

Children, Young People and Education Committee
Welsh Parliament
Pierhead Street
Cardiff
CF99 1SN

16 December 2021

Dear colleagues

Tertiary Education and Research (Wales) Bill

Thank you for your email of 5 November 2021 seeking views on the general principles of the Tertiary Education and Research (Wales) Bill.

The Education Workforce Council (EWC) is the professional regulatory body for the education workforce in Wales, covering teachers and learning support staff in school and further education (FE) settings, work-based learning professionals and youth / youth support workers. Under the Education (Wales) Act 2014, the principal aims and functions of the Council are to:

- Contribute to improving the standards of teaching and the quality of learning in Wales
- Maintain and improve standards of professional conduct amongst teachers and others who support teaching and learning in Wales
- Safeguard the interests of learners, parents and the public and maintain public trust and confidence in the education workforce

The Council restricts its comments to matters within its statutory remit and in this regard has a small number of points it would invite the Committee to consider.

Professional registration and regulation

As the independent regulator for the education workforce in Wales, the EWC is interested to note that the 'Tertiary Education Workforce' referred to in the Bill includes further education (FE) and higher education (HE) teachers and support staff. However, it is notable that whilst FE teachers, FE learning support staff and work-based learning (WBL) practitioners are required to register with the Council, those teaching within HE settings are not. The EWC invites the Committee to consider this anomaly.

The Council notes that in Part 1 of the Bill, a key role of the Commission for Tertiary Education and Research (the Commission) is that of "ensuring that members of the tertiary education workforce are capable of providing tertiary education of a high quality". The Council would wish to highlight the benefits of registering and regulating FE teachers, FE learning support staff and WBL practitioners. These include, helping to improve standards of teaching and the quality of learning in Wales, safeguarding the interests of learners, parents and the public and helping to maintain public trust and confidence in the education workforce. We believe that extending the requirement to register with the EWC to include those teaching in HE settings could help efforts to

enhance the quality of teaching and learning and contribute towards improving student experience within Welsh universities.

The status of the Council

The Council notes that the EWC has been included alongside Estyn within a list of ‘public bodies’ that are part of the Explanatory Memorandum. However, whilst Estyn receives all of its funding from the Welsh Government, the Council is funded by fees from registered education practitioners (although we do receive an element of Welsh Government grant funding in return for undertaking specific activities on its behalf). The EWC’s status is therefore distinct from that of Estyn and we would wish to draw this to the attention of the Committee.

Accreditation of initial teacher education (ITE) programmes

The Council is pleased to note that the role that it plays in accrediting (and monitoring the compliance of) initial teacher education (ITE) programmes in Wales is acknowledged within the Explanatory Memorandum and that it is explicitly stated (in Paragraph 3.241) that only ITE programmes accredited by the EWC will be eligible for funding by the Commission.

However, the Council would invite the Committee to consider a further matter that is not addressed in the Bill, which is the provision of ITE programmes for those teaching within the Post-16 sector. The Council has noted Estyn’s October 2021 thematic report on ‘Initial teacher education in the post-compulsory education and training sectors’. The report looks at current ITE qualifications in Wales, identifies a number of key themes and makes a series of recommendations, including a call for a structural review of PCET ITE provision. The Council agrees with the recommendations that are set out within this report and we invite the Committee to consider the benefits of EWC accreditation of revised PCET programmes.

Professional standards

The Council notes that the general responsibilities of the Commission, as set out within paragraph 5(2) of the Bill, include ‘the reasonable requirements of members of the tertiary education workforce for continuous professional development’. The Explanatory Memorandum also states that “the creation of the Commission would provide an opportunity to align professional standards and qualifications to practice (teaching and tertiary education level) across Post-16 provision”. The Committee should note that the EWC already has a remit, set out in legislation, for standards of teaching in the FE and WBL sectors. We would therefore invite the Committee to consider the rationale for any devolution of responsibility for standards to the Commission (ostensibly a funding / QA body). The Council also notes that no similar reference is made to any such role for the Commission with respect to professional standards for HE professionals.

We also wish to highlight, to the Committee, our consistently held position that professional standards should be developed and ‘owned’ by the relevant professional body (which in the case of the FE and WBL sectors is the EWC). This is in line with common practice in many other

9^{ed} Llawr
Eastgate House
35-43 Ffordd Casnewydd
Caerdydd
CF24 0AB



9th Floor
Eastgate House
35-43 Newport Road
Cardiff
CF24 0AB

Ffôn: 029 20460099
Ffacs: 029 20475850

Tel: 029 20460099
Fax: 029 20475850

jurisdictions and professions (including within the social care sector in Wales, where the professional standards are owned by Social Care Wales (formerly the Care Council for Wales)).

Other areas where the EWC would invite further clarification

There are a number of other areas in the Bill that the Council believes would benefit from clarification and we invite the Committee to consider these:

- The Council's understanding is that work-based learning is only defined as apprenticeships within the Bill. This means that other existing coverage of WBL (namely employability) is not included. The Council believes that the Bill should more clearly specify what is in or out of scope of the new body's responsibilities, to ensure clarity in the sector.
- We note that the Bill sets out significant powers for the Commission to rationalise sixth form provision across Wales. The potential consequence of this is that by removing sixth forms from local authority control and subsuming them into a large body it will remove local accountability for this unique element of our education provision.
- The Council would also wish to highlight, to the Committee, the importance of ensuring that the Commission works in social partnership with all stakeholders involved in the tertiary education sector in Wales, including HEI's, FEI's, WBL providers, practitioners, trade unions and the EWC, in order to achieve its objectives.

I hope this information is of help. Please do not hesitate to contact me if I can be of further assistance.

Yours sincerely



Hayden Llewellyn
Chief Executive