



Ein cyf/Our ref: MA-P-KW-1845-18

John Griffiths AM
Chair
Equality, Local Government and Communities Committee
National Assembly for Wales
Cardiff Bay
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CF99 1NA

30 May 2018

Dear John,

Thank you for your letter of 11 May 2018 regarding the impact of pregnancy and maternity on women working within the teaching profession. You ask for a response into 5 specific issues and I have addressed these individually below;

Issue 1: Equality and Human Rights Commission Report

The EHRC “Pregnancy and maternity related discrimination and disadvantage: surveys of employers and mothers” report has been analysed by officials. We can find no figures which refer to experiences of teachers in Wales specifically.

The report says that mothers working in the Education sector (UK-wide) were less likely to report a negative experience related to flexible working requests (7% as compared to 11% in all sectors), whilst mothers working in the Public Administration sector (3%), which includes some people working in education, were less likely to have felt forced to leave their job compared to the average across all UK sectors (11%).

The report, therefore, would suggest that the picture for mothers working in education in Wales looks a little better than the average across all sectors and the UK. Nonetheless, I am clear that there are still improvements to be made.

Issue 2: Guidance to schools on recruitment, retention and flexible working

It is for the governing body to decide whether or not to fill a teaching post when it becomes vacant or to create a new post.

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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

The School Governors' guide to the law is available on the Welsh Government website to provide guidance for governors in this area. The governing body of all maintained schools must draw up a specification for any full time or part time teaching post and send it to the local authority. The post must be advertised unless the governing body decide to appoint a teacher nominated by the local authority, or accepts a teacher already working at the school who has been recommended to the local authority by the governing body. The local authority, where it is the employer, must appoint the teacher selected, unless the candidate fails to meet all the relevant staff qualification requirements. For Voluntary Aided and Foundation schools the governing body, as the employer, will make the appointment.

Under the Equality Act 2010, women are entitled to the same pay as men if they are employed to do the same work or work that is of equal value. Governing bodies must ensure that this requirement is complied with when making decisions about pay.

All teachers employed in community schools are subject to statutory conditions relating to their professional duties and working times which are set out in the annual School Teachers' Pay and Conditions Document ([STPCD](#)). These have effect as terms of their contracts of employment. In addition to these statutory conditions, teachers are subject to other non-statutory conditions which are laid down in their contracts of employment, such as those that provide for sick pay and maternity leave.

Flexible working policies help to recruit, retain and motivate teachers, provide the basis for sound financial and personnel planning within schools and minimise the risk of grievance and discrimination. There is a significant amount of evidence that shows that effective flexible working arrangements deliver positive benefits, such as increased employee motivation, commitment, less absenteeism and better employee relations.

Issue 3: Gender balance and career progression

We continue to encourage people from all backgrounds, particularly those groups that are underrepresented, with the right qualifications, skills and personal attributes to consider teaching as a career.

Although teaching is predominantly still a female-dominated profession, the proportion of men gaining QTS has increased marginally over the last decade.

We provide equality of access to financial incentives for full-time Initial Teacher Education (ITE) PGCE students regardless of their background or circumstances. This helps to ensure that Wales based ITE providers wishing to recruit the most talented individuals onto their courses, are able to do so with support.

It is our aim to develop a coherent suite of quality routes into teaching, supporting beginner teachers through ITE to achieve Qualified Teacher Status (QTS). We want all routes to have the same vision and understanding of the future teaching workforce for Wales and meet the needs of talented potential teachers, whatever their background and circumstances.

I recently announced a world leading development in the field of ITE – a new school based, university partnered part-time PGCE, to include a number of employment based places. It is intended that the part-time PGCE would enable trainees to maintain their current commitments including employment and income whilst studying part-time to be a teacher.

The flexibility of this new part-time route into teaching will potentially provide opportunities to widen participation for those groups currently underrepresented in Wales' teaching

workforce and enrich the profession by increasing diversity and allowing those with work-related experience from other fields and greater life-experience in general, to enter teaching.

The National Academy for Educational Leadership (NAEL), the new body tasked with inspiring educational leaders of the future has recently been launched (16 May). The Academy will work with partners across the system to provide strategic support for those in current leadership roles as well as providing encouragement and inspiration for those who wish to pursue a leadership career in education.

The NAEL will secure, nurture and inspire leaders across the entire system in both Welsh and English medium settings. It will do this in partnership with all those who have a part to play in realising the ambition for the Welsh education system and *Our National Mission* and we will continue to work with the all parts of the education system to ensure that the Academy is truly representative.

The National Academy for Educational Leadership will support all leaders at whatever stage of their careers they are. It will give them the confidence, support and development that they can achieve and be the best.

We engaged with a wide range of stakeholders to co-construct and develop the vision, values and principles of the Academy which are based on a commitment to the principles of equity of access to provision, and provision that is of the highest quality.

Issues 4 & 5: Pay and conditions

Currently, teachers' pay and conditions are non-devolved and remain the responsibility of the Secretary of State for Education and are set out in the STPCD.

I understand that under the current regulatory requirements schools can award a TLR payment to a classroom teacher for undertaking a sustained additional responsibility, for the purpose of ensuring the continued delivery of high-quality teaching and learning and for which the teacher is made accountable. TLR1s and TLR2s are permanent while the postholder remains in the same post in the staffing structure (TLR3 is time limited usually for one-off projects etc). All decisions should be made on objective criteria so that there is no discriminatory effect on any teacher or group of teachers with a particular protected characteristic under the Equality Act 2010. Part-time teachers must be paid a percentage of the appropriate full-time equivalent salary and the same percentage must be applied to any allowances, including TLRs, awarded to a part-time teacher.

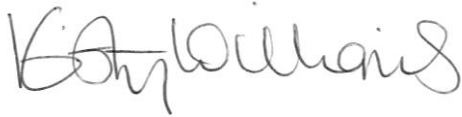
The transfer of powers to Wales in respect of teachers' pay will come in to force from 30 September 2018, allowing Welsh Ministers to set teachers' pay and conditions in Wales for the first time in September 2019. The Welsh Government is determined to use these powers to ensure Wales is an attractive place to come and teach and have a nation-wide approach that best suit Wales' needs. There are currently two pieces of work underway: an Independent Review Panel looking at the content of the pay system; and separately the development of the process used to determine teachers' pay. By September 2018 we need to have in place a mechanism for how we determine teachers' pay and a public consultation on a proposed process closed on 4 May. WG officials are currently considering the responses before I decide on the appropriate mechanism going forward.

All pay systems should be designed to be fair and equal for all staff. It is important that our new teachers' pay system does not in any way contribute to pay inequalities. We need to understand both the level and nature of such inequalities within the current teachers' pay

system and then ensure that if/where these deficiencies exist they are not repeated going forward. The new mechanism for determining teachers' pay and conditions in Wales will include opportunities to identify and address such issues.

In closing, I would like to reassure the Committee that I value all teachers and the important work that they do in our schools. I will ensure that in all our policy development we consider the diverse requirements of the whole workforce.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Kirsty Williams', written in a cursive style.

Kirsty Williams AC/AM

Ysgrifennydd y Cabinet dros Addysg
Cabinet Secretary for Education