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Consultation Document

Registration of work-based learning practitioners

Proposal for the registration of work-based learning practitioners with the Education Workforce Council

Date of issue: 08 January 2016

Action required: Responses by 31 March 2016

Mae'r ddogfen yma hefyd ar gael yn Gymraeg.
This document is also available in Welsh.

Registration of work-based learning practitioners

Overview	This document invites views relating to the proposals for enhancing the functions and role of the Education Workforce Council.
How to respond	Responses to this consultation should be e-mailed/posted to the address below to arrive by 31 March 2016 at the latest. .
Further information and related documents	<p>Large print, Braille and alternative language versions of this document are available on request.</p> <p>Further information about the Welsh Government's Programme for Government can be found at www.wales.gov.uk/about/programmeforgov/?lang=en</p>
Contact details	<p>For further information: Nathan Huish Practitioner Standards and Professional Development Division School Standards and Workforce Directorate Welsh Government Cathays Park Cardiff CF10 3NQ</p> <p>e-mail: ewc.enquiries@wales.gsi.gov.uk Tel: 029 2082 3039</p>
Data protection	<p>How the views and information you give us will be used</p> <p>Any response you send us will be seen in full by Welsh Government staff dealing with the issues which this consultation is about. It may also be seen by other Welsh Government staff to help them plan future consultations.</p>

The Welsh Government intends to publish a summary of the responses to this document. We may also publish responses in full. Normally, the name and address (or part of the address) of the person or organisation who sent the response are published with the response. This helps to show that the consultation was carried out properly. If you do not want your name or address published, please tell us this in writing when you send your response. We will then blank them out.

Names or addresses we blank out might still get published later, though we do not think this would happen very often. The Freedom of Information Act 2000 and the Environmental Information Regulations 2004 allow the public to ask to see information held by many public bodies, including the Welsh Government. This includes information which has not been published. However, the law also allows us to withhold information in some circumstances. If anyone asks to see information we have withheld, we will have to decide whether to release it or not. If someone has asked for their name and address not to be published, that is an important fact we would take into account. However, there might sometimes be important reasons why we would have to reveal someone's name and address, even though they have asked for them not to be published. We would get in touch with the person and ask their views before we finally decided to reveal the information.

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Summary

The Education (Wales) Act 2014 (the 2014 Act) reconfigured and renamed the General Teaching Council for Wales (GTCW); extending the remit of the body; and the composition of its membership in order for it to become the Education Workforce Council (“the Council”). This took place on 1 April 2015, which was also the point at which the requirement for professional registration was extended to Further Education (FE) teachers, in addition to school teachers. From April 2016 registration will be extended to school/FE learning support workers.

It is proposed that, from April 2017, in order to work as a Work Based Learning practitioner a person must be registered with the Council. This consultation invites comments on the Welsh Governments proposals for the registration of Work Based Learning practitioners.

1. Background

1.1. The Council currently has a statutory duty to establish and maintain a register of school teachers, FE teachers and school/FE learning support workers. Registration is required for all four categories if they wish to work in maintained schools or FE institutions in Wales, including peripatetic teachers and those in agency, substitute or temporary positions. All employers are required to ensure that they only employ persons who are registered with the Council.

1.2. Work Based Learning practitioners are currently not required to register with any registration body.

1.3. Although the Welsh Government initially identified professions required to register (under Schedule 2 to the Act), this did not preclude the future registration of other groups such as Work Based Learning practitioners and Youth Workers; who also provide a valuable contribution to the education and training of young people. The 2014 Act creates a framework that enables the Welsh Ministers to add new categories of registration, if and when appropriate; and subject to the agreement of the National Assembly for Wales.

1.4. It is vital that all these different practitioners work together effectively and are able to access well designed qualifications, support and development. Their professionalism, suitability and standards of conduct, training, and development, are key to their success. The Welsh Government wants to ensure that we recognise the role of all those working to support teaching and learning as part of a single and coherent education workforce in Wales.

2. Aims of the Education Workforce Council

The statutory aims of the Council are to:

- contribute to the improvement of standards of teaching and the quality of learning in Wales;
- maintain and improve standards of professional conduct amongst teachers and others in the education workforce who support teaching and learning.

3. Introduction

3.1. The Work Based Learning sector comprises a wide variety of types of organisation, and there is no such thing as a typical training provider. The sector includes a number of independent trainers as well as small and medium enterprises and a few big corporate entities. Trainers offer a range of often quite disparate services and disciplines or areas of expertise.

3.2. These companies may or may not have training as their main activity; providers could include charitable and voluntary organisations as well as commercial businesses.

3.3. A significant amount of funding is provided by the Welsh Government to support Work Based Learning, through a range of providers to support the delivery of a number of programmes. Work-Based Learning Providers include both our Apprenticeship programme and Traineeships, for non-employed young people.

3.4. Flagship programmes like Traineeships and Apprenticeships, are enabling thousands of young people to develop vital skills that will help them progress within their chosen path of employment, education or further training.

Apprenticeships

3.5. Apprenticeships is an employed status programme offering participants the opportunity to gain recognised qualifications at Levels 2, 3 and 4, and above. There are a wide range of Apprenticeships opportunities from administration through to engineering. They involve learning a craft, skill or profession while earning a wage and gaining a nationally recognisable qualification. Once the Apprenticeship has finished there's the opportunity to carry on working, maybe get promoted or go on to higher education in a college or university.

Skills for Employment Wales

3.6 When introduced in April 2016, this programme will support non-employed adults aged 18 and over to progress into employment or further learning. Participants may undertake learning in entry level qualifications up to Level 2. The programme is a successor programme to 'Work Ready'.

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Traineeship Programme

3.8 The Welsh Government Traineeship Programme helps young people who want to work but need that extra helping hand. 68% of learners who left the Traineeships programmes in 2013-14 had a positive progression into employment or learning at a higher level. It is a training programme for 16-18 year olds not otherwise engaged in education or employment. The programme seeks to improve skill levels to enable

the participant to progress into further learning or employment through the delivery of entry level qualifications up to NVQ Level 2.

3.9 Traineeships will include a substantial work placement and other opportunities to develop the skills and workplace experience that employers require.

4. Rationale for change

4.1. During the 2012 consultation on 'proposals to amend the requirement for registration of the education workforce in Wales'¹, the majority of respondents from the Work Based Learning sector were in favour of registration with an appropriate regulatory body. Respondents felt that it would offer parity of esteem between FE and Work Based Learning providers.

4.2. The Welsh Government recognises that work based learning is the future of our country, our economy and our growth. The work of providers is vital to our economy - getting thousands of people into training, supporting our businesses in increasing productivity and improving social mobility. Training Providers have a strong grasp of the needs of business and providing what they need. It is through the collective efforts of training providers, youth workers, school, colleges and employers that we have a programme that delivers the very best standards of excellence for our learners in Wales.

4.3. Work Based Learning practitioners for post-16 learning help to ensure that the education and training that Education and Public Services Group funds is of high quality and meets the needs of learners. It is clear that training providers practice can be effective in directly and indirectly supporting learning outcomes and that there are significant benefits for young people from closer working between schools, colleges and work based learning training providers.

4.4. Work Based Learning needs to be creative, innovative and inspirational in order to develop and deliver the support needed to enable people to move towards and progress into sustainable employment.

¹ <http://gov.wales/consultations/education/workforceregistration/?skip=1&lang=en>

5. Registration

5.1. As part of our overall quality strategy, the Welsh Government has put in place structured approach to improving quality and raising standards across the post-16 sector. This includes looking at how we can use funding, advice and guidance, and the dissemination of best practice to support improvement initiatives, both within individual providers and across the sector as a whole.

5.2. The 2014 Act provides that the Welsh Ministers may extend registration with the Council to a wider group of practitioners.

5.3. A key feature of many professions is a requirement to register with a professional regulatory body that sets and maintains professional standards, retaining public confidence and demonstrating a shared commitment to professionalism.

5.4. The benefits to registration are that those who are registered will be seen as:

- credible members of the workforce having professional status;
- meeting the specific standards for entry and continued membership of that profession; and
- being suitable to be a member of the profession – maintaining public trust and confidence.

5.5. Registering of Work Based Learning practitioners with the Education Workforce Council will strengthen their profile in ways that are supportive, rather than in ways that negatively impact on the diversity that is observable within the sector. We will be recognising the value of their work and the contributions that they make in the lives of young people.

5.6. The Welsh Government undertook two consultations regarding proposals for the registration of the wider education workforce in Wales. An overwhelming majority were in agreement that other groups within the education sector should be required to register; and that they should pay a fee for that registration.

5.7. The requirement for registration within the education workforce is the same as the requirement with any other registration body, such as nurses, midwives and physiotherapists. Professionals in those sectors are also required to fund their own registration as a requirement of employment.

6. Proposal under consideration

6.1. This consultation seeks views on the proposed new category of service providers within the Work Based Learning sector who will be required to be registered with the Council from 1 April 2017.

6.2. There are so many diverse roles in Work Based Learning dictated by its very nature and flexibility. The requirement to register with the EWC will fall on Work Based Learning practitioners who provide training and learning services, through a Welsh Government contracted Work-based Learning provider; partially or wholly involved in the provision of Work Based Learning, and through any level of contractual arrangement. The power to provide this funding is set under section 34 of the Learning and Skills Act 2000.

6.3. Types of training provided are:

- on the job learning incorporating courses that include assessment of awards within the Credit and Qualifications Framework for Wales (CQFW)², and any other learning delivered through the programmes mentioned in Section 3, that is delivered on the employer's premises.
- off the job learning incorporating courses that include the delivery and assessment of awards within the Credit and Qualifications Framework for Wales (CQFW)³, and any other learning delivered through the programmes mentioned in Section 3, that is delivered on a wide variety of premises, including a further education college, purpose-built centres, hired premises and/or the employer's premises.

6.4. Work Based Learning practitioner roles include Trainers and Assessors. The Trainer will be responsible for the co-ordination and delivery of learning and assessment to individuals undertaking Apprenticeships and related awards/courses.

6.5 Assessors visit learners in their workplace, to assess whether their work meets national occupational standards for a particular skill. An assessor will first identify what a candidate knows and is able to do, and pinpoints the knowledge and skills the candidate needs to gain. An individual action plan will then monitor the learners' progress.

² The CQFW has three pillars of learning: Higher Education, Quality Assured Lifelong Learning (QALL), and the Regulated Pillar of Learning. However, with the developing Sector Qualifications Strategy and the greater importance of developing higher level skills, other learning and programmes within the Higher Education Pillar and the QALL may be considered relevant to apprenticeships at some time.

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6.6 The Trainer and Assessor roles may be combined or undertaken by discrete individuals. Individuals undertaking these roles are within scope.

6.7 Other roles that fall within scope are those of a Learning Coach or Mentor, both of whom provide similar services albeit under different job titles. Both roles offer direct support to learners, targeting high performance and improvement at work. They focus on specific skills and goals and implement strategies that support learners in self-esteem and confidence-building activities. Such roles may also be discrete, combined together or incorporated into a Trainer and/or Assessor role.

6.8 The specific Work Based Learning practitioner roles considered for registration are:

Trainer;
Assessor;
Learning coaches, and
Mentor.

6.9. All of whom work with young people in a training and learning capacity and play a key role in:

- delivering work based learning;
- assessing work based learning; or
- supporting a learners independence, achievement or progression in work based learning as a coach or mentor.

6.10 Quality Assurers (both internal and external) quality check procedures that are concerned with ensuring that assessment is carried out fairly and consistently to national standards and that any faults are improved. It will also involve planned sampling of all assessment methods and units of qualifications with the aim of improving assessment practice. External Quality Assurers work for Awarding Organisations, and are not Work Based Learning providers. The Welsh Government does not believe that either role is in scope for registration as they do not work in a training and learning capacity with learners.

6.11 The policy proposal will not introduce a registration requirement on those businesses that recruit through an Apprenticeship Programme and provide supervised training via a workplace experience. As set out in paragraph 6.2, the requirement to register with the EWC will only fall on Work Based Learning practitioners who provide training and learning services, through a Welsh Government contracted Work-based Learning provider. The Work Based Learning provider will work with businesses to deliver work based training programmes for apprenticeships.

6.12 In addition, proposals will not impact on schemes such ReAct supported by the European Social Fund (ESF) or the Department for Work and Pensions programme activity schemes.

6.13 As with School/ FE learning support workers, the Council will play a key role alongside the Welsh Government in identify those service providers who will be required to register, prior to April 2017.

7. How to comment on this proposal

7.1. Specific questions are listed in the response form and you are invited to provide answers to these questions or to comment in more general terms, in writing or in print, electronically or in hard copy to the address at the beginning of this document.