**New registration categories for the Education Workforce Council**

**Consultation response form**

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Responses should be returned by **24 May 2022** to:

Governance and Legislation Team

Schools Effectiveness Division

Education and Public Services Group

Welsh Government

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or completed electronically and sent to:

email: EWCConsultation.WG44232@gov.wales

**What do you think of our proposals for some staff working at independent schools to register with the Education Workforce Council (EWC)?**

**Question 1** –Do you agree registration should be broadened to include some staff working at independent schools?

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| **Yes** | [x]  | **No** | [ ]  | **Don’t know** | [ ]  |

Supporting comments

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| It is important for parity and consistency with the state sector. If school support staff in primaries and comprehensives are required to register, so too should those in the private sector. |

**Question 2** – Is the description of ‘specified work’ in [regulation 17 of the Education Workforce Council (Main Functions) (Wales) Regulations 2015](https://www.legislation.gov.uk/wsi/2015/140/part/3/made) broad enough to cover the roles and responsibilities of teaching staff at independent schools?

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| Yes | [ ]  | No | [ ]   | Don’t know | [x]   |

Supporting comments

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**Question 3** – Further to the following list of roles, are there other roles within independent schools which should fall into the category of school teacher?

* Full-time teaching staff
* Part-time teaching staff
* Those responsible for leading the learning at the school, for example headteacher or proprietor
* Supply staff – procured through an agency or otherwise
* Peripatetic teaching staff – for example music and sports teachers
* Advisory teaching staff who spend a proportion of their time in a teaching capacity, involving direct unsupervised learner contact
* Home tutors who are employed to teach learners unable to attend school on a regular basis
* Any other staff who may have more than one role within a school, one of which includes teaching – for example houseparent, careers advisor, tutors

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| Yes | [ ]  | No | [ ]   | Don’t know | [x]   |

Supporting comments

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**Question 4** – Is the following description broad enough to cover all the roles and responsibilities of learning support workers at independent schools?

Learning support workers at independent schools are those who support school teachers to:

* plan and prepare lessons and courses of study for learners
* deliver lessons to learner (including through distance learning and virtual techniques)
* assess the development, progress and attainment of learners
* report on the development, progress and attainment of learners.

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| Yes | [x]  | No | [ ]   | Don’t know | [ ]   |

Supporting comments

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| Please see final comments (question 24) |

**Question 5** – Does this list cover all roles within independent schools which should be included in the learning support category?

* Teaching assistant
* Classroom assistant
* Learning support assistant
* Higher level teaching assistant (HLTA)
* Special/additional needs assistant
* Bilingual support assistant
* Pastoral/welfare assistant
* Support assistant
* Tutors (residential and non-residential)
* Early years assistants
* Instructors
* Cover supervisor
* Technicians
* Learning coaches

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| Yes | [ ]  | No | [ ]   | Don’t know | [x]   |

Supporting comments

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**Question 6** – Do you think there are there any other groups of staff employed in independent education settings who should be required to register with the EWC?

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| **Yes** | [ ]  | **No** | [ ]  | **Don’t know** | [x]  |

Supporting comments

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**Question 7** – Please add here any further comments on our proposals for requiring registration of staff of independent schools.

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**What do you think of our proposals to change some of the requirements for youth workers and youth support workers to register with the EWC?**

**Question 8** – Do you agree registration should be broadened to include all paid youth workers and youth support workers regardless of the setting they work in?

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| Yes | [x]  | No | [ ]   | Don’t know | [ ]   |

Supporting comments

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| Please see final comments (question 24) |

**Question 9** – Do you think students currently working towards a youth work or youth support worker qualification should register?

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| Yes | [x]  | No | [ ]   | Don’t know | [ ]   |

Supporting comments

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| Yes, if Welsh government wants consistency; but registration should be free for students and low earners. We acknowledge that registration would allow EWC to have an accurate picture of numbers entering the profession. |

**Question 10** – Do you think people who are paid and delivering youth work, but who are not qualified, should register?

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| Yes | [x]  | No | [ ]   | Don’t know | [ ]   |

Supporting comments

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| It would be contradictory if they did not have to register, given what the consultation says on safeguarding. |

**Question 11** – Do you agree the list of qualifications in [Schedule 1](https://www.legislation.gov.uk/wsi/2016/1183/schedule/1/part/1/made) and [Schedule 2](https://www.legislation.gov.uk/wsi/2016/1183/schedule/2/part/1/made) to the Education Workforce Council (Registration of Youth Workers, Youth Support Workers and Work Based Learning Practitioners) Order 2016 should be removed from the Order and held elsewhere?

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| Yes | [x]  | No | [ ]   | Don’t know | [ ]   |

Supporting comments

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**Question 12** – Do you agree the list of qualifications at Annex A is the current list for youth workers and youth support workers?

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| Yes | [ ]  | No | [ ]   | Don’t know | [x]   |

Supporting comments

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| This is not a question we can answer and would be best answered by those with a thorough knowledge of the content of each course.  |

**Question 13** – Do you agree additional information should be provided in the 2016 Order to clarify the difference expected in qualification levels between a youth support worker and a youth worker?

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| Yes | [x]  | No | [ ]   | Don’t know | [ ]   |

Supporting comments

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**Question 14** – Please share with us any thoughts you may have on our future work on volunteers in the youth work sector.

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| The sector should not be overly reliant on volunteers, who of course can depart at any time and possibly disrupt service provision. Only sustained investment in the services and in youth workers and youth support workers themselves can improve provision to young people and help professionalise the sector. |

**Question 15** – Please add here any further comments on our proposals for changing the registration requirements of youth workers and youth support workers.

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**What do you think of our proposals to change the requirements for staff working in post-16 education to register with the EWC?**

**Question 16** – Do you agree all community-based adult learning providers, whether they are employed through a further education institution or a local authority, should be required to register with the EWC?

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| Yes | [x]  | No | [ ]   | Don’t know | [ ]   |

Supporting comments

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**Question 17** – Do you agree all principals and senior leaders, including chief executive officers, in further education and work-based learning institutions should be required to register with the EWC, even if they do not deliver any direct teaching?

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| Yes | [x]  | No | [ ]   | Don’t know | [ ]   |

Supporting comments

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| They should have the same accountability and opportunities. |

**Question 18** – Do you agree the exemption included in regulation 19(2)(a) of [the Education Workforce Council (Main Functions) (Wales) Regulations 2015](https://www.legislation.gov.uk/wsi/2015/140/regulation/19/made), which means the requirement to register does not apply to a person who ‘teaches higher education in or for a further education institution’, should be removed?

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| Yes | [x]  | No | [ ]   | Don’t know | [ ]   |

Supporting comments

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| They should have the same accountability and opportunities as they work in an FE institution and are potentially in contact with all learners. |

**Question 19** – Do you agree with the proposition for all work-based learning practitioners employed through publicly funded programmes to be required to register with the EWC?

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| Yes | [x]  | No | [ ]   | Don’t know | [ ]   |

Supporting comments

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| They should have the same accountability and opportunities. |

**Question 20** – Please add here any further comments on our proposals for changing the requirements for registration of staff in post-16 education.

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**What do you think about volunteers working with young people?**

**Question 21** – Do you agree with the proposition not to require volunteers who work with young people to register with the EWC?

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| Yes | [x]  | No | [ ]   | Don’t know | [ ]   |

Supporting comments

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**Question 22** – We would like to know your views on the effects that our proposals would have on the Welsh language, specifically on opportunities for people to use Welsh and on treating the Welsh language no less favourably than English.

What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?

**Supporting comments**

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**Question 23** – Please also explain how you believe the proposals could be formulated or changed so as to have positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language, and no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.

**Supporting comments**

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**Question 24** – We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them:

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| UNISON’s submission is informed by our experience of Welsh government’s registration of school support staff, six years ago. At that time, registration was sold to those workers as a first step towards professionalisation of the sector. There are many school support staff who believe that this promise has not been realised.The same is true for business support staff in Further Education. Registration has certainly not opened up training and career development opportunities for these staff.The cost of registration for very low paid, casual, term time workers in schools and colleges, remains onerous. Support staff in education are yet to feel the benefit that comes from registering with a professional body.Despite registering six years ago, many staff have never had a development review or meaningful training. Some teaching assistants work without a proper written and agreed job description. There is no common contract.‘Professionalisation’ of the sector sounds very positive and no-one would dispute that is a good thing. Indeed, school and college support staff are dedicated professionals performing a vital role which makes our schools and colleges the success they are and assist pupils in reaching their potential. Raising standards depends on a variety of interventions. UNISON believes that more investment in the workforce and its professional development, should run alongside registration.We would like Welsh government to be aware of the concerns of school and other support staff (who were the first tranche outside the teaching profession to be registered), before any expansion of the categories is implemented. It is important the same issues do not reoccur.In its explanatory note, Welsh government talks repeatedly of registration as reinforcing safeguarding. Safeguarding is also dealt with through DBS checks and it is confusing for this to be in some way linked, as the note says, to qualifications. Registration has to mean something wider than simply giving the public assurance. If you need to be registered, there’s an expectation placed on you, but there is also an expectation on what it will deliver for you. Elsewhere, the explanatory note says,*“Registration means the public can be reassured the people working in a particular profession are suitably qualified, their knowledge and skills are kept up to date…”*  but you do not need any qualifications to be a teaching assistant and, as we have described, they lack training and ongoing support. Equally, an individual’s training record is not reviewed on an annual basis as a condition of ongoing registration.We cannot see that registration will be a particular attraction for people to enter the profession whilst there remains little opportunity for professional development.It is essential for Welsh government to reflect on the lack of progress made in the professionalisation of school support staff following their registration six years ago.  |

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| Responses to consultations are likely to be made public, on the internet or in a report. If you would prefer your response to remain anonymous, please tick here: | [ ]  |