

REGULATORY APPRAISAL

EDUCATION, WALES

THE GENERAL TEACHING COUNCIL FOR WALES (FUNCTIONS) (AMENDMENT) REGULATIONS 2005

Purpose and intended effect of the Regulations

1. The Regulations amend the General Teaching Council for Wales (Functions) Regulations 2000 which prescribe the content of the Council's register of teachers and make provision in relation to access to the register. The proposed amendments to the Regulations will:
 - (i) enable the General Teaching Council for Wales (GTCW) to monitor the date a teacher begins a contract as a supply teacher;
 - (ii) remove the requirement to record the date on which all teachers took up their most current post and the date on which an Initial Teacher Training (ITT) course started.
2. It is proposed that an additional clause be added to the Regulations to enable the Council to monitor the date a person was first employed (if at all) under Paragraph 4 of Schedule 1 to the Education (Induction Arrangements for School Teachers) (Wales) Regulations 2003. Another new clause will enable the Council to register the date on which a person was first employed under Regulation 18(2) of the Education (Induction Arrangements for School Teachers) (Wales) Regulations 2003, which allows the appropriate body to authorise teachers whose 4 term limit has expired to work for a further 12 months.

Risk Assessment

3. If the amendments to the Regulations are not put into place then the GTCW will be unable to record the date upon which Newly Qualified Teachers (NQTs) start supply teaching, and therefore unable to monitor the four-term limit which applies to all NQTs who undertake short-term supply work (less than one term) at the beginning of their career. This will mean that some newly qualified teachers do not benefit at the beginning of their career from the support and professional development that Induction provides. This could have an adverse effect on the standard of teaching in the classroom and therefore on pupil achievement.
4. The GTCW will also be unable to monitor cases where the appropriate body has authorised an extension to the four-term limit, which would allow supply teachers to work on contracts of less than one term for a further 12 months. Again, this could mean that some newly qualified teachers do not benefit at the beginning of their career from the support and professional development that Induction provides.
5. If the requirement to record the date on which all teachers took up their most current post and the date on which an ITT course started is not removed, and as the Council does not have the information or the means

to maintain it, it could mean that they would be in breach of the Data Protection Act and the General Teaching Council for Wales (Functions) Regulations 2000 and the General Teaching Council for Wales (Additional Functions) Order 2000.

Options

6. There are two options:

(a) Do nothing

7. The Council will be unable to record the date upon which Newly Qualified Teachers (NQTs) start supply teaching, and therefore unable to monitor the four term rule that applies to all NQTs who undertake short term supply work at the beginning of their career. They will also be unable to monitor where an extension has been approved to the 4-term limit. This will mean that some NQTs do not undertake Induction and benefit from the support that it provides.
8. The Council could be in breach of the Data Protection Act and The General Teaching Council for Wales (Functions) Regulations 2000 Regulations and the General Teaching Council for Wales (Additional Functions) Order 2000.

(b) Make the Legislation

9. This option will enable the GTCW to monitor if a person is eligible to continue in employment as a supply teacher under the Education (Induction Arrangements for School Teachers) (Wales) Regulations 2003 which impose limits on the periods during which a person who has not served an induction period, may be employed as a teacher. This will ensure that *all* NQTS benefit from the advice and support that Induction provides.
10. It will also reduce the burden on the Council in terms of record keeping and on teachers in terms of updating/adding information, and ensure the regulations are easily understood and up to date.

Costs

11. There are no financial implications for the Assembly. The additional costs associated with the proposed Regulations requiring the Council to keep additional information on the database in terms of induction are minimal, and are out-weighed by the reduction in data to be kept by the GTCW and maintained by teachers.

Consultation

With Stakeholders

12. Formal consultation on these Regulations (together with The General Teaching Council for Wales (Additional Functions) (Amendment) Order 2005) took place from 7 July to 24 September 2004. Stakeholders consulted included local education authorities, schools, diocesan organisations, professional associations, teaching and support staff unions, General Teaching Councils, the Higher Education Funding Council for Wales, Initial Teacher Training Providers, the Universities Council for the Education of Trainers (UCET Cymru), Estyn, the Teacher Training Agency, Central Government Education Departments and other interested parties.

13. There were 10 formal responses to the consultation, all supportive of the proposals. Two amendments were suggested. The teaching unions asked that, for the sake of clarity, the explanatory note accompanying the Regulations be amended to reflect that the Education (Induction Arrangements for School Teachers) (Wales) Regulations 2003 had been amended in May 2004. The May amendments included provision for an appropriate body to recommend extending the four-term limit on supply work without completion of Induction by one year.

14. The GTCW drew attention to the fact that the amended paragraph 13 of Schedule 1 appeared to indicate that the information recorded on the Register would need to be removed once a teacher had successfully completed an Induction Period. This would involve an additional, unnecessary work for the GTCW.

15. The explanatory note and the Regulations have been amended to reflect the two suggestions.

Enforcement, Monitoring and Review

16. The Assembly Government holds regular meetings with the GTCW to discuss a wide variety of issues impacting on the Council including its statutory obligations. This will continue if the proposals are implemented.

Summary

17. The purpose of the proposed Regulations is to ensure that arrangements are in place to monitor the time limits during which a supply teacher who has not served an Induction period may be employed as a teacher; and to avoid placing unnecessary burdens on the GTCW and teachers.