

Explanatory Memorandum to the Education (Induction Arrangements for School Teachers) (Wales) Regulations 2015.

This Explanatory Memorandum has been prepared by the Department of Education and Skills and is laid before the National Assembly for Wales in conjunction with the above subordinate legislation and in accordance with Standing Order 27.1.

Minister's Declaration

In my view, this Explanatory Memorandum gives a fair and reasonable view of the expected impact of the Education (Induction Arrangements for School Teachers) (Wales) Regulations 2015 (the 2015 Regulations).

Huw Lewis

Minister for Education and Skills

3 March 2015

1. Description

1.1 This statutory instrument will revoke and replace the Education (Induction Arrangements for School Teachers) (Wales) Regulations 2005, as amended (“the 2005 Regulations”); the Education (Induction Arrangements for School Teachers) (Wales) (Amendment) Regulations 2012 (“the 2012 Regulations”), and Regulation 10 of the School Teachers’ Qualifications (Wales) Regulations 2012.

2. Matters of special interest of Constitutional and Legislative Affairs Committee

2.1. None.

3. Legislative background

3.1 The Education (Wales) Act 2014 (“the 2014 Act”) introduces a new, more robust registration system that will bring greater coherence and recognise the contribution of the whole education workforce to the education of all learners in Wales.

3.2 The Education Workforce Council (“EWC”) is a body corporate established under the 2014 Act; with the aim of contributing to improving the standards of teaching and the quality of learning and improving the standards of professional conduct amongst practitioners.

3.3 In extending the remit of the body, the 2014 Act provides that school teachers, further education (“FE”) teachers, school and FE learning support workers, register with the EWC. This is being implemented in a phased approach; and from April 2015, the requirement to register with the EWC will extend to FE teachers, in addition to teachers in maintained schools in Wales. It is intended that the registration requirement will then extend to learning support staff in both school and FE settings from April 2016.

3.4 Although the Welsh Government has identified professions that will initially be required to register (under Schedule 2 to the 2014 Act), this does not preclude the future registration of other groups such as Work Based Learners and Youth Workers who also provide a valuable contribution to the education and training of our children and young people. The 2014 Act therefore, creates a framework that will enable us to add new categories of registration in the future, if and when appropriate; and subject to the agreement of the National Assembly for Wales.

3.5 From 1 April 2015 the EWC will have a statutory duty to establish and maintain a register of school teachers in maintained schools (an existing compulsory requirement) and FE teachers. All employers will be required to ensure that they only employ teachers who are registered with the EWC.

3.6 The 2015 Regulations re-enact the provisions as set out in the 2005 Regulations, as amended; setting out the arrangements for the induction of newly qualified teachers in Wales into the teaching profession and for their assessment against the professional standards which they must meet at the end of their induction period. They also reflect amendments made in the 2012 Regulations that alter some of the requirements to enable supply teachers to undertake induction, to bring greater robustness and consistency to the support and assessment of newly qualified teachers undertaking induction and to set out the induction arrangements that apply to teachers from outside the UK.

3.7 The 2015 Regulations are made by the Welsh Ministers under sections 17, 19(3) and 47(1) of the 2014 Act which allows the Welsh Ministers by Regulations to make provision for, and in connection with, the requirement for registered persons (subject to such exceptions as may be provided for) to have satisfactorily completed an induction period. Regulations may include provision requiring any person exercising a function under the regulations to have regard to guidance issued by the Welsh Ministers.

3.8 The 2015 Regulations are subject to the negative resolution procedure.

4. Purpose & intended effect of the legislation

4.1 The 2015 Regulations will revoke and replace the 2005 Regulations, as amended. The 2015 Regulations re-enact the provisions of the 2005 and 2012 Regulations with some very minor changes.

4.2 Reference to the General Teaching Council for Wales have been removed and replaced with references to the EWC.

4.3 The 2015 Regulations mirror the existing 2005 Regulations, requiring only persons employed in a school or as teachers at relevant schools to have satisfactorily completed an induction period of not less than three school terms.

5. Consultation

5.1 The 2015 Regulations simply re-enact the 2005 Regulations with appropriate amendments to reflect the reformed EWC. As such no consultation was considered necessary.

6. Regulatory Impact Assessment

- 6.1 A Regulatory Impact Assessment has not been prepared as the Regulations do not impose any additional costs on business, employers or third parties. No additional requirements will be placed on the EWC as a consequence of the 2015 Regulations.