

Education and Lifelong Learning Committee

Consultation on The Education (School Teachers' Qualifications) (Wales) Regulations 2004

Reaction to consultation responses – proposed amendments

1. All consultees who expressed a view agreed that a set of restated and updated regulations on qualifications would be appropriate.
2. For the individual proposed key changes, most were supported by the majority of responses.
3. Following an analysis of consultation responses and further consideration of the proposed regulations, the Welsh Assembly Government is minded to make the following amendments to the draft Education (School Teachers' Qualifications) (Wales) Regulations 2004.

Recognition for those on ITT courses in Wales to be qualified

[Draft Regulation 5 and Part 1 of Schedule 2 – Responses Question 8(a) – Consultation Document paragraph 38(a)]

4. The consultation exercise proposed adding some additional requirements to the definition of what is required for those on initial teacher training courses in Wales to be recognised as qualified teachers. These were broadly welcomed for the most part.
5. However, one proposal – that students must have undertaken practical teaching experience wholly or mainly in Wales – had views both for and against. Those in favour felt that this would support teaching in Wales. However, concerns against were that this could reduce the range of practical teaching experiences for students, and that it would cause difficulties for initial teacher training providers in border areas.
6. Although the original proposal noted the importance of those on initial teacher training courses in Wales taking at least the majority of their practical teaching experience here, we do recognise that for many students this already happens. We also recognise that students on courses in Wales may take up teaching posts in England or elsewhere; and that teachers from England (and, indeed, throughout the EEA) can take up teaching posts in Wales. We also consider that the concerns about potentially reduce the range of practical teaching experiences for students, and likely difficulties for initial teacher training providers in border areas, have merit.

7. In view of this the Welsh Assembly Government proposes to drop the proposed requirement that to be recognised as qualified teachers students on initial teacher training courses here must have undertaken practical teaching experience wholly or mainly in Wales. The current draft paragraph 4(d) of Part 1 of Schedule 2 would be deleted and there would be minor consequential changes to 4(b) and (c).

Mandatory qualifications for teachers of pupils who are hearing impaired, visually impaired or both hearing impaired and visually impaired

[Regulations 6-9 – Responses Question 8(d) – Consultation Document paragraph 38(d)]

8. Although there were no objections to these proposals, on reflection we have reservations that what is proposed in relation to the mandatory qualifications adequately reflects the Welsh Assembly Government's SEN policy direction. At the moment the draft regulations require only those teaching a class of pupils who are hearing impaired, visually impaired or both to have an approved qualification. We would expect such children to be placed in mainstream classes and be withdrawn for specialist support but the wording of the present regulations does not provide for a requirement for an additional approved qualification to carry out such teaching where it does not take place in a class.

9. The Welsh Assembly Government therefore is minded not to proceed with the proposed replacements for regulations 11-14 of the Education Teachers' Qualifications and Health Standards) (Wales) Regulations 1999. We therefore propose to leave the existing provision in place for the moment and proceed to draw up separate standalone regulations specifically relating to qualifications for those teaching hearing or visually impaired children, whether or not in a class.

10. The effect is that current draft regulations 6-9 and paragraphs 1 to 3 of Part 2 of Schedule 1 would be deleted and there would be some consequential changes e.g. to regulations 3 (interpretation) and 5 (Qualified Teacher Status) and to Schedule 1 part 1 (revocations). Because of changes elsewhere in regulations, this intention to leave existing provisions unchanged for the moment will also need some consequential amendments to regulations 11 to 14 of the 1999 Regulations added to the 2004 regulations so as to refer to "a teacher qualified in accordance with regulation 5 of the Education (School Teachers' Qualifications) Regulations 2004" instead of the current "a teacher qualified in accordance with Schedule 3".

11. This approach now fits in with our general approach to updating the 1999 Regulations. We have already decided to separate out the health standards part of those regulations and replace them with separate legislation. Adopting the same approach for another specialised area makes sense.

FE qualified teachers working in maintained schools

[Regulation 12 – Responses Question 8(i) – Consultation Document paragraph 38(i)]

12. This proposal would permit specific provision to be made in the proposed employment based teacher training scheme [Regulation 12 – Responses Question 8(g) – Consultation Document paragraph 38(g)] for persons with qualifications such as a PGCE(FE) to be assessed by a competent person to determine whether they meet the specified standards without undertaking further training if certain criteria are met.

13. The aim here was to provide a more straightforward resolution to a few cases which have come to light where teachers who had thought that they had Qualified Teacher Status (QTS) had, on further investigation, had a related but not entirely comparable further education qualification, usually a PCGE (FE). At present, such teachers would need to gain QTS via the Graduate Teacher Programme (although a short programme of 3 months could be undertaken if the circumstances warranted it).

14. This proposal had mixed responses. Most comments were in favour in principle – but these included reservations about the need for high standards, or the need to restrict the availability very tightly to cases of long-term employees only, or the need to emphasis on the fact that this should not be seen as a general route to QTS for FE teachers, but an option only available in limited circumstances.

15. Concern was expressed in some responses that this proposal would put Wales out of step with England in an area – the mutual recognition of qualifications – that has worked to the benefit of both countries up until now. There was a suggestion that it could damage the perception of QTS in Wales as being equivalent to England. Concern was also raised about how defensible it was to allow teachers without QTS but with PGCE(FE) to be treated differently to other teachers erroneously employed as qualified teachers.

16. The wide range of comments and the variety of additional criteria or concerns raised indicate that we should re-examine this proposal carefully. The underlying message is clearly that the QTS standards need to be very carefully maintained and that the proposal should continue only if a variety of extremely tight criteria and processes were introduced.

17. Even if this were done, however, there are still issues about why those erroneously employed as qualified teachers but with a PCGE(FE) should receive what would amount to preferential treatment. There is the also the related underlying concern that this approach might devalue the QTS standard in Wales.

18. The Welsh Assembly Government does not feel that it is possible to introduce restrictions which are sufficiently robust to maintain confidence in the QTS standard and which are workable in practical cases. We are therefore minded not to proceed with this proposal. The current draft regulation 12(5) would be deleted and draft paragraph (6) would be renumbered (5).