

Kirsty Williams AC/AM
Y Gweinidog Addysg
Minister for Education



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-05-805
Ein cyf/Our ref KW/05272/19

David John Rowlands AM
Chair - Petitions committee.
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11 February 2019

Dear David

Thank you for your e-mail correspondence of 1 February enclosing further comments from Sheila Jones on behalf of the Fair Deal for Supply Group.

Once appointed the Independent Welsh Pay Review Body will consider all aspects of teachers' pay and conditions as per the terms of the annual remit letter following discussion with stakeholder groups including the teaching unions. The Review Body will comprise independent representatives appointed following a formal public appointments exercise which is currently underway. If remitted to do so, the Review Body will be able to consider and make recommendations on the pay of temporary teachers employed in the maintained sector.

I have set out previously the steps we are taking to support qualified supply teachers who choose to register with commercial supply agencies. The changes included in the revised National Procurement Service's managed service framework specification for agency workers include a number of practicable measures aimed at supporting teachers who work flexibly in this way while also enabling schools to make informed decisions about how they spend their delegated staffing budgets.

We have stipulated that supply teachers must be paid at least the minimum on the qualified teachers' pay scale within the current School Teachers' Pay and Conditions Document. However, there is nothing to prevent teachers being paid more than this; the requirement

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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.

simply ensures that a minimum pay threshold is safeguarded. We will also require supply agencies on the framework to ensure teachers receive adequate and relevant professional learning and publish the fees chargeable including stipulating the temporary to permanent fees permissible when a school wishes to appoint a supply teacher registered with an agency on a permanent basis. We have also removed the use of the Swedish Derogation clause in the Agency Workers Regulations which allowed agencies to offer guaranteed hours work contracts to supply teachers sometimes forfeiting their right to receive equal pay after 12 weeks in the same role.

All of these measures are aimed at ensuring transparency in the arrangements applied, ensuring that hiring schools and agencies take account of our Code of Practice on Ethical Employment in Supply Chains and abide by our *Fair Work Nation* principles.

Teachers' pension arrangements have not been devolved to Wales and therefore Welsh Ministers have no delegated powers in this area. Temporary teachers employed directly by local authorities or schools will continue to access the Teachers Pension Scheme. Those employed by private supply or recruitment agencies are statutorily required to be enrolled under the Westminster Government's NEST pension scheme.

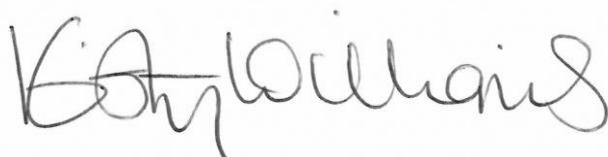
The Teachers' Pay and Conditions Partnership Forum includes representatives from all the teaching unions and employers. The teaching union members attend to represent the views of all their members including supply teachers.

Under the local management of schools arrangement it is for school governing bodies and/or the local authority as the employers of teachers to determine how best to cover for planned and unplanned teacher absence. The school-based supply cluster model currently being piloted by the Welsh Government supports local authorities and clusters of schools to administer direct employment supply model on a local level encouraging employers to work collaboratively to support local and regional supply cover arrangements which meets their needs. A formal evaluation of the pilot is underway with a formal report expected later this year. Best practice case studies will be communicated widely to the sector.

Legislation allows for school governing bodies to employ an effective school workforce as they see fit, including a direct employment model for appointing temporary teachers. In response to concerns raised about whether teachers can be employed directly through payroll I understand that the Welsh Local Government Association has written directly to all Directors of Education within local authorities reminding them that schools have a right to appoint and employ such teachers directly should they wish.

As I have said previously I remain fully committed to ensuring that classrooms are led by a qualified teacher. Other than qualified teachers only a limited number of individuals can undertake specified work, i.e. teach, in certain limited circumstances as defined by the specified work requirements.

Yours sincerely

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

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