

Education and Lifelong Learning Committee

Date: 1 October 2003
Title : Minister's Report

1. This report updates the Committee on specific issues raised by members and on issues of current interest. As agreed issues raised by members are covered first. **Annex A** sets out major engagements since the last report.

2. MERGER PROPOSALS OF THE UNIVERSITY OF WALES INSTITUTE, CARDIFF (UWIC) AND UNIVERSITY OF GLAMORGAN

Proposals for the merged institution of the University of Glamorgan and UWIC are in line with the strategy outlined in "Reaching Higher" for reconfiguration of the sector. Much progress has been made in the last year.

The governing bodies of both UWIC and the University of Glamorgan agreed at their respective meetings in July to continue discussions on the basis of the intention to merge for the 2004/05 academic year. The institutions submitted their business plan for merger to the Higher Education Funding Council for Wales (HEFCW) on 1 August with the aim of it being considered by the Council this Autumn.

The public consultation of the merger proposals was launched on 28 August by the two institutions, with responses requested by Friday 19 September.

3. DEVOLUTION OF STUDENT SUPPORT

On 17 July, I announced simultaneously with the Wales Office that the UK Cabinet had agreed that a legislative opportunity would be sought to give the National Assembly power over the HE tuition fee regime and transfer the student support system to Wales.

It is the Assembly Government's intention that, subject to the financial settlement being right, we will take responsibility for student support from the start of the academic year 2006. We will also implement our manifesto commitment that variable fees will not be introduced in Wales during the lifetime of the second Assembly.

I have invited Professor Teresa Rees to chair an independent study of the issue of variable fees and advise on the way forward for Wales. The study group will also provide advice on how we might use devolved powers over student support to achieve the best possible outcomes for Wales.

A three-year programme of work has been designed to deliver the transfer and undertake the work associated with a policy review conducted by Professor Rees. I shall keep the ELL Committee informed of developments with the study group over the coming months

4. 6th FORM FUNDING

On 8 August, ELWA NC issued a circular on the “Implementation of, and timetable for, the National Funding system. This provided information on developments in the implementation of the National Funding System for post 16 learning (except HE) in Wales, and the redefined timetable for implementation. Work on this programme is continuing; informal consultation with provider groups, external stakeholders and others has been taking place throughout the Summer and will continue throughout the Autumn of 2003.

The National Council - ELWVa will be presenting the new system and setting out its implications for all learning providers to the Education and Lifelong Learning Committee in December 2003 and regional information meetings will be held in the New Year for stakeholders.

NC – ELWVa intends to run the new funding system in parallel with the existing methodology for the first year from August 2004. Transitional arrangements will be put in place to help facilitate a smooth transfer to the new model. These arrangements will include measures to cushion and dampen any negative budgetary impact. The NC-ELWVa is required to notify LEAs of the funds being made available for sixth forms by 31 January each year. It is likely that the 2004-05 allocation notified in January 2004 will be based on the change in pupil numbers between September 2001 and September 2003.

As for the impact on school 6th Forms, NC – ELWVa intends to provide information to LEAs and schools on how the new system will impact in January 2004, subject to the availability of the relevant data.

5. PROGRESS ON TEACHERS WORKLOAD

The first phase of the changes to the schoolteachers’ contract took effect this month. It requires that teachers should no longer routinely carry out twenty four identified administrative tasks; that members of the leadership group in schools should have a reasonable allocation of time to carry out their duties; and, for schools to have regard to teachers’ work-life balance when allocating tasks. These changes apply to all maintained schools in Wales and are a statutory requirement.

Many schools will already have removed these clerical and administrative tasks from teachers; others, particularly small schools, may have to consider some re-organisation. I have made £3 million available for this purpose and, since many of these schools are in rural areas, provided that the £3.5 million funds for small rural schools may also be also used in that way. LEAs have been asked to identify a senior member of staff who can take the lead on advising schools in these respects and my officials are in close touch with them. I do not expect that schools will need to make major changes – in most cases it will be possible to assign tasks to other existing staff provided, of course, that job descriptions and remuneration are properly negotiated.

I have made it clear to local authorities that, while I am not prepared to provide additional funding for the workload agreement at this time, I will consider doing so if hard evidence of need can be provided in the light of

schools' experience of implementing the changes. In considering need, I will take into account how LEAs have used the £6.5 million already provided.

The Agreement requires the Assembly Government to take further steps to reduce the bureaucratic burdens on teachers. Accordingly I am strengthening the team of officials that are responsible for this work and I intend to appoint an independent panel from the profession to oversee their work along the lines of the Implementation Review Unit in England.

6. SPECIAL EDUCATIONAL NEEDS

Members asked for an update on progress on SEN matters in general. I shall be providing an issues paper for our Committee policy review on SEN in due course. The material below covers a broad range of current progress on SEN matters.

The Welsh Advisory Group For Special Educational Needs

WAGSEN was established to provide me with advice and offer guidance on all matters relating to the field of Special Educational Needs (SEN) in Wales. The group was first constituted in July 1998 and was reformed in April 2002. The group consists of representatives from both the statutory and voluntary sectors. The terms of reference as agreed by the committee are to:

- work alongside the All Wales Steering Group in considering strategies for regional SEN planning and provision,
- advise the Minister for Education and Lifelong Learning on the development of specific SEN policy objectives,
- consider performance in the key areas addressed in the Learning Country, and
- advise on and monitor the development of the proposed SEN tribunal for Wales.

Since its reformation the group has considered the following matters:

- Acknowledging Need – Welsh medium and bilingual services for children and young people with special educational needs
- Child and Adolescent Mental Health Strategy
- Educational Psychology Services
- Resuscitation Study
- Sensory impairments – presentation by SENSE Cymru
- Speech and Language Services for Children and Young People aged 0-19 years
- Provision for Children and Young People with Hearing Impairments(HI) (including RNID work on children aged 0-2 years and HI provision for children aged 2+)
- Audit Commission Reports – SEN a Mainstream Issue
Statutory Assessments and Statements
- Planning Duties – Increasing Access for Disabled Pupils
- Promoting Children's Mental Health

- Guidance on Inclusion
- National Steering Group updates

The National Steering Group for Special Educational Needs in Wales (NSGW)

The NSGW was established to take the SEN agenda forward at both an operational and strategic level. The group is constituted of Assembly Officials and Development Officers for SEN.

In April 2002 I appointed two Development Officers for SEN, a further two officers were subsequently employed as of June 2002. Since this time one officer has left to take up a new post. The three remaining Development Officers have been seconded to work for the Welsh Assembly Government for a three year period to March 2005.

Each development officer has a specific remit, often aligned to their own area of expertise and specialist knowledge.

The development officers are currently working on a number of priority tasks such as:

- The review of speech and language services for children and young people in Wales;
- Provision for children and young people with sensory impairment, including hearing impairment, visual impairment and multi-sensory impairment;
- The education of children and young people with autistic spectrum disorders;
- SEN validated training;
- The education of children with special health needs;
- Guidance on Inclusive Education
- Guidance on the education of children who are more able and talented;
- Transition planning arrangements (Autumn 2003); and
- Welsh medium SEN provision (Autumn 2003).

Inclusive Education

I will shortly be consulting on draft guidance in relation to Inclusive Education.

This document provides draft statutory guidance on the practical operation of the statutory framework (sections 316, 316A and Schedule 27) of the Education Act 1996 and the Special Educational Needs (SEN) and Disability Act 2001. It provides practical examples of the steps schools, LEAs and other providers should consider taking to ensure inclusive education for all children and young people.

In order to promote inclusion in our schools, I was pleased to be invited to launch the Index for Inclusion in schools in Wales to be held at the Pavillion Conference Centre, Llandrindod Wells on 9th October. In summary, the Index offers schools a process of investigation and change to help break down barriers to learning and participation for all pupils. The process does not just focus on special educational needs, but offers cycles of activities and questions under the three broad headings of School Cultures, Policies, and

Practices, thus affecting a whole school's population. As such, I have agreed to purchase the Index for all schools in Wales and will be asking Estyn to monitor how schools and LEAs are developing inclusive practices.

Speech and Language Services for Children and Young People

We held a very productive conference on July 3rd entitled "Working Together" to launch the joint consultation document on the future delivery of services to children with speech, language and communication difficulties. Jane Hutt and I both launched the document at the conference which was very well attended by professionals and practitioners as well voluntary organisations and parent groups.

A Speech and Language Therapy Action Group, was established and have suggested a number of ways to improve current service provision for this group of young people across both health and education services. Key issues outlined in the report include;

- conflicting policies and priorities across health and education services;
- a lack of co-ordinated working arrangements between health and education;
- inadequate systems to facilitate the development of a joint evidence base on current levels of needs and service provision;
- lack of equity over the funding arrangements for the delivery of services;
- legislative framework can lead to tension across agencies and is often confusing for parents;
- there is an escalating demand for speech and language therapy services;
- there are insufficient speech and language therapists to meet demand and too few are currently undertaking training;
- a lack of flexible and bilingual training arrangements; and
- insufficient resources generally and, more specifically, through the medium of Welsh.

The consultation period ends on 31st October and I will report the findings of this consultation to a future meeting of this committee.

More Able and Talented

I have issued a consultation document on draft guidance in relation to the education and support for children who are more able and talented. This guidance document aims to:

- Clarify definitions
- Provide specific guidance on identification
- Highlight characteristics of high quality provision across LEAs and within schools
- Clarify the relationship between LEAs, schools and governing bodies in managing provision for more able and talented pupils

- Offer guidelines for LEA policy development, monitoring and evaluation
- Promote effective working relationships with individual parents/carers and voluntary groups.

The consultation period ends on 31st October 2003 and I will inform you of further updates in relation to this document.

Special Educational Needs Tribunal for Wales

As from April 2003 Wales has established its own SEN Tribunal for Wales, hearing cases from November 2003 in relation to a child or young person's special educational needs.

The Special Educational Needs Tribunal for Wales is an independent body which has been established under section 185 of the Education Act 2002, under the jurisdiction of section 333 of the Education Act 1996, for determining appeals by parents against LEA decisions on assessments and statements. The Tribunal's decision is binding on both parties to the appeal.

Independent offices have been established in Llandrindod Wells and both Chairs and lay members of appeal panels have been interviewed. At the time of writing this report eighteen appeals are being considered. The Tribunal will of course consider appeal papers through the medium of English or Welsh compliant with parents language preference.

7. FOUNDATION STAGE

The responses to the successful consultation that ended on 31 May 2003 confirm that we press on with plans to pilot, and subject to successful outcomes, introduce a Foundation Phase for 3-7 year olds. 96% of respondents agreed with the proposal to develop a Foundation Phase. The consultation response document is currently being translated and will be published in the next two weeks. A Risk Assessment has been undertaken and an Action Plan constructed.

We are currently developing a strategic framework for future developmental work and to build on the current good practice within the sector. The Action Plan we have formulated gives details of specific action that is to be taken by the Department for Training and Education with its partners to:

- enhance and extend the learning experiences of our youngest children;
- give every child a flying start; and
- raise standards and enhance professional practice.

Developments will be taken forward by a Project Board. Detailed work will be undertaken by sub-groups in close collaboration with the Project Board and providers.

The focus throughout has been on learners and their needs. We believe that high quality teaching, with support and training delivered by well-informed providers, in all settings, is essential to the achievement of an effective Foundation Phase.

There is currently much good practice in early years settings throughout Wales. However, if all provision is to reflect best practice and children are to acquire and maintain high standards as well as develop positive attitudes towards lifelong learning, then some change is required. Best practice must be disseminated and extended to all settings if children are to make the most of their potential. The Foundation Phase pedagogy makes significant professional demands and is designed to provide a better preparation for future learning. The Foundation Phase will:

- enhance the quality of provision;
- provide an appropriate curriculum and experiences that will help young children to achieve high standards; and
- develop an understanding of their roles as future citizens of a bilingual and multi-cultural society.

The main themes of the developments relate to:

- a Wales-wide approach informed by the needs of learners together with the expertise and experience of learning providers working in partnership;
- the adoption of measures that will raise children's standards of achievement, enhance their positive attitudes to learning, address their developing needs, enable them to benefit from educational opportunities later in their lives, and help them to become active citizens in their communities;
- the development of an all Wales Training Framework to meet the needs of all personnel working with our youngest children;
- the maintenance of positive links between the home, and the providers of education and care;
 - sound monitoring and evaluation to ensure consistent and focused review of developmental strategies; and
 - assessment systems that better support learning and effective practitioner intervention.

8. CURRICULUM CYMREIG

On 17 September, I gave the keynote address at a conference organised by ACCAC to launch the Authority's revised guidance on the Curriculum Cymreig. I regard the Curriculum Cymreig – the Welsh dimension in the school curriculum – as a vital ingredient in the development of an increasingly distinctive and different curriculum in Wales.

The common requirements of the curriculum already provide that :

“pupils should be given opportunities, where appropriate, to develop and apply knowledge and understanding of the cultural, economic, environmental, historical and linguistic characteristics of Wales”

However, as Estyn reported two years ago, while there was widespread support for the concept of a distinctive curriculum and there were many examples of good practice, there was a considerable variation in the quality of planning for the Curriculum Cymreig both between schools and within subjects in individual schools. Estyn also found there to be significant regional variation in the quality of planning for it, and a perception among many schools in the English-medium sector that it is an almost exclusively Welsh-medium issue.

This perception cannot be right. It is a common requirement which all schools should be delivering. The publication of ACCAC's guidance, which includes case studies of good practice, will help schools to develop a better understanding of the Curriculum Cymreig, and how to develop and deliver it in their own locality and community.

I would draw the Committee's attention to a paragraph in the Introduction to ACCAC's guidance which encapsulates what the Curriculum Cymreig is all about :

“A Curriculum Cymreig helps pupils understand and celebrate the distinctive quality of living and learning in Wales in the twenty-first century, to identify their own sense of Welshness and to feel a heightened sense of belonging to their local community and country. It also helps to foster in pupils an understanding of an outward-looking and international Wales, promoting global citizenship and concern for sustainable development. But it is the degree of commitment to a Curriculum Cymreig that determines its success. This commitment should arise from a realisation that the Welsh experience, in all its aspects, can provide an invaluable opportunity to extend the educational experience for all pupils in Wales”

The Curriculum Cymreig is not confined to statutory schooling. The Welsh Bac core requires students to study “Wales, Europe and the World” which will give them a sophisticated understanding of “Welshness”, and place it in a wider international context.

9. WELSH BACCALAUREATE

I should like to draw members' attention to the formal recognition of the Welsh Baccalaureate Qualification by the Universities and Colleges Admission Service (UCAS). The UCAS Board has decided to allocate 120 tariff points to the Welsh Baccalaureate core. This means that students who successfully complete the Welsh Bac at advanced level will have the equivalent UCAS points score of an A grade GCE A level in addition to the points they earn from their optional studies. I alerted the Assembly to this in more detail in my oral statement of 24th September.

10. WELSH ASSEMBLY GOVERNMENT FUNDING FOR IMPLEMENTING “EXTENDING ENTITLEMENT”

A progress report on ‘Extending Entitlement’ and the ‘Young People’s Partnerships’ was presented to the ELL Committee on 17th July 2003. Members asked at that meeting for an outline of grants used to fund YPPs. This information is below.

FUNDING	2001-02	2002-03	2003-04	2004-05	2005-06
Special Grant to support the establishment of YPPs, CYP Framework Partnerships, & young people’s participation at local authority level	£60k	£80k	Funding for this year subsumed in Cymorth		
RSG to support development of the statutory & voluntary youth service in response to the “new burdens” faced as a result of implementing Extending Entitlement	£1.75m	£3.75m	£4.75m	£4.75m*	£4.75m*
Proportion of Cymorth funding to be used for targeted provision for young people aged 11-25			£14m approx	£13.86m* approx	£15.81m* approx
Special Grant to voluntary sector to support their capacity to participate in YPPs – one-off payment	-	-	£440k	-	-

Notes

1. Figures marked * not yet finalised & subject to Assembly Government budgetary processes.
2. NOF also provided funding under the title “Activities for Young People” – £3.25m over 3 years from 2001-2.

The availability of other funding sources such as Communities First and Objective 1 in many areas may make it possible for some YPPs to maximise the benefit of relatively small amounts of additional funding by drawing down match funding.

11. 14-19 LEARNING PATHWAYS

We are moving ahead with our 14-19 developments. Following an open nomination process over the summer, involving stakeholders from across Wales, we’ve established an Overarching 14-19 Steering Group (to give strategic direction to the project) and a shorter-term Learning Pathways Group, the latter supported by six specific task and finish groups. The groups came together for the first time on 5 September, en masse, to learn of their roles and responsibilities and how the next phase of this complex project is to be taken forward.

12. AUDITOR GENERAL'S REPORT ON THE NATIONAL COUNCIL'S FINANCIAL MANAGEMENT OF PARTNERSHIP AND INNOVATION AND DEVELOPMENT PROJECTS

The Auditor General for Wales published his report "ELWa – The National Council for Education and Training for Wales: Financial Management of Partnership and Innovation and Development Projects" on 16 September. The report covered the Pop Centre and MP3 Project, other Innovation and Development Projects and payments to training providers in March 2002. The Auditor General's report was considered by the Assembly's Audit Committee at an evidence taking session on 25 September. The Audit Committee will now produce its own report and the Welsh Assembly Government will respond to that report within 30 working days.

The National Council's Action Plan

I wrote to Committee Members on 16 September enclosing a copy of the National Council's action plan and the terms of reference for the independent consultants that the Assembly commissioned to review the plan. My remit letter to the National Council for 2003-04 required the Council to prepare an action plan for dealing effectively with all areas of weakness and to ensure full implementation by September 2003.

Pricewaterhouse Coopers (PWC) were commissioned by the Assembly to carry out a review of the action plan and PWC has produced an interim report on progress to the end of August. A copy of PWC's report was also enclosed with my letter of 16 September. Overall, the interim report confirms good progress by the National Council to address the weaknesses identified by the Auditor General for Wales and the Council's Internal Audit Service. The report also acknowledges that there is further work to be done by the Council over the coming months to properly embed new processes and procedures as it works through the detail of its organisational restructuring.

13. ASSESSMENT RESULTS AND REVIEW OF KEY STAGE 2 and 3 ASSESSMENT ARRANGEMENTS

At our meeting on 18 June I informed the Committee that Professor Richard Daugherty would chair a group of experts remitted to review the Key Stage 2 and 3 Assessment Arrangements. I am now able to confirm that membership of the Group has now been finalised and the first meeting was held on 3 September. The full list of members is:

Professor Richard Daugherty	Chair
Mark Ansell	Plas Crug Primary School, Aberystwyth
Michael Bassett	Treorchy Comprehensive School, Rhondda Cynon Taf
Sioned Bowen	Corporate Director of Lifelong Learning, Denbighshire
Helen Cleaves	Parent Governor, Durand Primary School, Caldicot

Keith Davies	Head of Standards and Performance, Department for Training and Education
Susan Lewis	HM Inspector, Estyn
Gareth Morgans	Nantgaredig Primary School, Carmarthenshire
Irene Perry	Ysgol John Bright, Conwy
John Williams	Chief Executive, ACCAC

The group has an intensive schedule of meetings between now and the end of the year and I have asked for an interim report early in January with a final report with recommendations due at the end of March 2004. I shall continue to keep the Committee informed of progress.

National Curriculum Assessment Results – 2003

This year's provisional results published on 3rd September were, overall, very encouraging. With gains of six and three percentage points achieved in mathematics and science at Key Stage 3 the highlights. Equally important were the small gains made in English and Welsh.

In Key Stage 2, apart from a slight dip in English Teacher Assessments, these represent our best ever results by 11-year-olds with gains of 2 and 3 percentage points in the Welsh, mathematics and science test results. These results provide a good platform on which to build in secondary schools during Key Stage 3.

The results at Key Stage 1 again lead the way with over 80 percent again achieving at least level 2. The high standards achieved in recent years have been maintained. The challenge now is to lift the results to the next level of performance.

Overall our best ever results and ones on which we can build a future as the Learning Country.

Summary of results:

Percentage achieving at least the expected level at each Key Stage

	English		Welsh		Mathematics		Science	
	2002	2003	2002	2003	2002	2003	2002	2003
Key Stage 1 (TA)	83	82	87	87	88	87	88	88
Key Stage 2 (TA)	76	75	74	74	75	75	83	83
Key Stage 2 (Test)	80	79	75	78	73	75	86	88
Key Stage 3 (TA)	64	64	72	73	66	69	66	69
Key Stage 3 (Test)	62	63	71	73	62	68	67	69

TA = Teacher Assessment

14 SCHOOL TEACHERS' REVIEW BODY – EVIDENCE FROM THE WELSH ASSEMBLY GOVERNMENT ON TEACHERS' PAY AND CONDITIONS

The Welsh Assembly Government has submitted its evidence to the School Teachers' Review Body Report to consider as part of the process for its report on teachers' pay and conditions of service in 2004 and on longer-term issues.

These are not devolved issues: the Department for Education and Skills is responsible for teachers' pay and conditions of service in both Wales and England. At **annex C** is a summary note on the issues covered in the evidence. A copy of the full Welsh Assembly Government evidence is at **annex D**. I will be giving oral evidence to the School Teachers' Review Body on 16 October 2003.

15. GENERAL TEACHING COUNCIL FOR WALES ACTION PLAN ON TEACHER RECRUITMENT AND RETENTION

On 4 September the General Teaching Council for Wales (GTCW) published an Action Plan on Teacher Recruitment and Retention. I understand that copies have been sent to members; if not it may be found at this link : <http://www.gtcw.org.uk/pdf/english/GTCW%20Retention.pdf> or obtained from Committee Secretariat.. There are 65 recommendations addressed to a wide variety of bodies. Details are at annex E.

Many of the general aims support the Assembly's view of the teaching profession of the future, and action is being taken across a wide range of the points highlighted. I propose to provide a paper for a future meeting of the Committee setting out the Welsh Assembly Government's reaction to recommendations relevant to its responsibilities.

The Committee will note that the GTCW has included in its recommendations (section 2) that the Committee monitors the impact of the Action Plan. The Committee may want to consider this issue in the light of mine and others' response to the recommendations.

16. NEW SOUTH WALES

During 24 to 29 August 2003, I undertook a collaborative learning visit to NSW Australia. The visit was hosted by the New South Wales Department for Education and Training. During my time in NSW a full programme of meetings and visits enabled me to forge links with partners and benchmark Wales's progress as a Learning Country against a highly regarded education service.

I consider the visit to have been a successful one, and published a Cabinet written statement outlining both the programme for the visit and the benefits gained on 22 September 2003.

<http://assembly/aeqis/AssemblyStaffArea/cabinet/statements/2003/index.htm>

I hope that members will see that tremendous opportunities exist for developing joint working arrangements with our colleagues in New South Wales. Opportunities that would benefit both our Education Systems; while we may be a world apart in geographical terms we are also close neighbours in terms of our aspirations for young people and for lifelong learning. New South Wales is a place, like Wales, which is putting learner's interests first, offers wider access and opportunities for all, aspires to excellence across the board for both its teacher and students and is intent on making lifelong learning a reality.

I am optimistic that my visit to New South Wales will lead to the working up of a detailed education and lifelong learning schedule to the Memorandum of Understanding that already exist between the Government of New South Wales and the Welsh Assembly Government. This would seek to benefit our respective education and training departments by drawing on each other's experiences, expertise, practice and evidence base.

In the first instance, with the agreement of the Minister for Education and Training in New South Wales, I propose that such a document of understanding, should be carefully targeted at looking at a limited number of key areas that are of particular common interest between Wales and New South Wales. It is very much my intention that these should focus on collaborative learning in areas that would be particularly beneficial in achieving education policy objectives both here in Wales and in New South Wales.

Any final programme will be subject to further consideration and correspondence between the two relevant Departments and developments reported to ELL Committee.

17 SECONDARY LEGISLATION

The planned Secondary legislation for is attached (annex B) and I shall be advising the Committee of changes to it at each monthly report. The later items in particular are of course tentative. I should be grateful if members could alert me to any items they wish to scrutinise in particular.

The Education (Teachers' Qualifications and Health Standards) (Amendment No. 2) (Wales) Regulations 2003

The Committee will wish to note that The Education (Teachers' Qualifications and Health Standards) (Amendment No. 2) (Wales) Regulations 2003 has just been made. These regulations amend the current 1999 teachers' qualifications regulations to allow Open University students who started courses before 1 August 2003 to be granted Qualified Teacher Status in Wales. The regulations were made under Standing Order 22.27. Approval to make the regulations pursuant to the Executive procedure was given by the National Assembly Cabinet on 22 September. A note is attached at annex F which sets out in detail the reasons for making the regulations and for using the Executive procedure.

Schools Forums

At the committee meeting on 17 July we discussed the Schools Forums regulations. The content of the draft regulations and the timetable for their implementation was agreed and I undertook to report back to you on the outcomes of the second consultation as well as providing information as to whether or not a regulatory appraisal had taken place.

I will deal with the matter of the regulatory appraisal first. Under section 65 of the Government of Wales Act, a Regulatory Appraisal normally needs to be prepared for Assembly general subordinate legislation. However, the National Assembly document 'A Guide to Regulatory Appraisals' outlines certain circumstances when a Regulatory Appraisal is not required. The guidance states that an appraisal would not normally be prepared where the regulations are required to implement a commitment in primary legislation.

Section 43 of the Education Act 2002 states that every local authority must establish a Schools Forum 'in accordance with regulations'. Therefore, once this section of the Act is commenced regulations have to be put in place in order to prescribe various matters relating to the establishment, constitution, meetings, proceedings and functions of the Forum. Given that the regulations are required to implement the primary legislation it was determined that a regulatory appraisal would be inappropriate in this case.

The second Schools Forums consultation document invited comments on the content of the draft regulations and was issued electronically to local authorities, governor associations, teaching unions and other interested parties, including those schools who responded to the original consultation. It was also published on the Assembly's website.

The consultation period ended on 10 September 2003 and a total of 15 responses were received. Overall most respondents had no specific comments to make or were content with the content of the draft regulations. A number of responses raised issues specific issues which will be covered further in guidance on the establishment of Schools Forums.

As a result of the consultation three minor amendments have been made to the draft regulations.

Regulation 5(4)(c), which deals with the appointment of non-schools members, will be expanded so that it now reads 'teaching unions and other trade unions with members working in Wales';

Regulation 7(1)(b), which deals with consultation on the financial effects of changes to the school funding formula will be amended to read ' the likely financial effect of any such change'.

This acknowledges that consultations on formula changes will usually use historic data which means that the exact financial effect will not be known.

Regulation 9 deals with consultation on financial issues. As the main purpose of the Forum is to advise the authority on its schools budget this regulation has been moved so that it appears at the beginning and not the end of Part 3 of the regulations. The wording of the regulation has not been amended.

A full analysis of the consultation responses will be published shortly.

The Schools Forums (Wales) Regulations 2003 have now been published on the internet (30 September) and are due to be considered by Business Committee on 14 October and Legislation Committee on 21 October. I have recommended to the Business Committee that the regulations should follow the 'accelerated procedure' and that they should go before Plenary as part of a composite motion on 5 November. It is my intention that the regulations should come into force on 6 November 2003. The final decision on the procedure to be followed will be determined by the Business Committee.

19. CONSULTATION DOCUMENTS ISSUED SINCE LAST REPORT:

NAW Guidance Circular No: 28/03 Schools Requiring Special Measures or Found to Have Serious Weaknesses Following Inspection Under Section 10 of the School Inspection Act 1996

On 5 September 2003 the Welsh Assembly Government published new guidance to LEAs and schools to follow where a school has been found as a result of a Section 10 of the School Inspection Act 1996 inspection to be in need of special measures or to have serious weaknesses.

The guidance:

- highlights the LEA's responsibility to prepare a statement of action, work in partnership with the school, provide regular and well-targeted support and monitor progress;
- sets out the procedures to be followed when a school is identified as requiring special measures, including publication of the inspection report, preparation and implementation of action plans and monitoring of progress; and the removal of a school from special measures;
- sets out the procedures to be followed when a school is identified as having serious weaknesses including the completion of an action plan by the school;
- takes account of sections 54 to 56 of the Education Act 2002 relating to intervention in schools causing concern which came into force in January 2003, which enable intervention action by the Minister or the LEA to start

before the inspection report is published and extend the intervention powers to schools with serious weaknesses.

The guidance takes account of the responses from consultation earlier this year.

Consultation on LEA/School Partnership Agreements

This document seeks views on the content and timing of proposed regulations and guidance under section 197 of the Education Act 2002, which would require LEAs in Wales to enter into a partnership agreement with the governing body of each of the schools maintained by the authority.

The Act requires that a partnership agreement should set out how a LEA and a governing body will carry out their respective functions in relation to a school.

Regulations can set out:

- what those functions are;
- the duration of agreements;
- the intervals for review of the agreements;
- the time periods for the introduction of the agreements and their review.

The intention is that section 197 and the related regulations should come into force in September 2004.

The consultation document was issued for comment on 12 September 2003. Responses are to be received by 7 November 2003. In light of the responses, draft regulations and guidance will be issued for consultation in early 2004.

Consultation on Freedom of Information Act 2000: Model Publication Scheme for Schools

Section 19 of the Freedom of Information Act 2000 places a requirement on all public authorities to produce a publication scheme, to publish the existence of the publication scheme and to publish the classes of information contained in the scheme. All maintained schools in England and Wales are classed as public authorities under paragraph 52 of Schedule 1 to the Act and are required to comply with the requirements of the Act.

All maintained primary and secondary schools are required to have a publication scheme in place by 29 February 2004. A date for compliance by maintained nursery schools in Wales is being agreed with the Information Commissioner.

In order to reduce the burden on schools to produce individual publication schemes, the Welsh Assembly Government has been working with the Office of the Information Commissioner and the Department of Education and Skills to produce a model publication scheme for maintained primary and secondary schools that they can adopt with minimum effort.

The consultation document explains the background to the Freedom of Information Act 2000 requirements, the implications for schools and seeks views on a draft model publication scheme and explanatory notes. The notes should assist schools with adopting the model scheme and understanding what further action is required to comply with the requirements of the Act.

The consultation document was issued for comment on 26 September 2003. Responses are to be received by 21 November 2003. In the light of responses, the Model Publication Scheme will be issued to schools for the start of the Spring Term 2004.

Consultation on exclusion regulations

On 1 September I published a policy consultation document on the content of proposed regulations governing exclusion from school. This has followed discussions with education practitioners and local authorities that began in March this year. An initial discussion document requesting views was also placed on the internet in April.

The proposed regulations arise from provisions in the Education Act 2002 and we intend to have them in place by 9 December 2003. We are proposing to make two sets of regulations – one relating to maintained schools and the other to Pupil Referral Units (PRUs) – and they will cover both fixed period and permanent exclusions. The regulations will prescribe the limits on the powers of head teachers and teachers in charge of PRUs to exclude pupils, and will also set out the procedures to be followed following an exclusion.

These proposed regulations would make a number of changes to the current procedures around exclusions. The main changes would be as follows:

- The introduction of the right for all pupils registered at secondary schools or pupil referral units to appeal against exclusion.
- Removal of the automatic requirement for governing body's Pupil Discipline Committees to meet for exclusions of 6 to 15 days.
- Changes in the constitution of independent appeal panels.
- Introduction of a third option for appeal panels, to decide to overturn exclusion but not to reinstate the pupil to the excluding school.
- Introduction of a condition that exclusions cannot be overturned solely on the basis of a failure to comply with any procedural requirement.
- Changes in arrangements for money to follow excluded pupils.

The consultation document on the proposed regulations has been sent to key partners including: schools; PRUs; local education authorities; teaching and other unions; pupil and parent support organisations, diocesan authorities and voluntary organisations. The consultation period runs until Friday 24 October and the consultation document can be found on the Learning Wales website :

http://www.learning.wales.gov.uk/scripts/fe/news_details.asp?NewsID=850

We will also shortly be releasing draft guidance on exclusions procedures for consultation. This will provide more detailed guidance on the exclusion process, to accompany and support the exclusions regulations.

VISIT - Ysgol Gynradd Brynderi
VISIT- RV Prince Madog Ship to Meet Professor Roy Evans of Bangor University

9th July

MTG Virginia West Cardiff University and Dr Tim Westlake chair of WHEILA to discuss the agenda for WIC

MTG Professor Hobson Re: Australia Visit for Higher Education Institutions
SPCH - Launch of ACCAC KS1 textbook
MTG - Rt Hon Helen Clarke New Zealand Prime Minister

10th July

VISIT- Risca School
VISIT - Libanus School, Blackwood
VISIT - THRASS Programme at Windsor Clive Infants School
SPCH - NPQH Ceremony and Certificate Presentation
MTG - incoming new Vice-Chancellor for Swansea
SPCH - Llanmartin Primary Annual Leavers Event

14th July

LAUNCH - Credit Common Accord
MTG - With ACCAC
MTG - JCGQ & ACCAC
PRESENT - Ysgol Gyfun Coed-y-Lan Annual Awards Ceremony

15th July

MTG - incoming new Vice Chancellor for Lampeter
MTG - National Training Federation for Wales

16th July

SPCH - PSE National Network Conference

17th July

MTG - Denbighshire Officials Re: Bron Dyffryn
LAUNCH - Wrexham Healthy School Scheme
MTG - Bi Annual Joint Teaching Union Meeting
MTG - WLGA Annual Meeting Cllr Jeff Jones

18th July - 4th August – Annual Leave

5th August

MTG - Minister White (Hon Trish White), South Australian Minister for Education and Children's Services, and her Chief of Staff, Ms Lindsay Simmons

6th August

ATTEND Eisteddfod - Aim Higher Launch
ATTEND Eisteddfod - Lunch with Eisteddfod Officials
SPCH Eisteddfod - Save the Children Launch
LAUNCH at Eisteddfod - the Basic Skills Agency's new standards for Adult Literacy and Numeracy in Welsh

13th August

MTG - NIACE Dysgu Cymru
INTRVWS - A Level Results Press Interviews - BBC (English and Welsh) and HTV and Real Radio
MTG - Bilateral with Chair and Chief Executive (Acting) of ELWa
SPCH - Coleg Ceredigion Widening Awareness Launch

14th August

MTG - Telephone meeting with Dr Howard Williams regarding Youth Agency issues
INTRVW - 'A Level' Press Interview with Nicola Heywood Thomas

20th August

INTRVW - GCSE Results Press Interviews

21st August

INTRVW - BBC Good Morning Wales - GCSE Interview
MTG - Peter Williams - The Quality Assurance Agency for Higher Education

22nd August – 30th August Visit to New South Wales

2nd September

MTG - Susan Lewis and Sian Howells of ESTYN
MTG – Disability Wales Equality of Opportunities Committee
MTG - Rhiannon Bevan, Chair of the Keep Wales Tidy campaign to discuss the future of Eco Schools in Wales
MTG - David Miliband MP, DfES re Workload

3rd September

MTG - Kevin Fitzpatrick (Disabilities Rights Commissioner)
MTG - David Roberts University of Wales, Bangor
INTERVIEW - Richard Garner From The Independent
PRESENT - NVQ Certificates to the Workforce at Harp International Ltd
MTG - Vivienne Sugar Welsh Consumer Council and Rhiannedd Pratley Basic Skills Agency

4th September

SPCH - Launch of Welsh BaccaLaureate Conference (St Cyres School)
MTG – Professor Roger Williams Re: UWIC & Glamorgan - Telephone Conversation
MTG - Planning meeting for HE Delegation to NSW - Jan 2004
MTG - Brigadier RHT Aitken Re: Various Young Persons Initiative

8th September

MTG - Quarterly Bilateral with Don Touhig AM
MTG - the National Union of Students
MTG - A Pause with Jane Hutt re Sex Education

9th September

MTG - TUC Education Working Group
MTG - Mr Eid Ali Ahmed, Deputy Chief Executive, Welsh Refugee Council
MTG with Lyn Clement, General Secretary of Welsh Secondary Schools Association (WSSA)
MTG - Professor Teresa Rees to discuss the Second Rees Commission - Devolution of Student Support and Tuition Fees
DINNER with Directors of Education and LEA Cabinet Members

10th September

MTG - Directors of Education and LEA Cabinet Members
PRESENT - A* Awards for the UK top computing student
MTG - Mr Jim Edwards, Director of RNID Cymru

11th September

VISIT – UWIC Meeting with Chair of Governors
OPEN - Instant Muscle's new centre
PRESENT - SEN Resource Centre Awards Ceremony

12th September

SPCH – Cardiff Chamber of Commerce Breakfast Meeting
SPCH - NAHT Cymru's Annual Conference - "Education in the National Assembly's Second Term"
KEYNOTE SPCH - NUS Wales' Annual Convention "The Big Welsh One"

16th September

SPCH - Devolved Directions for Lifelong Learning in Scotland and Wales (ELWa)
SPCH – Launch at Techniquest, Wrexham
SPCH - ALG North Wales Launch
SPCH - TUC Trade Union Education Dinner

17th September

SPCH - Launch 'Curriculum Cymreig' (ACCAC)
MTG - Ruth Spellman C.E of Investors in People UK
LAUNCH of Induction - meeting with newly qualified teachers
SPCH - Ebbw Vale Comprehensive School Awards Ceremony

18th September

ATTEND - Launch Of NHS Open Week, Ysgol Tryfan, Bangor
VISIT - Bangor University Scheduled Visit
VISIT - NEWI Scheduled Visit

19th September

PRESENT - Tesco's Computers for Schools Awards

20th September

KEYNOTE ADDRESS - Forest School Conference

22nd September

LAUNCH - Anti Bullying Guidance at Severn Road Junior School, Riverside

23rd September

MTG - Education for Sustainable Development Panel
ATTEND - Workforce Agreement Monitoring Group
ATTEND - Launch of the Essential Guide

24th September

MTG - HOST EARLALL Conference
ATTEND - Formal evening reception - EARLALL

Annex C

School Teachers' Review Body – Evidence From The Welsh Assembly Government On Teachers' Pay And Conditions

Note on the issues covered

1. **Paragraphs 1-3: Introduction**
2. **Paragraphs 4-8: Teacher workload** – factual information on the position in Wales and the Welsh Assembly Government's approach.
3. **Paragraphs 9-33: Teacher recruitment and retention** – factual information on the position in Wales and the Welsh Assembly Government's approach, covering initial teacher training (9-16); teacher numbers and recruitment (17-23); retention (24-29); and incentives for recruitment and retention (30-33).
4. **Paragraphs 34-39: Education and local government revenue funding in Wales** – factual paragraphs setting out the Assembly's budget position at present and the approach to funding teachers' pay in Wales.
5. **Paragraphs 40-58: pay issues** – as follows:-
 - (a) paras 40-42: ***the headline pay figure: affordability*** – notes that given the impact of previous teachers' pay settlements (some of which have yet to fully register as a demand on resources) and further significant future costs associated with reducing teachers' workload, etc, at a time when there are increasing demands on the Assembly's resources, the Welsh Assembly Government would not disagree with the focus on an inflation-related general increase in pay.
 - (b) para 43: ***pay settlement covering more than one year / pay implementation date*** – as the Welsh Assembly Government indicated in its evidence last year, we welcome any development that allows schools a better basis for planning.
 - (c) paras 44-51: ***local and regional approaches to pay*** – agrees with DfES's evidence that this should be a time of consolidation of the existing system, but argues against DfES's proposal that there is a case for preparing the ground for change from 2006 onwards. Builds on the views expressed in our evidence last year that moving away from national rates of pay would be a bureaucratic burden on schools and heads, and that a closer examination should be made of the ability and willingness of schools to use the current recruitment and retention payments more.
 - (d) paras 52-54: ***post-threshold progression*** – agrees with the aim of more explicit guidance on the criteria for progression to UPS3 in order to give schools more certainty and to assist with financial planning. However, makes the point that the funding of the UPS is a matter for each country: DfES's proposal for cash limits via special grants and guidance to governors is matter for England's school financing, not something that can be governed through pay legislation. Emphasises that we do not propose rigid cash limits here (not in keeping with the way local authorities and schools are funded in Wales) and that the Welsh Assembly Government does not wish to see teachers' progression constrained by financial limits alone.

- (e) paras 55-65: **main scale pay progression** – the DfES evidence proposes a performance hurdle to be crossed by teachers in order to gain a point on the main pay scale (not currently directly performance related), with evidence coming from performance management reviews. Our evidence states that standards for progression on the main pay scale are a pay matter and for DfES. Providing requirements for a performance related dimension to this main scale pay were set out in pay legislation – and not in appraisal regulations – we do not anticipate any serious problems. (Teachers’ pay is not devolved so it is not possible for us to require schools to carry out performance assessments for pay purposes in any particular way. But our existing regulations allow relevant information from performance management review statements to be taken into account in decisions on pay.)
- (F) paras 66-70: **threshold assessment** – the DfES evidence proposes linking threshold to performance management (rather than to an independent assessment) in the interests of simplicity, with evidence being provided through performance management reviews. Our evidence indicates that the Welsh Assembly Government is sympathetic to proposals to simplify the current bureaucratic processes. As above, providing threshold assessment requirements were set out in pay legislation – and not in appraisal regulations – we do not anticipate any serious problems.
- (G) paras 71-76: **accelerated development scheme for teachers in Wales (the Fast Track)** – an expanded section which sets out the Welsh Assembly Government’s views on this matter for Wales. Our conclusion is that for Wales a Fast Track type scheme is too narrowly focussed and too expensive for what it offers and it asks the Review Body to note that no such scheme will be operating in Wales.

ANNEX D

SCHOOL TEACHERS' REVIEW BODY

WRITTEN EVIDENCE FROM THE WELSH ASSEMBLY GOVERNMENT

PAY AND CONDITIONS OF EMPLOYMENT OF SCHOOL TEACHERS

SEPTEMBER 2003

Introduction

1. This document sets out the Welsh Assembly Government's evidence to the School Teachers' Review Body (STRB) on teachers' pay and conditions. It relates to a number of issues on which the STRB in their letter of 25 June invited us to comment (the 'longer-term' issues set out in the Secretary of State for Education and Skills' letter of 1 August 2002), and to issues on which the STRB in their letter of 14 July invited us to comment (set out in the additional remit provided by the Secretary of State's letter of 11 July). It thus covers both the issues which the Secretary of State has asked the STRB to report on 3 November as well the issues he has asked the STRB to report on by 30 January 2004.

2. The STRB will be aware of the statutory background here. Teachers' pay and conditions of service have not been devolved to the National Assembly for Wales, and remain the responsibility of the Department for Education and Skills (DfES) for Wales as well as for England. But the Assembly is responsible for funding local authorities in Wales through the revenue settlement and decisions on pay affect its finances.

3. Our evidence offers comments on DfES's proposals for teachers' pay and conditions of service to the extent that may affect devolved areas in Wales. Changes to teachers' pay and conditions can also affect recruitment and are a key issue which can have an impact on the ability of the Assembly to deliver its education programme. We consider it appropriate, therefore, to comment on DfES's proposals to the extent that we feel that they may affect education in Wales.

Teacher workload

4. The Welsh Assembly Government is a signatory to the National Agreement on Raising Standards and Tackling Workload. Reducing teachers' workload is vital if we are to make teachers more effective and recruit and retain the teachers we need to support the drive to raise standards in our schools and help deliver our agenda in 'The Learning Country'. The changes to the teachers' contract outlined in the National Agreement on Raising Standards and Tackling Workload are a positive step to raising standards in the classroom, and will benefit all teachers.

5. The National Agreement emphasises that changes to the teachers' contract cannot be achieved without additional support in the classroom and

extending the role of classroom support. It proposes a new stream of Higher Level Teaching Assistants (HLTAs). In England, DfES have made new regulations which specify what work should be done by qualified teachers and clarify the use of support staff in supporting teaching and learning in schools. They have also published standards developed by the Teacher Training Agency for Higher Level Teaching Assistants (HLTAs). We will be consulting later this year on our parallel proposals for Wales. We will necessarily take account of these developments whilst properly reflecting the needs of teachers and schools in Wales.

6. However, decisions on the best way of supporting the changes to the teachers' contract – whether HLTAs are used, for example, or whether other types of support would offer what was needed – are a matter for individual schools to determine within their own budgets, according to their priorities. If changes to the teachers' contract are to be delivered, schools will have to look for innovative ways of deploying staff – and that includes developing the roles and responsibilities of classroom support. We will consult our education partners on how we develop the role of support staff in Wales; we see a lot of sense in looking at how we can develop the role of existing support staff, particularly in secondary schools

7. Teachers in Wales will have more support for their work, through £22.4 million funding from the Assembly over the next three years for additional administrative support and a change management programme to help schools adopt working practices that will reduce teachers' workload and meet the requirements of the National Agreement. In addition, Assembly funding is currently available to local education authorities to employ classroom assistants through the GEST (Grants for Education Support and Training) Classroom Support Fund.

8. The provisional results from the January 2003 Schools' Census showed that there were 12,300 support staff full-time equivalent in schools, an increase of over 1,000 since January 2002; this includes an additional 660 teaching assistants. We do not set targets for the recruitment of staff in schools, however.

Teacher recruitment and retention

Initial teacher training

9. There is a clear Wales and England initial teacher training market, and recruitment to initial teacher training courses in Wales includes significant numbers of students from England (and also a noticeable minority from the Republic of Ireland). It is not possible therefore for initial teacher training enrolments to be used as a direct indicator of the state of teacher recruitment here.

10. Overall intake targets for providers in Wales and initial teacher training recruitment in Wales has remained relatively steady over the last few years (as have teacher vacancy figures). Recruitment to primary teacher training courses is usually at or above intake target, but recruitment for secondary

teacher training has been below target. For 2002-03, the process of collecting the new set of verified data on initial teacher training recruitment is still in progress, but provisional figures show that the intake for secondary teacher training (both undergraduate and postgraduate) has shown a noticeable improvement, with the intake up 4% on the previous year.

11. Figures published by the Graduate Teacher Training Registry (GTTR) indicate that the number of graduates accepted on to Postgraduate Certificate in Education (PGCE) initial teacher training courses in Wales for 2002-03 showed an overall 3.8% rise compared with the previous year (primary down 2.6%; secondary up 7.2%), with 1,633 students compared with 1,573 in 2001-02.

12. We have increased the number of initial teacher training places available in Welsh institutions for 2003-04 by 60 to 2,470. In the light of the recruitment issues highlighted below, we are looking to change the balance between primary and secondary initial teacher training places; the additional places have been made available only at secondary level. The latest monthly GTTR application data (for 25 July 2003) for initial teacher training courses in Wales for 2003-04 indicates that applications for PGCE courses are up 8.9% on the same point last year (primary up 14.4%; secondary up 3.7%).

13. The Welsh Assembly Government also supports alternative, employment-based routes into teaching. However, this is not a major contributor to teacher recruitment in the way that it is in England.

14. Schools training teachers through the Graduate Teacher Programme (GTP) can receive funding from the Assembly to help meet the cost of recruitment and training, as well as being able to access further funds specifically for training needs. From 2003-04 the Welsh Assembly Government has increased this funding; a school with an approved GTP place could receive a salary grant of up to £13,000 towards employment costs, and a training grant of up to £4,000 towards training costs. The Assembly also pays for the Qualified Teacher Status assessment at the end of the programme.

15. These grant levels are based on a trainee training for a whole year, full time at the school (shorter programmes will be paid pro rata) and support at least 50 funded full year places under the GTP from 1 April 2003. In addition, at least 10 further places could be supported by training grants of up to £4,000. Schools can still gain approval for GTP places even if there are no funded places available, and there are no limits on the numbers of these places. This may be worthwhile where a school is having difficulty filling a specialist post, for example.

16. We want to encourage an interest in this route to teaching. It helps schools to recruit and retain teachers and helps to ensure that people with the necessary skills who want to teach have the opportunity to do so. We will be looking at the response to this expanded programme and we will be keeping issues such as the overall funding levels and priorities for funding under review.

Teacher numbers and recruitment

17. The provisional results from the January 2003 Schools' Census showed that there were 27,600 full-time equivalent qualified teachers employed in schools in Wales, an increase of 110 (0.4 per cent) over the year. Increases were seen in all sectors except the nursery school sector.

18. The Census also showed that the number of pupils per teacher fell in all sectors except the nursery sector. In primary schools the ratio fell from 21.0 to 20.7, and in secondary schools it fell from 16.4 to 16.3. The average class size in primary schools remained the same at 24.4, whilst the size of classes in years 7 to 11 in secondary schools fell from 22.6 to 22.4.

19. The separate information from the STATS 3 data collection from local education authorities on teaching vacancies in nursery, primary and secondary schools at January 2003 showed that the overall rate remains at 0.4%. The actual number of teacher vacancies remained low at 125, slightly higher than the 108 in 2002. English and mathematics were the subjects with the most vacancies in secondary schools in 2003.

20. The General Teaching Council for Wales carried out a recruitment and retention survey in 2002 across all subjects in all secondary schools and in all primary schools, with response rates of 78.7% and 79.7% respectively. The 2002 survey found:-

- there was a high demand for places in primary schools (over 20 applicants per post)
- there was an average of 6.4 applicants for every secondary post
- however, there were less applicants for secondary maths (4.8) science (4.7), physics (3.8) and Welsh (2.7)
- just under 7% of secondary posts advertised were unfilled following the response to advertisements (but were covered in other ways)
- only 1.6% of primary posts advertised were unfilled following the response to advertisements (and were covered in other ways).

21. All this seems to suggest that there are no particular recruitment problems in the primary sector. The survey suggests that secondary schools are managing to fill posts but that they are finding recruitment more difficult in certain subject areas and that they have to work harder to fill these posts. The main subjects causing problems are ones where we have targeted recruitment incentives in place.

22. The position on Welsh medium recruitment is not as good as recruitment generally. Overall, aspects of recruitment at secondary level were weaker across the field for Welsh medium secondary recruitment. The position on Welsh medium primary teacher recruitment was not as strong as the overall position at primary, but was still good - an average of 9.7 applicants per Welsh medium primary post. The report noted that schools

were generally able to recruit to the positions, with 98% of all posts filled following advertisement.

23. As the report acknowledges, there is a smaller pool of teachers who are Welsh speakers and who are able to apply for such posts. In order to maximise this pool, our Action Plan for the Welsh Language includes an additional £9.5 million to support the crucial role of education and training – in particular, £1 million in 2005-06 to fund language learning sabbaticals for teachers, and increased funds to encourage students on initial teacher training courses to improve their competence so that they are able to train to teach through the medium of Welsh.

Retention

24. Retention is an equally important part of the teacher recruitment picture. The GTCW recruitment and retention survey showed that between January and August 2002, 556 teachers left the profession to take early retirement or jobs outside teaching. We need to ensure that the resources targeted at recruitment result in teachers who want to stay and develop their careers in the profession.

25. We are introducing new arrangements for supporting newly qualified teachers in their first years in teaching. The introduction of Induction and Early Professional Development (EPD) in Wales will provide structured support to newly qualified teachers (NQTs) in their first three years of teaching. The first year of EPD will be the induction year and will be statutory for all NQTs from September 2003. Our induction regulations and consequent changes to the School Teachers' Pay and Conditions Document mean that head teachers in Wales must ensure that teachers serving Induction periods do not teach for more than 90% of the normal time. Following the induction year there will be a further two year programme of flexible and coherent EPD which will be distinctive to Wales.

26. Funding is currently available through Grants for Education Services and Training (GEST) to cover the cost of the training and development undertaken during the programme. For training and development for NQTs in their first year, £2,700 will be available. Induction mentors, who will assist NQTs in their development, will be awarded £1,000 for each NQT they support, which can be used for supply cover for the mentor. Following induction, it is proposed that schools would be awarded £1,000 per year to enable teachers in their second and third year to access early professional development.

27. As part of our continuum of support for teachers, the Welsh Assembly Government has put support for individually focussed continuing professional development (CPD) on a permanent footing. From 1 April 2004, the General Teaching Council for Wales will be responsible for funding a programme of individually focussed CPD for classroom teachers working in the maintained sector.

28. The CPD pilot programme we have been running in Wales has been very successful and has had a positive effect on teachers' professional development. Over 10,000 teachers have so far undertaken CPD activities funded through the Council. Placing individually focused CPD on a permanent footing will provide an added dimension to the CPD that is currently available at national and school level and will ensure that all teachers throughout Wales have continued access to high quality CPD which meets their own professional development needs.

29. We expect that these arrangements will have a significant impact on retention in the profession, particularly in the first five years. Our work on pupil disaffection and the changes to be made to reduce teachers' workload will also help to improve teacher retention.

Incentives for recruitment and retention

30. The Welsh Assembly Government offers incentive payments of £6,000 for those on postgraduate initial teacher training courses. A further £4,000 is available for those who go on to teach designated shortage subjects (mathematics, science, design & technology, ICT, English, modern foreign languages or Welsh) in which they have trained. To assist with retention, this is not payable until the first year of teaching has been completed satisfactorily and a further period of employment in teaching has been secured beyond that.

31. The Higher Education Funding Council for Wales supports a Teacher Training Recruitment Scheme in Wales. Under this, Secondary Undergraduate Placement Grants of £1,000 per funded student on undergraduate, secondary priority subject courses and £600 to students on undergraduate, secondary non-priority subject courses are available. The funding is designed to support students during school-based practice. Hardship funding may be available to provide a small hardship grant to students where unforeseen difficulties arise which may prevent them from remaining on the course. The Assembly Learning Grant (ALG) provides extra money for students who may otherwise experience financial difficulty, including those on undergraduate initial teacher training courses.

32. The legislation introduced by the Department for Education and Skills to allow for the repayment of student loans of new shortage subject teachers from September 2002 applies to Wales as well as to England, as student support is a non-devolved area. Teachers starting work and continuing to teach in designated priority subjects – the same subjects that attract the £4,000 teaching grant – between 1 September 2002 and 31 August 2005 may be eligible for a loan repayment. If they meet the criteria the DfES will repay, over time (between 5-10 years, depending on the type of loan), the full amount of outstanding student loan(s).

33. Under the Welsh Assembly Government's Welsh medium incentive supplement, a £1,200 incentive payment is available for those undertaking secondary initial teacher training through the medium of Welsh. This incentive is for students who need extra help to raise their confidence and competence

so that they can teach in Welsh. When qualified, there is an expectation that a teaching post would be sought in a Welsh medium school.

Education and local government revenue funding in Wales

34. In Wales most of the funding for school education is channelled through the annual local government revenue settlement. The Welsh Assembly Government attaches great importance to local people making local decisions. Consequently, funding in Wales for teachers' pay does not rely on specific long-term special grants. Our approach is to take account of the cost pressures on schools of performance related pay within the revenue settlement.

35. In Wales the revenue settlement continues to provide an unhypothecated overall sum for each local authority and it then is for them to decide on the level of spend on education and other services. There is no figure against which an authority's overall spend on education can be measured.

36. For 2004-05 the Assembly's budget plans published last March indicated a 2.4% rise in the resources available to local authorities through the revenue settlement. This figure is provisional and may change when the Assembly produces its provisional budget in October 2003, when the provisional settlement for 2004-05 will be announced.

37. Funding through the settlement is supported by the GEST programme and additional revenue funding grant but these are significantly smaller, both in the level of funding and in the number of activities covered, in proportion to the equivalent Standards Fund in England. Direct comparisons between GEST and the Standards Fund are not, therefore, particularly meaningful. There is also no delegation of funding to schools for capital investment. As a result there is proportionately less funding going into schools' delegated budgets in Wales from grant sources than is the case in England.

38. The planned level of GEST funding for 2004-05 is currently being considered as part of the Assembly's budget planning process. The planned level of additional revenue grant for 2004-05 is £38.5m, to support the reduction of class sizes at Key Stage 2, improved attainment at Key Stage 3, low performing schools and innovative ways of working in small and rural schools. £16m will also be available to develop early years provision. In addition to these, funding is also being provided to help support the introduction of the new measures aimed at reducing teachers' workloads. In 2003-04, as part of the funding referred to in paragraph 7, we will be making £3 million of new funding available to increase the level of administrative support in schools. This funding will rise to £15 million by 2005-06.

39. The channelling of funds for education and schools through the revenue settlement does not mean that Welsh schools are disadvantaged as the overall spend compares favourably with those in England. Overall budgeted spend for 2002-03 in Wales was £3,377 per pupil, and was also £3,377 for England including London. The per pupil budgeted spend figure for

Wales in 2003-04 is £3,499. The increase reflects an overall 9.7% in local authority budgets for schools for 2003-04. This significant level of increase recognises the increased costs of performance related pay for teachers, teachers' pensions and National Insurance contributions. The evidence is that even at this high level of increase, although there has not been a significant loss of teaching posts, LEAs and governing bodies are providing a standstill level of service.

Pay issues

The headline pay figure: affordability

40. For the last few years, the impact of teachers' pay settlements has had a significant impact on the Assembly's resources. Even if headline pay is set, as the Secretary of State for Education and Skills suggests, at an inflation-led figure, there are costs arising from changes to teachers' pay which have already been made – such as further progression on the upper pay spine, and the shortening of the classroom teachers' main scale – which have yet to fully register as a demand on resources.

41. In addition, there are further significant future costs associated with the increasing – and necessary – attention being paid to support for teachers, in terms of reducing workload, supporting continuing professional development, dealing with pupil disaffection, and so on. The Welsh Assembly Government is very supportive of the principles in the National Agreement on Workload, which will support our drive for higher standards. But we recognise the likely significant costs associated with this further support for teachers.

42. Given the need to provide this support for teachers (and the related support for schools), and the benefits which teachers will see from it, at a time when there are increasing demands on the Assembly's resources, we would not disagree with the focus on an inflation-related general increase in pay.

Pay settlement covering more than one year / pay implementation date

43. We welcome any development that allows schools a better basis for planning. Financial certainty and stability will assist all concerned and a pay settlement covering more than one year would be welcomed. Similarly, moving the timing of the pay settlement date from April to September is welcomed in principle, subject to a carefully planned approach to making a change no earlier than September 2006.

Local and regional approaches to pay

44. We have noted the evidence submitted on this issue by the DfES and the research commissioned by the STRB, from Incomes Data Services into pay differentiation in UK organisations and from PricewaterhouseCoopers into allowances and pay progression.

45. DfES's view is that there has already been a considerable amount of progress towards local and regional pay. We disagree. The changes to teachers' pay over the years which DfES uses to support this argument are

essentially London allowances and recruitment and retention incentives. This does not amount to local and regional pay. London (however one defines the various sub-divisions) is clearly a special case. There is no local or regional teachers' pay anywhere else in Wales and England which operates on the same basis. The recruitment and retention allowances cannot reasonably be regarded as local or regional pay as they are intended to be targeted payments for particular situations.

46. We agree that the research report from Incomes Data Services about pay differentiation practice across the UK has produced some useful evidence. However, we do not think that it or other evidence would provide a justification for greater regional and local pay. We note from Incomes Data Services's report that:

- although employers have a variety of approaches to pay structures, these essentially amount to a hierarchy of London, the South East of England, and the rest of the country (i.e. what we have already for teachers' pay)
- local pay bargaining is not common among national employers, particularly in the service sector
- where not fully justified, paying different rates for the same or equivalent jobs can create equal pay problems; even if this is not the case, they can be perceived as unfair by employees
- pay differentiation can create complex and often unwieldy pay systems which are expensive to administer
- pay increases or allowances in some areas can create an internal market and lead to poaching between different establishments.

47. It is not clear whether regional and local pay is being pursued because of recruitment and skills shortages issues (i.e. in the direction of recruitment and retention allowances) or to even out pay in relation to local cost of living issues (i.e. the London weighting approach). If it is the former, we need to look at the current underuse of existing allowances for recruitment and retention payments and be clearer about the reasons for the low take up of existing allowances before going on to look at options for replace them in that particular area.

48. The evidence from the PricewaterhouseCoopers report shows that recruitment and retention allowances are not used in the majority of schools and that they are widely disliked. They are perceived as divisive, and not generally open and transparent. It is noticeable that head teachers often use alternatives to the allowances, with payments of new teachers in July and August being used for recruitment incentives and career development opportunities supporting retention.

49. If the aim is to even out pay in relation to local cost of living issues, we remain of the view that the factors which might be said to affect pay in these terms are far too complex to be covered by school arrangements. The main driver of pay rates if such a system were introduced would be likely to be

the availability or otherwise of teachers for particular posts, with the consequences of bidding wars between schools which would do nothing about setting the appropriate rate of pay for the job but which would drive up the pay rates for posts where recruitment was difficult, perhaps to unsustainable levels for some schools.

50. We said in our evidence last year that a move away from national rates of pay would be undesirable; and that we were also seriously concerned at the workload implications for schools in managing pay at the local level. This is particularly likely to be the case for small schools and this would impact to a much greater extent in Wales, where we have proportionately considerably more small schools than England.

51. Our conclusion is that this should certainly be a time of consolidation of the existing system, but there is no case for preparing the ground for change from 2006 onwards. Diverting schools' resources and energies from education by adding yet another responsibility is likely to damage their ability to deliver high educational standards. Moreover, proposing what would be a new burden on the leadership group at a time when the emphasis is on reducing workload and when they will need to focus energies on managing change in schools to that end for several years to come would be counter-productive. We would not disagree with a closer examination of the ability and willingness of schools to use the current flexibilities more, and more appropriately; however, whether this could be developed or alternatives provided is a different issue.

Post-threshold progression

52. We are in favour of more explicit guidance on the criteria for progression at UPS3 in order to give schools more certainty and to assist with financial planning. Standards for progression post threshold are a pay matter and the precise criteria to be adopted for awarding points is thus for DfES.

53. However, the UPS3 system outlined in DfES's evidence covers both pay matters (the criteria and the application process) and non-pay matters (resources and governing bodies' decisions). The funding of the UPS is a matter for each country; issues relating to resources and to how governing bodies utilise resources are outside pay arrangements, and would be a matter for the Assembly in Wales. DfES's proposals for cash limits via ring-fenced funding and guidance to governors is a matter for England's school financing, not something that can be set through pay legislation.

54. Although it is not a matter for pay legislation, the Review Body may wish to note that we do not propose rigid cash limits here. This would not in keeping with the way local authorities and schools are funded in Wales, as described above. I have said in the past that I do not wish to see teachers' progression constrained by financial limits alone.

Main scale pay progression

55. Standards for progression on the main pay scale are a pay matter. The precise criteria to be adopted for awarding points is thus for DfES.

However, we must avoid any lack of clarity; if simply 'satisfactory' is deemed not sufficient to allow progression up the main scale, there should be some objective measurement for awarding pay points on the main scale which makes financial planning clear for schools, local education authorities and the Welsh Assembly Government; and gives certainty in school management. In this respect, simply awarding increments on the basis that a teacher is continuing to make good progress towards meeting the threshold standards would be insufficiently precise. (Incidentally to this point, it was always made clear that the threshold was optional for teachers – no-one is required to apply for threshold assessment. On this basis, it is quite permissible for teachers to decide, if they wish, not to work towards the threshold standards. This might imply that trying to tie progression on the main pay scale to progress towards meeting the threshold standards would not be sensible and that some measure more focussed on satisfactory teaching standards would be better.)

56. We have noted the aim of linking awards of annual increments on the main pay scale to a review performance. However, we are concerned to ensure that this should not be achieved by the pay and conditions legislation impacting on the performance management legislation. What we must avoid is any thought of setting the criteria for main pay scale progression in the performance management legislation, or proposing that performance management legislation should be altered to require schools to carry it out in a particular way which must tie in with the pay and conditions legislation.

57. Performance management is devolved, and is a matter for the Assembly in Wales. The Assembly has no powers in relation to teachers' pay and conditions so it is not possible for us to require schools to carry out performance assessments for pay purposes in any particular way. Any change to main pay scale progression criteria which demanded a specific requirement via Appraisal Regulations would effectively enable the Assembly to set criteria for pay and conditions. Although at present the Appraisal Regulations are not specific about the performance objectives to be set, they could be specific, and this could affect pay determinations. In that circumstance we could end up with different criteria for teachers' pay in England and Wales. Our legal advice is that this could amount to unlawful sub-delegation to the Assembly.

58. The distinction needs to be maintained between pay legislation and requirements and performance management (teacher appraisal) legislation and requirements. Main scale progression is a pay issue. Provision needs to be set in pay legislation for the salary levels, for the criteria on which those salary points can be awarded, and, if necessary, for the evidence which should be used to demonstrate that the criteria have been met.

59. There would, of course, be no reason why the School Teachers' Pay and Conditions Document should not specify the main scale progression criteria, as it already does. It could then specify that for headteachers or schools to agree that a teacher met the criteria for progression on the main scale, they would have to have clear evidence that a teacher met those standards, via information from performance management reviews or other processes. Our existing appraisal regulations already allow relevant

information from performance management review statements to be taken into account in decisions on pay.

60. It would be equally essential, so as to avoid legal difficulties, to ensure that the pay legislation did not require our performance management regulations or guidance to work in any particular way. The Assembly must be allowed to regulate performance management in the way it chooses. Its powers in this respect must not be fettered by requirement in the pay and conditions legislation.

61. However, that need not be an issue; in fact, the School Teachers' Pay and Conditions Document already has several instances where it requires a performance review before pay decisions are taken, but without specifying that that performance review must form part of a schools' performance management system – for head teachers' pay (paragraphs 5.2.1 and 5.2.2 of the current document); for deputy head teachers' pay (paragraphs 11.2.1 and 11.2.2 of the current document); for assistant head teachers' pay (paragraphs 13.2.1 and 13.2.2 of the current document); for post threshold teachers' pay (paragraph 17.4 of the current document); and for Advanced Skills Teachers' pay (paragraph 28.6 of the current document). In practice, schools can arrange matters so that the review of performance for pay purposes coincides with a teacher's annual performance management review.

62. The essential element here is that the pay legislation must require schools to confirm that a teacher's performance was better than satisfactory (or whatever criteria is decided upon). The Assembly cannot require schools to operate performance management reviews in this way. If the requirements for this process are set out where they should be, in pay legislation – and not in appraisal regulations – then we do not anticipate any serious problems and suggestions of different arrangements being needed for Wales would be irrelevant.

63. I should offer some further comments on the performance management system itself. I have said that in my view the prime purpose of performance management system is to facilitate teachers' professional development and thereby raise standards of teaching. It is not part of the pay system.

64. In our view, the performance management system is desirable because it provides a clearer procedure for assessing teachers' performance in relation to agreed priorities and objectives, which should help teachers improve their effectiveness; and it helps to ensure that training and professional development needs are identified, and steps taken to meet them, on a consistent and regular basis.

65. All our current requirements centre on the development of teachers and providing indications of ways in which performance can be improved. If it is appropriate for the circumstances of the school and the teacher then the performance management process can be centred on objective standards such as the threshold criteria. We will continue to look at ways in which support for schools in these processes can be enhanced. But the

performance management system cannot be explicitly directed towards standards required for pay purposes; this type of requirement should be accomplished within pay legislation.

Threshold assessment

66. We are sympathetic to proposals to simplify the current bureaucratic processes. We also agree that there are clearly links between the threshold standards and teachers' professional development. However, our approach on this is the same as that outlined for main scale pay progression at paragraph 56 above - the threshold assessment criteria should not be set through performance management legislation, nor should performance management legislation be altered to require schools to carry it out in a particular way which is tied to the pay and conditions legislation.

67. As noted in paragraph 57 above, it is not possible for the Assembly to require schools to carry out performance assessments for pay purposes in any particular way. A change to threshold arrangements which demanded a specific requirement via Appraisal Regulations would effectively enable the Assembly to set pay and conditions criteria with the adverse and potentially unlawful consequences described at paragraph 57 above.

68. This is another area where we need to draw the distinction between the legislation and requirements for pay and those for performance management. In our view it is an over-simplification to say that threshold assessment could operate as part of a 'developed performance management system'. The threshold point is a pay point and pay legislation needs to be set out the salary level, the award criteria, and any evidence which is required to demonstrate that the criteria have been met.

69. On the same basis as described in paragraph 59 for main scale pay progression, there is no reason why the threshold criteria should not be specified, as now, in the School Teachers' Pay and Conditions Document, with the Document additionally requiring headteachers or schools to seek clear evidence that a teacher met the threshold standards from performance management reviews or other processes. For the reasons noted in paragraph 60 above, it would be equally essential here for the pay legislation not to require our performance management regulations or guidance to work in any particular way.

70. Adopting this process would allow the performance management system to contribute towards reducing the burden of administrative arrangements and to support the easing of the threshold assessment process, whilst maintaining the integrity of the system as a separate process to facilitate professional development and raise standards of teaching. Our view on this area is the same as expressed in paragraph 62 on main scale pay progression: the requirements for this process should be set out in pay legislation and not in appraisal regulations. If that is done then there should be no serious problems and no need for different arrangements in Wales.

Accelerated Development Scheme for Teachers in Wales (the Fast Track)

71. As indicated in the last year's evidence, the National Assembly for Wales has not introduced an accelerated development scheme in Wales, and our consultation on a possible scheme in Wales did not indicate support for one. We have subsequently received no representations that such a scheme should be introduced.

72. Further consideration has been given to this issue by the Welsh Assembly Government. It is clear that any such scheme would need substantial central support resources, giving rise to high per capita recruitment costs, particularly in the early stages of the scheme where there would be likely to be few recruits. These costs are not only high in themselves, but significantly higher than for other teacher recruitment and support measures and we find it difficult to justify applying resources disproportionately to a very small number of people. It would mean that many excellent teachers with potential who, by the exclusive nature of the programme, would be prevented from joining it would be left discouraged and feeling that other routes into and through teaching were apparently considered second best. It would also inevitably mean a dilution of the efforts to recruit a wide range of individuals into the profession.

73. The Welsh Assembly Government acknowledges the importance of attracting excellent quality graduates to the profession, and to planning succession within it. However, we do not feel that a Fast Track scheme is the best way to do this in Wales. For graduate recruitment, all eligible students on a postgraduate initial teacher training course can get a £6,000 training grant. Those who successfully complete a PGCE initial teacher training course in priority subjects and go on to teach in that subject could be eligible for a further £4,000 teaching grant as well as potentially being eligible for a repayment, over time, of the full amount of outstanding student loans.

74. Excellent teachers can be identified in the classroom through existing line management and appraisal arrangements. The Assembly has introduced measures to support teachers' development throughout their careers. From September 2003 we are introducing new induction and Early Professional Development support for new teachers. We are supporting wide-ranging continuing professional development opportunities for all teachers.

75. There are also opportunities for development in schools that can focus on leadership training. Professional qualifications such as the NPQH can help ambitious and talented teachers to prepare themselves for school leadership posts. The Assembly is also currently piloting School Leadership Modules to support continuing professional development for the leadership group.

76. Our conclusion is that for Wales a Fast Track type scheme is too narrowly focussed and too expensive for what it offers. It would lead to resources which could be applied more widely being restricted to the few at the expense of the many. We wish to support a range of development measures for teachers which encourage excellence in a wide field. The Review Body will wish to note that no such scheme will be operating in Wales.

Annex E**General Teaching Council for Wales Action Plan on Teacher Recruitment and Retention - Summary of recommendations***Recommendations for Welsh Assembly Government (26)*

Section 3.1 – A, B	Section 4.7 – A
Section 3.2 – A	Section 4.8 – B
Section 3.3 – A, B	Section 4.9 – A, B
Section 4.2 – A, C	Section 4.10 – D, E
Section 4.3 – A	Section 4.11 – A
Section 4.4 – A, B, C	Section 5.4 – A, B, D
Section 4.5 – A, B	Section 5.5 – B
Section 4.6 – A, B	

Recommendations for Welsh Assembly Government with others (12)

Section 2 – general – A, B, C	Section 4.8 – A
Section 3.4 – A	Section 4.9 – D
Section 4.4 – D	Section 4.11 – C
Section 4.5 – C	Section 5.5 – A, C, D

Recommendations for others (27)

Section 2 – monitoring – A, B	Section 4.10 – A, B, C
Section 3.5 – A, B	Section 4.11 – B, D, E
Section 4.1 – A	Section 5.1 – A
Section 4.2 – B, D, E	Section 5.2 – A, B
Section 4.6 – C	Section 5.3 – A, B
Section 4.7 – B, C, D	Section 5.4 – C
Section 4.9 – C, E, F	

Section 2General Recommendations

- A. All organisations and individuals involved in teaching play their part in portraying teaching as a vibrant profession which provides opportunities for a challenging and fulfilling career.
- B. The Welsh Assembly Government should work with local authorities, employers and unions to implement the National Agreement on teachers' workload and to identify additional initiatives that can free teachers' time to enable them to concentrate on teaching.
- C. The Welsh Assembly Government and LEAs considers giving schools longer-term budgets to enable them to plan their staff numbers.

Monitoring and Evaluating

- A. The National Assembly Education and Lifelong Learning Committee monitors the impact of the Action Plan.

- B. The National Assembly Education and Lifelong Learning Committee publish a report outlining the impact of the Action Plan after, say, three years.

Section 3 - The Organisation of Recruitment to the Teaching Profession

3.1 Setting Targets for entry into Initial Teacher Training (ITT) which better meet the demand for teachers in schools in Wales.

- A. The Welsh Assembly Government considers ways of ensuring that targets for intake into ITT in Wales better reflect the needs of Welsh schools, within a Wales/England strategy. Consideration needs to be given to Wales-only factors such as the demand for Welsh-medium education and the demand for teachers of Welsh when undertaking planning for the number of teachers needing to be trained. The Assembly's scoping study mentioned above may be able to provide further evidence on this issue.
- B. The Welsh Assembly Government reviews the way it identifies recruitment difficulties. The use of vacancy rates does not show up some of the underlying issues and the use of different indicators may prove more beneficial in identifying areas of recruitment difficulty. Supplementary sources such as the Register of Qualified Teachers could be considered.

3.2 Developing a marketing strategy for recruiting teachers in Wales

- A. The Welsh Assembly Government ensures that there is an organisation in Wales to take the lead and responsibility for the recruitment of teachers in Wales. This organisation would develop a marketing strategy for teaching in Wales, which clearly identifies the opportunities available in Wales. While the TTA would continue its role in promoting teaching as a profession on an England / Wales basis, the organisation responsible for recruitment would employ a Recruitment Adviser to implement the marketing strategy and to provide an advice service for prospective teachers wishing to train or teach in Wales. This organisation would need to work with the TTA to ensure their activities were complementary.

3.3 Increasing the routes into teaching

- A. The organisation responsible for recruitment in Wales takes responsibility for providing information and co-ordinating entry into employment based training routes.
- B. Subject to a positive evaluation of standards, the Welsh Assembly Government should consider increasing the funding for the Graduate Teacher Programme.

3.4 Evaluate the impact of incentives to train as teachers

- A. The Welsh Assembly Government and DfES should undertake an independent evaluation of all grant and bursary schemes, to evaluate their impact in recruiting teachers for the classroom.

3.5 Raising the importance of partnership arrangements between HEIs and schools

- A. HEFCW gathers further data on the relationship between schools and ITT institutions.
- B. Governing bodies and headteachers of schools which are currently not involved in training teachers should consider the potential benefits to the school of preparing teachers for the future.

Section 4 - Specific Recruitment concerns4.1 Developing a cost effective means of advertising teaching posts

- A. LEAs, in partnership, consider developing a recruitment web site which allows schools to advertise posts for a minimal cost. The web site could be developed on an all-Wales basis or on a regional basis by a partnership of LEAs. The site needs to be marketed so that schools have the confidence that they will attract suitable candidates by advertising on it.

4.2 Tackling recruitment to posts in secondary schools in shortage subjects

- A. The Welsh Assembly Government and DfES undertake an evaluation of schemes that give an incentive grant for trainee teachers to teach certain subjects.
- B. HEFCW and ITT Institutions consider extending courses or programmes to prepare suitably qualified teachers to move from the primary to the secondary sector.
- C. During the proposed review of the Standards for QTS, the Welsh Assembly Government considers enabling ITT institutions to offer courses at Key Stage 2 and 3.
- D. ITT Institutions recognise the suitability of a wider range of degrees as preparation for undertaking PGCE and devise appropriate programmes accordingly.
- E. ITT Institutions offer courses to bring the subject knowledge of prospective secondary teacher graduates with degrees in related but non-school subjects, up to the level expected to operate in school.

4.3 Increasing the number of male teachers (particularly in primary schools)

- A. The organisation responsible for recruitment in Wales develops a strategy to market teaching in a primary school as a career for males including a good practice guide for recruiting male teachers.

4.4 Attracting teachers from ethnic minority groups

- A. The organisation responsible for recruitment is charged with developing a specific strategy which will include promoting positive role models from different ethnic groups to highlight their prospective roles within the teaching profession and informing ethnic minority communities of teaching as a career.
- B. The Welsh Assembly Government undertakes research to gather more statistical information and work with different groups to identify ways of making the teaching profession more accessible.
- C. The Welsh Assembly Government provides guidance to ensure that schools are environments that are conducive to the employment of teachers from different backgrounds.
- D. All organisations working to recruit teachers work with race equality groups to identify ways of making teaching a more accessible career.

4.5 Attracting teachers with disabilities

- A. The organisation responsible for recruitment is charged with promoting positive role models from persons with disabilities to highlight their prospective roles within the teaching profession.
- B. The Welsh Assembly Government undertakes research within different groups to identify ways of making the teaching profession more accessible.
- C. All organisations working to recruit teachers work with disability groups to identify ways of making teaching a more accessible career.

4.6 Promoting recruitment to posts to teach Welsh as a Second language

- A. The Welsh Assembly Government undertakes an evaluation of the scheme to give an incentive grant for trainee teachers to teach Welsh as a second language to assess its effectiveness.
- B. The Welsh Assembly Government develops a specific strategy to deal with this issue, e.g. this could consider using tutors or adapting English as an additional language (EAL) models.
- C. LEAs develop and extend the role of Athrawon Bro to provide support in areas where there is a difficulty in attracting teachers of Welsh as a second language.

4.7 Promoting Recruitment to Welsh medium posts in secondary schools

- A. The organisation responsible for recruitment in Wales develops a specific strategy to deal with recruiting teachers to teach through the medium of Welsh, including the marketing of teaching through the medium of Welsh as a specific profession.
- B. The Welsh Language Board undertakes research to identify the future demand for Welsh-medium education.
- C. LEAs provide support for teachers who wish to move from the English-medium sector to the Welsh-medium sector.

- D. Providers of CPD opportunities ensure that teachers are able to access professional development opportunities through the medium of Welsh.

4.8 Attracting mature trainees and individuals seeking a change of career

- A. The Welsh Assembly Government and HEFCW considers the needs of mature individuals wishing to train as teachers and considers whether the current programmes and application procedures are suitable for their needs.
- B. The Welsh Assembly Government develops flexible opportunities for mature entrants to train as teachers.

4.9 Attracting returnee teachers

- A. The Welsh Assembly Government commissions research to identify the number of qualified teachers, who currently do not work as teachers, who may wish to return to the classroom. The Council would be willing to undertake this, if considered appropriate.
- B. The Welsh Assembly Government provides funding for individuals to attend refresher courses for returning teachers.
- C. LEAs and HEIs provide guidance for schools to organise re-introduction courses for returnee teachers.
- D. Schools are encouraged to consider allowing teachers to work in a flexible manner such as part-time work and job sharing.
- E. Schools consider providing childcare opportunities to enable a wider range of qualified teachers to work.
- F. Schools provide specific support for returning teachers to ensure they are able to return the classroom.

4.10 Attracting teachers to primary school leadership and management posts

- A. Schools provide additional incentives to individuals to take leadership and management roles, this can be partly achieved by providing additional professional development opportunities. This could also include assistance with the cost of re-location.
- B. Schools ensure that teachers undertaking management roles have sufficient time to undertake additional duties.
- C. CPD providers provide suitable professional development opportunities for all teachers to develop the necessary leadership and management skills.
- D. The Welsh Assembly Government commissions an evaluation of the NPQH to ensure it provides the best possible preparation for school leadership.
- E. The Welsh Assembly Governments considers the appropriateness of different models of school leadership from across the world.

4.11 Ensuring sufficient number of supply teachers

- A. The Welsh Assembly Government develops a national strategy to increase the number of supply teachers available in LEAs together with the consequent increase in funding.
- B. LEAs work together to create and maintain regional lists of supply teachers currently available for work and to provide a service to support schools seeking supply teachers at short notice.
- C. Schools are encouraged to develop a relationship with their supply teachers. As part of this they should include their supply teachers in whole school activities and enable them to access professional development opportunities.
- D. LEAs and Supply Agencies ensure that all supply teachers have access to professional development opportunities.
- E. Estyn undertakes a review of the support provided for supply teachers.

Section 5 - Retention in the teaching profession

5.1 Promoting Retention on Initial Teacher Education and Training courses

- A. HEFCW undertakes research on the reasons why students do not complete courses of ITT.

5.2 Reducing the number of qualified teachers not taking up a post after qualifying

- A. HEFCW and individual ITT Institutions undertake research on the reasons why individuals undertake a PGCE course, why qualified teachers may not seek work as teachers and the level of the problem facing NQTs in obtaining their first teaching posts.
- B. Schools and ITT Institutions are encouraged to offer pre-course observation to prospective teachers to assist them in deciding whether ITT is for them. This could be on an organised course such as the pilot taster course 'Prepare to Teach Mathematics' currently being organised by the UWIC and the Open University or as a placement in a school.

5.3 Encouraging Flexible work patterns

- A. Schools fully implement the regulations on flexible working to allow teachers to work in a flexible manner such as part-time work and job sharing.
- B. Schools provide opportunities for teachers to have career-breaks.

5.4 Supporting teachers within the first five years of their career and after thirty years of teaching

- A. The Welsh Assembly Government ensures that the induction and early professional development programmes are properly funded and supported.
- B. The Welsh Assembly Government monitors and evaluates the induction and early professional development programme.

- C. LEAs develop support schemes that are targeted at retaining competent teachers who need additional support to reach a level in which they may function as teachers.
- D. The Welsh Assembly Government develops and presents a case to amend Westminster legislation so as to enable teachers over 55 to remain in the profession for longer, through enabling them to take posts with less responsibility or to work part-time without detriment to their pensions.

5.5 Tackling Challenges faced by teachers

- A. The Welsh Assembly Government, LEAs and schools work together to fund fully and implement the workload agreement.
- B. The Welsh Assembly Government develops a national strategy to deal with disruptive pupils. There needs to be a recognition that this is a problem for society as a whole but that teachers are one of the groups who feel the brunt of this problem. There is a need to provide teachers with the necessary support so that they do not have to deal with disruptive pupils while teaching. This strategy should consider low level disruption as well as more serious disciplinary matters.
- C. The General Teaching Council for Wales, Welsh Assembly Government, LEAs, Diocesan Authorities, teacher unions, ITT Institutions, HEFCW and the TTA to work together to provide a positive portrayal of the teaching profession.

The Welsh Assembly Government, its agencies and schools consider the impact on teachers when introducing new initiatives. All initiatives should be properly piloted, over a sufficient time, before being introduced.

Annex F**The Education (Teachers' Qualifications and Health Standards) (Amendment) (No 2) (Wales) Regulations 2003*****Effect of the regulations***

The Education (Teachers' Qualifications and Health Standards) (Wales) Regulations 1999 provide that, other than in specified circumstances, no person shall be employed as a teacher at a school unless he or she is a qualified teacher in accordance with Schedule 3 of the Regulations.

The regulations amend the 1999 Regulations by adding a new category to Schedule 3. This means that, in addition to the current categories, a person shall be a qualified teacher for the purpose of the 1999 Regulations if the person:-

- (a) holds a degree or equivalent qualification granted by a UK institution or an equivalent degree or other qualification granted by a foreign institution;
- (b) has successfully completed a course of initial training for teachers at an institution accredited for the purposes of the Education (Teachers' Qualifications and Health Standards) (England) Regulations 1999, which course commenced before 1 August 2003; and
- (c) has undertaken any period of practical teaching experience for the purposes of that course of initial training for teachers wholly or mainly in a school, an independent school or other institution (except a pupil referral unit) in Wales.

Purpose of the regulations

The Open University is accredited in England as an institution providing initial teacher training courses. Until now this accreditation has covered students based in Wales, studying on a distance learning basis.

New school teachers' qualifications regulations came into force in England on 1 August 2003. These contain provisions which now mean that, for someone successfully completing an initial teacher training course accredited in England to be regarded as a qualified teacher, their practical teaching experience must be done wholly or mainly in England.

There are currently students in Wales on Open University initial teacher training courses who have not yet graduated. They will have already undertaken or have planned from the start to take their practical teaching experience wholly or mainly in Wales.

Following the making of these new English regulations, these students cannot now be given Qualified Teacher Status (QTS) under English legislation. They also cannot be given QTS under Welsh legislation – our current regulations only allow us to grant QTS to students on a course of initial teacher training at

an accredited institution in Wales, and the Open University is not accredited in Wales.

Our concern is to regularise the situation so that students successfully completing their courses can go on to teach. Other options have been considered, but:-

- (a) having discussed this situation with the Department for Education and Skills, they are clear that they will not amend their regulations to cover these students (there are policy concerns about DfES or the Teacher Training Agency funding courses operating outside England and producing potentially no teachers for England);
- (b) the Open University is clear that for most if not all the students concerned, switching their training to England is not an option. Some have already undertaken much of their practical teaching experience and now cannot meet the 'wholly or mainly in England' criteria of the English Regulations. Other students, while not so far advanced in their course, would find it impractical to go to England; and
- (c) a retrospective accreditation of the courses by the Higher Education Funding Council for Wales is not practicable (resolving issues relating to questions of funding and whether the Open University's courses comply with our requirements for initial teacher training courses would take too long).

We have therefore amended our current 1999 regulations to allow us to grant these students QTS. There are no practical disadvantages in our doing this – if they had been granted QTS in England under the previous regime, our 1999 regulations would have automatically recognised them as qualified to teach in Wales in any event.

We have done this as a short-term exception for this very small group for whom there is no other reasonable way forward – it would not be a permanent change to cover the Open University's operations in Wales. For the longer term, the Open University will need to consider gaining accreditation for its courses in Wales with the Higher Education Funding Council for Wales.

Reasons for use of the executive procedure

The Open University only made us aware of this situation at the end of July – after the Assembly had gone into recess. As the Open University is accredited as an institution providing initial teacher training courses in England, the Assembly has had no involvement in its courses and we were not previously aware of the situation described above.

On starting their courses these students would have legitimately expected that, on completion, they would obtain QTS and be able to teach. They have invested their time and money to this end. This has now been thrown into doubt and the students are faced with a period of uncertainty which we would like to end as quickly as possible so that they can plan their futures.

If we were to undertake the necessary legislative amendments in the normal course of events, we would have to include them as one of the changes planned to teaching qualification regulations as part of the proposals aimed at supporting reductions in teachers' workload. This is a significant piece of work on which we will be carrying out a major consultation. In view of the timescale of the work involved, regulations would be unlikely to come into force much before the start of the summer term 2004.

This would mean that some students might be prevented from obtaining teaching posts for up to a year after completing courses. This would adversely affect their financial and personal lives and would keep a group of teachers trained in Wales from being able to teach here, to the potential detriment of pupils and schools in Wales.

By the nature of the Open University's courses, completion dates will vary, but some students could complete the course in the next month and in order to avoid delaying the confirmation of QTS and allow those successfully completing the course to seek teaching posts at the earliest opportunity, we needed to bring the legislation into being by end September 2003. Because of this, we decided to disapply all the procedures specified in standing order 22.27 (notification to members, submission to the Business Committee, consideration by the Legislation Committee and plenary debate). Delaying the legislation to allow any of these would have meant continuing the students' uncertainty about when or even if they might be granted QTS, as well as considerably delaying their ability to apply for posts and, in fact, to get on with planning their lives.

There are no financial implications for the Assembly in making the proposed legislation.