

Education Workforce Council Investigating Committee and Fitness to Practise Committee membership

Consultation response form

Your name: UNISON Cymru Wales (contact: Alastair Gittins)

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Responses should be returned by 1 December 2023 to:

Legislation and Governance Branch
The Education Directorate
Welsh Government
Cathays Park
Cardiff
CF10 3NQ

or completed electronically and sent to:

email: ewcconsultation.wg47830@gov.wales

Question 1 – Do you agree with the proposal to amend the requirements for the Committees?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

We appreciate that it may be difficult to get panel members to sit on these committees, especially where you may be seeking members from a small pool of registrants, but we feel strongly that at least one of those sitting on FTP committees should be representative of the registrant group.

Welsh government has underlined the importance of this principle in the preface of the consultation, explaining the current situation:

“A registered person member is a person who is registered with the EWC in the same registrant category as the person facing the proceedings and is employed or otherwise engaged as such at the date of their appointment to the Committee.”

Question 2 – Do you agree with our assessment of the impacts of the proposal?

Agree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>
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Supporting comments

If there are not members of the registrant group, we risk, for school support staff, a chance that they may find themselves being judged by those who don't necessarily understand the roles they have and the challenges they face. This is particularly unfair and risks that such registrants may be treated less favourably and be subject to outcomes which ruin their livelihood.

This is already a group of workers who despite the undoubted value they bring to children's education, are institutionally belittled and feel discriminated against. They are routinely excluded from key planning decisions in schools. To not have a fellow school support staff member on the FTP committee will only add to the sense of discrimination.

As the consultation wording states:

"The EWC's fitness to practise casework is therefore vitally important in maintaining the professional standards of the education workforce in Wales."

School support staff form the overwhelmingly largest part of that workforce and it would be perverse for this group not to be properly represented in the FTP committee.

The consultation almost accepts there is a level of discrimination towards school support staff by acknowledging:

"School learning support staff and those in further education may have a particular difficulty in a) being supported to apply for the role, and b) obtaining release time that allows them to commit to sitting as a member."

The proposed changes would not assist the problem of institutional discrimination and we do feel that the person facing fitness to practise proceedings would be disadvantaged by the amendment.

We have no doubt that if support staff are signposted and encouraged to apply to become panel members and school leaders are required to release staff to engage in these roles, that there would not be a shortage of nominees coming forward, but the responsibility for ensuring and enabling this to happen lies with the employer.

Question 3 – Do you agree with the proposals for miscellaneous amendments to the 2015 Regulations?

Agree	<input type="checkbox"/>	Disagree	<input type="checkbox"/>	Neither agree nor disagree	<input checked="" type="checkbox"/>
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Supporting comments

N/A

Question 4 – What, in your opinion, would be the likely effects of the amendment to the Committees on the Welsh language? We are particularly interested in any likely effects on opportunities to use the Welsh language and on not treating the Welsh language less favourably than English.

Do you think that there are opportunities to promote any positive effects?
Do you think that there are opportunities to mitigate any adverse effects?

Supporting comments

N/A

Question 5 – In your opinion, could the proposed amendments be formulated or changed so as to:

- have positive effects or more positive effects on using the Welsh language and on not treating the Welsh language less favourably than English; or
- mitigate any negative effects on using the Welsh language and on not treating the Welsh language less favourably than English?

Supporting comments

N/A

Question 6 – 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:

UNISON would be pleased to work with Welsh government and the EWC to utilise the experience of our school support staff representatives and to see how support staff might be better encouraged to apply to become panel members.

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: