

## **Education and Lifelong Learning Committee**

### **Regulatory Appraisal**

#### **Education, Wales**

### **The General Teaching Council For Wales (Functions) (Amendment) (No.2) Regulations 2004**

#### **Purpose and intended effect of the Regulations**

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.

#### **Risk Assessment**

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 the 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 Reg 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.

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.

- 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.

## **Other minor amendments to the Regulations**

The other minor amendment proposed to the Regulations is to remove 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.

- If this 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 Regulations and Order.

## **Options**

There are two options:

### **a. Do nothing**

Taking the amendments to the Regulations as listed:

- i. The Council will be unable to record the date upon which 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.

- ii. The Council could be in breach of the Data Protection Act and Regulations and Order.

### **a. Legislative**

This option will enable the General Teaching Council for Wales 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.

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**

There are no additional costs associated with the proposed Regulations. The only implication is that there will be a small amount of extra work for existing Council staff in relation to keeping additional information on the database on induction. This, however, is outweighed by a reduction in maintaining the data to be kept by the GTCW and maintained by teachers.

## **Consultation**

The draft Regulations (together with The General Teaching Council for Wales (Additional Functions) (Amendment) (Wales) Order 2004) was issued for consultation to a wide range of organisations on 7 July 2004. There were 10 formal responses. All respondents supported the proposals. Two small amendments were made, one to clarify a reference to the Education (Induction Arrangements for School Teachers)(Wales) Regulations 2003, and the other to enable the Council to keep information on the register following the induction period.

This Regulatory Appraisal was not published as part of the consultation as the costs were not considered to be significant.

## **Enforcement, Monitoring and Review**

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

## **Summary**

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.