

# **Education and Lifelong Learning Committee ELL (2) 14-04(p.4)d**

## **Regulatory Appraisal**

### **Education, Wales**

#### **The General Teaching Council For Wales (Additional Functions) (Amendment) (Wales) Order 2004**

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

This Order amends the General Teaching Council for Wales (Additional Functions) (Amendment) Order 2000 which requires the Council to maintain records relating to specified categories of person who are not on the register.

The proposed amendments to the Order (which requires the Council to maintain records relating to specified categories of person who are not on the register) 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.

(i) and (ii) mirror changes set out in the proposed General Teaching Council for Wales (Functions) (Amendment) (No 2). The proposed Order will also:

- iii. mirror changes recently made to the Regulations so that they restrict the particulars of academic and professional qualifications recorded on the register to qualifications that are relevant to employment as a teacher;
- iv. update references to the Education Act 2002.

#### **Risk Assessment**

(i) and (ii) The Order mirrors changes to the Regulations enabling the GTCW to monitor the date a teacher begins a contract as a supply teacher

It is proposed that an additional clause be added to the Order 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 these amendments are not made the Order and the Regulations will vary, which could cause confusion. Also, important information would be lost should a person, for whatever reason, be removed from the register

### **Other minor amendments to the Order**

- i. to mirror changes made to the Regulations so that they restrict the particulars of academic and professional qualifications recorded on the register to qualifications that are relevant to employment as a teacher;
  - o If these amendments are not made the Order and the Regulations will vary, which could cause confusion. It also means that there is an added burden on the Council to retain information that is not required.
  
- i. update references to the Education Act 2002.
  - o Again, if these amendments are not made, this could cause confusion. It is important that the Regulations and Order are easily understood and refer to the most recent legislation.

### **Options**

There are two options:

- a. Do nothing

Taking the amendments to the Order 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.

(i), (ii) & (iii) The Regulations and Order would vary which could cause confusion.

(iv) Regulations and Order would not refer to the most recent legislation and this could cause confusion.

## b. 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 Order. 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 Order (together with The General Teaching Council for Wales (Functions) (Amendment) (No.2) Regulations 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 Order 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; to avoid placing unnecessary burdens on the GTCW and teachers; and to avoid any possible confusion.