# **Petition P-05-805** Fair Deal for Supply Teachers

March 2021

This report summarises the Petitions Committee's consideration of a petition about the employment status and rights of supply teachers in Wales. It includes several recommendations made by the Committee.

#### The Petition

1. Petition P-05-805 Fair Deal for Supply Teachers was submitted by Sheila Jones in April 2018 having received a total of 1,425 signatures, consisting of 997 collected online and 428 on paper.

#### Petition Text:

We, the undersigned, request that all supply teachers be paid fairly and have full access to training opportunities and other terms and conditions. There should be a qualified teacher in every classroom and taxpayers' money should be going directly into education and not into the pockets of private agencies. Supply teachers are being exploited and teachers are leaving the profession as they cannot afford to be supply teachers. Agencies reduce teachers' pay by forty to sixty percent and teachers lose their pensions, this is public money going into the private sector for profit. Lessons are being covered by unqualified staff.

2. This report summarises the Petition Committee's (the Committee) consideration of the petition. All evidence received can be found on the Committee's webpages.



**3.** The Committee first considered the petition on <u>1 May 2018</u>, and at a further 11 meetings, looking at detailed correspondence from the Welsh Government, the petitioner and various stakeholders.

**4.** The Committee took evidence from Kirsty Williams MS, Minister for Education (the Minister) at its meeting on <u>2 April 2019</u>.

**5.** Following the evidence session with the Minister, the Committee agreed to write to stakeholders to seek their views on the petition. There were ten responses. These were from the teaching unions, the Welsh Local Government Association (WLGA), the Education Workforce Council (EWC) and Estyn. There were also comments from two individuals and the petitioner. The Committee also sought comments from recruitment agencies, receiving responses from six agencies.

**6.** In January 2020 the Committee agreed to produce a summary report of its consideration of the petition, including recommendations, however publication of this report was subsequently delayed by the Coronavirus pandemic.

## 1. Background

7. There has been previous work undertaken by the Senedd and the Welsh Government regarding Supply Teachers in Wales, including work by the Children Young People and Education Committee and the Public Accounts Committee in the Fourth Assembly. The Welsh Government established a <u>Ministerial Supply</u> <u>Model Taskforce</u> in June 2016 to consider issues around supply teachers. Its report was published on <u>2 February 2017</u> and the Minister accepted most of the recommendations.

**8.** The Minister wrote to the Committee in <u>March 2018</u>, detailing actions that had been taken following the Task Force report, including that the Welsh Government had:

- Addressed issues in terms of employer roles and responsibility for safeguarding;
- Issued guidance on the Agency Worker Regulations 2010;
- Put in place arrangements for all supply teachers to register for personal access to professional learning resources and opportunities on Hwb (the Welsh Government's education learning platform);

- Published streamlined guidance on the 'Effective Management of School Workforce Attendance' to share the good practice that schools and local authorities have adopted in managing planned and unplanned absence;
- Promoted the Welsh Government's Toolkit Guide Code of Practice Ethical Employment in Supply Chains to the education sector, including commercial recruitment agencies.
- 9. The Minister also stated:

"I want to see successful models for deploying temporary supply cover in all our schools and we are working toward a system where good quality teaching staff are available, providing a positive impact on learner outcomes, and where teaching staff are treated fairly and developed appropriately."

**10.** Following the transfer of responsibility for teachers' pay and conditions to the Welsh Government on 30 September 2018, the Minister provided a further **update**, detailing a new **national model for agreeing the Welsh Government's approach to determining teachers' pay and conditions** in Wales.

**11.** The Minister stated that the National Procurement Service (NPS) was revising the tender specification for the managed service framework for agency workers, and that:

"Policy officials and colleagues responsible for the Code of Practice: Ethical Employment in Supply Chains are also working closely with the NPS to ensure that arrangements support our national mission policy priorities, address future needs and abide by our Fair Work principles. The changes will aim to provide positive outcomes for our schools and learners whilst providing fairness to staff placed within Welsh schools via commercial supply agencies ... Planned changes will include the contract being let on a geographical lot basis, include minimum pay rates for supply teachers along with a requirement that there is transparency in terms of the fees that can be charged by commercial agencies, including temporary to permanent fees."<sup>2</sup>

<sup>&</sup>lt;sup>11</sup> Letter from the Minister for Education, 6 March 2018

<sup>&</sup>lt;sup>2</sup> Letter from the Minister for Education, 19 October 2018

**12.** In further correspondence, the Minister detailed:

"As part of the process for establishing robust mechanisms for determining teachers' pay and conditions we are recruiting members for an Independent Welsh Pay Review Body ... To support the new arrangements we have also established a Teachers' Pay and Conditions Partnership Forum which includes representatives from Welsh Government, employer organisations and union representative bodies."<sup>3</sup>

**13.** Subsequent correspondence in February 2019 provided additional detail on the Independent Welsh Pay Review Body:

"The Independent Welsh Pay Review Body the will consider all aspects of teachers' pay and conditions as per the terms of the annual remit letter following discussion with stakeholder groups including the teaching unions. The Review Body will comprise independent representatives appointed following a formal public appointments exercise which is currently underway. If remitted to do so, the Review Body will be able to consider and make recommendations on the pay of temporary teachers employed in the maintained sector ...

The Teachers' Pay and Conditions Partnership Forum includes representatives from all the teaching unions and employers. The teaching union members attend to represent the views of all their members including supply teachers. Under the local management of schools arrangement it is for school governing bodies and/or the local authority as the employers of teachers to determine how best to cover for planned and unplanned teacher absence."<sup>4</sup>

14. In November 2020, Audit Wales produced a report: <u>Covering teachers'</u> absence: Follow-up.

**15.** Since the Committee's initial consideration of this petition in May 2018, there have been a number of changes to the provisions for supply teachers.

July 2019	National Procurement Service awards latest contract for employment of agency staff in education, to run for 3
	years from 1 September 2019

<sup>&</sup>lt;sup>3</sup> Letter from the Minister for Education, 7 December 2018

<sup>&</sup>lt;sup>4</sup> Letter from the Minister for Education, 11 February 2019

November 2019	Interim evaluation of the supply model employment pilots published.
February 2020	Welsh Government updates guidance on managing school workforce attendance, including details about the new national contract.
March 2020	Welsh Government statement on temporary staff affected by closure of schools during the coronavirus pandemic.
July 2020	Welsh Government announces funding to support learners whose education has been disrupted by the coronavirus pandemic - support may be provided from the supply workforce and newly qualified teachers.
July 2020	Follow-up report on the supply model employment pilots published.
November 2020	Audit Wales report published. <u>Covering teachers' absence:</u> Follow-up.

## 2. Issues considered by the Petitions Committee

The viability of a public sector solution for employing supply teachers in Wales

**16.** Supply teachers employed through employment agencies are not in the employment of the local authority or the school and are therefore not covered by the pay and conditions document. In general, agency supply teachers are employed by their individual agency and are therefore subject to pay and conditions as determined by them. Teachers who are employed through a supply agency do not have access to the Teacher Pension Scheme.

**17.** The petitioners concerns over these arrangements lay at the heart of the petition. They highlighted concerns over the practices of some agencies, variations in rates of pay between different agencies and local authorities and the size of fees recouped by agencies.<sup>5</sup>

**18.** Stakeholders indicated that there was general support for a more centralised approach for employing supply teachers. For example, both the National

<sup>&</sup>lt;sup>5</sup> Correspondence from the petitioners, 25 April 2018

Association of Head Teachers (NAHT)<sup>6</sup> and the EWC<sup>7</sup> stated that a national model could be considered.

**19.** However, the NAHT<sup>8</sup> suggested that local authorities may not have resources or expertise to be able to re-introduce a public sector solution themselves, whilst the WLGA<sup>9</sup> stated that local authorities do not maintain supply pool lists due to resource implications.

**20.** The Association of School and College Leaders (ASCL)<sup>10</sup> and the NAHT<sup>11</sup> both stated that, given the current funding situation for schools, there may be difficulties in relation to paying higher costs for supply teachers that might arise from a public sector solution.

**21.** Estyn<sup>12</sup> stated that any national model would need to provide a reliable and high quality service for schools in all parts of Wales including in shortage subjects, Welsh-medium and special schools.

**22.** The National Education Union (NEU)<sup>13</sup> said that it believes an option similar to Northern Ireland, where the government is the employer, would be viable and noted that it had not seen any detail of any legislative section or precedent that would prevent this. The petitioners<sup>14</sup> also argued in favour of this model being replicated in Wales.

**23.** However, the Minister told the Committee that it was not as simple as taking the Northern Ireland model and bringing it to Wales, thought she acknowledged that "there are huge benefits, and there's nothing to stop individual schools, local authorities, regional consortia working together to develop lists".<sup>15</sup>

**24.** The Minister continued:

<sup>&</sup>lt;sup>6</sup> Correspondence, NAHT, 26 June 2019

<sup>&</sup>lt;sup>7</sup> Correspondence, EWC, 20 May 2019

<sup>&</sup>lt;sup>8</sup> Correspondence, NAHT, 26 June 2019

<sup>&</sup>lt;sup>9</sup> Correspondence, WLGA, 25 June 2019

<sup>&</sup>lt;sup>10</sup> Correspondence, ASCL, 26 June 2019

<sup>&</sup>lt;sup>11</sup> Correspondence, NAHT, 26 June 2019

<sup>&</sup>lt;sup>12</sup> Correspondence, Estyn, 19 June 2019

<sup>&</sup>lt;sup>13</sup> Correspondence, NEU, 24 June 2019

<sup>&</sup>lt;sup>14</sup> Correspondence from the petitioners, 21 May 2018

<sup>&</sup>lt;sup>15</sup> Record of Proceedings, 2 April 2019, paragraph 6

"One of the things that we have done, and one of the reasons for our pilot project, is to be able to demonstrate how different systems may operate to provide that evidence to schools and local authorities—that there are different ways, through direct employment, which would negate the need to use agencies. But I think the challenge is, in the current context of local management of schools, and that legal set-up, what are the constraints to improving the system? We're trying to do that in two ways, as a Government, because I think the system does need improving, and that is, as I said, to demonstrate the viability and the benefits of different models whilst also trying to reform the agency model at the same time."<sup>16</sup>

**25.** Earlier, in correspondence in late 2018, the Minister had stated:

"I have not ruled out working with employers to support the introduction of arrangements for a centralised or regional supply arrangement in the future. The responsibility for teachers' pay and conditions was devolved to Welsh Ministers on 30 September. The review body will consider evidence from all key stakeholders and will produce a report and make recommendations for proposed changes to Welsh teachers' pay and conditions in the future based on the terms of a formal remit letter. To support the new arrangements we have also established a Teachers' Pay and Conditions Partnership Forum which includes representatives from Welsh Government, employer organisations and union representative bodies. The Forum provides an opportunity to discuss and agree some of the issues that will need to be included in future remit letters to the pay review body."<sup>17</sup>

The improvements which could potentially arise out of the new framework contract arrangements

**26.** As referred to in section 1, the NPS has revised the tender specification for the managed service framework for agency workers in education. This was awarded in July 2019, to run for 3 years from 1 September 2019.

**27.** The previous specification had been in place since 2015, with New Directions as the 'preferred provider'. All local authorities had signed up to use the framework to meet their supply teacher requirement, though schools are not

<sup>&</sup>lt;sup>16</sup> Record of Proceedings, 2 April 2019, paragraph 6

<sup>&</sup>lt;sup>17</sup> Letter from the Minister for Education, 7 December 2018

bound by the framework and are free to use any method of supply to cover their lessons. The previous framework arrangements we subject to criticism by the petitioners and others, including that it had driven wages for supply teachers down and because schools in some local authorities were not able to employ directly in practice due to a lack of supply lists and payroll facilities.<sup>18</sup>

**28.** During her evidence to the Committee, the Minister outlined some of the features of the new specification and the controls which would be in place:

"... we will introduce a minimum daily pay rate, below which agencies will not be allowed to pay. We've had a national basis, which has meant the domination of a single supplier. The new contract will be let on a local authority basis, so, actually, we should be able to have greater choice for schools in who they can work with, because it's done on smaller lots rather than an all-Wales lot. We will require all agencies to be members of the relevant professional recruitment body. We will ensure that all agencies work within the code of practice for ethical employment. We are ensuring that all agencies offer a minimum of professional training to people on their books."<sup>19</sup>

**29.** The Committee heard some agreement from stakeholders that the new contract was an improvement over the previous one.

**30.** Estyn stated that the minimum daily pay rate may support supply teachers to participate in extra-curricular activities and training opportunities, however, they also raised concerns that an unintended consequence of paying a supply teacher a rate in line with their experiences is that it might discourage schools from employing more experienced, and therefore more expensive teachers.<sup>20</sup>

**31.** The NEU suggested that teachers should be paid according to their experience, a point also made by the petitioners.<sup>21</sup>

**32.** The NASUWT, writing before the specification was awarded, queried how the agencies within the contract will be regulated or vetted and said there should be inspection and enforcement.<sup>22</sup>

<sup>&</sup>lt;sup>18</sup> Correspondence from the petitioners, 6 September 2018

<sup>&</sup>lt;sup>19</sup> Record of Proceedings. 2 April 2019, paragraph 23

<sup>&</sup>lt;sup>20</sup> Correspondence, Estyn, 19 June 2019

<sup>&</sup>lt;sup>21</sup> Correspondence, NEU, 24 June 2019

<sup>&</sup>lt;sup>22</sup> Correspondence, NASUWT, 26 June 2019

**33.** The EWC suggested that the contract is flawed as schools will still be able to choose agencies who are not part of the contract. A similar point was made by the petitioner who suggested that around 28 agencies will be part of the contract<sup>23</sup> - the EWC stated that it currently deals with around 65 agencies.<sup>24</sup>

**34.** Estyn suggested that there should be regulations to control agency fees; rates of pay; and greater transparency over agency finances.<sup>25</sup>

**35.** The Committee was also keen to hear from supply agencies themselves. Vetro recruitment outlined some changes which may arise as a result of the new framework, including:

- Schools will be subject to higher charge rates in line with the newly increased rate of pay for fully qualified teachers in Wales.
- Teachers will be paid better and more fairly.
- We have had discussions with schools where they have stated that education budgets are already stretched and may be unable to pay the increased rate.
- It has also been in the public domain and relayed to us by some candidates that certain agencies who are on the framework intend to not follow the M1 pay rate.
- Enhanced pay within some areas of Wales could encourage more teachers to travel across the bridge from England and work in Wales. This coupled with the toll on the M4 bridge being removed may see the jobs in Wales being very attractive to travel to.
- Where schools struggle to pay the higher daily rate, we anticipate an increase in the usage of cover supervisors, higher level teaching assistants and unqualified teachers covering classes in place of fully qualified teachers.
- With teachers being paid a substantially higher daily rate, we anticipate an increase in staff remaining within the education

<sup>&</sup>lt;sup>23</sup> Correspondence from the petitioners, 2 July 2019

<sup>&</sup>lt;sup>24</sup> Correspondence, EWC, 20 May 2019

<sup>&</sup>lt;sup>25</sup> Correspondence, Estyn, 19 June 2019

sector as opposed to leaving for alternative roles outside of education.

- With teachers in a position to earn a higher daily rate working as a supply teacher will be more financially viable and appealing to candidates going forward.
- We anticipate the increased salary could lead to a growth in the number of people undertaking training to become a teacher and NQT's completing their induction year.<sup>26</sup>

**36.** Recruit 2 Schools also considered the framework to be an improvement, providing improved transparency. However, it raised a concern that "as it is not mandated there is the opportunity for agencies not on the Framework to undercut those that are, and supply to schools".<sup>27</sup>

**37.** MPS Education considered that, in some areas, teachers are prepared to accept pay below the agreed minimum rate:

"a significant number of qualified teachers are afraid of losing regular employment and are thus prepared to 'go along' with remuneration below the nationally agreed minimum benchmark".<sup>28</sup>

**38.** The Minister said that under the new approach, there would be stricter controls on the way contracts with supply teachers could be used.<sup>29</sup> She also expressed a hope that improved transparency – especially in relation to fees – would lead to improved practice:

"... I have been concerned, and I know many Members in the Assembly have been concerned, about the lack of transparency around fees and profits that are made by these organisations. So, there will be a requirement to make it very visible—so, when schools are using the services of an agency, how much of that cost is the pay of the teacher and how much of that is an agency fee? We're trying to increase transparency in the system as well, so there is greater transparency about the fees that agencies are charging, and that's money that is not going to the teacher. Hopefully, that greater information will lead to

<sup>&</sup>lt;sup>26</sup> Correspondence, Vetro Recruitment, 6 September 2019

<sup>&</sup>lt;sup>27</sup> Correspondence, Recruit 2 Schools, 10 September 2019

<sup>&</sup>lt;sup>28</sup> Correspondence, MPS Education, 23 October 2019

<sup>&</sup>lt;sup>29</sup> Record of Proceedings, 2 April 2019, paragraph 17

better practices and empower teachers, headteachers, or those people in a school making decisions about deployment, so that they can really see where their money is going."<sup>30</sup>

**39.** The Minister also provided an update on work undertaken with local authorities to ensure that schools were aware of the degree of choice and options open to them:

"We have been working with the WLGA, and the WLGA has recently written to all directors of education reminding them and bringing to their attention the rights of schools to appoint and employ teachers directly. Sometimes we've had correspondence that said that schools feel that they've got no choices and that they have to work in a certain way, and we want to remind directors of education that they can't force schools down a particular route because it's actually their responsibility and there are other ways of doing it, because some of the feedback we've had is that headteachers have said they wanted to directly employ someone or work in a different way, but perhaps their director of education has suggested that they need to use the national agency approach. We're just reminding people that there are other ways and schools have the right to do it differently."<sup>31</sup>

**40.** In November 2020, Audit Wales identified benefits to the national framework contract for agency staff, but recommended that the Welsh Government:

- puts in place monitoring arrangements for the contract's operation to ensure that supply teachers, cover supervisors and learning support workers are working within their role description;
- encourages schools to use its national contract for agency staff to benefit from its quality standards and safeguarding arrangements; and
- monitors the rate of take-up of its national contract for agency staff to check if schools are switching to using agencies outside of the contract's requirements.<sup>32</sup>

<sup>&</sup>lt;sup>30</sup> Record of Proceedings, 2 April 2019, paragraph 24

<sup>&</sup>lt;sup>31</sup> Record of Proceedings, 2 April 2019, paragraph 65

<sup>&</sup>lt;sup>32</sup> Audit Wales, Covering Teachers' Absence: Follow-up, November 2020

**41.** Audit Wales considered that there were risks that would result in schools taking decisions which undermines the framework contract, such as "schools may use higher level teaching assistants for short-term cover rather than supply teachers; and/or schools may use agencies outside of the national contract to reduce costs".<sup>33</sup>

Potential opportunities or risks for supply teaching arising from the devolution of pay and conditions for teachers

**42.** Stakeholders noted that a national model could address issues around pay and conditions and access to both professional learning and the Teachers' Pension Scheme.

**43.** All those responding to the consultation agreed that the devolution of pay and conditions represented an opportunity to provide improvements for the supply teaching workforce. The NAHT<sup>34</sup> and the NEU<sup>35</sup> said that the Independent Welsh Pay Review Body should be remitted to consider these issues.

**44.** The EWC<sup>36</sup> stated that changing to a regional or national solution would have implications due to the issue of who employs teachers.

**45.** The NAHT referred to the limited nature of the overall quantum of funding at the disposal of the Welsh Government and the risk of not ensuring parity with England.<sup>37</sup>

**46.** Estyn expressed the view that the current arrangements, whereby schools pay a fixed rate to agencies, may represent significant cost savings to schools.<sup>38</sup>

**47.** Some recruitment agencies detailed their approach to the payment of supply teachers:

"Hoop Education are fully committed to paying our qualified teachers a minimum daily rate of £121.64, in line with the M1 pay scale point. There are no payroll or agency fees involved whilst working with Hoop, with the above daily rate being paid to the assigned teacher in full. This rate

<sup>&</sup>lt;sup>33</sup> Audit Wales, **Covering Teachers' Absence: Follow-up**, November 2020

<sup>&</sup>lt;sup>34</sup> Correspondence, NAHT, 26 June 2019

<sup>&</sup>lt;sup>35</sup> Correspondence, NEU, 24 June 2019

<sup>&</sup>lt;sup>36</sup> Correspondence, EWC, 20 May 2019

<sup>&</sup>lt;sup>37</sup> Correspondence, NAHT, 26 June 2019

<sup>&</sup>lt;sup>38</sup> Correspondence, Estyn, 19 June 2019

is inclusive of holiday pay, which is accrued weekly and can be claimed by the teacher at any point. Reminders are sent to teachers on a regular basis so that all holiday pay is fully claimed."<sup>39</sup>

**48.** Excell Supply noted that there was some confusion on the approach to paying supply teachers, referring to two issues:

"... a number of our schools have contacted us and told us that one of our competitors has informed them that decision to pay the minimum pay rate to teachers is down to the school and if the school wish to save money then they don't have to pay the increased rate, and the increase would only kick in after 12 weeks due to AWR and that the NPS cannot force them to pay the minimum rate. The second was seeing a letter from the NASUWT to teachers informing them that agencies have to pay the increased rate and for teachers to let them know of any agencies that aren't paying it. So, the framework is only two weeks old and there is already some confusion on the subject of pay. After the first two weeks of the academic year 80% of our schools have told us they do not wish to pay the minimum pay rate to teachers."<sup>40</sup>

**49.** The Minister explained that, following the devolution of pay and conditions for teachers in September 2019, her priority had been:

"... to ensure that that process runs really smoothly and gives confidence to the teaching profession in Wales of our ability to run that system really well."<sup>41</sup>

**50.** Providing an update in December 2019, the Minister said:

"The NPS have been carrying out monitoring of pay rates, which has included acting on feedback from supply teachers, reviewing job adverts/websites and subsequently following up with agencies to address any issues of non-compliance. In instances where there has been an issue with an agency, it has been rectified immediately."<sup>42</sup>

<sup>&</sup>lt;sup>39</sup> Correspondence, Hoop Education, 23 August 2019

<sup>&</sup>lt;sup>40</sup> Correspondence, Excell Supply, 16 September 2019

<sup>&</sup>lt;sup>41</sup> Record of Proceedings. 2 April 2019, paragraph 23

<sup>&</sup>lt;sup>42</sup> Letter from the Minister for Education, 9 December 2019

**51.** The Minister also stated that New Directions had reported that 88 per cent of its bookings for supply teachers in September 2019 were at the minimum pay rate, the Minister continued:

"The remaining 12% of bookings were not paid at the minimum level at the request of the school. The trend of the correspondence now being received by the NPS is that where the minimum pay rate is not being met, it is the schools that are making this decision. Where the NPS are made aware of this either through an agency or supply teacher, it has been reported back to individual local authorities to address with the school in question."<sup>43</sup>

**52.** In November 2020, the Audit Wales noted:

"While pay has increased for supply teachers from agencies on the framework, we do not know if this has goal has been met totally as we do not know supply teachers directly employed by schools are paid according their experience and point on the teachers' pay scale."44

Arrangements for professional learning for supply teachers, particularly in light of current education reforms.

**53.** The NASUWT was pleased that the Welsh Government has assured it that supply teachers will be able to access funding to support their own learning.<sup>45</sup>

**54.** The NEU stated that funding announced for professional learning (£24 million over two years) should include an element for the supply workforce.<sup>46</sup>

**55.** ASCL stated that it is not appropriate for supply teachers to be responsible for their own professional learning as they may not have access to high quality provision and that, while central provision would be expensive and difficult to co-ordinate, it should be examined.<sup>47</sup>

**56.** The NAHT said that quality professional learning needs to be planned on a national basis and delivered through committed additional resource.<sup>48</sup>

<sup>&</sup>lt;sup>43</sup> Letter from the Minister for Education, 9 December 2019

<sup>&</sup>lt;sup>44</sup> Audit Wales, **Covering Teachers' Absence: Follow-up**, November 2020

<sup>&</sup>lt;sup>45</sup> Correspondence, NASUWT, 26 June 2019

<sup>&</sup>lt;sup>46</sup> Correspondence, NEU, 24 June 2019

<sup>&</sup>lt;sup>47</sup> Correspondence, ASCL, 26 June 2019

<sup>&</sup>lt;sup>48</sup> Correspondence, NAHT, 26 June 2019

**57.** Estyn stated that opportunities for supply teachers on shorter term contracts are variable, and there is currently not enough professional learning for supply teachers.<sup>49</sup>

**58.** The EWC stated that all supply staff (teachers and support staff) should have an entitlement to learning, tailored to the particular career stage of the individual.<sup>50</sup>

**59.** Some supply agencies highlighted their commitment to learning for supply teachers, Hoop Education detailed:

"As a teacher-led agency, we are particularly committed to the provision of CPD opportunities for our supply teachers. In addition to our partnership with the accredited educational training facility, Educare, we provide several internal training courses for our teachers, free of charge, offering practical advice and guidance drawn from our own knowledge and experiences as practitioners."<sup>51</sup>

**60.** The Minister outlined changes made to allow supply teachers to access Hwb, including changes to the log in process, and indicated that 600 supply teachers had access to Hwb:

"With regard to training, under the new contract, those applying to be on the contract will have to provide free professional learning opportunities for those working in those agencies. Obviously, this is a crucial time for professional development for the entirety of the workforce, as we move towards the new national curriculum, and we're not just relying on agencies to provide that training, we're working with our regional consortia to ensure that the professional learning opportunities of supply staff are also addressed. So we're not just leaving it to the agencies, we're actually using these mechanisms that we've got to be able to develop programmes for supply teachers specifically, as we move towards the introduction of the new curriculum, because it's really important that all staff who could be working in our schools have the appropriate professional learning for that change.<sup>52</sup>

<sup>&</sup>lt;sup>49</sup> Correspondence, Estyn, 19 June 2019

<sup>&</sup>lt;sup>50</sup> Correspondence, EWC, 20 May 2019

<sup>&</sup>lt;sup>51</sup> Correspondence, Hoop Education, 23 August 2019

<sup>&</sup>lt;sup>52</sup> Record of Proceedings, 2 April 2019, paragraphs 75 and 77

61. Audit Wales reported that:

"The Welsh Government has sought to improve resources and access to training for supply teachers. This remains a challenge as access to training and support is often through employment. Supply agencies have provided a range of training events for supply teachers and learning support workers. Online resources on the new curriculum for Wales are available to supply teachers with access to Hwb, its digital platform. The Welsh Government has encouraged the regional education consortia and councils to provide training for supply teachers ahead of the new curriculum in September 2022. Schools are encouraged to provide performance feedback to cover staff but it is not clear that this happens routinely."<sup>53</sup>

### 3. Next steps and recommendations

**62.** Having considered the evidence set out in this report, the Committee has set out several recommendations below.

**63.** At the time that the petition was originally submitted in early 2018 there was a significant degree of concern about the arrangements for employing supply teachers and, in particular, the managed service framework for agency workers in place at that time. During its consideration of the petition, the Committee has had a great degree of sympathy for those concerns and has sought to press the Welsh Government to consider opportunities to explore and pursue alternative arrangements, a public sector solution in particular.

**64.** We also acknowledge that steps have been taken to address some of those concerns, most notably through the work to revise the framework undertaken by the National Procurement Service.

**65.** The new contract, which was awarded to run for 3 years from September 2019, appears to have significant advantages over the previous arrangements, not least in relation to the introduction of a minimum daily pay rate, increased choice for schools and new requirements around training and professional development.

**66.** We consider that these new arrangements, which we acknowledge will also have been impacted by the Coronavirus pandemic, need to be given time to bed in. However, we consider that the Welsh Government should keep them under

<sup>&</sup>lt;sup>53</sup> Audit Wales, Covering Teachers' Absence: Follow-up, November 2020

close review during the time remaining and should consider further the possibilities of alternative models as an early priority in the next Senedd, not least because many supply teachers will themselves have been impacted by the pandemic.

**67.** The Committee notes that the forthcoming Senedd election means that further decisions will be taken by a future Welsh Government and any further scrutiny that may be required will be undertaken by the next Senedd.

### RECOMMENDATIONS

**Recommendation 1.** That the next Welsh Government should keep the impact that the National Procurement Services Framework Agreement for the provision of temporary workers and supply teachers, awarded in September 2019, under close review in order to fully understand its impact on the pay and conditions of the supply teaching workforce.

**Recommendation 2.** As recommended by Audit Wales, the Welsh Government should monitor the rate of take-up of the Framework Agreement to understand whether schools are using agencies outside of that contract, and in what numbers.

**Recommendation 3.** Alongside this, the next Welsh Government should give further consideration to alternative arrangements for supporting schools to find and employ supply teachers, including direct employment and the introduction of centralised or regional supply arrangements. We consider that a public sector solution would have significant advantages over the current model.

**Recommendation 4.** The Welsh Government should remit the Independent Welsh Pay Review Body to consider the pay and conditions of supply and temporary teachers as part as part of its responsibilities.