

**P-05-1033 Abolish Education Workforce Council (EWC) registration fees and completely reform its organisation, Correspondence – Petitioner to Committee, 20.10.20**

[REDACTED]

Tuesday 20<sup>th</sup> October 2020

Petition ref number: P-05-1033 201 005

Dear Janet

Many thanks to you for your email of 15<sup>th</sup> October and for the inclusion of the Ministers letter dated 5<sup>th</sup> October.

I have to say that I was not at all impressed by the Ministers response and her attempt at a robust defence of EWC makes it plain to me that the Education Workforce Council is neither independent of the Welsh Government nor is it representative of those it registers. It is obvious to me the EWC is an organization wholly dependent on the Welsh Government for its existence, its direction and its funding, aside from the finance it exhorts out of registrants which barely covers the cost of the excessive salary and pension benefits of its executive staff. The EWC can certainly not be compared to highly regarded and representative professional associations such as the BMA and appears to me to be more general in nature and less representative than the other bodies mentioned in the Minister's letter.

The EWC's governing body 'the Council' is not representative of the education workforce who are required to register - there are just two serving teachers, no FE lecturers, no WBL teachers/instructors and no youth workers i.e. those who pay £45 per annum (only FE, WBL and youth service managers are represented). Neither are there any support workers, i.e. those who pay £15 per annum, on the council. The council is dominated by management and governing body interests. The council is nothing but a collection of placemen/women who sit by virtue of the fact they are compliant with the Welsh Government and EWC executive staff's wishes.

Further to this there are no currently employed FE interests represented at all on the council. However there is one member, a retired Estyn inspector, who is described as described as a 'Life Associate of the Independent Schools' Association.'

In contrast to the EWC, the governing body of the GTCS (Scotland) is composed mainly of primary and secondary teachers (including 4 head teachers) with 1 FE

lecturer - Pamela Currie is the elected member for FE (she is EIS-FELA president - this is the teachers and college lecturers union in. This representation is significant as FE lecturers are not currently required to register. There is also 1 HE lecturer, an elected member, who represents universities offering initial teacher training.

As far as 'acting as an advocate for rights and improvements to conditions of service of FE practitioners' (my own role) the EWC does not undertake this role and only acts in the role of seeking to have members removed from FE by deeming them unfit to practice. It acts as the role of judge and prosecutor but plays no role in defence, or support, for teaching or lecturing union members. In essence union members pay their fee in order that they may in the future be prosecuted by the EWC. Additionally there is no doubt that there is an increasing financial burden annually on teaching or lecturing unions to represent those members who are subject to EWC disciplinary hearings.

However it is important to appreciate that the main thrust of my criticism of the EWC does not relate to independence or representativeness, it focuses on the registration fee which I am by law required to pay to no personal benefit. I believe that this annual licence to practice constitutes a tax on teachers. I had taught A Levels successfully in a college of further education for 23 years before I was required to pay for the privilege of doing my job.

The fact is that the prime role of the EWC is to maintain the register and collect registrations fee on behalf of the Welsh Government. Annually my union UCU's FE members pay a collective fee to EWC in excess of £117,000. For this sum we believe there is no evidence of value for money. If the EWC was not dependent on collecting this fee it might have more time to be able to make a worthwhile contribution to improving standards of education in Wales.

The fee payment structure is regressive. It has no flexibility on income or pro-rata payments across the academic year. Thus FE practitioners can and are charged the full fee for one month or less service before the renewal period. There is also no mechanism to stop duplicate payments for FE practitioners who work in multiple institutions. There is also evidence of UCU members who work in part time or temporary positions within colleges being charged twice for registration. This occurred because they were prompted by the EWC to directly pay the registration fee and the fee was also taken out of their first months wage by their employer. Colleagues who experienced this found that it was difficult to reclaim the over-payment from the EWC.

Additionally the period where the fee is taken (1<sup>st</sup> April) is not appropriate to those who work on an annual academic cycle beginning in on 1<sup>st</sup> September and it means those colleagues on short or temporary contracts have to pay twice, in September and April, in order to teach across one academic year.

Further to this there is significant evidence to suggest that the single £45 registration fee for teachers and lecturers and the lack of pro-rata fees is discriminatory to female registrants who are more likely to be employed in lower pay bands and proportional or part time contracts.

This is certainly the case in Coleg y Cymoedd which is based at Nantgarw in RCT. The proportions of males and females in each quartile pay band at the College is as follows:

	Lower quartile	Lower middle quartile	Upper middle quartile	Upper quartile
Male	32%	38%	45%	44%
Female	68%	62%	55%	56%

The Coleg y Cymoedd itself recognises that it employs a significant number of females on part time contracts and term-time contracts, with many of these being in the lower paid roles within the College.

	Full-time	Part-time	Term-time
Male	30%	9%	1%
Female	25%	21%	14%

If Coleg y Cymoedd is typical of Welsh colleges then women are disadvantaged by the single £45 as they are over represented in both the lower and middle lower quartile pay bands and in part time and term time only contracts. (Source: Coleg y Cymoedd Gender Pay Gap report 2019)

The lack of registration, and thus fees, for top management, university teachers and teachers and lecturers in private education is also a major issue. The EWCs current set up (and therefore the Welsh Government's position) creates a two-tier system of those who must pay to do their jobs, often those who are lower paid, and those who do not need to pay a registration fee who are often in higher paid positions. There is no doubt that the current registration fee is unfair.

To conclude this very partial overview of the EWC's failings I will like to finish off by quoting a letter I received recently from the Secretary-General of a teaching union, whose identity I would like to remain confidential. I believe these comments show that I am not a lone voice complaining about a well-supported and regarded organization – the EWC is a flawed organization which has totally failed to engage, or gain the respect of, teachers and lecturers in Wales:

*Our members certainly have mixed feelings about the EWC, and various issues in relation to its structure and function have been debated at our Annual Conference over the years.*

*We agree with you that it is in no way a representative professional body. There used to be an element of election to the Council, however it is now made up entirely of appointees – either directly appointed by Welsh Government, or indirectly on the basis of nominations.*

*We also agree that its predominant function is 'disciplinary', and that the vast majority of these hearings are public, thereby giving the profession the feeling of being brought into disrepute rather than of maintaining public confidence. We have concerns about the level of expense relating to these hearings.*

*As well as the issues mentioned above, we agree that the issue of fees is an important one, particularly for part-time staff, in particular supply teachers whose income can be extremely inconsistent.*

I would be keen to provide further evidence of the EWC's failings if there is an opportunity to do so.

Yours faithfully

A handwritten signature in dark ink, appearing to read 'R J Southall', written in a cursive style.

Robert J Southall

Petitioner