

GENERAL TEACHING COUNCIL FOR WALES
CYNGOR ADDYSGU CYFFREDINOL CYMRU

**MINUTES OF THE FIFTY-EIGHTH MEETING OF THE
GENERAL TEACHING COUNCIL FOR WALES**

DATE: 3rd February 2015

LOCATION: Tŷ DYSGU, The Conference Centre, Treforest

Present:

Members:

Angela Jardine (Chairperson)	
Sue Rivers (Deputy Chairperson)	David Healey
Celia Blomeley	Alan Minton
Irene Cameron	Margaret Morris
Tim Cox	Helen O'Sullivan
Mal Davies	Hugh Pattrick
Roberto De Benedictis	Jane Setchfield
John Griffiths	Cleo Wilson-Sollars

Apologies:

Siôn Amlyn	Sharon Freeguard
Phil Bassett	Bernadette Thomas
Angela Butler	Adrian Williams

Officers:

Hayden Llewellyn	Chief Executive
Elizabeth Brimble	Acting Deputy Chief Executive <i>(Qualifications, Registration and Professional Standards)</i>
Julia Evans	Deputy Chief Executive <i>(Finance, Personnel and Corporate Services)</i>
Karen Evans	Policy and Planning Manager
Amy Pope	Council Secretary [minutes]
Jessica Williams	Executive Assistant to Chief Executive

1. Welcome and Preliminaries

- 1.1 Angela Jardine, (*Chairperson*), welcomed members to the final meeting of the Council before reconfiguration to the Education Workforce Council (EWC). She commented that it was unfortunate Council was unable to mark the occasion with an event, due to the current financial situation.
- 1.2 The Chairperson offered her personal thanks to officers and members for their work over the years, and noted that the Council was well-poised to meet the upcoming agenda as the EWC. She thanked in particular Tim Cox and Mal Davies who had served as Council Members since 2000.
- 1.3 Apologies had been received from Council members Siôn Amlyn, Phil Bassett, Angela Butler, Sharon Freeguard, Bernadette Thomas and Adrian Williams, and from colleagues at TCI, GTCNI and GTCS.

2. Declarations of Interest

- 2.1 The Chairperson noted that the Chief Executive would withdraw from the meeting for Agenda Item 29 'Chief Executive Remuneration Scheme & Framework'.
- 2.2 There were no further declarations of interest.

3. Chairperson's correspondence

- 3.1 The Chairperson informed members that the Minister had been unable to accept her original invitation to attend the second meeting of the EWC in July 2015, but accepted a second invitation to attend the third meeting in November 2015. She stated that this was good in terms of continuity and demonstrated a shared commitment on behalf of Welsh Government.

4. Draft minutes of the Council meeting of 10th October 2014

- 4.1 The Chairperson led members through the draft Council minutes of 10th October 2014 page by page and members were content to approve the minutes as a correct record of that meeting.

Matters arising:

- 4.2 There were no matters arising to draw to members' attention that were not covered later in the agenda.
- 4.3 No other issues were raised by members.

5. To receive notification of any issues which members wish to raise in respect of the 'For Information' Agenda items (22-27)

- 5.1 There were no issues notified.

6. Minutes of the Executive Committee meeting 2nd December 2014

- 6.1 Hayden Llewellyn (*Chief Executive*) reported these minutes which had been ratified by Committee members via email, following the final meeting in December.

Minute 7 – Monitoring Report on the Welsh Language Scheme

- 6.2 The report had been submitted in December and officers had received a response from the Welsh Language Commissioner at the end of January 2015. The response was very positive with only a couple of points to consider. Furthermore, the Commissioner had agreed that it was not necessary to make substantive changes to the scheme as it passed from GTCW to EWC, so only cosmetic changes were required.

- 6.3 No other issues were raised by members.

7. Minutes of the Policy Committee meeting 2nd December 2014

- 7.1 The Chief Executive reported these minutes which had been ratified by Committee members via email, following the final meeting in December.
- 7.2 Minute 5 – Draft GTCW Response to Welsh Government Consultation on a Draft 10-year Plan for Early Years, Childcare and Play Workforce in Wales
The GTCW Response (Agenda Item 24 in the Information Items) had expressed concern that there was only limited mention of the EWC in the 10-year Plan. The Chair and officers had met with the Care Council for Wales and the Early Years team at Welsh Government and were satisfied that there was a good understanding of the existence of the EWC and a commitment to its involvement in future consultation and reference groups.
- 7.3 No other issues were raised by members.

8. Minutes of the Registration Committee meeting 4th December 2014

- 8.1 Jane Setchfield (*Chair of Registration Committee*) reported these minutes which had been ratified by Committee members via email, following the final meeting in December. She reported that there were no matters arising to draw to members' attention that were not covered later in the agenda.
- 8.2 One member identified a typo in the title of Agenda Item 5 which should read 'Progress in Registering FE Lecturers'.
- 8.3 No other issues were raised by members.

9. Draft minutes of the Audit & Scrutiny Committee meeting 4th December 2014

- 9.1 Tim Cox (*Chair of Audit & Scrutiny Committee*) reported these minutes.

Matters Arising:

- 9.2 Minute 8 – Grant Certification Statement
It was reported that no issues had been identified in the Grant Certification Statement.
- 9.3 Minute 12 – Review of Risk Register
Members' attention was drawn to the Audit Committee's discussion on the Risk Register.
- 9.4 The Chief Executive confirmed that the final Audit & Scrutiny Committee meeting would take place in March 2015.
- 9.5 There were no further matters arising that were not covered later in the agenda and no other issues were raised by members.

10. QTS, Registration & Induction Progress Report (GTCW 01/15)

- 10.1 Liz Brimble (*Acting Deputy Chief Executive -Qualifications, Registration and Professional Standards*) introduced this paper and highlighted the following points, inviting members to clarify any matters in relation to Qualified Teacher Status (QTS), Registration and Induction.
- 10.2 It was reported that a total of 37,305 teachers had registered to date, more than the estimated 37,250 registrants for 2014-15. Officers anticipated the year end figure would be down approximately 300-350 on the previous year, part of a continuing year-on-year reduction.
- 10.3 Liz Brimble reported that the fee renewal process for teachers was about to commence, and referred to the timetable at Annex B.
- 10.4 Members were referred to the timetable for registration of FE lecturers at paragraph 16, and informed that work was on track - data files had been received from colleges and agencies and officers were currently assessing and checking the information. It was expected that FE registration would be complete by the end of the month, and written confirmation would be sent to FE lecturers in March 2015.
- 10.5 With reference to paragraphs 21-25, Liz Brimble reported that the developments had been made to the existing registration database, and it was in the final stages of testing; there were no issues to date and all registrants would be registered on the database by 1st April 2015.
- 10.6 Liz Brimble informed members that officers had emailed all final year ITET students to confirm registered teacher numbers and request they update their details on the register prior to the award of QTS in August 2015.
- 10.7 With reference to paragraph 6, one member queried the procedure for unregistered FE lecturers. Liz Brimble confirmed that the process was equivalent to the process for teachers, but explained that officers had engaged with HR managers in FE colleges from the start and they were fully aware of the requirement to register. The Chief Executive added that lecturers were sometimes appointed and HR informed retrospectively, however HR were aware of the implications of unregistered lecturers and there were methods in place to monitor the situation.
- 10.8 Referring to paragraphs 18-20, one member queried the process for FE lecturers returning to the profession. The Chief Executive confirmed that officers had built in extra provision to the Returning to Teaching Scheme to allow for FE lecturers who had been working in industry or similar. The Chairperson reminded members that FE lecturers would not need to complete the scheme if they maintained their registration with EWC throughout.
- 10.9 Another member queried whether FE lecturers would have recourse to appeal if they were excluded from registration for any reason. Liz Brimble confirmed that officers were taking legal advice on this matter. She explained that suitability procedures would include provision for individuals who had received a GTCW disciplinary order as a school teacher. The Chief Executive added that Fitness to Practise Committees would have more flexibility in the future and the orders could be wider in application.

- 10.10 One member expressed concern about the increase in workload for staff. The Chief Executive confirmed that officers had planned for the additional work and assured Council that there was sufficient capacity in the teams.
- 10.11 There were no further comments and members were content to receive the report for information and note the Council's progress with regard to QTS, Registration and Induction.

11. Funding of Induction, EPD & MEP Progress Report (GTCW 02/15)

- 11.1 Liz Brimble presented this paper updating members on the Council's work in administering funding, tracking and recording arrangements for Induction, the Masters in Educational Practice (MEP) and Early Professional Development (EPD) on behalf of the Welsh Government.
- 11.2 It was reported that Council was on track to meet the Welsh Government performance indicators set out in the Grant Offer Letter. Payments in relation to Induction, EPD & MEP were set out in Annex A of the paper. Induction claims for autumn term were currently being settled by staff.
- 11.3 With reference to paragraph 8, members were informed that a detailed analysis of supply teacher sessions had been completed. Recommendations had been passed to Welsh Government, and officers were currently awaiting feedback.
- 11.4 Members were informed that the final MEP cohort had started in January 2015; there were approximately 460 NQTs undertaking the programme, staff were awaiting final numbers from Cardiff University.
- 11.5 Liz Brimble reported that officers had been asked by Welsh Government to assist the Director of the MEP at Cardiff University in undertaking an evaluation of the programme. This would involve a survey of the three cohorts. The timetable for this work was being developed, with dissemination expected in 2017 by Cardiff University.
- 11.6 With reference to paragraph 8, one member queried the issue of eligible session lengths, as the current system could potentially disadvantage a number of supply teachers and NQTs with part-time contracts. He argued that Council should be able to recognise 'equivalent' sessions to rectify this problem. The Chief Executive confirmed that officers had raised this with Welsh Government on a number of occasions but there was no movement on this issue.
- 11.7 One member referred to the high drop-out rate of the MEP and argued that the Masters was a superb initiative that was wrongly aimed at teachers undertaking their Induction years. He stated that the timing was not appropriate and, with reference to paragraph 24, expressed dismay that teachers who had withdrawn or opted out of the current programme may not be able to rejoin or access the new Masters programme in the future. He added his hope that the EWC would press the Welsh Government to ensure these individuals would have a second chance to undertake the programme.

11.8 Sue Rivers (Deputy Chairperson) put forward her view that those who had persevered in the MEP should be congratulated and stated that, in her role of External MEP Mentor, she had seen many examples of outstanding practice. She felt that the MEP was of great benefit to the profession in the long-term.

11.9 No further matters were raised and members were content to note the further progress with the Council's responsibilities in administering funding, tracking and recording arrangements for Induction, MEP and EPD on behalf of the Welsh Government.

12. Reconfiguration & Transition Arrangements, 2014-15 (GTCW 03/15)

12.1 The Chief Executive introduced this paper and updated members on the progress towards transition from GTCW to Education Workforce Council (EWC).

12.2 With reference to paragraphs 7-9, members were informed that the Welsh Government had issued a press release on 30th January announcing the 14 newly appointed members of the EWC. Six existing GTCW members had been appointed - Angela Jardine, Roberto De Benedictis, John Griffiths, Helen O'Sullivan, Hugh Patrick and Jane Setchfield - and officers welcomed the continuity this would allow. Members were referred to the GTCW website for information about the eight other members and the Chief Executive reported that there was a good cross-section with representatives from FE, support staff, local authorities and diocesan directors. The EWC would meet at an induction session on 21st April 2015 which would be followed by the first formal Council meeting on 22nd April.

12.3 The Chief Executive referred members to paragraph 17 and reported that the Fees Regulations had been finalised by Welsh Government and laid before the National Assembly for Wales. A short plenary debate was scheduled for 10th February in which Assembly Members would be asked to approve a registration fee level of £45 for school teachers and FE lecturers. Fee levels for support staff would be approved in early 2016.

12.4 Members were informed that the Minister had approved the revised Code of Professional Conduct and Practice for Education Practitioners, and the document was ready for publication. Copies would be issued to FE lecturers in early March and would be available on the GTCW website from March 2015.

12.5 With reference to paragraph 20 onwards, the Chief Executive updated members on the substantial communications activity. Since September 2014, when Welsh Government had given the 'green light' to proceed with communications in relation to EWC, officers had worked hard to communicate information about the reconfiguration as widely as possible, to FE lecturers, senior staff, unions and other stakeholders, via meetings, presentations, the website, Twitter and briefing documents. Council thanked staff for their extensive work in this area and the Chief Executive confirmed he would pass this on to the communication and operational teams.

12.6 The Chief Executive stated that communicating with support staff in schools and FE, prior to their registration in April 2016, would be a very different challenge, but officers had a full 12 months to get the message across.

- 12.7 One member expressed concern that teachers had not been informed that nothing was changing for them in practice, other than the name of the registration body. The Chief Executive explained that, due to the limited communications budget and timeframe, the emphasis had largely been on FE, however there had been information directed at teachers on the website and attached to emails and letters. He confirmed that communication regarding the EWC would be included in correspondence to all teachers in the next couple of months, as part of the fee collection process.
- 12.8 There were no further comments from members on the reconfiguration and transition arrangements.

13. GTCW Financial Update 2014-15 (GTCW 04/15)

- 13.1 Julia Evans (*Deputy Chief Executive – Finance, Personnel & Corporate Services*) introduced this paper which provided a forecast outturn for the financial year 2014-15, based on the position at 30th November 2014.
- 13.2 The forecast outturn was a deficit of approximately £57,000, an increase on the previous forecast deficit of £50,000. This increase was due to four professional standards hearings that had not concluded during anticipated timescales and needed to be reconvened within the financial year. Members were also informed that there was an ongoing query with the landlord over an increase to the service charge, and a saving due to a staff member resignation.
- 13.3 The Chief Executive explained that on commencing his post, it was possible that the GTCW would pass on a deficit to the EWC, but due to a number of cost-savings there was now a small amount of cash reserves and this was important politically in terms of perceptions of the public and stakeholders.
- 13.4 The Council joined the Chairperson in thanking officers for making and supporting the budget cuts. Members commented that the financial security of GTCW and EWC was essential, and that the financial situation had been dealt with professionally and in a timely manner.

14. Draft Strategic Plan 2015-18 and Draft Operational Plan 2015-16 (GTCW 05/15)

- 14.1 The Chief Executive introduced this paper and explained that minor changes had been made to the draft Strategic Plan and draft Operational Plan following discussion at the Executive Committee meeting in December. Members were invited to discuss proposals for the revised draft Plans and, if appropriate, endorse them and recommend them to the EWC for adoption.
- 14.2 Members were informed that the draft Strategic Plan (at Annex A) had been renamed and was shorter, slicker, more high level and less detailed than previous Corporate Plans. Likewise, the draft Operational Plan (at Annex B) had fewer corporate indicators and had a greater focus on outcomes. The intention was to make the Plans more consistent with approaches taken by other professional bodies and GTCs.

14.3 The Chairperson reported that the Executive Committee was content that the format and level of detail in the Plans would allow EWC to fulfil its duties in terms of strategic oversight. There were no comments from members and Council was content to endorse the Strategic Plan 2015-18 and Operational Plan 2015-16 for recommendation to the EWC.

14.4 The Chief Executive confirmed that the Plans would go the EWC for approval at its first meeting in April. Members would be asked to take a pragmatic approach to approving the Plans; officers would be unable to make significant changes because the 2015-16 operational year would be underway.

**15. Draft Strategic Equality Plan 2015-18 and Equality Objectives 2015-16
(GTCW 06/15)**

15.1 Karen Evans (*Policy & Planning Manager*) introduced this paper and informed the Council that the draft Strategic Equality Plan (at Annex A) had been reviewed and amended to reflect reconfiguration to the EWC. The Plan outlined a number of practical objectives which Council could achieve in order to meet its Strategic Equality Duty. Members were invited to discuss the Plan and objectives and, if appropriate, recommend them to the EWC for adoption.

15.2 There were no comments and members were content to agree the draft Strategic Equality Plan 2015-18 and Equality Objectives 2015-16 for recommendation to the EWC.

15.3 Members were informed that the draft Plan and objectives would go on the EWC website for a public consultation period prior to being presented to the new Council for approval at its April meeting.

16. EWC Budget 2015-16 (GTCW 07/15)

16.1 Julia Evans introduced this paper which set out a draft budget for the operational year 2015-16. The budget was based on a number of assumptions due to the uncertainties around levels of expected activity during this period. For this reason, officers had set a budget for one year rather than the usual three years; calculation of the budgets for 2016-17 and 2017-18 would be postponed until the autumn. Members were invited to consider the draft budget and, if appropriate, recommend it to the EWC for adoption.

16.2 Council was informed that there were a number of uncertainties around levels of expected activity during 2015-16 due to the new registrant group. The actual number of additional registrants was not currently known and some FE lecturers were also already registered voluntarily with GTCW. Officers were unable to accurately predict how many Fitness to Practise hearings would be heard for FE lecturers in 2015-16, although it was anticipated that FE referrals would come in gradually. Direct costs were expected to be broadly similar to previous years, although two staff members would move from part-time to full-time contracts due to the increase in workload.

16.3 Julia Evans explained that, due to the uncertainties outlined above, officers had been prudent in calculating the annexed draft budget figures, and had forecast a reasonable surplus. Members understood that the Council was

moving into new territory and due to the extension of registration to new registrant groups the budget would need to be fluid for the next few years.

- 16.4 There were no comments and members were content to agree the draft budget for 2015-16 and recommend it to the EWC for adoption at its first meeting in April.

17. Disclosure & Barring Service (DBS) Checks (GTCW 08/15)

- 17.1 The Chief Executive introduced this paper and invited members to agree the recommendation of the Registration Committee to discontinue the practice of DBS disclosure checks as part of the registration application process and replace this with a “declaration”.
- 17.2 He explained that the practice of undertaking DBS checks had become very expensive for GTCW and currently cost approximately £15 per application in postage alone. The service from DBS had deteriorated in recent years, with turnaround times increasing, and since 2012 it had started to filter information out of the disclosure checks so Professional Standards officers and panel members were unable to use them to make fully informed decisions. Finally, schools and FE colleges had a duty to undertake DBS checks before appointing new members of staff and the fact that the GTCW had not refused registration on the grounds of suitability in nearly three years illustrated the increased awareness of employers of their responsibilities.
- 17.3 As a consequence of the changes outlined above, the Registration Committee had been asked to consider a number of options around the future of DBS at its meeting in December. The Committee had agreed that the DBS checks should be replaced by a detailed declaration and recommended this approach to Council. Officers viewed this approach as proportionate, pragmatic and in line with other regulators.
- 17.4 The Chair of the Registration Committee reported that Committee members had discussed the options in great detail and were satisfied that the decision to replace the DBS checks with a declaration was the most sensible on balance.
- 17.5 She added that Council must manage public perception and make clear that employers were making the necessary checks to ensure people working in schools were suitable to be there. The Chairperson agreed and stated that Estyn were now asking for evidence that DBS checks had been done as part of its school inspections; consequently, schools and local authorities had tightened procedures and this should offer the public reassurance. Liz Brimble confirmed that Registration Officers would continue to check every application against the barred list.
- 17.6 In response to members’ queries about the declaration, the Chief Executive confirmed that the existing declaration would be strengthened. In the case of Professional Standards cases, a false declaration would be added as an additional point for the Committee to consider. Members agreed that the consequences of making a false declaration must be made clear to registrants during the application process.

17.7 There were no further comments and members were content to agree the recommendation of the Registration Committee to discontinue DBS checks as part of the registration application process from 1st April 2015. The Chairperson sought assurance that the situation would be kept under review. The Chief Executive confirmed that this would be the case.

**18. Revised Registration Rules and Disciplinary Procedures and Rules
(GTCW 09/15)**

18.1 Liz Brimble introduced this paper which provided members with an opportunity to review and comment upon the draft EWC Registration Rules (Annex A) and draft EWC Disciplinary Procedures and Rules (Annex B).

18.2 Members were referred to paragraphs 3-6 of the cover paper and informed that their comments were being taken in parallel with the external consultation with stakeholders. This was not the preferred approach, but it was necessary due to time constraints as the Rules had to be in place by 1st April 2015. Officers did not receive the revised version of the draft *Education Workforce Council (Main Functions) (Wales) Regulations 2015* from the Welsh Government until December 2014, and the draft Rules were finalised in January following legal advice.

18.3 Liz Brimble explained that the Rules had been updated to incorporate the Regulations, and amended with some cosmetic changes. She drew members' attention to the section 9 of the Disciplinary Rules and Procedures which outlined provision for voluntary reprimand and prohibition, which was a new function under the Regulations.

18.4 Council understood that the changes had been made to comply with legislation and were content to approve the revised Registration Rules and Disciplinary Procedures and Rules.

18.5 Members were encouraged to make colleagues aware that the consultation was open for comments and the documents available on the Council's website. The consultation deadline was 23rd February 2015; once responses had been assessed, the Rules would be referred to the Chairperson for final approval.

**19. Draft GTCW Response to Welsh Government Consultation Teacher
Assessment (GTCW 10/15)**

19.1 Karen Evans introduced this paper and the draft GTCW response to the Welsh Government consultation on 'Teacher Assessment: Strengthening Arrangements to Improve Reliability, Consistency and Confidence' (at Annex A). She explained that the consultation proposed placing various duties on local consortia in regards to teacher assessment and moderation. GTCW had historically had an interest in teacher assessment and it was appropriate to respond within its remit. Members were invited to consider the draft response and, if appropriate, agree it for submission.

19.2 One member welcomed the reference in paragraph 8 of the response to the potential impact on teacher workloads and the suggestion that this would need to be monitored.

- 19.3 She went on to express concern about the capacity of local consortia to undertake the role proposed by Welsh Government. Council was in agreement and felt that the onus was on cluster groups; however the effectiveness of cluster groups was variable as it was very difficult in practice for schools to release teachers. Council felt that funding should not be provided to consortia but rather it should go directly to schools which would bear the cost of releasing teachers to participate in the cluster groups.
- 19.4 One member referred to plans to standardise INSET days across Wales, and expressed concern that these would be used for moderation instead of teachers' CPD. Members agreed that GTCW should emphasise the distinction between moderation and training in its response.
- 19.5 Another member suggested that Welsh Government look at systems of assessment that help improve learning rather than just measure it and Council agreed that any changes to assessment arrangements should be to the benefit of learners.
- 19.6 There were no further comments and members were content to agree the draft consultation response, subject to the inclusion of the points raised above. Karen Evans confirmed that members' comments would be incorporated into the draft GTCW response for final approval by the Chairperson. The final response would then be submitted to the Welsh Government by the 6th March 2015 deadline.

20. Draft GTCW Response to the Independent Review of Higher Education Funding and Student Finance Arrangements in Wales (Diamond Review) (GTCW 11/15)

- 20.1 Karen Evans introduced this paper and the draft GTCW response to the Diamond Review (at Annex A), explaining that its purpose of the review was to establish whether the current system of funding for HE in Wales is sustainable. She informed members that Council was submitting a response to make the case for it to have a role in the accreditation of Initial Teacher Education and Training. The Chairperson added that it was appropriate that Council took the opportunity to reiterate an argument that it had made many times in the past.
- 20.2 There were no comments and members were content to agree the draft response to the Independent Review of Higher Education Funding and Student Finance Arrangements in Wales for submission by the 27th February 2015 deadline.

21. Any Other Business

- 21.1 One member offered thanks to the GTCW staff for their commitment, ability and the quality of their work over the years. On behalf of Council, the Chairperson concurred and added that members had been particularly well-served and commended the staff on their extremely competent work and the spirit in which it had been undertaken particularly during the protracted period of uncertainty prior to the introduction of the Education (Wales) Act 2014.

21.2 The Chief Executive thanked members for their comments and agreed to convey Council's message to staff.

21.3 No other business was raised.

22-27. For Information Items

Members received in "For Information" papers, reports on:

- Annual Monitoring Report on the Welsh Language Scheme
(GTCW 12/15)
- GTCW Response to the Welsh Government Consultation on Proposals for the Disciplinary Functions of the EWC and a New Code of Professional Conduct and Practice for Registrants
(GTCW 13/15)
- GTCW Response to the Welsh Government Consultation on a Draft 10-year Plan for Early Years, Childcare and Play Workforce in Wales
(GTCW 14/15)
- GTCW Response to the National Assembly for Wales Inquiry into Supply Teaching
(GTCW 15/15)
- Quarterly Review (July-September 2014) **(GTCW 16/15)**
- Quarterly Review (October-December 2014) **(GTCW 17/15)**

With reference to Item 25 'GTCW Response to the National Assembly for Wales Inquiry into Supply Teaching', the Chairperson reported that she and the Chief Executive had been invited to give evidence to the Children & Young People's Committee on 26th February 2015.

The Council then moved into private session.