appropriate?

In Ontario, teachers and the public recognize that self-regulation is a privilege that acknowledges the maturity of the profession and honours the discrete skills, knowledge and experience that teachers possess. There is an understanding that all professionals, including members of different professions who work closely together, possess differing levels of skills and knowledge. While agreeing that the protection of the public interest must be an important consideration when contemplating the extension of registration to a wider group of education professionals, the College recommends that the Government of Wales consider the Ontario experience in this regard.

The Ontario government passed the Regulated Health Professions Act (RHPA) in 1991. The RHPA provides a framework for regulating 23 separate health professions in Ontario, each with their own regulatory College. The RHPA includes a general Act, a Procedural Code for all the regulated health professions, as well as profession-specific Acts to ensure that health professions are regulated in the public interest.

Under the Act, individual Colleges are responsible for regulating the practice of their respective professions. This allows individual health professions to determine the qualifications necessary for registration and recognizes the need to develop and maintain profession-specific standards of practice and ethical standards.

Under this model, the government ensures that health professions in Ontario are regulated in the public interest. At the same time, the government acknowledges that the professions considered under the umbrella of the RHPA possess differing levels of skills, knowledge and experience and that the individual Colleges are best-placed to regulate these distinct professions.

In contrast to this model, the Law Society of Upper Canada (LSUC), the self-regulatory body for the legal profession in Ontario, was granted the authority to regulate the practice of paralegals in 2007. This extension of registration was very carefully considered and only implemented after years of research, consultation and review. Currently, the LSUC regulates approximately 41,000 lawyers and 2,700 licensed paralegals.

The LSUC is currently conducting a review to analyze the effect regulation has had on licensed paralegals and the public. The results of the review and a final report will be submitted to the Attorney General of Ontario by the end of July 2012. The Government of Wales may find it useful to review the report as it considers its options regarding the similar extension of registration to other professionals within the field of education.

Question 8

Do you think that there should be a flat-rate fee for registration payable by all those registered or should differentiated fee rates apply?

The College believes that differentiated fee rates should apply if registration is extended to members of the wider education community.

Question 9

Do you think that greater clarity and coherence in requirements for matters such as qualifications, professional standards, performance management and professional development could support our drive to improve standards and flexibility across the wider workforce?

The College believes that the protection of the public interest is paramount for any self-regulated profession and that any measures that improve transparency, accountability and accessibility will provide greater clarity and lead to improvements within the education system as a whole.

Question 1

Do you agree that registration should be extended beyond school teachers to the wider education workforce in Wales, to include school learning support staff, further education lecturers and the work-based learning workforce?

I am responding as the Head of the Schools Service in Powys. Having consulted with our Head Teachers there is a significant majority in favour of extending the registration to encompass the wider education workforce.

Question 2

Do you think that any other members of the education workforce, for example youth workers, play workers and other school staff, should be registered?

Our view is that staff who deliver distinct, planned educational programmes to children and young people in their main place of learning and under the direction of a Head Teacher should be registered.

Question 3

Do you agree that the functions of a registration body in Wales should include checks that individuals are appropriately qualified and fit to practice and a disciplinary function leading to potential barring of individuals who are deemed unfit?

Yes

Question 4

Do you agree that decisions about functions such as discipline and professional competence should be made independent of government?

Yes

Question 5

Do you agree that wider functions should be added on a phased basis into the work of the new or reconstituted registration body? These could include approval of initial training courses, requirements for continuing professional development and setting of professional standards.

We agree there needs to be a phasing in approach and we also believe the timing of such phasing should be professionally determined rather than politically determined.

Question 6

Are there any other specific functions you think that the new or reconstituted registration body should undertake?

Not at this point

Question 7

Do you think that a single professional council, with a membership with expertise across the wider education workforce, is the best way to secure appropriate professional expertise for the new or reconstituted registration body, or would a series of sector councils each specialising in a specific area of the workforce be more appropriate?

We would advocate a single professional council because it will more strongly demonstrate the need for much greater professional integration and cohesion of the education workforce than separate sector councils will achieve.

Question 8

Do you think that there should be a flat-rate fee for registration payable by all those registered or should differentiated fee rates apply?

There has to be a differentiated fee structure that reflects relative pay and conditions as well as levels of responsibility and accountability.

Question 9

Do you think that greater clarity and coherence in requirements for matters such as qualifications, professional standards, performance management and professional development could support our drive to improve standards and flexibility across the wider workforce?

This should support the drive to improve standards across the workforce, however, this may not automatically lead to improved outcomes for learners. We have some extremely talented and highly qualified staff who deliver poor, ineffective teaching.

Question 10

We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them:

With the Minister's focus on removing the impact of poverty as a barrier to learning and on collaboration it is our view that consideration be given to broadening the composition of the professional council to include representation from Children and Young People's Partnerships. It is no longer possible to deliver the Minister's priorities through a single agency (education) approach. The raising of standards and improving outcomes for children and young people is everyone's business, but particularly across Children's Services and Health Services.

35

Name: Philip Hubbard

Organisation: Reserve Forces' and Cadets' Association for Wales

The minister seeks to widen the current requirement for teachers to register with a professional body to possibly include youth workers.

The current General Teaching Council for Wales (GTCW) maintains a register of teachers, sets out a code of conduct, investigates professional misconduct and can discipline those found guilty and provide advice to Government. For the cadet Movement there is already potential for overlap and conflict of interest if Cadet Force Adult Volunteers were to join on an individual basis.

You do however acknowledge differing standards across the whole education workforce. A body dealing with everybody has the potential to be a key partner in delivering better coherence, monitor and help drive up standards and enhance public confidence in the profession. Membership could offer employers some level of qualitative standard and also engender confidence in candidates at interview.

What's being proposed?

A council to oversee the profession, or a series of sector councils covering particular areas of the workforce! This would be best suited for the volunteer sector of youth workers (i.e. us).

Expand over time to include the wider education workforce, registering each category over time.

Be required to pay a fee, the structure of which to be decided. Benefits would have to be apparent in order to enthuse the workforce and encourage participation.

From a Cadet Movement point of view our volunteers could potentially be included in a volunteer category, not subject to investigation/discipline etc. and not at an individual level - at least not initially. Membership at a corporate level i.e. RFCA, offers the opportunity for us to show openness of our training and qualification standards and our disciplinary methods, and ethical stance on racism bullying etc. This chimes with the minister's aim of seeking wider public confidence and also offers the opportunity, through the proposed council, of offering advice to ministers. Overall we could be engaged, even if we do not eventually join, so we can show our openness and willingness to engage in raising standards.

36

Name: Simon Brownsill

Organisation: Scouts Wales

Question 1

Do you agree that registration should be extended beyond school teachers to the wider education workforce in Wales, to include school learning support staff, further education lecturers and the work-based learning workforce?

No

Question 2

Do you think that any other members of the education workforce, for example youth workers, play workers and other school staff, should be registered?

No if they are to be registered it should be on a separate register to reflect the job being carried out. For voluntary youth workers compulsory registration would not be practicable nor desirable.

Question 3

Do you agree that the functions of a registration body in Wales should include checks that individuals are appropriately qualified and fit to practice and a disciplinary function leading to potential barring of individuals who are deemed unfit?

Yes

Question 4

Do you agree that decisions about functions such as discipline and professional competence should be made independent of government?

Yes

Question 5

Do you agree that wider functions should be added on a phased basis into the work of the new or reconstituted registration body? These could include approval of initial training courses, requirements for continuing professional development and setting of professional standards.

No

Question 6

Are there any other specific functions you think that the new or reconstituted registration body should undertake?

No

Question 7

Do you think that a single professional council, with a membership with expertise across the wider education workforce, is the best way to secure appropriate professional expertise for the new or reconstituted registration body, or would a series of sector councils each specialising in a specific area of the workforce be more appropriate?

Yes

Question 8

Do you think that there should be a flat-rate fee for registration payable by all those registered or should differentiated fee rates apply?

Combination of the two a flat rate payable by all with additional fee depending on earnings or hours worked.

Question 9

Do you think that greater clarity and coherence in requirements for matters such as qualifications, professional standards, performance management and professional development could support our drive to improve standards and flexibility across the wider workforce?

Yes

Question 10

We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them:

ScoutsWales would not wish to see youth workers nor any other non teaching profession added to a register of teachers, in addition we would also be deeply concerned about any requirement for volunteer youth works to register.

37

Name: Dr Russell Grigg

Organisation: South West Wales Centre of Teacher Education

Just a short note to acknowledge that as a Centre we welcome the proposals to establish a new education registration body for Wales:

- ***the work of the body should be overseen by the profession. This could be achieved through a professional council consisting of persons with expertise in the sectors and functions covered by the body, or a series of sector councils each considering a particular area of the workforce. We welcome the idea of one single representative professional council overseeing the work of the body.***
- ***the scope of the body should be extended beyond teachers to include the wider education workforce. This would include, as a minimum, school learning support staff, further education lecturers and the work-based learning workforce, and we are considering and seeking views through this consultation whether additional categories of staff should be included. We intend to adopt a phased approach to registering the additional categories of the education workforce so that, over time, a complete picture of the whole workforce can be built up. We welcome the idea of extending the scope of the body - so that the efforts of learning support assistants and others are duly recognised***
- ***the potential functions of the body should be broadened to enable it to play a key role in establishing and monitoring standards within the education workforce. These new functions would be phased in over time as and when the Minister considers that the body is ready to take them on. These functions could include approval of initial teacher training courses, requirements for continuing professional development and setting professional standards We welcome this idea and feel that the body should take a more pro active approach,***

than the current GTCW, for instance in providing data for benchmark purposes across teacher training including the collation of evaluations and dissemination of best practice

- *those registered with the body should be required to pay a registration fee. We propose to avoid a complex fee structure that would be costly to administer but would consider a limited range of differential fee rates where these could be properly justified - Agree*
 - *alongside these changes we should also consider the differences in requirements for qualifications, professional standards, performance management and professional development and consider whether greater coherence across these issue could support our drive to improve standards - Support the idea of greater coherence*
 - *we should seek broad powers in the proposed Education Bill to enable these changes to take effect.*
-

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Name: John Griffiths

Organisation: St. Joseph's Catholic & Anglican High School, Wrexham

Question 1

Do you agree that registration should be extended beyond school teachers to the wider education workforce in Wales, to include school learning support staff, further education lecturers and the work-based learning workforce?

Yes

Question 2

Do you think that any other members of the education workforce, for example youth workers, play workers and other school staff, should be registered?

Yes

Question 3

Do you agree that the functions of a registration body in Wales should include checks that individuals are appropriately qualified and fit to practice and a disciplinary function leading to potential barring of individuals who are deemed unfit?

Yes

Question 4

Do you agree that decisions about functions such as discipline and professional competence should be made independent of government?

Don't know

Question 5

Do you agree that wider functions should be added on a phased basis into the work of the new or reconstituted registration body? These could include approval of initial

training courses, requirements for continuing professional development and setting of professional standards.

Yes

Question 6

Are there any other specific functions you think that the new or reconstituted registration body should undertake?

Don't Know

Question 7

Do you think that a single professional council, with a membership with expertise across the wider education workforce, is the best way to secure appropriate professional expertise for the new or reconstituted registration body, or would a series of sector councils each specialising in a specific area of the workforce be more appropriate?

A series of specific councils

Question 8

Do you think that there should be a flat-rate fee for registration payable by all those registered or should differentiated fee rates apply?

I think job role and salary should be taken into consideration

Question 9

Do you think that greater clarity and coherence in requirements for matters such as qualifications, professional standards, performance management and professional development could support our drive to improve standards and flexibility across the wider workforce?

Yes

Question 10

We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them:

None

Consultation Response

Proposals to amend the requirements for registration of the education workforce in Wales

General

Stonewall Cymru is the all-Wales Lesbian, Gay & Bisexual (LGB) Charity. Our aim is to achieve equality for LGB people at home, at school and at work.

Established in 2003 with support from the Welsh Government and Stonewall GB, Stonewall Cymru's work is tailored to the needs of LGB people across Wales and draws upon a wealth of research from Stonewall across Britain. Stonewall's Education for All campaign, helps tackle homophobia and homophobic bullying in schools and works with a wide coalition of groups.

Young People

Consequences for young people if they are being bullied

Homophobic bullying causes permanent damage to young people and blights the schools and colleges where it takes place. Making all young people - regardless of their sexuality - feel included and valued is a major opportunity for the educational system to transform the lives of a significant number of pupils and students.

Homophobic / heterosexist bullying can affect all children in school, and indeed teachers, parents and governors. Children can be bullied whether they are affirmed in their identity as lesbian, gay or bisexual, questioning their sexuality, or because they are perceived to be LGB.

If homophobic bullying goes unchallenged, it can have severe negative consequences for young people. Homophobic bullying makes LGB youths one of the most at-risk groups in society, according to research. As pupils, they have higher levels of absenteeism and truancy in secondary school, are less likely than their heterosexual peers to enter further education, even if outperforming them academically, and are more likely to contemplate self-harm and suicide. The Welsh Government should ensure that recommendation 21.30 of the Clywch Inquiry which states that school governing bodies should provide all children and young people with information about relevant organisations they can contact to talk about any problems or concerns they may have, is implemented and that details about local LGBT groups, or support networks are provided in schools.

Schools have a legal duty to prevent and tackle all forms of bullying, including homophobic bullying. All teachers should therefore be aware of their responsibilities under the law to address the problem and to support children and young people who sometimes feel excluded and isolated, for example LGB students and those with lesbian and gay parents and families.

Therefore, Stonewall Cymru recommends that teachers undertaking ITT should be required to undertake training on tackling homophobic bullying, and current teachers, as part of their continued professional development, should undertake training in tackling homophobic bullying.

Supporting teachers to be able to tackle homophobic bullying

All registered teachers share a vision of their professionalism, which includes a focus on children and young people's wellbeing and creating environments where diversity is respected and equality promoted. Teachers come from many different backgrounds and as such will hold a range of views on different issues – for example, sexual orientation.

However, teachers need to understand that personal views which may cause harm or distress to young people or impact negatively on their education are not acceptable in school. This is especially important with homophobic and discriminatory views which breach their responsibilities as qualified teachers.

Teachers all need to feel supported by the school in coming out at school. They need to be assured that their workplace is a safe environment in which they feel supported by their employers, the local authority and bodies such as GTCW or similar. Teachers who are LGB are best placed to become role models within a supportive school environment. However, many fear being out at school as they fear the potential impact on their careers, or the potential for bullying by pupils, staff or other teachers. Schools should have anti-bullying policies which extend to meet the needs of teachers. Consideration will also need to be given by education bodies such as the updated GTCW on how to effectively deal with such incidents of bullying within the teaching profession.

Stonewall Cymru recommends that a reconstituted GTCW should consider the standards of education not only through an academic perspective, but also considering the wellbeing of teachers and pupils alike. The body should have a fully inclusive policy which outlines an expected code of conduct. Teacher should feel supported by the body in challenging incidences or discriminatory practise or bullying, especially homophobic bullying.

Whole School approach and support for the wider school community

Lesbian, gay and bisexual young people have the same needs as all other young people - they want to feel safe and included. All professionals working with young people should want to ensure that lesbian, gay and bisexual young people are able to fulfil their potential but some are unsure about how to do that.

The whole school should be involved in creating an atmosphere where everyone feels they can be themselves. This also includes the senior management team, non-teaching staff and governors. Head teachers may feel that they are best placed to provide a safe environment, but this needs to extend to all staff and all teachers so that homophobic bullying does not go unchallenged or unreported when it occurs in non-classroom settings, for example the school bus, the yard or on the walk home from school.

Ensuring children and young people to achieve their full potential

Education is important in preparing young people for their future in further education, employment or training. Therefore learning environments should be places where children and young people not only receive a formal education, but knowledge of the world around them. This makes it imperative that all children and young people are taught about the importance of respecting difference and diversity. Being lesbian, gay or bisexual is not in itself a problem, or a risk, for young people. Young people experience problems when other people – teachers, doctors, parents and family, friends, youth workers, faith leaders and other young people – respond negatively to the fact that they are lesbian, gay or bisexual. Therefore, helping children and young people to understand and respect difference and diversity at school will better equip them for life outside school.

The potential functions of the new body should be broadened to ensure that standards within education are high, and that they are reached by the education workforce across Wales. The consequences of not tackling issues such as homophobic bullying would be a failure to the young people in our education system and would mean that Wales was not adhering to its commitments as set out in 'Getting it right 2009'. Therefore the impact on children and young people should be a fundamental lynchpin in every discussion regarding standards of education.

Teachers

Initial teacher training and continued professional development

All qualified and registered teachers have a duty of care to children and young people in their school. However, trainee teachers – and many qualified teachers – are still unsure of their duties to promote young people's wellbeing and where this fits with their responsibility for pupils' academic achievement. Teachers are required to tackle all forms of bullying, including homophobic bullying. However, research evidences that half of secondary teachers say the vast majority of homophobic incidents go unreported. This is currently because a great majority of teachers have never received training on how to prevent and respond to homophobic bullying or how to talk about lesbian and gay issues in class and many also seem to lack the support and confidence necessary to provide support and advice to lesbian, gay and bisexual young people.

Initial teacher training provides trainees with an invaluable opportunity to explore and discuss the range of challenges they may face in their teaching careers – such as homophobic bullying – and to feel confident in confronting it from day one. Good initial teacher training (ITT) equips teachers with the information, resources and tools they need to help children and young people enjoy learning and fulfil their potential. Newly qualified teachers should begin their teaching careers with the confidence to challenge homophobic bullying and support all young people in their care, including LGB young people, from day one – wherever they teach. Research has shown us that out of those secondary teachers who received training and addressed gay issues in the classroom; ninety five per cent of secondary teachers would do so again.

LGB issues in the curriculum

The most effective way to prevent homophobic bullying and to ensure lesbian, gay and bisexual young people feel included and have the information they need to stay safe, is making the curriculum inclusive of lesbian, gay and bisexual issues. This is a simple amendment to already existing curriculums, for example including that LGB people were persecuted against when teaching about the holocaust, or mentioning the sexual orientation of an author when reading their work in English literature. This helps young people feel that LGB people are more visible and gives them a reference, either historic or current to LGB issues. Stonewall Cymru has worked with teachers to develop lesson plans for a variety of key skill levels. Stonewall Cymru recommends that the reconstituted GTCW helps teachers feel able to reference LGB issues within their classroom, through training and through a clear policy on equality and diversity.

Reconstituted GTCW or new education registration body for Wales

Including representative bodies who can offer expert advice in their field

A reconstituted GTCW or new education registration body would benefit from expert advice from representative bodies in the education field. Stonewall Cymru is one such expert and offers practical advice, workshops, training and lesson plans on sexual orientation, homophobia and homophobic bullying. Organisations that are experts in their field are best placed to offer the most recent legal positions, guidance and advice and can extend the remit of such a body to a far greater capacity.

Ensuring equality and diversity within the education system

As evidenced throughout this consultation response, equality and diversity should be integral to a person's experience of the education system, be they a pupil, staff, parent or teacher. The reconstituted GTCW should ensure that equality is integral to every policy, decision or outcome.

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Name: David Finch

Organisation: The College Ystrad Mynach

Question 1

Do you agree that registration should be extended beyond school teachers to the wider education workforce in Wales, to include school learning support staff, further education lecturers and the work-based learning workforce?

Yes the College supports the idea that FE staff involved in the delivery, assessment and direct support of learning should be include in the registration of the education workforce. Due account must be taken of the range of teaching and learning posts which exist in the sector. The College employs lecturers (full-time, fractional and part-time), instructors, assessors, learning supervisors, learning support assistants and instructor/demonstrators. Many managers also teach and some staff have hybrid roles. The College also employs specialist part-time lecturers for specialist subjects; these are often professionals from other sectors (e.g.

accountants; lawyers). It may not be appropriate to include these specialist lecturers as part of the registered workforce.

Question 2

Do you think that any other members of the education workforce, for example youth workers, play workers and other school staff, should be registered?

The College does not have a view on this question

Question 3

Do you agree that the functions of a registration body in Wales should include checks that individuals are appropriately qualified and fit to practice and a disciplinary function leading to potential barring of individuals who are deemed unfit?

The functions of a registration body should include checks that individual are appropriately qualified and fit to practice.

A disciplinary function is more vexatious. The management of staff including discipline is the direct responsibility of the college. Disciplinary procedures are carried out internally following agreed procedures. The College does not wish to pass this on to a separate body. However, it would be helpful if a college could refer to the new registration body the case of an individual who had been through the disciplinary procedure and dismissed to test whether or not that person is still fit to practice and able to maintain membership of the registration body. This is currently the practice for school teachers in the General Teaching Council for Wales (GTCW).

Question 4

Do you agree that decisions about functions such as discipline and professional competence should be made independent of government?

Yes. A professional body should be independent from the Welsh Government and be overseen and run by the professional education workforce. To have functions such as discipline and professional competence determined by central government would undermine the professionalism of the registration body.

Question 5

Do you agree that wider functions should be added on a phased basis into the work of the new or reconstituted registration body? These could include approval of initial training courses, requirements for continuing professional development and setting of professional standards.

Yes in part. Firstly the body must have the capacity to manage and deliver these wider functions and secondly there will need to be a full dialogue with all stakeholders to determine which specific additional wider functions are to be added.

Question 6

Are there any other specific functions you think that the new or reconstituted registration body should undertake?

The body should have a research function. There is currently insufficient research on pedagogy and pedagogic practice in Welsh education and training (especially in post-16 education and training). This issue should be addressed by the body.

There should also be more work (probably in partnership with Estyn) on what constitutes excellent teaching/sector leading practice.

Question 7

Do you think that a single professional council, with a membership with expertise across the wider education workforce, is the best way to secure appropriate professional expertise for the new or reconstituted registration body, or would a series of sector councils each specialising in a specific area of the workforce be more appropriate?

Yes. A new single professional council should be established with membership reflecting the wider education workforce. This should be a new body with new powers and responsibilities. It should not just be the current GTCW with an expanded remit.

Question 8

Do you think that there should be a flat-rate fee for registration payable by all those registered or should differentiated fee rates apply?

A flat fee is the preferred option. However given the wide range of staff employed in FE colleges including the use of part-time hourly paid staff, the level of fee needs to recognise the annual salaries of staff.

It would not be acceptable at a time of financial constraint for colleges to pay the costs of registration for their staff. The Welsh Government is unlikely to wish to take on this additional expenditure. Some college staff might be reluctant to pay a fee if membership of the new organisation is compulsory. In addition, FE staff would not welcome having to pay the full fee if school teachers continue to have almost three-quarters of their fee reimbursed.

Given the size of the reconstituted body, there may be efficiency savings and the fee could be lower than that currently charged by the GTCW. However the level of fee would depend on the services to be provided and the willingness of partners to contribute.

It will be essential that members recognise the benefits of the professional body to members and the added professional value gained from membership. These benefits must be over and above what lecturers currently receive.

Question 9

Do you think that greater clarity and coherence in requirements for matters such as qualifications, professional standards, performance management and professional development could support our drive to improve standards and flexibility across the wider workforce?

Yes. A well run professional body could help in the move towards greater clarity and coherence. One particular area in FE is the lack of a qualifications framework for lecturers. Standards for lecturers are already in place but, unlike England, there is no qualifications framework in place.

The strength of the new body is that it would help in the sharing of good practice across sectors.

Question 10

We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them:

N/A

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Name: Lleu Williams

Organisation: University and College Union

The University and College Union (UCU) represents more than 120,000 academics, lecturers, trainers, instructors, researchers, managers, administrators, computer staff, librarians and postgraduates in universities, colleges, prisons, adult education and training organisations across the UK.

UCU is the largest post-school union in the world: a force working for educators and education that employers and the government cannot ignore.

It was formed on 1 June 2006 by the amalgamation of two strong partners – the Association of University Teachers (AUT) and NATFHE-the University & College Lecturers' Union - who shared a long [history](#) of defending and advancing educators' employment and professional interests.

UCU Cymru welcomes the opportunity to respond to the Welsh Government's consultation on its proposals to amend the requirements for the registration of the education workforce in Wales.

Wider registration of the education workforce

UCU Cymru agrees with the Welsh Government that registration should be extended beyond school teachers to the wider education workforce to include further education lecturers, provided that the structure of the new body is in the hands of those individuals within the profession. UCU Cymru believes that the democratic control and makeup of the governing body has to ensure there is a high degree of practitioner control within the body. Any reconstituted or new body would need to reflect this. UCU Cymru's support for the wider registration of the education workforce is conditional on there being discussions with relevant trade unions, including UCU Cymru, on the makeup of any new body. What is not acceptable to UCU Cymru, however, is any notion that lecturers would make up the minority on any such body. UCU Cymru believes that lecturers must have a representative proportion of board places on any such body, and that those individuals are elected upon a system determined by UCU Cymru.

CPD and Professional standards

UCU Cymru does have concerns over what constitutes continuing professional development (CPD), who controls activities related to CPD and the setting of professional standards. UCU Cymru is clear that CPD should only contribute to the skills of the individual in enhancing and developing their ability to work with learners, be this through teaching or supporting learners.

UCU Cymru believes that CPD has to be controlled, ultimately by the individual who has to undertake it. Whilst UCU Cymru accepts that any CPD activity might have to be negotiated and agreed with management, it's important that the individual has a major say in what is defined as relevant CPD. CPD should be agreed between the employer (preferably line manager) and the employee annually as part of the individual's CPD review.

UCU Cymru also believes that individuals must be allocated sufficient time in order to complete any relevant CPD work. UCU Cymru believes that sufficient time should be a minimum of thirty hours reduced class contact per year. Part-time members of staff should also be entitled to the same allowance for CPD as full time individuals, as they too are professionals.

In addition, if CPD activity can only take place during holiday periods (such as attending one off events that happen during annual or statutory holiday periods) and that this time must be credited back to the individual concerned, to be taken at a later date at a time of their choosing, in agreement with their line manager.

UCU Cymru believes that the new or reconstituted body must be responsible for all Wales CPD, similarly in the way that the GTCW currently is for teachers. Any new or reconstituted body is going to be responsible for approval of CPD and professional standards, then this must be led by the individuals who are expected to undertake this work.

In addition, CPD funding from the new body must be open to all registered members within the profession to ensure they are able to develop their professional skills to enhance the learning experience of young people in Wales. UCU Cymru believes that the Welsh Government must commit a sufficient budget for CPD, which will ensure that professionals are able to access CPD activity.

One body is the way forward

UCU Cymru is opposed to any future professional council being made up of a series of sector councils. We believe that a single professional council, with a membership with expertise across the wider workforce, would be the best way to secure appropriate professional expertise.

UCU Cymru has concerns that a series of sector councils would include other interests outside of those of the profession, and would seek to influence standards to suit their needs. Professionalism is, and should be defined by the involvement of practitioners in their field, and UCU Cymru would be opposed to any proposals which undermine this.

UCU Cymru believes the work of the new body should be sub-committee led, with a sub-committee for different groups of staff. There is a wide and deep variation in the professional experiences of staff in further education, from teaching a dance class in a village hall, to teaching a postgraduate course. For these different professional experiences to be inputted effectively into the new body, a series of sub-committees, which feed into the main body, would help facilitate this. This would also ensure that the new body is member led, and reflects the needs and concerns of practitioners in their respective fields.

Membership fees

UCU Cymru believes that a graded cost of membership, linked to salary, should be implemented by the Welsh Government, to reflect staff on part time contracts.

UCU Cymru also believes that if lecturers in Wales are to become members of any new body on a compulsory basis, then the membership fee should be met with by the employer, in this instance, the college where they teach.

Consultation Questions

Question 1

Do you agree that registration should be extended beyond school teachers to the wider education workforce in Wales, to include school learning support staff, further education lecturers and the work-based learning workforce?

UCU Cymru agrees with the Welsh Government that registration should be extended beyond school teachers to the wider education workforce to include further education lecturers, provided that the structure of the new body is in the hands of those individuals within the profession.

UCU Cymru believes that the democratic control and makeup of the governing body has to ensure there is a high degree of practitioner control within the body. Any reconstituted or new body would need to reflect this.

UCU Cymru' support for the wider registration of the education workforce is conditional on there being discussions with relevant trade unions, including UCU Cymru, on the makeup of any new body. What is not acceptable to UCU Cymru, however, is any notion that lecturers would make up the minority on any such body. UCU Cymru believes that lecturers must have a representative proportion of board places on any such body, and that those individuals are elected upon a system determined by UCU Cymru.

Question 2

Do you think that any other members of the education workforce, for example youth workers, play workers and other school staff, should be registered?

UCU Cymru believes that any other members of the education workforce who work with young adults should be subject to the same requirements in terms of regulation.

Question 3

Do you agree that the functions of a registration body in Wales should include checks that individuals are appropriately qualified and fit to practice and a disciplinary function leading to potential barring of individuals who are deemed unfit?

UCU Cymru maintains that a registration body for further education lecturers in Wales should include a disciplinary function. UCU Cymru believe that this body would be appropriate to conduct such checks, on the basis that this body is run by the members of the profession required to register with it.

UCU Cymru is clear that there needs to be a clear criteria made by the new or reconstituted body to what constitutes as professional issues. In addition, UCU Cymru strongly believes that any code of conduct needs to be developed on a by the profession, for the profession basis.

Question 4

Do you agree that decisions about functions such as discipline and professional competence should be made independent of government?

UCU Cymru agrees that decisions about discipline and professional competence should be made independent of government, by a body which is member led. UCU Cymru maintains that the Welsh Government does have a role to play in determining these functions, and ensuring that the body is fully funded by the public purse, and not by those members required to register.

Whilst UCU Cymru would support the new body undertaking functions regarding discipline, on a “by the profession for the profession basis”, we are clear that any new body must act in a way to build public confidence in the teaching profession. This should include any disciplinary hearings being held in private, as well as any panel being member led. This would allow for any professional conduct issues to be dealt with by fellow peers in the profession. Any decisions to undermine this process will not be supported by UCU Cymru.

Question 5

Do you agree that wider functions should be added on a phased basis into the work of the new or reconstituted registration body? These could include approval of initial training courses, requirements for continuing professional development and setting of professional standards.

UCU Cymru agrees with the Welsh Government that the wider functions of the body should be added on a phased basis into the work of the new body. UCU Cymru would also like to take this opportunity to highlight some issues with regards to CPD and professional development.

UCU Cymru does have concerns over what constitutes continuing professional development (CPD), who controls activities related to CPD and the setting of professional standards. UCU Cymru is clear that CPD should only contribute to the skills of the individual in enhancing and developing their ability to work with learners, be this through teaching or supporting learners.

UCU Cymru believes that CPD has to be controlled, ultimately by the individual who has to undertake it. Whilst UCU Cymru accepts that any CPD activity might have to be negotiated and agreed with management, it's important that the individual has a major say in what is defined as relevant CPD. CPD should be agreed between the employer (preferably line manager) and the employee annually as part of the individual's CPD review.

UCU Cymru also believes that individuals must be allocated sufficient time in order to complete any relevant CPD work. UCU Cymru believes that sufficient time should be a minimum of thirty hours reduced class contact per year. Part-time members of staff should also be entitled to the same allowance for CPD as full time individuals, as they too are professionals.

In addition, if CPD activity can only take place during holiday periods (such as attending one off events that happen during annual or statutory holiday

periods) and that this time must be credited back to the individual concerned, to be taken at a later date at a time of their choosing, in agreement with their line manager.

UCU Cymru believes that the new or reconstituted body must be responsible for all Wales CPD, similarly in the way that the GTCW currently is for teachers. Any new or reconstituted body is going to be responsible for approval of CPD and professional standards, then this must be led by the individuals who are expected to undertake this work.

In addition, CPD funding from the new body must be open to all registered members within the profession to ensure they are able to develop their professional skills to enhance the learning experience of young people in Wales. UCU Cymru believes that the Welsh Government must commit a sufficient budget for CPD, which will ensure that professionals are able to access CPD activity.

Question 6

Are there any other specific functions you think that the new or reconstituted registration body should undertake?

UCU Cymru believes no other specific functions should be undertaken by the new registration body.

Question 7

Do you think that a single professional council, with a membership with expertise across the wider education workforce, is the best way to secure appropriate professional expertise for the new or reconstituted registration body, or would a series of sector councils each specialising in a specific area of the workforce be more appropriate?

UCU Cymru is opposed to any future professional council being made up of a series of sector councils. We believe that a single professional council, with a membership with expertise across the wider workforce, would be the best way to secure appropriate professional expertise.

UCU Cymru has concerns that a series of sector councils would include other interests outside of those of the profession, and would seek to influence standards to suit their needs. Professionalism is, and should be defined by the involvement of practitioners in their field, and UCU Cymru would be opposed to any proposals which undermine this.

UCU Cymru believes the work of the new body should be sub-committee led, with a sub-committee for different groups of staff. There is a wide and deep variation in the professional experiences of staff in further education, from teaching a dance class in a village hall, to teaching a postgraduate course. For these different professional experiences to be inputted effectively into the new body, a series of sub-committees, which feed into the main body, would help facilitate this. This would also ensure that the new body is member led, and reflects the needs and concerns of practitioners in their respective fields.

Question 8

Do you think that there should be a flat-rate fee for registration payable by all those registered or should differentiated fee rates apply?

UCU Cymru believes that a graded cost of membership, linked to salary, should be implemented by the Welsh Government, to reflect staff on part time contracts.

UCU Cymru also believes that if lecturers in Wales are to become members of any new body on a compulsory basis, then the membership fee should be met with by the employer, in this instance, the college where they teach.

Question 9

Do you think that greater clarity and coherence in requirements for matters such as qualifications, professional standards, performance management and professional development could support our drive to improve standards and flexibility across the wider workforce?

UCU Cymru believes it is possible that greater clarity and coherence in requirements for matters such as qualifications, professional standards, performance management and professional development could support the drive to improve standards and flexibility across the wider workforce, but this is entirely dependent on engagement with those staff concerned.

This is why it is essential in moving forward that the practitioners involved have to play a central in any new body to ensure that the Welsh Government's achieves its aims.

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Enw: Rebecca Williams

Sefydliad: Undeb Cenedlaethol Athrawon Cymru (UCAC)

Cwestiwn 1

Ydych chi'n cytuno dylai cofrestru gael ei ymestyn i gynnwys y gweithlu addysg ehangach yng Nghymru, fel staff cymorth dysgu ysgolion, darlithwyr addysg bellach a'r gweithlu dysgu seiliedig ar waith, yn hytrach na dim ond athrawon ysgol?

Cytuna UCAC â'r bwriad i gofrestru darlithwyr Addysg Bellach. Mae darlithwyr, fel athrawon, yn addysgwr yn bennaf, ac fel arfer (ac yn gynyddol) wedi'u cymhwyso i fod yn addysgwyr: dyna yw eu proffesiwn. Yn ogystal, mae gorgyffwrdd cynyddol rhwng gwaith darlithwyr addysg bellach a gwaith athrawon ysgol yn sgil y Llwybrau Dysgu 14-19, gyda'r naill a'r llall yn dysgu cyrsiau i'r un carfanau o fyfyrwyr, i'r un lefel addysgol, a hyd yn oed yn gwneud eu gwaith addysgu yn sefydliadau ei gilydd. Yn ogystal, mae'r Llwybrau Dysgu 14-19 yn golygu ei bod hi'n llawer fwy cyffredin i ddarlithwyr addysg bellach ddysgu disgyblion sy'n iau na 16 mlwydd oed; golyga hyn fod materion diogelwch plant yn codi sy'n gwneud yr angen i gofrestru'n bwysicach fyth. Fel mater o degwch a diogelwch, dylai'r ddau grŵp gael eu trin

yn gyfartal o ran gofynion cofrestru, gwirio cymhwyster a threfniadau disgyblu.

O ran cofrestru gweddill y gweithlu addysg, nid yw UCAC yn gwrthwynebu'r syniad o gofrestru'r gweithwyr eraill hyn mewn egwyddor. Serch hynny, nid ydym yn gweld rhesymau neilltuol dros wneud hynny, pan allai cofnodion cyflogaeth a gwiriadau CRB wneud y tro gyda llawer llai o fiwrocratiaeth.

Os mai Corff Proffesiynol ar gyfer athrawon/darlithwyr cymwysedig yw'r corff dan sylw, dadleuwn fod natur gwaith a llwybrau hyfforddiant/cymhwyso staff cymorth dysgu ysgolion, ac o bosib staff sy'n dysgu yn y gweithle, yn ddigon gwahanol i olygu nad ydynt yn dod dan yr ambarél o fod yn athrawon/darlithwyr cymwysedig. Felly, petai staff cymorth dysgu a staff sy'n dysgu yn y gweithle yn cael eu cofrestru, nid ydym wedi ein darbwylllo mai'r un corff ddylai fod yn gwneud y gwaith hwn ag sy'n cyflawni'r swyddogaeth ar ran athrawon a darlithwyr.

Yn ogystal, gwêl UCAC y posibilrwydd o wrthdaro buddiannau petai'r un corff yn 'cynrychioli' athrawon cymwysedig a staff cymorth dysgu mewn ysgolion, yn enwedig ym maes achosion disgyblaethol. Mae UCAC wedi penderfynu peidio derbyn staff cymorth yn aelodau o'r undeb am yr union reswm hwn, ac mae'n fater y dylai Llywodraeth Cymru ei ystyried yn ddwys cyn gwneud penderfyniad.

Cwestiwn 2

Ydych chi'n credu dylai unrhyw aelodau eraill o'r gweithlu addysg, er enghraifft gweithwyr ieuenctid, gweithwyr chwarae, staff eraill yr ysgol, gael eu cofrestru?

Fel uchod, gyda'r staff cymorth dysgu, nid yw UCAC yn gwrthwynebu'r syniad o gofrestru'r gweithwyr eraill hyn mewn egwyddor, ond nid yw'n gweld rhesymau digonol i gyfiawnhau sefydlu'r cyfundrefnau gweinyddol fyddai eu hangen i wneud hynny.

Os nad oes cymhwyster gorfodol ar gyfer y swydd, nid yw, o reidrwydd yn gwneud synnwyr i gofrestru'r gweithluoedd hyn; h.y. ni fyddai gwirio cymhwysedd unigolion i fod yn aelodau o'r proffesiwn yn fater mor rhwydd ag yn achos athrawon a darlithwyr. Gallai fod yn ddigonol i'r unigolion yn y grwpiau hyn gael gwiriad CRB estynedig, gwirio rhestr yr ISA a bod gan y cyflogwyr gofnod o'u cymwysterau a phrofiad ar ffurf CV neu ffurflen gais. Yn sicr, rydym o'r farn na fyddai'n briodol i'r gwaith o gofrestru'r gweithlu ehangach gael ei weinyddu gan yr un 'corff proffesiynol' ag athrawon a darlithwyr, am nad ydynt yn perthyn i'r un proffesiwn.

Cwestiwn 3

Ydych chi'n cytuno dylai swyddogaethau corff cofrestru yng Nghymru gynnwys cadarnhau fod unigolion wedi'u cymhwyso'n briodol ac yn addas i ymarfer yn ogystal â swyddogaeth ddisgyblu a honno'n arwain, o bosibl, at wahardd unigolion y bernir eu bod yn anaddas?

Mewn egwyddor, cytunwn â'r cyfuniad hynny o swyddogaethau. Rhaid nodi serch hynny pwysigrwydd cymesurolddeb y swyddogaeth ddisgyblu; fel mater o egwyddor, rheolwyr a chorff llywodraethol y sefydliad ddylai fod yn delio â materion disgyblu. Dim ond mewn achosion na ellir eu setlo'n lleol, neu sydd yn ymwneud â thor-cyfraith neu gamymddygiad difrifol y dylai'r mater gyrraedd lefel y corff cofrestru. Mi ddylai hyn fod yn wir yn achos athrawon a gyflogir drwy asiantaethau yn ogystal, ble mae angen mwy o gyfrifoldeb ar yr asiantaethau i ddelio gyda chwynion a materion disgyblu, yn hytrach na throi'n uniongyrchol at y Cyngor Addysgu Cyffredinol.

Cwestiwn 4

Ydych chi'n cytuno dylai penderfyniadau am swyddogaethau fel disgyblaeth a chymhwysedd proffesiynol gael eu gwneud yn annibynnol ar y llywodraeth?

Cytunwn yn llwyr mai corff sy'n annibynnol ar y llywodraeth ddylai ymdrin â'r materion disgyblaethol mwyaf difrifol.

O ran gwirio cymhwysedd proffesiynol, mae hynny'n fater technegol cymharol syml a llawer llai sensitif, felly ni fyddai UCAC yn gwrthwynebu petai swyddogaeth o'r fath yn nwylo'r llywodraeth.

Wedi dweud hynny, byddai'n rhesymegol i'r ddwy swyddogaeth fod yn perthyn i'r un corff, a chorff sy'n annibynnol oddi ar y llywodraeth fyddai orau.

Cwestiwn 5

Ydych chi'n cytuno dylai'r corff cofrestru newydd neu'r corff sydd wedi'i ailgyfansoddi, pa un bynnag y penderfynir arno, gael swyddogaethau ehangach gam wrth gam? Gallai'r rheini gynnwys cymeradwyo cyrsiau hyfforddiant cychwynnol, y gofynion ar gyfer datblygiad proffesiynol parhaus a gosod safonau proffesiynol.

Os yw'r corff cofrestru newydd neu'r corff sydd wedi'i ailgyfansoddi yn gorff proffesiynol go iawn, wedi'i arwain gan aelodau o'r proffesiwn, gallem gytuno i rai swyddogaethau ehangach, fel o bosib y rhai a enwir uchod. Byddem yn gwerthfawrogi'r cyfle i gael trafodaethau penodol am y posibilïadau hyn wrth eu bod yn codi, er mwyn ystyried manteision ac anfanteision pob swyddogaeth yn unigol i weld p'un ai'r corff cofrestru/corff proffesiynol fyddai'r corff fwyaf addas at y pwrpas ai peidio.

Cwestiwn 6

Yn eich barn chi, a oes unrhyw swyddogaethau penodol eraill dylai'r corff cofrestru newydd neu'r corff a ailgyfansoddwyd ymgymryd â nhw?

Yng Nghymru ar hyn o bryd, nid oes corff sy'n gyfrifol am ddenu aelodau newydd i'r proffesiwn ac am hybu addysgu fel gyrfa. Yn fuan iawn, bydd y TDA sydd wedi bod yn gwneud y gwaith pwysig hwn yng Nghymru a Lloegr, yn cael ei ddiddymu a bydd y cyfrifoldeb yn mynd i Adran Addysg San Steffan. Byddai UCAC yn gwbl fodlon â'r syniad bod corff proffesiynol yn ymgymryd â'r rôl honno, a'i fod yn gwneud hynny mewn cyd-destun Cymreig gan gymryd i ystyriaeth anghenion y gweithlu addysg yng Nghymru'n benodol.

Mae'r Cyngor Addysgu ar hyn o bryd yn dadansoddi ac yn cyhoeddi data sydd yn ei feddiant ynghylch athrawon Cymru. Mae honno'r rôl werthfawr y dylid ei chadw, ac o bosib ei ehangu – gan sicrhau bod yr ystadegau'n bwydo i mewn i'r prosesau perthnasol (gan gynnwys prosesau dan adain Llywodraeth Cymru a Llywodraeth San Steffan), yn arbennig prosesau cynllunio'r gweithlu megis cynllunio llefydd ar gyrsiau hyfforddiant cychwynnol neu ar gyrsiau datblygiad proffesiynol fel y CPCP.

Credwn y dylai corff proffesiynol barhau i fod â swyddogaeth i gynghori'r Llywodraeth ar faterion polisi perthnasol.

Cwestiwn 7

Yn eich barn chi, sut orau mae cael arbenigedd proffesiynol priodol ar gyfer y corff cofrestru newydd neu'r corff a ailgyfansoddwyd? Ai sefydlu un cyngor proffesiynol, sydd ag aelodau ag arbenigedd o bob rhan o'r gweithlu addysg ehangach, neu sefydlu cyfres o gynghorau sector, a phob un o'r rheini ag arbenigedd mewn rhan benodol o'r gweithlu?

Petai'r corff yn ehangu i gynnwys athrawon dosbarth a darlithwyr addysg bellach (a byddai UCAC yn croesawu hynny), byddai'n hollbwysig bod arbenigedd o'r ddau sector yn ganolog i'r corff newydd.

Fel y dywedwyd eisoes, nid yw UCAC o blaid ehangu'r corff i gynnwys grwpiau nad ydynt yn athrawon/darlithwyr, ond petai Llywodraeth Cymru'n penderfynu bwrw ymlaen i gynnwys aelodau o'r gweithlu addysg ehangach, mi fyddai'n gwbl hanfodol bod cyfres o gynghorau sector ar wahân, er mwyn cynnwys yr arbenigedd angenrheidiol, a cheisio osgoi gwrthdaro buddiannau.

Cwestiwn 8

Ydych chi o'r farn dylai pob un sy'n cofrestru dalu un ffi safonol, neu a ddylid cyflwyno ffioedd amrywiol?

Os cyfyngir y corff i athrawon/darlithwyr cymwysedig, dylai bod un ffi safonol yn dderbyniol. Mae UCAC o'r farn mai'r cyflogwr ddylai talu'r ffi cofrestru yn ei gyfanrwydd.

Mewn perthynas ag athrawon, mae UCAC yn pryderu ynglŷn â'r sefyllfa parthed ffi Cyngor Addysgu Cyffredinol Cymru pan fydd Cyngor Addysgu Cyffredinol Lloegr wedi'i ddiddymu. A fydd cymal yn parhau i ymddangos yn y Ddogfen Cyflog ac Amodau Athrawon Ysgol sy'n gwneud darpariaeth ar gyfer y ffi ar gyfer athrawon Cymru'n benodol? Credwn fod angen i Lywodraeth Cymru godi'r mater yn eu tystiolaeth i'r STRB.

Cwestiwn 9

Ydych chi'n credu gallai cael mwy o eglurder a chydlyniant yn y gofynion ar gyfer materion fel cymwysterau, safonau proffesiynol, rheoli perfformiad a datblygiad proffesiynol helpu ein hymgyrch i wella safonau a hyblygrwydd ar draws y gweithlu ehangach?

Byddai sicrhau mwy o gydlyniant rhwng y cyfundrefnau ar gyfer athrawon ysgol a darlithwyr addysg bellach yn sicr yn fanteisiol o ran cynnig eglurder a thegwch, yn ogystal â hybu hyblygrwydd defnyddiol yn y gweithlu a all gynnig cyfleoedd ehangach i ddysgwyr.

Byddai strwythurau mwy ffurfiol ar gyfer staff cymorth dysgu'n fanteisiol hefyd, o ran proffesiynoli'r gweithlu a chynnig cyfleoedd am hyfforddiant penodol. Serch hynny, atgoffwn unwaith eto, hyd yn oed petai'r systemau hyn yn cael eu ffurfioli, mai dim ond athrawon/darlithwyr cymwysedig dylai fod yng ngofal dosbarth, ac mai cynorthwyo'r athrawon/darlithwyr hynny yw rôl staff cymorth dosbarth.

Cwestiwn 10

Rydyn ni wedi gofyn nifer o gwestiynau penodol. Os oes gennych unrhyw faterion cysylltiedig nad ydyn ni wedi mynd i'r afael â nhw, defnyddiwch y lle hwn i wneud hynny:

Ni fydd corff proffesiynol yn llwyddo os yw'r proffesiwn wedi'i ddieithrio oddi wrtho. Mae'n hollbwysig felly ei fod yn cael ei arwain a'i oruchwylio gan y proffesiwn ei hun, a bod mecanweithiau effeithiol yn eu lle i sicrhau bod yr unigolion dan sylw yn gynrychioliadol o'r sector ac o'u cydweithwyr. Rhaid bod gan yr athrawon cofrestredig lais cryf yng nghyfundrefnau'r corff ac mewn penderfyniadau pwysig oddi fewn ac ynghylch y corff.

Mae prosesau disgyblu'n rhan annatod o waith corff proffesiynol, ac mae angen gofal i sicrhau bod y prosesau hyn yn gymesur, yn amserol, yn gost-effeithiol ac yn adeiladol (h.y. nid dim ond ail-adrodd prosesau sydd eisoes wedi gweithio'n effeithlon ar lefel lleol). Rhaid sicrhau bod prosesau disgyblu'n cyflawni'r gôl o gynnal safonau ac enw da y proffesiwn - ac yn cael eu gweld felly gan y proffesiwn; y perygl yw bod prosesau disgyblu, o fod yn or-gyhoeddus, yn dod ag enw drwg i'r proffesiwn, er mai niferoedd bychain iawn o athrawon sydd dan sylw, ac yn gallu cael eu gweld fel gwaradwyddo cyhoeddus ac erledigaeth. Mae perygl hefyd distrywio gyrfa unigolion, drwy gyhoeddusrwydd gwael, hyd yn oed pan ydynt yn ddieuog. Rhaid gochel rhag hynny mewn unrhyw gyfundrefn newydd.

Cred UCAC y dylai bod rheidrwydd ar bob athro/darlithydd cymwysedig yng Nghymru gofrestru gyda'r corff proffesiynol – boed yn athrawon mewn ysgolion 'cyhoeddus', mewn ysgolion preifat neu annibynnol neu'n gweithio trwy asiantaeth.

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Name: Dominic MacAskill

Organisation: UNISON Wales

UNISON fully supports the Welsh Governments' objective of raising standards in schools and colleges, particularly around the skills of literacy and numeracy. As part of the whole school and college workforce our members are

committed to helping provide high standards of education to pupils and students in Wales. We understand that our members are professional in ethos and in their approach to their work, though often they feel this is overlooked or underestimated.

In that respect UNISON believes it could be beneficial to our members and the children and young people whose education they help provide, for them to be recognised and regarded as professional practitioners, alongside the Qualified Teachers and lecturers who they support as part of a team, day in, day out.

The Schools Workforce Agreement has meant the label of ‘mum’s army’ has long gone from our schools, but our members experience varying levels of respect and recognition for the dedicated work they do. Registration could have some potential benefits, in that the discipline and demands of a professional status requires the employer to consider support staff training and professional development as equally important to that of Teachers and Lecturers. Our members current experience is that Support Staff are often at ‘the back of the queue’ when asking for training or development opportunities. Consequently, members often find that the career progression which should have been opened up as part of the School Workforce Agreement is absent. Some formal acknowledgement of professional status and requirements on employers to ensure continuous professional development would therefore be welcome.

However, there are major issues of concern, which would also need to be addressed. UNISON has experience of registration bodies across the UK in social care, health, education and further education.

- Firstly, which posts and professions are in the scope for registration. For support staff it would need to be clear which jobs in the learning environment are eligible to be included on the professional register. It is not clear from the consultation whether support staff in further education are to be included or not. Some staff may also do a mixture of class room teaching/learning assistance, Special Education Needs and vulnerable child support on a one to one basis, lunchtime supervision and other roles. Job titles are not always a reliable and consistent description of what support staff do. There also needs to a mechanism to resolving disputes in this area. Some schools and colleges might choose to restrict posts for professional registration as this might suit their local management objectives whereas the staff want to be registered and are keen to be professionalised. Sometimes it is staff on the fringes of registration who are resistant as they see costs involved and no immediate benefits.***
- Secondly, the issue of cost of registration. Our members in schools and colleges are often part time/term time and are low paid in comparison to teachers and the cost of registration should not be a burden they have to bear. Many do not earn enough as part timers to pay Income Tax. If required to pay fees they would not benefit from any tax relief for professional bodies that the HMRC might grant.***

Employers should be required to pay registration fees for staff. UNISON is concerned that the UK Government's austerity agenda means large cuts in local government budgets which will mean that schools and colleges will be reluctant to absorb these extra costs for their support staff. It is noticeable that the high annual registration fees was one of the major issues causing a dispute at the Institute for Learning (IfL) for further education staff in England and a completely revised fee structure (£33 pa) had to be bought for those above the starting point of Income Tax and £16,190 pa. We note that early years nursery nurses in Scotland are registered and pay about £20 pa.

- ***Thirdly, the value for money issues. If support staff were required to pay for registration, any new body registering support staff would have to offer clear benefits for support staff otherwise they will see themselves as "fee fodder". Historically these groups have had little access to training and development and what little that is available is susceptible to cuts. For example in England after the 2010 Emergency Budget the Teacher Development Agency (TDA) completely cut all national financial support for teaching assistant training to protect teacher training places. Again, if there is positive and concrete offer we expect support staff to respond positively to professionalisation of the whole education team.***
- ***Fourthly, there is the registration of existing and new staff. Any new body would need to be clear if registration was compulsory or voluntary in the initial years. Also, whether registration has to be held at the point of recruitment or can be obtained after appointment and if so within how many months. Next whether formal qualifications are required for registration in addition to doing an eligible job and if so which ones. If so what allowances can be made for experienced existing staff that have been doing the job successfully for years. Can schools and colleges assure their professional competence for registration based on past performance and observation.***
- ***Fifthly, fitness to practise and complaints. Our experience in health and social care is that this adds additional stress and pressure when disciplinary issues arise. There is often a lack of clarity over which matters are referred to the appropriate registration body for possible investigation, by whom and when this should be done. This process can last months and even years and can mean another distressing hearing, even when a disciplinary issue with an employer has been concluded. The procedures for union and legal representation for staff facing investigation and possible hearing must be clearly laid down. For a largely low paid group of workers registration and the associated strictures may not be a welcome addition to their working lives. Finally, there may be another separate investigation and hearing in cases involving safeguarding, child protection and criminal records depending on the nature of complaint.***
- ***Sixthly, more fundamentally, Qualified Teachers have the demands of professional status, but also the benefits, in terms of nationally***

agreed terms and conditions, pay levels, progression and professional development which reflect that status. Pay levels for Support Staff are often low and simply do not recognise the level of professional commitment and dedication to their pupils that is expected of them in practice. The difference in pay levels is exacerbated by the norm of term time only pay and the proliferation of casualisation and a 'piece work' approach to Support Staff work.

Therefore, whilst the UNISON is not opposed in principle to the proposals for expansion of the scope of the General Teaching Council for Wales (GTCW) to include registration of Support Staff, an enforced professional status would not be welcome without a serious commitment to address longstanding inequalities.

There are positive benefits for pupils and students of a whole team approach to learning and a positive and inclusive agenda for support staff professional development.

This was recognised by UNISON when we signed up to the 2005 Schools Workforce Agreement. However, experience shows that many of the provisions of that agreement have yet to be implemented and are often ignored at school level. Therefore any 'benefits' of a proposed registration for the wider school workforce must be stringently measured and monitored to ensure that they are being universally applied.

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Name: G. Turner

Organisation: Unite the Union (Community & Youth Workers Section)

Summary

The Community and Youth Workers Section of Unite the Union broadly welcomes the review of the requirements for registration of the education workforce in Wales. For many years we have been calling for the introduction of registration, licence to practice, protection of name and improved continuing professional development for youth workers. We believe that this is an opportune time for these developments to be implemented in Wales. Youth work is a central and crucial part of the educational development of young people, and Playwork offers a unique approach to empowering children to be active in their own development, and as such we believe that children and young people are entitled to the best possible support from qualified youth workers and play workers. A process of registration and licensing through appropriate sector councils, that we would argue should be independent and self-regulating, will gain our support.

Question 1

Do you agree that registration should be extended beyond school teachers to the wider education workforce in Wales, to include school learning support staff, further education lecturers and the work-based learning workforce?

Yes. We support the principle that all workers in the education workforce – both in formal and informal education should be subject to registration by appropriate sector councils. We do not, however, feel that a ‘one-size-fits all’ approach should be adopted.

Question 2

Do you think that any other members of the education workforce, for example youth workers, play workers and other school staff, should be registered?

Yes. We believe that youth workers and playworkers, who have a significant educational role and contribution, should be registered.

We support the Workforce Development Plan’s strategic action for a registration system for JNC qualified youth workers (i.e. a strategic action that has been developed in connection with the Assembly’s National Youth Service Strategy for Wales). We support the Assembly’s Youth Service Strategy Action of developing a ‘fit to practice’ process for youth workers.

There has been much work done by the Union, Play Wales and SkillsActive to develop and professionalise the playwork workforce, and there are well developed standards that would aid a registration process. We very much support the registration of the playwork workforce as part of a drive to establish playwork as a profession at par with others in the workforce.

It is essential that registration be the function of a separate licensing body or an independent section of the existing Council or new registration body. However it is crucial that, as well as the similarities, the uniqueness of each of the members of the workforce should be recognised.

Question 3

Do you agree that the functions of a registration body in Wales should include checks that individuals are appropriately qualified and fit to practice and a disciplinary function leading to potential barring of individuals who are deemed unfit?

Yes. We agree that these functions should be included.

For youth workers there is a Professional Code of Ethics that is developed in Wales, and relevant to this matter. For playwork there are a set of Playwork Principles that are relevant.

Question 4

Do you agree that decisions about functions such as discipline and professional competence should be made independent of government?

Yes. Decisions about these functions should be made by representatives of the field including professional workers and trades union representatives.

Question 5

Do you agree that wider functions should be added on a phased basis into the work of the new or reconstituted registration body? These could include approval of initial

training courses, requirements for continuing professional development and setting of professional standards.

Some of these functions could be added to a reconstituted body. However, there is already an effective functioning organisation for the approval of training courses in youth work – the JNC, and it should remain as the validating body.

While currently playwork qualifications are not on the JNC framework, there is an established peer-led route for validating qualifications endorsing training via the sector skills council SkillsActive. In addition, Play Wales are extremely active in this area, so consulting with the playwork sector on this would be our preferred option.

Question 6

Are there any other specific functions you think that the new or reconstituted registration body should undertake?

A Council for Youth Work should have responsibility for registration, licence to practice and protection of the name of youth workers; and there should be an appropriate Council for Playworkers carrying out the same function.

Question 7

Do you think that a single professional council, with a membership with expertise across the wider education workforce, is the best way to secure appropriate professional expertise for the new or reconstituted registration body, or would a series of sector councils each specialising in a specific area of the workforce be more appropriate?

There should be a series of sector councils with one specifically for youth workers and another for playworkers, which will ensure the most effective professional expertise is available.

Question 8

Do you think that there should be a flat-rate fee for registration payable by all those registered or should differentiated fee rates apply?

Ideally, at least in the early stages of the development of the council, fees should be kept as low as possible. There should be government support for the council's initial development. If then further funds need to be raised, a sliding scale of fees for registration based on the salaries of workers would be our preferred option.

Question 9

Do you think that greater clarity and coherence in requirements for matters such as qualifications, professional standards, performance management and professional development could support our drive to improve standards and flexibility across the wider workforce?

We agree that greater clarity could improve standards.

Question 10

We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them:

No further comments

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Name: Paul Herrington

Organisation: Universities Council for the Education of Teachers (UCET) Cymru

Introduction

Please note that where there is some variance/disagreement in the responses to some of the questions this reflects the mixed views which are held across the sector.

Question 1

Do you agree that registration should be extended beyond school teachers to the wider education workforce in Wales, to include school learning support staff, further education lecturers and the work-based learning workforce?

Agreed, on the basis that the professional conduct or competence of support staff is not currently regulated by any central body, and that anyone within that group who is dismissed for unacceptable conduct may then go on to work in another learning environment without investigation by a regulatory body. To further improve the safe-guarding of children, it would be appropriate for registration to be extended beyond school teachers to anyone supporting the learning of pupils under the age of 18.

Yes – with some reservation. At present, some learning support assistants follow a career path, completing qualifications and moving towards being a Level 3 Higher level teaching assistant. However, many others work successfully as learning support assistants on the basis of a degree, or simply as experience as a parent. Any registration process needs to focus on providing a career structure for such people rather than in any way forming an obstacle to participation.

I think that it is potentially a good idea to extend to FE lecturers, in line with current practice at GTC Scotland. I don't think it is a good idea to extend registration to the other workforce areas mentioned above as the differences between these and teaching staff are quite marked, in a myriad of ways (for example, entry qualifications, working practice and professional standards). I would be concerned that a body that extended registration to all of these workforces would be in danger of becoming far too diverse in its requirements and potentially diluted in its ability to provide a robust and meaningful professional body.

The idea is generally good and will provide a coherent database of all who work with children/young people. Including youth workers and support staff will increase the profile of these sectors.

Question 2

Do you think that any other members of the education workforce, for example youth workers, play workers and other school staff, should be registered?

Agreed. This, however, needs only to be restricted to those supporting pupils as part of the learning process in order to maintain a tight focus on developing 'education'.

The same reservations would apply. Many of these jobs are done successfully by people drawing on their life experience. If registration is accompanied by the requirement for certain qualifications this could affect the supply of people able to fill these posts.

This would depend on what the overall purpose of registration would be. The changes are linked to the 'raising of standards and narrowing of current attainment gap'(foreword, p.1). The link between this and registration for a very wide workforce are not obvious. Youth workers have their own professional body (ETS), and might be seen as being distinct from 'other school staff, even though there are an increasing number of youth workers in school, it is acknowledged.

Question 3

Do you agree that the functions of a registration body in Wales should include checks that individuals are appropriately qualified and fit to practice and a disciplinary function leading to potential barring of individuals who are deemed unfit?

Agreed. This is essential in maintaining robust safe-guarding procedures within education in Wales. It would also be useful if the regulatory body became more involved in the checks made on students before a period of study leading to QTS or other qualifications leading to working within the education workforce. At present, acceptance on to programmes is left to the discretion of further and higher institutions and there is no guarantee that a student with prior convictions who is accepted on to a programme will be given permission to work in schools once qualified.

See reservations above. It is entirely appropriate that such a body should oversee the award of qualified teacher status, but there is a danger that individuals with a contribution to make may be excluded.

Yes, as I understand it, this is already part of the remit of the GTCW:

***'GTCW protects the public by ensuring that teachers are appropriately qualified and maintain high standards of conduct and practice. We advise the government and others on teaching and learning and administer Welsh Government funding for teacher development.
'(<http://www.gtcw.org.uk/gtcw/index.php/en/regulatory-documents>)***

and ensures that the professional standards of those entering the profession are appropriately regulated. It is important that work such as the Code of Professional Standards and Practice, registration and CRB checks, the new induction standards etc. is completed by a professional body that understands the demands of the profession.

Question 4

Do you agree that decisions about functions such as discipline and professional competence should be made independent of government?

Agreed. Decisions should be made by an independent authority that is not influenced by political, media or community pressures.

Yes, it is important that these areas are dealt with by a professional body that understands the realities of the profession in its location. In view of this, the model in Scotland seems to work well where the decision making is taken by an arm's length body, which is made up of the profession, and then fed back into an arm of government.

Question 5

Do you agree that wider functions should be added on a phased basis into the work of the new or reconstituted registration body? These could include approval of initial training courses, requirements for continuing professional development and setting of professional standards.

Agreed, but only on the basis that the introduction of wider functions is also subject to consultation. Without the detail of how such work might look, it is difficult to provide a definitive response to this question.

As it is understand, these are powers that GTC Scotland already has and which work well.

It depends what these wider functions would be and what their intended and actual effects would be. Any wider functions which help learning and teaching to become more effective would be welcome provided there is widespread and genuine consultation.

Question 6

Are there any other specific functions you think that the new or reconstituted registration body should undertake?

No

There is potential to provide funding for individuals to be supported in professional development activities including a Chartered Teacher Programme (which should be linked to masters' level programmes).

Question 7

Do you think that a single professional council, with a membership with expertise across the wider education workforce, is the best way to secure appropriate

professional expertise for the new or reconstituted registration body, or would a series of sector councils each specialising in a specific area of the workforce be more appropriate?

A single professional council, with a membership with expertise across the wider education workforce is a more appropriate way to move forward if there is an aim to remove inconsistencies across the workforce. However, in developing professional standards, it will be important that important specific detail relevant to the various roles within the education sector is not lost in the creation of a 'one size fits all' model.

A single body would be more cost effective as well as providing greater coherence and consistency of the application of professional standards.

The latter would be more beneficial

Question 8

Do you think that there should be a flat-rate fee for registration payable by all those registered or should differentiated fee rates apply?

A differentiated fee representing the salaries of those involved is a fairer process. However, the workforce needs to feel that they are receiving something in return for what will feel like an extra tax on their jobs. When the GTCW was first established, teachers knew their money would help develop CPD opportunities that they could benefit from. Those opportunities have currently gone and so the benefits of this fee are no longer transparent to all.

Differentiated fees should apply. Professions where the entry requirements are clearly established have more to gain from membership of such an organisation.

A small range of differentiated fees should apply within each area of education. E.g. Within the school context NQTs and part-time colleagues for example should pay a different fee to say head teachers.

Definitely differentiated fees. And for classroom assistants this should be very low indeed. How the fees are made up should depend on what is being offered.

Question 9

Do you think that greater clarity and coherence in requirements for matters such as qualifications, professional standards, performance management and professional development could support our drive to improve standards and flexibility across the wider workforce?

It's not clear how this would improve standards and flexibility but greater clarity and coherence would be welcomed as there are already inconsistencies across the standards within the teaching profession, let alone the wider education workforce.

Possibly. There needs to be a clear career structure within the wider workforce so that there is an incentive to take part in professional development.

Time, effort and money would be more effectively spent on practical and specific support based on teachers' and teacher educators' needs rather than on producing checklists and guidance that may be imposed upon them.

Question 10

We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them:

In terms of regulation of the wider workforce any further/future initiatives should not undermine the professional role of the teacher or affect the quality of education delivered to pupils.

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Organisation: University of Wales, Newport

Question 1

Do you agree that registration should be extended beyond school teachers to the wider education workforce in Wales, to include school learning support staff, further education lecturers and the work-based learning workforce?

Yes

The range of adults involved in working with children or vulnerable adults has become more diverse in recent years. In particular, there has been a growing body of learning support assistants in schools and learning pathways developments have resulted in an increase in FE teachers working in schools or teaching school learners in FE settings. In addition to regulating the teaching workforce, there is need to extend registration to other individuals involved in teaching.

Question 2

Do you think that any other members of the education workforce, for example youth workers, play workers and other school staff, should be registered?

No

As the primary function of these individuals is not teaching or supporting learning, the argument for their registration is less strong. Obviously, safeguarding processes such as CRB checks would still apply.

Question 3

Do you agree that the functions of a registration body in Wales should include checks that individuals are appropriately qualified and fit to practise and a disciplinary function leading to potential barring of individuals who are deemed unfit?

Yes

Fitness to practise decisions and disciplinary functions are of paramount importance and should be key aspects of the registration body in Wales.

Question 4

Do you agree that decisions about functions such as discipline and professional competence should be made independent of government?

Yes

It is important that we retain an independent decision-making body which understands contexts and can apply decisions fairly and consistently. Adopting an approach where individual employers make decisions about competence will lead to loopholes and a possible lack of response to cases of misconduct.

Question 5

Do you agree that wider functions should be added on a phased basis into the work of the new or reconstituted registration body? These could include approval of initial training courses, requirements for continuing professional development and setting of professional standards.

It is difficult to answer this question without knowing the extent of the 'wider functions'. The three examples could be usefully managed by a registration body but we would need to know details of how this could be achieved.

Question 6

Are there any other specific functions you think that the new or reconstituted registration body should undertake?

No

Question 7

Do you think that a single professional council, with a membership with expertise across the wider education workforce, is the best way to secure appropriate professional expertise for the new or reconstituted registration body, or would a series of sector councils each specialising in a specific area of the workforce be more appropriate?

As mentioned in 1 above, it would be appropriate that a single professional body addresses issues linked with adults involved with children's and vulnerable adults' learning.

Question 8

Do you think that there should be a flat-rate fee for registration payable by all those registered or should differentiated fee rates apply?

No – this would be inappropriate because of the different pay scales. A differentiated fee should apply.

Question 9

Do you think that greater clarity and coherence in requirements for matters such as qualifications, professional standards, performance management and professional development could support our drive to improve standards and flexibility across the wider workforce?

Undoubtedly. There is a particular need to establish clarity of expectations between school and FE sectors.

Question 10

We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them:

No further comments

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Organisation: WLGA

Question 1

The Welsh Local Government Association (WLGA) represents the 22 local authorities in Wales, and the three national park authorities, the three fire and rescue authorities, and four police authorities are associate members.

Question 2

It seeks to provide representation to local authorities within an emerging policy framework that satisfies the key priorities of our members and delivers a broad range of services that add value to Welsh Local Government and the communities they serve.

Question 3

The Welsh Local Government Association welcomes the opportunity to respond to the Welsh Government consultation on proposals to amend the requirements for the registration of the education workforce in Wales. The response has been written in partnership with the Association of Directors of Education in Wales (ADEW) and in consultation with local authority Human Resources Directors Group (HRDG).

Question 4

Broadly the view of local government is that the remit of the General Teaching Council for Wales (GTCW) should not be extended beyond the registration of teachers to include the wider workforce sector as proposed in the consultation. It is not clear to local government how extending the remit of the GTCW would provide additional benefit to staff working within the sector or to local authorities. Discussions with representatives of school support staff and other non-teaching staff within the education sector suggest that they support this view. They have expressed concern that the proposed changes would be costly and have no benefit to them as individuals or as a sector of the workforce.

Question 5

The WLGA, ADEW and the HRDG support the need to ensure that there is a coherent approach to improving standards across the education sector and to workforce planning within the sector. There are, however, alternative mechanisms that could be used to achieve this aim without requiring the registration of all those working in the education sector. Workforce information is available within the sector, for example at a local level within local authorities, and there are initiatives underway to improve the use and collection of this data on a regional and national level to improve workforce planning. An example of this is the work that the WLGA is involved with to look at workforce data within the youth sector. Previous projects that have aimed to develop a single approach to children and young people's workforce planning have found that the diversity across the sector makes this task unworkable at an operational level.

Question 6

In addition, the consultation document states that the expanded GTCW would "play a key role in establishing and monitoring standards within the education workforce." There are some sectors of the wider education workforce that would welcome, and benefit from the establishment and monitoring of professional standards within their own particular area. This, however, is not the case for the entirety of the education workforce. If generic standards were developed to cover the whole of the education workforce then there would be a danger that these would not reflect the specific and diverse needs of different parts of the sector. It is the view of local government that for those sectors that are seeking to establish professional standards for their own specialism, then the GTCW is not the appropriate body to undertake this task.

Question 7

It is also suggested in the proposals that this enhanced registration body would play a part in developing requirements for qualifications, professional standards, performance management and professional development with the aim of bringing coherence across the sector in this area. The WLGA and ADEW consider that the GTCW is not the appropriate body to take the lead on these issues. Performance management within education is being taken forward through the work of the four regional local authority education consortia, consideration should be given to extending the remit of this work rather than creating additional capacity through the GTCW. The education workforce is a diverse sector and this needs to be taken into account when looking at areas such as professional standards and performance management. These areas of work should be developed, where appropriate, in partnership with the sector that they apply to and with specific reference to the needs of that sector. Local authorities support greater coherence in this area but it is essential that the system is streamlined and simplified rather than made more complex.

Question 8

The consultation document proposes that the wider education workforce would be required to pay a registration fee. It is the view of local government that this would be inappropriate given the lack of clarity regarding the benefit

to the individual. There is also ambiguity regarding who would have responsibility for paying the required fee. Currently the cost of registering qualified teachers is covered as part of the statutory teachers pay and conditions. A situation could arise where teachers fees are covered in their pay and the wider workforce did not have this benefit. This would create a two tier system of registration, which would not address the parity of esteem point raised in the consultation document. If it was the case that local authorities, or the Welsh Government would be expected to cover the costs for the entire education workforce to be registered with the GTCW then this would have a significant impact on the public purse.

Question 9

The cost of the expansion of the GTCW as an organisation should also be examined when looking at these proposals. In a time when the public sector is under significant financial pressure consideration should be given to whether this expansion is necessary and whether it will contribute to the priorities of the education sector in Wales. Funding should be focused on direct service delivery and on adding value; it is not clear how an expanded GTCW would add value. Given that the GTC in England has closed, consideration should be given as to whether Wales needs a stand alone registration body. A clear cost benefit analysis should be undertaken to ascertain the value of the current role of the GTCW and its proposed new role.

In conclusion, WLGA, ADEW and the HRDG do not support the expansion of the role of the GTCW or the registration of the wider education workforce as set out in the consultation document Proposals to amend the requirements for registration of the education workforce in Wales. The benefit of the amendments to the existing system for both the individuals within the workforce and the workforce at large are not clear. The expansion could potentially involve the need for significant investment of public money. It is the view of local government that this is an unnecessary use of resources at this time. The WLGA and local authorities would be happy to work with the Welsh Government to look at other options for improved workforce planning at a national level and at the development of professional standards for the sector where they are needed and are not already in place.

48

Your name: Sheila Birkhead, Carl Wynn

Organisation: Wrexham Early Education Team

Question 1

Do you agree that registration should be extended beyond school teachers to the wider education workforce in Wales, to include school learning support staff, further education lecturers and the work-based learning workforce?

We feel that as teachers we should have our own professional body.

Other educational practitioners could be represented by their own sector bodies, which could possibly be affiliated to the GTCW.

Were such sector organisations to be created, it would be important to include practitioners delivering statutory education to funded three year olds in the non-maintained sector. These practitioners are not mentioned in your document, and yet play a significant part in delivering Foundation Phase education in Wales.

Question 2

Do you think that any other members of the education workforce, for example youth workers, play workers and other school staff, should be registered?

No. Their roles and responsibilities are significantly different to the roles and responsibilities of teachers. The specific statutory responsibilities of teachers could be diluted were registration to be shared with a much wider and more disparate workforce.

Question 3

Do you agree that the functions of a registration body in Wales should include checks that individuals are appropriately qualified and fit to practice and a disciplinary function leading to potential barring of individuals who are deemed unfit?

Yes. These maintain the high professional standard and status of teachers.

Question 4

Do you agree that decisions about functions such as discipline and professional competence should be made independent of government?

Yes

Question 5

Do you agree that wider functions should be added on a phased basis into the work of the new or reconstituted registration body? These could include approval of initial training courses, requirements for continuing professional development and setting of professional standards.

No. The GTCW should continue as a registering board.

Question 6

Are there any other specific functions you think that the new or reconstituted registration body should undertake?

No

Question 7

Do you think that a single professional council, with a membership with expertise across the wider education workforce, is the best way to secure appropriate professional expertise for the new or reconstituted registration body, or would a

series of sector councils each specialising in a specific area of the workforce be more appropriate?

A federation of separate sector specific councils would be most appropriate, registering workers in their different fields, eg Youth Work, Play Work, Teaching, Teaching and Learning Support – maintained and non-maintained.

Question 8

Do you think that there should be a flat-rate fee for registration payable by all those registered or should differentiated fee rates apply?

Differentiated fee rates should reflect different rates of pay.

Question 9

Do you think that greater clarity and coherence in requirements for matters such as qualifications, professional standards, performance management and professional development could support our drive to improve standards and flexibility across the wider workforce?

At present, there is clarity in requirements for qualifications for teachers, this needs to be protected and maintained by the registering body. QTS should remain the requirement for a teaching post and class responsibility.

Greater clarity and coherence is required for the roles of Teaching and Learning Support staff eg extent of responsibility linked to pay. Levels and pay structures need to be protected and not exploited in a way which would undermine the QTS.

In the non-maintained sector there is limited career structure and opportunity for progression and professional development. There is no set pay structure. This sector is in most need of a designated sector council to provide support for practitioners in this expanding field.

Question 10

We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them:

As statutory education has become established in the non-maintained sector with the roll out of the Foundation Phase, it has become clear that practitioners in this field would benefit greatly from a professional body representing their interests.

49

Name: Enid Williams

Organisation: Ynys Mon Youth Service

Question 1

Do you agree that registration should be extended beyond school teachers to the wider education workforce in Wales, to include school learning support staff, further education lecturers and the work-based learning workforce?

Yes

Question 2

Do you think that any other members of the education workforce, for example youth workers, play workers and other school staff, should be registered?

Youth Workers + Youth Officers, Learning Coaches, Classroom Assistants.

Question 3

Do you agree that the functions of a registration body in Wales should include checks that individuals are appropriately qualified and fit to practice and a disciplinary function leading to potential barring of individuals who are deemed unfit?

Yes

Question 4

Do you agree that decisions about functions such as discipline and professional competence should be made independent of government?

Yes

Question 5

Do you agree that wider functions should be added on a phased basis into the work of the new or reconstituted registration body? These could include approval of initial training courses, requirements for continuing professional development and setting of professional standards.

Yes

Question 6

Are there any other specific functions you think that the new or reconstituted registration body should undertake?

No comment

Question 7

Do you think that a single professional council, with a membership with expertise across the wider education workforce, is the best way to secure appropriate professional expertise for the new or reconstituted registration body, or would a series of sector councils each specialising in a specific area of the workforce be more appropriate?

Sector Councils specialising in specific areas

Question 8

Do you think that there should be a flat-rate fee for registration payable by all those registered or should differentiated fee rates apply?

Differentiated Fees, according to pay grade

Question 9

Do you think that greater clarity and coherence in requirements for matters such as qualifications, professional standards, performance management and professional development could support our drive to improve standards and flexibility across the wider workforce?

Yes

Question 10

We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them:

No further comments

50

Name: Charlotte Morris

As a Detached Youth Worker from Rhondda Cynon Taff, I agree with keeping a high standard of professionalism and ethos in the education work force. I feel the role of a Detached Youth worker in the schools is greatly needed. As a detached Youth worker we provide high standard of informal education to young people within the school settings. Our profession, qualifications and skills helps us identify children in need and a young people who may need 1-2-1 support. We also develop accredited programmes tailor made for groups or individuals in the school, such as healthy relationships, confidence and awareness, addressing mental health issues, which support their formal learning.

We support young people with obtaining qualifications as well as developing their social, emotional and physical transitions when in certain circumstances teachers are unable to do so.

Within our area, education professionals seek our advice and help with “hard to reach” young people both in and outside of school settings, so we are able to extend the educational support within their communities.

As a Detached youth worker I feel our role enhances the Educational Framework, providing a best-fit opportunity for all young people regardless of their social / economic / cultural / religious background

I think the option for Detached youth workers to register would be very beneficial for the education workforce and most importantly for the young people.

51

Name: Linda Bailey

I think we should definitely include Post 16 Basic Skills tutors who work in the community and probably other curriculum tutors too. Last year I had 1,095 basic skills learners enrolled and 82 GCSE learners, the vast majority of which gained accreditation, so not too small a provision to warrant being included.

Every Council will have a basic skills provision and we have gone a long way to ensuring all our staff have the required qualifications for Wales. We are also in the middle of delivering L3/L2 and L4/5 funded by DfES.

52

Name: Alex Woodward

I am currently a full member of the IFL with QTLS status. I gained this status while working within the Life long learning sector in England. However, it seems to me that since the IFL is already a body recognised by the current body, and an organisation that has helped to gain equal status between school teachers and those working with in the life long learning sector; this body already sets out and has probably met any criteria of a consultation.

53

Name: James Mansfield

Perhaps the Welsh Government should seek to ensure 'private tutors' are registered and that they are registered to tutor in subjects that they are appropriately qualified. This should be an additional category, and would raise revenue and stop private tutors claiming they can tutor in all subjects at GCSE and A Level as well as prevent them exploiting naive and concerned parents. Any adult 'teaching' young people should be registered under the new system, even those who are tutoring from home. Those who fail to comply or breach the terms should be prevented from tutoring-it is a real problem for many secondary schools who are having to deal with early entries and then are having to manage pupils who have gained bare passes a year or so early.

Secondly, probably outside of its remit but Scrap modular exams at GCSE and reintroduce SATS so KS2 data is accurate!

Question 1

Do you agree that registration should be extended beyond school teachers to the wider education workforce in Wales, to include school learning support staff, further education lecturers and the work-based learning workforce?

Yes. It is recognised that there are challenges in attempting to address the registration to include the full diversity of these groups.

Question 2

Do you think that any other members of the education workforce, for example youth workers, play workers and other school staff, should be registered?

Consideration should be given to include any staff involved within the education and learning sector. The boundaries between 'front line' and support staff can become blurred especially with many coming to the sector from other professional areas such engineering and business. However if there are clear guidelines on the requirements for registration and a commitment to fulfil the ongoing cpd which cover education and learning professionalism and their own professional area then these should be achieved by those subject to the registration. It is particularly important to recognise that many within the sector have progressed and may have responsibility for others and should not be excluded from the requirements.

Question 3

Do you agree that the functions of a registration body in Wales should include checks that individuals are appropriately qualified and fit to practice and a disciplinary function leading to potential barring of individuals who are deemed unfit?

Yes, without those checks and disciplinary function then the credibility of the body would be poor and there would not be any added value to recognising or improving the standard of professionalism within the sector.

Question 4

Do you agree that decisions about functions such as discipline and professional competence should be made independent of government?

Yes, the body should be able to regulate those within the sector without government intervention; other professional bodies have proved this is possible.

Question 5

Do you agree that wider functions should be added on a phased basis into the work of the new or reconstituted registration body? These could include approval of initial training courses, requirements for continuing professional development and setting of professional standards.

Any functions that the body will be responsible for should be clear from the outset. Particularly as there are supporters and objectors for any change agenda. Much of the work on the development and setting of professional standards has already been achieved and therefore should be set on the outset. Approval and quality assurance of initial training courses particularly in the post compulsory sector are already in place and therefore will not require duplication of effort or extensive work. I see this as listing those who have quality assurance mechanisms in place with awarding organisations.

Question 6

Are there any other specific functions you think that the new or reconstituted registration body should undertake?

The professional organisation will be able to provide a coherent voice from and for its members.

Question 7

Do you think that a single professional council, with a membership with expertise across the wider education workforce, is the best way to secure appropriate professional expertise for the new or reconstituted registration body, or would a series of sector councils each specialising in a specific area of the workforce be more appropriate?

A single professional council, with a membership with expertise across the wider education workforce would be the preferred way. Individuals with subject expertise in specific areas such as engineering and retail will have the opportunity to join their own relevant bodies to maintain standing of their expertise.

Question 8

Do you think that there should be a flat-rate fee for registration payable by all those registered or should differentiated fee rates apply?

Whilst it would be simplest to have one flat-rate fee this would likely be detrimental. For example to those who are at the beginning of their careers such as students if registration costs are on a par with other professional bodies. However differentiation could be achieved through annual subscription; I suggest that there would be different grades (student, associate, member, fellow) dependent upon experience, qualification and area of work (eg support or teaching).

Question 9

Do you think that greater clarity and coherence in requirements for matters such as qualifications, professional standards, performance management and professional development could support our drive to improve standards and flexibility across the wider workforce?

Clarity and coherence will be beneficial for matters such as qualifications, professional standards and professional development. Whether requirements can be applied in performance management is less likely to be achieved. By all

means recommend a framework for performance management as many organisations will have their own systems in place which should satisfy a minimum expectation of the profession. There will be tensions however on rhetoric and reality because of the current political and economic context.

Question 10

We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them:

No further comments

55

Name: Brod Lingham

It is my view that the teaching profession is largely made up of teachers who have little to no experience of the world outside the education process.

Example; Educated in school, progress to college get a degree, extra year on teacher training, work experience in schools and then into the classroom.

How is it possible for this type of teacher to inspire the young if they have no experience of life outside the box of education.

The best teachers are those who make their subject interesting for pupils, who themselves become interested and learn, and these come from industry or have been working outside the education system for some time before entering.

Just an opinion
