

Mr Darren Millar AM
Chair
Public Accounts Committee
National Assembly for Wales

4 December 2013

Dear Mr Millar

Thank you for your invitation to attend the Committee meeting on 21 January and provide evidence on the findings of the Auditor General in his report on *Covering Teachers' Absence*. I am pleased to attach the Welsh Government's response to the report for your consideration.

The Department for Education and Skills was involved in early discussions with the Auditor General for Wales and proposed that this matter should be included in the Wales Audit Office programme of value for money studies. We welcome the resultant report that draws attention to the key role that supply teachers and other professionals play in meeting learners' needs during periods of teacher absence.

I also welcome the joint approach the Wales Audit Office has taken with Estyn in carrying out this work. We asked Estyn to report on this area as we felt there was scope to improve the quality and consistency of provision.. As well as considering the efficiency of arrangements for covering teacher absence, not least consideration of value for money, the joint approach has enabled a sharp focus to be kept on the impact on learner outcomes.

It is generally accepted that the quality of teachers is the single most important factor that has the greatest impact on improving learner outcomes. In seeking to raise standards across our education system in Wales it follows that all teachers who work with learners in our schools, irrespective of the nature of their deployment, have an important part to play.

Supply teachers form a significant and important part of the teacher workforce in Wales and, like all other teachers, it is necessary to ensure they have the appropriate skills to provide high quality teaching. They perform a particularly important role in maintaining continuity of learning during periods of teacher absence, both short and long term. It is, as has been pointed out, essential that supply teachers are able to provide a standard of teaching that meets the needs of learners in these circumstances.

The Auditor General's report sets out a comprehensive set of recommendations which demand thorough consideration and effective action. The Welsh Government accepts the recommendations in full but notes that responsibility for some key

actions also lie with others, including local authorities and consortia, schools, and supply agencies.

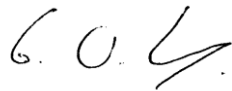
We are committed to continue working with our partners and stakeholders to address these findings. We have already had useful discussions with our trade union partners and this is evidence of the co-ordinated approach, supported by effective partnership, that will be essential if real and sustainable benefits are to be secured as a result of the report's recommendations.

I note the report makes reference to some matters that do not fall within the responsibility of the Welsh Government. In particular, teachers' pay and conditions has not been devolved to the Welsh Government and remains the responsibility of the Secretary of State for Education.

The Welsh Government also has no powers to influence the pay and conditions of agency workers and is unable to direct how schools source their supply staff. Supply agencies operate as privately run commercial enterprises on a competitive basis and the Welsh Government is therefore unable to intervene in these matters.

Our detailed response to each of the recommendations is contained in Annex 1 and I look forward to the opportunity to discuss in further detail at your committee meeting on 14 January.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'O. Evans', with a stylized flourish at the end.

Owen Evans

Director General, Department for Education and Skills

Welsh Government response to the recommendations set out in the Wales Audit Office Report on *Covering Teachers' Absence* (17 September 2013)

Minimising the detrimental impact of covered lessons on learners' progress

1. Teacher absence results in an average of just under 10 per cent of lessons being covered and can have a significant impact on learners' progress, particularly during Key Stage 3.

To support its work to raise standards and attainment, **we recommend that the Welsh Government takes greater account of the impact of cover in its policies and strategies including setting out clearly in grant and other guidance that it expects schools, local authorities and regional consortia to seek to minimise the need for covered lessons.**

Welsh Government response:

- We will include the requirement to assess the implications for cover in Welsh Government guidance that accompanies future grant schemes and in other relevant guidance so that impact on learners is minimised and, where absence is unavoidable, it represents a good investment in improving outcomes for learners.
- We will continue to advocate effective and innovative means of professional development and sharing of information that do not involve a traditional reliance on attendance at external events which remove teachers from the classroom. To achieve this we will build on the work we are already doing to promote collaborative professional development within schools. We will also provide high quality online learning resources.
- We will review the extent to which the Welsh Government creates cover demands through the development of its policies and strategies and seek to rationalise these wherever possible so that a balance is achieved between actively engaging teachers in developing future policy and minimising absence from the classroom.
- We will work with local authorities to identify appropriate means of capturing accurate data on the levels of teacher absence and the reasons for absence in order to establish the underlying causes of absence in all schools.

Improving the management of cover arrangements in schools

2. Few schools have formal policies on cover arrangements, there is insufficient monitoring of the extent of and reasons for teacher classroom absence and few schools evaluate the impact of their cover arrangements on learning and progress. Teachers and other staff providing cover are often given insufficient information about the school and pupils, and the quality of lessons and teaching is not monitored effectively.

We recommend that:

a The Welsh Government and local authorities encourage schools to develop policies on managing cover that focus on ensuring that learners' progress is maintained and resources are used effectively.

Welsh Government response:

- The Welsh Government intends to consult on the introduction of secondary legislation setting out the minimum requirement for the content of school development plans. Schools will be required to set out their priorities and targets, show how resources will be deployed and identify professional development and training needs for all their staff. We will also provide guidance on how schools take account of, and mitigate against, the impact of any necessary teacher absence.
- We will work with Estyn to explore how the inspection framework can be used to monitor the effectiveness of schools' arrangements for professional development and their management of attendance and absence in relation to learners' progress and the efficient use of resources.
- We will also work with partners and stakeholders to develop and disseminate guidance for schools, local authorities and consortia on effective management of cover.

b The Welsh Government should identify or develop model policies on managing cover, and disseminate these to schools as good practice guidance

Welsh Government response:

- We will work with partners and stakeholders to identify effective practice and include model policies and procedures in our guidance on managing cover.

c To assess and minimise teacher absence through sickness or other reasons:

- **the Welsh Government, regional school improvement consortia and local authorities should monitor the extent to which their school improvement programmes and training initiatives contribute to the need for cover;**
- **schools should apply their attendance management policies rigorously, particularly in the management of long-term absence; and**
- **local authorities should collect and analyse absence-related data for all the schools in their area, and disseminate information that would enable its schools to compare absence levels with those of other schools in the local authority or within their family of schools.**

Welsh Government response:

- We will review the extent to which the Welsh Government creates cover demands through the development of its school improvement policies and strategies. We will seek to rationalise these wherever possible so that a balance is achieved between actively engaging practitioners in developing future policy and minimising absence from the classroom. We will also work with local authorities and consortia to ensure a systematic approach is adopted to assess and minimise the impact of their programmes on cover requirements.
- We will include advice in our guidance on how schools should manage attendance and absence proactively in order to reduce cover requirements.
- We will work with Estyn to explore how the inspection framework can be used to monitor the effectiveness of schools' arrangements for managing attendance and absence. We will also work with local authorities and consortia to consider how system leaders can monitor the effectiveness of each school's practice in this area.
- We will work with the Welsh Local Government Association (WLGA) to examine how greater consistency of data collection and analysis can be used to establish benchmarks and how these can be shared with schools to facilitate comparison with other schools.
- In our response to the Robert Hill review on the *Future Delivery of Education Services in Wales*, the Welsh Government has accepted the proposal that specialist human resources advice should be made more accessible to schools, through more local or regional arrangements. This will better enable local authorities to gather and disseminate relevant data to underpin direct support to their schools in managing absence and improving attendance. We will work with the WLGA and regional consortia to explore how this can be achieved through the existing programme of integrating regional services.

d Schools should ensure that they provide sufficient information and support to supply teachers (for example daily timetable, lessons plans and material, school policies such as approach to behaviour management and access to ICT) so that they can work effectively.

Welsh Government response:

- We will work with partners and stakeholders to develop and disseminate guidance for schools, local authorities and consortia on effective management of cover that includes exemplars and practical advice on the provision of support and information to supply teachers. We will then work with Estyn, consortia, local

authorities and supply agencies to ensure schools' implementation of the guidance is monitored and any poor practice is addressed.

- We will work with regional consortia to consider how the role of system leaders can include monitoring of the effectiveness of each school's practice in this area.

Improving the training and development of supply teachers

3. Supply teachers have difficulty accessing training that is more easily available to permanent teachers. A significant barrier to their attendance is that they lose the opportunity to work by attending training events. Some supply agencies provide opportunities for teachers registered with them to continue their professional development, but local authorities do not generally offer training to supply teachers registered with them.

To support the professional development of supply teachers **we recommend that:**

a the Welsh Government monitors the impact on supply teachers of their developing arrangements for induction and access to the Masters in Educational Practice, to ensure that teachers who work as supply teachers on a long term basis are not disadvantaged; and

Welsh Government response:

- We have already taken action to improve access to statutory induction for supply staff. This has included amending the scope of The Education (Induction Arrangements for School Teachers) (Wales) (Amendment) Regulations 2012 which came into force on 1 September 2012. This had the effect of enabling all Newly Qualified Teachers (NQTs) who are undertaking supply work to participate in statutory induction, irrespective of the length of their school placements. Each school session (one half day) is now counted towards the statutory induction period which has particular benefits for those teachers engaged in short term supply work. A total of 380 sessions, equivalent to 190 days is required to complete the induction period. We will work with the General Teaching Council for Wales (GTCW) to monitor patterns of engagement with induction by supply teachers to help identify what further support might be needed.
- We have strengthened mentoring support for those NQTs working as supply teachers. All NQTs are entitled to the support of an external mentor during induction. For short term supply teachers allocation of an external mentor was previously made after completion of 190 sessions (equivalent to half of the total induction period). In recognition of the limited access to school-based mentoring for short term supply teachers we have now brought the trigger point forward to 50 sessions to enable mentoring support to be provided at a much earlier point.

- For supply teachers who previously fell outside the scope of the regulations but have not yet completed their induction we have introduced retrospective arrangements. Those NQTs who started teaching prior to September 2012 were previously not entitled to an external mentor. We have now addressed this situation by providing mentoring support to each NQT affected.
- We are also identifying external mentors in each consortium area who will specialise in addressing the specific needs of supply teachers and we will also require LAs to ensure short term supply teachers receive support in line with that provided to NQTs who are working full or part time within the authority, especially in relation to access to professional development opportunities.
- The 'five-year rule' has also been removed. This rule specified that supply and part time teachers had to complete their induction within a five year limit. There is now no limit to allow completion of induction to reflect availability of work.
- A bespoke area of the Learning Wales website is being developed to support those NQTs undertaking their statutory induction through the short term supply route. This will provide access to resources to support professional development activities and information relevant to their role.
- In respect of the Masters in Educational Practice (MEP), supply teachers are subject to the same eligibility criteria as other teachers. The eligibility criteria reflects the practice-based nature of the MEP which requires the participant to have a period of unbroken contact time with learners in the same setting. Without this provision MEP participants would be severely disadvantaged as the course requirements could not be met.
- The MEP is in its second year of operation and is subject to ongoing evaluation as it is rolled out. As we gather evaluation evidence we will consider how the model can be improved and adapted to improve access to a wider group of practitioners.

b schools should include supply teachers who have either regular or long-term involvement with a school in their in-service training and performance management arrangements and include the requirement to participate in these contracts with supply teachers and agencies

Welsh Government response:

- As mentioned, the Welsh Government intends to consult on the introduction of secondary legislation setting out the minimum requirement for the content of school development plans. Schools will be required to set out their priorities and targets, show how resources will be deployed and identify any staff training or professional development needs in a staff development plan which will need to take account of all staff who work in the school including those who work there on a temporary or fixed term basis. Schools will therefore be expected to consider what provision should be made to meet the needs of supply teachers who work regularly at the school or in long term placements.

- We will work with Estyn to explore how the inspection framework can be used to monitor the effectiveness of schools' arrangements for professional development in implementing their school development plans and how their arrangements take account of those temporarily placed at the school.
- We will also work with our partners to consider how wider access to professional development opportunities for supply teachers can be improved. This will include provision of online resources through the Learning Wales website and also exploring how supply teacher needs can be met in further development of the Hwb website.
- In respect of performance management the report notes the existing provision already made for supply teachers who are placed at a school for one school term or more. The diverse employment patterns of supply teachers make further application of the appraisal regulations difficult. However, there remains a responsibility on schools to effectively manage the performance of all staff in the school whatever their employment circumstances. Each school is responsible for establishing its school performance management policy and this can include details of how the performance of staff temporarily placed at the school will be managed. We will consider how the existing Welsh Government performance management guidance and support materials can be revised to make this responsibility clearer

Ensuring that resources spent on supply cover are managed more effectively

4. Schools spent more than £50 million on cover in 2011-12, an increase of seven per cent since 2008-09. Some of the measures adopted to manage budgets, such as insurance for long-term absence, do not always incentivise schools to minimise expenditure on cover, and the cost effectiveness of the different approaches adopted by schools to sourcing cover is unclear. Whilst the Welsh Purchasing Consortium helped agree framework contracts for agency cover for local authorities, we found little evidence of schools collaborating locally to achieve better value for money.

We recommend that:

a The Welsh Government, regional school improvement consortia and local authorities should agree guidance for schools on the procurement of supply teachers. This guidance should set out the different arrangements available or otherwise possible, including the two framework contracts for supply teachers, the legal and human resources implications of different arrangements, and the potential for collaboration to result in better value for money.

Welsh Government response:

- We will work with partners to develop and disseminate guidance on these matters for schools, local authorities and consortia as part of wider guidance on effective management of cover arrangements. We will include guidance to secure better understanding of the available options for the procurement of supply teachers and the factors schools should consider when making procurement decisions.
- We will also consider how guidance on federation arrangements for schools can take greater account of exploiting the benefits of joint purchasing arrangements to achieve better value for money.

b The Welsh Government and local authorities, as appropriate, should ensure that appropriate quality standards and the Welsh Government's policies are reflected in any future framework agreements for supply agencies

Welsh Government response:

- We will work with the WLGA to identify the quality assurance measures that should be in place in any future specification requirements for framework contracts. Consideration will include such issues as Disclosure and Barring Service (DBS) checks, regular continued professional development opportunities, pre employment attendance information, performance management and monitoring the effectiveness of arrangements.

c Schools and local authorities should strengthen their monitoring and evaluation of expenditure on cover arrangements by:

- **routinely monitoring trends in cover expenditure and comparing with others to highlight areas of inconsistency for further investigation and action;**
- **evaluating if arrangements for managing supply cover budgets (such as by opting into the local authority's mutual fund or purchasing private absence insurance) provide value for money for the school and across the local authority;**
- **regularly reviewing the cost effectiveness of the skill mix of the staff employed in schools to provide cover, including an assessment of the relative costs of employing cover supervisors, HLTAs, floating teachers, temporary staff recruited through an agency and temporary staff recruited from the local authority list;**
- **reviewing that arrangements with supply agencies, where these exist, continue to provide good value for money; and**
- **exploring opportunities to achieve savings and/or an improved service by collaborating with local schools to source cover or procure supply agency services**

Welsh Government response:

- We will work with the WLGA and regional consortia to secure greater consistency of access for schools to high quality HR advice to support their monitoring and evaluation of expenditure on cover.
- We will also explore with our partners how local support arrangements can provide the basis for establishing and sharing best practice, particularly in relation to securing value for money through collaborative arrangements.
- We will also work with Estyn to explore how the inspection framework, including school self evaluation, can be used to monitor the effectiveness of cover arrangements particularly in terms of leadership and management and quality of learning.

Keeping pupils safe

5 Schools are responsible for ensuring the safety of pupils and they need to be certain that those working in school do not present an unmanaged risk. Most schools rely on either their local authority or supply agencies to undertake pre-employment and Disclosure and Barring Service checks on supply teachers. However, many schools do not take steps to ensure that such checks have been undertaken and do not keep appropriate records.

We recommend that:

a the Welsh Government issues guidance to schools to ensure that they are clear about the appropriate pre-employment and safeguarding checks required for teachers and other school staff, understand that the checks need to be completed before a supply teacher commences work in a school, and retain records of the pre-employment checks that have been undertaken for all supply teachers and other staff employed within the school; and

Welsh Government response:

- There already exists a legal duty on all local authorities, schools and further education institutions in Wales to exercise their functions in a way that takes into account the need to safeguard and promote the welfare of children.
- As the regulatory body for the teaching profession in Wales, the General Teaching Council for Wales (GTCW) maintains a Register of those teachers who are suitably qualified to work as teachers in maintained schools in Wales. The register records if a teacher is subject to any restrictions, is barred from practising (e.g. DBS Children's Barred List) or is subject to a GTCW disciplinary order. Schools are able to check the current register as part of their pre employment checks.

- Schools and local authorities must have regard to guidance issued by the Welsh Government that clearly sets out how schools and local authorities should fulfil their statutory duties. We have recently consulted on draft revised safeguarding guidance which includes updated information on safer recruitment practices and disclosure and barring arrangements. Consultation responses are currently being analysed and the revised draft guidance will be amended, as necessary, before publication.
- We will work with the WLGA, GTCW and Estyn to identify what additional measures should be in place to ensure that schools comply fully with safeguarding procedures.
- We will also consider how safeguarding guidance should be reflected in the specification for any future framework contracts referred to in our response to part b of recommendation 4.
- We will also consider how guidance on safeguarding procedures is included in the guidance we propose to provide on effective management of cover arrangements referred to in our responses to other recommendations above.

b schools, local authorities, the Welsh Government and the General Teaching Council for Wales and its successor body should develop clearer mechanisms for reporting concerns about unsatisfactory performance in addition to the reporting of any child protection concerns.

Welsh Government response:

- It is already a statutory requirement that employers and agents have a responsibility to refer cases of alleged unacceptable professional conduct and/or serious professional incompetence to the GTCW.
- Additionally, where the GTCW receives a referral from an employer or agent, and it appears such a referral may involve the harm, or the risk of harm to children or vulnerable adults, the GTCW will forward the referral to the Disclosure and Barring Service (DBS). The DBS may either decide to include the registered teacher in the Children's Barred List or Adults' Barred List, or refer the case back to the GTCW for consideration on professional grounds. As mentioned, schools are able to check the current GTCW register as part of their pre employment checks.
- We will put in place a campaign that draws the attention of schools and local authorities to their responsibilities defined by the above statutory requirements.
- We will also work with our partners to identify how concerns about performance which fall outside the above arrangements should be addressed. We will make procedures clear in the guidance we propose to provide on effective management of cover arrangements