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Consultation – summary of responses

Proposals to amend the requirements for registration of the education workforce in Wales

Date of issue: August 2012

Proposals to amend the requirements for registration of the education workforce in Wales

Audience	All bodies involved in the education field including employment agencies, local authorities, youth and play workers, education training providers and awarding bodies.
Overview	This document provides a summary of responses and feedback about the consultation on the proposals to amend the requirements for registration of education workforce in Wales.
Action required	None – for information only.
Further information	Enquiries about this document should be directed to: Nathan Huish School Standards and Delivery Division Department for Education and Skills Welsh Government Cathays Park Cardiff CF10 3NQ Tel: 029 2082 3039 e-mail: practicereviewanddevelopment@wales.gsi.gov.uk
Additional copies	Both this document and the consultation documents can be accessed from the Welsh Government's website at www.wales.gov.uk/consultations

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Background

In February 2011, the Minister for Education and Skills set out his agenda, through his twenty point action plan for education in Wales, to raise standards and narrow the current attainment gap.

To deliver this agenda the Minister has made it clear that there is a need to ensure that the education workforce, from foundation phase through to 14-19 works together as a single coherent group of professionals working cooperatively to improve educational standards and attainment for the people of Wales.

The Minister for Education and Skills Leighton Andrews AM, launched a consultation on the proposal on the 16th December 2011. The consultation document set out a proposal to widen the current requirement for teachers to register with a professional body, to cover a wider sector which will include Further Education, Work Based Learning and school learning support staff. The consultation also sought views about whether other members within the education profession who contribute to the development of children and young people such as youth workers and other support staff should also be able to register. Along with responding to these issues, respondents were asked about what other functions that a registration body should undertake.

Consultation

The consultation was circulated across a number of key sectors using a range of networks and included publication in the DYSG newsletters. Some of these key stakeholders also held events to discuss their collective responses to the consultation.

94 written responses to the consultation were received.

The responses were received from the following sectors

Respondent	Number of responses
Awarding Bodies	3
Teacher Unions	7
Local Authorities	4
Schools Colleges and Universities	18
Work Based Learning	1
Education Training Providers	6
National Organisations and Charities	22
Practitioners	6
Youth and Play Workers	10
Agencies	3
Miscellaneous	14
Total	94

This document sets out the result of the consultation structured around the responses to each question. It does not aim to capture every point raised by respondents, but rather highlights the key issues and themes. A full list of respondents can be seen at Annex A.

Summary

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?

Of the 94 respondents, 68% agreed that registration should be extended to the wider education workforce and 3% disagreed. The remaining 29% either were unsure of this question or did not give a definitive answer.

The respondents that made comments to this question identified a range of issues which included the following.

- Carefully planned and phased registration would ensure compliance with professional standards, raising the status and profile of all those working in education and this should lead to greater parity between different groups of education staff across Wales.
- Registration of only 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.
- 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.
- Registration of the work-base learning workforce would require careful further consideration due to the diverse nature of the workforce, and guidance would need to state categorically who would or would not need to register.

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?

Of the 94 respondents 44% agreed that other members of the education workforce should be registered and 17% did not agree. The remaining 39% either were unsure of this question or did not give a definitive answer.

The respondents that made comments to this question raised many points and concerns on who should be registered. Some of these concerns and questions included the following.

- Anyone who contributes to learning in Wales should be registered. This would include youth workers, play workers and other school staff, but would exclude staff who are not directly contributing to learning. There are no reasons to include administrative staff that have no direct role in the education of pupils.
- It is important that recognition is given to all staff and registration would provide information on who is working where.
- Further clarification would be necessary on who will need to be registered and that 'grey areas' will need careful attention.
- Staff other than qualified teachers, Further Education lecturers and Higher Level Teaching Assistants, who may not be required to demonstrate competence against professional standards, could be registered on a 'licence' basis rather than being required to meet qualification criteria.
- Broadening the registration arrangements beyond Further Education and Work Based Learning 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?

Of the 94 respondents 65% agreed with the functions of a registration body as stated in the question and 1% disagreed. The remaining 34% either were unsure of this question or did not give a definitive answer.

The respondents made a range of comments related to this question including the following.

- 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. A registration body should ensure that individuals have appropriate qualifications for their role, and that such a register will encourage those without the appropriate qualifications to work towards them.
- The body should have a disciplinary function and it should be charged with fulfilling that role. There would also be the need for an appeal process. Such a system would be complex to set up and manage, but it would instil confidence in the system, give the registration process credibility and ensure high standards are maintained.
- Responsibilities, carried out within the overall framework of the registration body should be under the direct control of the relevant professional body or other suitable bodies. These responsibilities should not be handled by a generic body that does not specifically represent the profession concerned.
- The definitions of 'appropriately qualified' would need to be clear. 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. Consideration needs to be given to equivalences, exemptions and the recognition of other (e.g. predecessor and overseas) qualifications.
- Individuals who already worked in the education field might, depending on the requirements set for registration, be excluded from registering.

Question 4

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

Of the 94 respondents, 67% agreed that decisions about functions such as discipline and professional competence should be made independent of government. 3% of respondents disagreed and the remaining 30% either had reservations regarding this question or did not give a definitive answer.

The respondents that made comments in relation to this issue raised a number of points that concerned the following issues.

- It is seen as essential to provide stability, continuity and independence from any political point of view.
- This is a role that should not be carried out by Government if it is to have any credibility with the profession. The rule must be that professionals judge professionals. We are adamant that ownership of the profession is not in the gift of government, but arises from the profession itself.
- 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.
- 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.
- 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 the government.
- Decisions about these functions should be made by representatives of the field including professional workers and trades union representatives.
- 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.

Of the 94 respondents 42% agreed that wider functions should be added on a phased basis. 1% disagreed and the remaining 57% either had reservations regarding this question or did not give a definitive answer.

The respondents that made comments to this question raised many points which covered a number of issues about the lack of detail in the consultation document on how this would operate. The following comments give a flavour of the comments received.

- Would the approval of initial training courses, requirements for CPD and the setting of professional standards by the registration body undermine the role and authority of Estyn or any other body already established?
- The timing of the phasing in approach should be professionally determined rather than politically determined.
- The registration body should concentrate initially on registration. Any wider functions which help learning and teaching to become more effective would be welcome provided there is widespread and genuine consultation.
- CPD should be agreed between the employer and the employee annually as part of the individual's CPD review not by a body.
- If youth workers are registered by a body their 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.
- Any new arrangement should make use of arrangements where they already exist rather than seeking to replace them with a professional body.
- How would training and personal development be funded in the voluntary sector?

Question 6

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

Of the 94 respondents, 22% thought that there was no other specific function the registration body should undertake where 5% of the 94 respondents stated that they were no other functions the registration body should undertake. The remaining 68% either had reservations regarding this question or did not give a definitive answer.

The respondents that made comments to this question identified a range of functions that the body could undertake. These included the following.

- The registration body should regularly send out bulletins on what is happening, information on new qualifications and recognise those who have achieved the higher qualifications.
- Keeping manpower and recruitment needs under review and providing advice.
- The registration body should be able to advise the government on the profession's behalf, and represent the teaching (and education) profession as a whole.
- A new registration body could be a conduit for information and the dissemination of good practice related to the delivery of learning.
- CRB checks for individuals who could then work across different training providers/training institutions.
- 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).
- The new body needs to monitor standards and ensure that all those working with children have regular, appropriate access to CPD and support.

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?

Of the 94 respondents 51% were in support of a single professional council with a membership with expertise across the wider education workforce; and 18% of the 94 respondents believed that a series of sector councils each specialising in a specific area of the workforce to be more appropriate. The remaining 30% either were unsure of this question or did not give a definitive answer.

The respondents that commented on this question raised a number of concerns and valid points. Some of the points and concerns raised in the comments included:

- The cost of setting up a series of sector council.
- The importance of the council being coherent and consistent.
- The need to having the right expertise in place when considering professional competency.

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?

Of the 94 respondents, 53% were in support of differentiated rate fee; and 12% of the 94 respondents believed that a flat-rate fee would be the best course. The remaining 36% either were unsure of the question or did not give a definitive answer.

A summary of the responses identifying the rationale for both approaches are set out below.

- Differentiated fees would reflect the differentiated pay and salary scales across the education workforce.
- A flat-rate fee would likely be detrimental to the education workforce. A registration fee would discourage potential practitioners from entering the profession.
- A flat-rate fee is simple to manage and administer.

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?

Of the 94 respondents 56% agreed that clarity and coherence in requirements for matters such as qualifications, professional standards, performance management and professional development could support the Welsh Government's drive to improve standards; and 1% of the 94 respondents believed that it wouldn't. The remaining 43% either had reservations to this question or did not give a definitive answer.

The respondents that commented on this question raised a number of issues.

Some of the points raised in the comments included the following.

- Greater clarity and coherence in requirements for all educational matters may support the Welsh Government's drive to improve standards, but all changes will need time to bed down before an evaluation takes place.
- Consideration should also be given to the danger that with increased professionalisation there is a danger of decreased engagement in voluntary contact provision.
- 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.
- 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.
- 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.

No significant responses were received in connection with this question. However, responses that were received to this question were generally supportive of the idea of registering the wider education workforce.