



Eich cyf/Your ref  
Ein cyf/Our ref

20 August 2014

Mr Darren Millar AM  
Chair  
Public Accounts Committee  
National Assembly for Wales

Dear Darren

### **Covering Teachers' Absence**

Thank you for your letter seeking further clarification in relation to the response that I provided to your report on Covering Teachers' Absence. I will respond to each of the three recommendations you have highlighted in turn.

### **Recommendation 1**

I note that the original recommendation in your report did not refer to monitoring expenditure on supply cover. This was in fact part of recommendation 13. However, I will deal with the response as it has been set out in your letter.

As I stated in my original response, school governors and the headteacher are responsible for the deployment of staff to meet the needs of the school and monitoring absence data on a regular basis is a key element in meeting this requirement. In practice, schools will be supported in this by local authorities in their capacity as employers.

Whilst the collection of additional data may have some value we also need to bear in mind the potential burdens on schools and local authorities of providing data centrally in addition to arrangements already in place.

My officials will therefore work with schools, local authorities and consortia to identify what key information should be collected, by whom, and how it can be used by them to better manage teacher absence. However, in doing so, we will also consider how data can be collated nationally in a form that is useful and which avoids unnecessarily increasing burdens on schools and employers.

As part of the annual review and challenge cycle which takes place with consortia, we will discuss the data that has been collected by the local authorities/consortia including trends and issues that have been highlighted by the data. These meetings will also allow us to work with the partners to identify examples of best practice as well as consider solutions to key areas of concern.

### **Recommendation 3**

The Welsh Government has committed to issue guidance which will make clear to governors their right to ask headteachers for regular reports on absence issues.

We have previously explained that certain governors such as the chair and members of committees dealing with staff disciplinary and dismissal matters, staff grievances, redundancies and capability issues have specific roles and responsibilities within those processes. Those governors and committees will be responsible for managing the HR process and seeking advice from local authorities/consortia on how best to deal with the issues raised. Given that these HR matters are invariably confidential it would not be appropriate for other governors to be involved and there would be no role for them to manage any staffing or HR process.

The Committee may also wish to note that in accordance with the Government of Maintained Schools (Wales) Regulations 2005 governing bodies are required to review all policies, procedures and committee remits and terms of reference at least annually to ensure they are kept up to date and to identify membership of committees that deal with these matters – this includes HR policies and committee structures. Usually governors will be made aware of this as it will be on the agenda which is agreed between the chair of governors and headteacher.

As regards delegation of functions there is also scope within the 2005 school governance regulations for governing bodies to delegate certain matters if they wish – it is up to them what they delegate and to whom. However, in our experience it would be most unusual for a school not to have a generic staffing/personnel committee to consider HR and staffing matters that fall outside of those previously mentioned, such as staffing structures, staff absences and staff requests for leave during term time etc. The chair of this committee will be the link with the governing body and as required in the 2005 governance regulations will have to report discussions and decisions on staffing and HR matters. The governing body could choose to delegate the generic functions of a staffing/personnel committee to a single governor, if they wished.

Governors are volunteers and HR and staffing matters are a huge responsibility which is why these issues are normally delegated to committees rather than an individual governor. Given the complexity often involved in HR and staffing matters a single governor, in our view, would be unlikely to want to be responsible for dealing with such sensitive matters as they would not have the confidence, knowledge and experience. There are also risks in attaching such responsibilities to a single person.

### **Recommendation 13.**

I note that this recommendation in your original report made no reference to monitoring learner progress and was primarily concerned with the cost of teacher absence which I have dealt with under recommendation 1 above.

However, maintaining continuity of learning during staff absence is clearly a fundamental issue that should be at the forefront of schools' thinking when they are managing absence and this will be an integral part of the actions we are taking in relation to your recommendation 7. My officials are drafting guidance on the effective management of cover in response to this recommendation. This guidance is being produced in conjunction with schools and local authorities to identify effective practice and will cover the following themes:

- Roles and responsibilities of stakeholders
- Effective management of cover
- Mitigating the impact of teacher absence
- Proactive management of teachers' attendance and absence
- Information and support to be provided to supply teachers and other staff providing cover
- Performance management and professional development of staff.
- Quality Assurance checklist for schools who use supply teachers from agencies and local authorities lists.

I do not see it as part of the role of the Welsh Government to micro-manage schools as the responsibility for ensuring that learners make good progress sits squarely with schools themselves as reflected by the statutory duties placed on the Governing Body and the headteacher. I have put in place a National Model of Regional Working that integrates school improvement services to provide the appropriate degree of challenge and support for schools and Local Authorities continue to be responsible for the performance of their schools. Through the review and challenge arrangements that I referred to earlier I will expect to be provided with the necessary level of assurance that the interests of learners are being fully catered for. The guidance described above will assist them in this.

I hope this addresses your concerns.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Huw Lewis', is enclosed in a thin black rectangular border.

**Huw Lewis AC / AM**

Y Gweinidog Addysg a Sgiliau  
Minister for Education and Skills

