

Explanatory Memorandum: The Education Workforce Council (Accreditation of Initial Teacher Training) (Wales) Regulations 2017

The Explanatory Memorandum has been prepared by the Education and Public Services Group of the Welsh Government and is laid before the National Assembly for Wales in conjunction with the above subordinate legislation and under Standing Order 27.1.

Cabinet Secretary's Declaration

In my view this Explanatory Memorandum gives a fair and reasonable view of the expected impact of the Education Workforce Council (Accreditation of Initial Teacher Training) (Wales) Regulations 2017. I am satisfied that the benefits justify the likely costs

Kirsty Williams
Cabinet Secretary for Education

15 February 2017

1. DESCRIPTION

1.1 The Education Workforce Council (“the Council”) is continued in existence under section 2 of the Education (Wales) Act 2014 (“the 2014 Act”). Section 4 of the 2014 Act sets out the main functions of the Council and Section 5 of the 2014 Act allows the Welsh Ministers to make an Order conferring or imposing additional functions on the Council. Accordingly, the Education Workforce Council (Accreditation of Initial Teacher Training) (Additional Functions) (Wales) Order 2017 (“the 2017 Order”) confers the following additional functions on the Council (“the Accreditation and Compliance Functions”):

- a) accrediting courses or programmes of initial school teacher training (“the Service”);
- b) monitoring compliance of accredited courses or programmes of initial teacher training with the accreditation criteria;
- c) withdrawing accreditation of courses or programmes of initial school teacher training; and
- d) charging fees in connection with providing the Service

1.2 The Education Workforce Council (Accreditation of Initial Teacher Training) (Wales) Regulations 2017 (“the 2017 Regulations”) make provision requiring the Council to delegate the Accreditation and Compliance Functions to a committee.

1.3 Under regulation 7 of the School Teachers’ Qualifications (Wales) Regulations 2012 (“the 2012 Regulations”) the Higher Education Funding Council for Wales (HEFCW) formally had the function of accrediting an institution for the provision of courses or programmes of study of initial school teacher training, but did not accredit the actual course or programme of study provided. Under the 2017 Order the Council now has the function of accrediting courses or programmes of study of initial school teacher training and not the institutions providing the courses or programmes of study. Institutions accredited by HEFCW (prior to the coming into force date of the 2017 Regulations) will remain accredited until the earlier of the circumstances set out under the 2017 Regulations (regulation 3(3)). This provision is designed to ensure that students enrolled on a course or programme of study of initial school teacher training immediately prior to the coming into force of the 2017 Regulations are not unfairly prejudiced in the event of the accreditation of the institution providing the course or programme of study being withdrawn, before the end the course or programme of study.

2. MATTERS OF SPECIAL INTEREST TO THE CONSTITUTIONAL AND LEGISLATIVE AFFAIRS COMMITTEE

2.1 None.

3. LEGISLATIVE BACKGROUND

3.1 Qualified for Life¹ sets out clear strategic objectives for the development of the curriculum and qualifications whilst recognising the central role of the education workforce in delivering our vision, through:

- an excellent professional workforce with strong pedagogy based on an understanding of what works,
- leaders of education at every level working together in a self-improving system, providing mutual support and challenge to raise standards in all schools.

3.2 In his report, *Successful Futures*, Professor Graham Donaldson set out a radical vision for the future of the education system in Wales. Professor Donaldson was clear that realisation of his proposals for the new curriculum must be firmly based on the principle of subsidiarity, with practitioners being empowered to make decisions in their schools and classrooms, about how the curriculum is developed and delivered to meet the needs of their local context.

3.3 Professor Furlong's independent report '*Teaching Tomorrow's Teachers*², was published on 9th March 2015. The report recommended that the process of accrediting programmes of initial teacher education should be the responsibility of the professional regulatory body, as it is in other parts of the UK and teaching and non-teaching professional bodies across the world; and that an 'Accreditation of Initial Teacher Training Committee' should be established within the Council in order to undertake this function.

3.4 As currently established the Council focuses on a few main functions. It sets a code of professional conduct, upholds the required professional standards, maintains a register of education practitioners and provides advice on key issues affecting the profession. However, the 2014 Act allows the Welsh Minister to confer additional functions on the Council.

3.5 The expanded role of the Council in relation to the accreditation of Initial Teacher Training is in line with the ethos that the profession must take responsibility for leading changes in teaching, leadership and for developing and supporting the profession collectively. This approach supports the views of Professors' Donaldson and Furlong about the conditions for delivering their recommendations, and it is in line with effective professional governance in a range of other professions and in the education system in Northern Ireland, Republic of Ireland, Scotland and countries outside of the UK (Australia, New Zealand and Canada).

3.6 Part 3 of the 2017 Regulations requires the Council to delegate the accreditation function ("the Service"); the monitoring of compliance of accredited courses or programmes of Initial School Teacher Training (ITT) with the accreditation criteria; and the withdrawal of the accreditation of courses or programmes of ITT to a committee ("the Committee") under (Regulation 4). Regulation 5 also makes provision about the membership of the Committee.

3.7 Part 3 of the 2017 Regulations also makes provision for the provider to appeal a decision of the Committee to an appeals committee ("the Accreditation of Initial School

¹ <http://gov.wales/docs/dcells/publications/141001-qualified-for-life-en.pdf>

² <http://gov.wales/docs/dcells/publications/150309-teaching-tomorrows-teachers-final.pdf>

Teacher Training Appeals Committee”) (Regulation 7), and makes provision about the membership of that Appeals Committee (Regulation 8).

3.8 Part 4 of the 2017 Regulations makes provision about the proceedings of the Committee and the Appeals Committee.

3.9 These Regulations are made under the Negative procedure.

4. PURPOSE AND INTENDED EFFECT OF THE LEGISLATION

4.1 There are a range of measures for ensuring the quality of training provisions relating to the education workforce. In terms of ITT, the Welsh Government does not directly control what courses are offered at particular institutions, including whether they are offered through the medium of Welsh. However, it manages initial teacher supply through the setting of overall intake target allocations for recruitment to ITT in Wales. These are notified to HEFCW, which is required (under the Education Act 2005, section 86(6)(a)) to have regard to any forecast of demand for newly qualified teachers that is notified to it by the Welsh Ministers).

4.2 The Welsh Government has set out to create, systematically, a new climate of higher expectations for schools³. While ITT is recognised as a major contributor to teaching quality in most countries with advanced school systems, the evidence from inspection and self-evaluation shows that ITT provision in Wales is not meeting the standards set by the highest performers globally

4.3 The Welsh Government through the 2017 Regulations will deliver enhanced functions for the Council which will allow them to establish the Accreditation of Initial School Teacher Training Committee, to take on the role of accrediting ITT programmes of study. This enhanced function would mean that specific aspects of ITT would no longer be undertaken by HEFCW (as recommended in *Teaching Tomorrow's Teachers*).

4.4 This new approach is intended to deliver the improvements we all seek to learner outcomes, by investing in the development of a skilled and committed professional workforce.

4.5 In 2015, a task and finish group (chaired by Professor Furlong) was established to develop the reconceptualised criteria for accrediting ITT programmes in Wales, the Teacher Education Accreditation Group. The aim of the new criteria is to improve the quality and consistency of provision and introduce a new approach to ITT in Wales.

4.6 The criteria for the accreditation of initial teacher training programmes in Wales, sets out the criterion that has been developed by the Teacher Education Accreditation Group and is available at: www.learning.gov.wales. ITT entry requirements and criteria for individuals will remain the same.

³ Tabberer, R. (2013) A Review of Initial Teacher Training in Wales

<http://gov.wales/docs/dcells/publications/131007-review-of-initial-teacher-training-in-wales-en.pdf>

4.7 The arrangements for accrediting ITT provision however, will need to be in place by no later than autumn of 2017 to ensure all new courses of ITT from September 2019 are accredited against the revised accreditation criteria.

4.8 The cycle for accreditation would happen over 5 years, although this may be for just 1 or 2 years transitionally. It will commence with all programmes needing to be submitted for accreditation in line with the following timetable. It is proposed that no new ITT programmes in Wales may run from September 2019 without approval from the Accreditation of Initial School Teacher Training Committee

Action	Date
The Digital Competence Framework is available to schools and settings in Wales	1 st September 2016
Partnership to send “statement of intent” to submit a programme for accreditation to the Welsh Government	By 6 th January 2017
Partnership to submit ITE programme/s to the Accreditation of Initial School Teacher Training Committee for accreditation against accreditation criteria	By 1 st December 2017
The Accreditation of Initial School Teacher Training Committee to assess programmes and make a decision to award, defer or refuse accreditation	By June 2018
New curriculum and assessment arrangements available	September 2018
ITT Partnership to commence marketing of their programme to prospective student teachers	3 rd September 2018
ITT Partnership to commence delivery of new programme	2 nd September 2019
New curriculum and assessment arrangements in place	September 2021

5. CONSULTATION

5.1 Details of the consultation undertaken are included in section 8 within the RIA below.

6 PART 2 – REGULATORY IMPACT ASSESSMENT

Establishment of the Accreditation of Initial Teacher Training Committee

6.1 Future ITT programmes of study in Wales must be capable of delivering newly qualified, reflective practitioners with the appropriate qualifications, skills and appetite to deliver against the improved education agenda as set out in *Qualified for Life*. It is equally important that the work to reform ITT outlined in *Teaching Tomorrow’s Teachers* complements the work being undertaken elsewhere on the implementation of the new Curriculum and Assessment arrangements as set out in *Successful Futures* and *A curriculum for Wales – a curriculum for life*⁴.

⁴ *A curriculum for Wales – a curriculum for life* sets out the plan for taking forward the recommendations within *Successful Futures: Independent Review of Curriculum and Assessment Arrangements in Wales*.

6.2 The Accreditation of Initial School Teacher Training Committee will comprise of members of the profession, experts in the field of initial teacher education, practising or very recent head teacher and a representative of Estyn. The Committee would ultimately be responsible for accrediting all programmes of ITT.

6.3 The General Teaching Council (GTC) Scotland, the Teaching Council for Ireland (TCI) and the GTC Northern Ireland all have a role in the accreditation of programmes of ITT. The TCI model was put in place 5 years ago and incorporated many of the best practices from GTC Scotland and across the world. TCI also charge a fee for the consideration of applications which is payable by HEIs participating in the accreditation process.

7. OPTIONS

Option 1: Do Nothing

7.1 If we were to do nothing, we will not be able to implement reforms to the way ITT is accredited, an essential factor in ensuring an improvement in educational performance in schools.

Cost

7.2. There would be no new cost implications from this option.

Benefits

7.3 There would be no benefits from this option.

Option 2: Make the Legislation

7.4 The introduction of these Regulations will allow us to move away from the current process of accrediting training providers to be replaced by the accreditation of the ITT programmes of study. This will enable more specific consideration of how the programmes will raise the quality of provision and attract the right people with the right skills, qualifications and an aptitude for teaching to enter teacher training.

Cost

7.5 The Accreditation of Initial Teacher Training Committee will require initial start up costs of £260k and will be paid over two financial years 2016/17 and 2017/18.

7.6 This funding will allow for the appointment of a highly credible, high-calibre Chair, two Deputy Chairs, and all associated set up costs (recruitment of staff, staff costs, administrative costs and equipment); and all based on the costs of similar arrangements in Scotland and Ireland. It is vital that arrangements are in place to facilitate a thorough review and Quality Assured accreditation process with the necessary rigour and support to ensure that all ITT programmes are thoroughly and appropriately reviewed in order that decisions regarding accreditation can be made in the time permitted. The arrangements for accrediting

ITT provision will need to be in place by September 2018 to ensure all courses of ITT from 2019/20 are accredited against the revised accreditation criteria.

- £30k will be required in 2016-17, which will be met by the 'Pedagogy' budget within the Raising School Standards BEL 5511.
- The remaining £230k in 2017-18, will cover costs relating to the work undertaken by the Accreditation of Initial Teacher Training Committee on the assessment of the first round of programmes submitted by the partnerships. The funding will cover:
 - > The Council's staff costs, recruitment of up to 3 staff – 2 permanent and 1 fixed term (staff to be in post by 1st June 2017).
 - > Training of Committee members. The Welsh Government will appoint the Chair and two Deputy Chairs and the Council will appoint up to 15 panel members to sit on the Committee, as and when required; the process for which will be set out in '*The Education Workforce Council (Accreditation of Initial Teacher Training) Regulations*'. These Regulations will be laid and are subject to the approval of the, by the National Assembly.
 - > The remuneration of Committee members and the requirements for site visits. We envisage, approximately 25 programmes being submitted for accreditation, with up to 3 members days spent on each programme.
- This funding requirement will again be met from the 'Pedagogy' budget within the Raising School Standards BEL 5511.
- The ongoing costs for the accreditation process following the first round of applications will be met through the charging of fees payable by the partnerships participating in the accreditation process. The fee level will be subject to a separate consultation undertaken by the Council, with a system of charging in place by 31 August 2018.

Benefits

7.7 Central to the vision underpinning the new accreditation criteria for ITT programmes, is the recognition that high quality professional training and education necessarily involves a number of different modes of learning. Some dimensions of teaching can only be learned experientially while other forms of learning are intellectually based. However, the largest part of all teacher education should be based on learning that is both rigorously practical and intellectually challenging. International evidence stresses that high quality teacher education involves both aspects: developing strong links between theory and practice in a way that helps students to understand and explore the interconnectedness of education theories and classroom practices.

7.8 As the OECD and others⁵ now recognise that the very best examples of teacher training and education internationally are based on this dual form of learning. This is the form of teacher education that is going to be essential for Wales if the vision for our schools is to be achieved. This has important consequences for both schools and universities and for how they collaborate.

⁵ OECD (2012) Strong Performers and Successful Reformers in Education: Lessons from PISA for the United States. <http://www.oecd.org/pisa/46623978.pdf> BERA:RSA (2014) The Role of Research in Teacher Education: Reviewing the evidence. Interim report. London: BERA

7.9 It is anticipated that in the future all ITE programmes will be led by a 'partnership', that is a HEI working in close collaboration with a number of 'lead partnership schools'. It is this partnership that will bring forward the programme for accreditation. If truly collaborative teacher training and education is to be achieved then 'the partnership' – the HEI together with all of their partner schools - must take joint responsibility for their contributions to the programme

7.10 The introduction of the 2017 Regulations will enable us to move away from the current process of accrediting training providers to be replaced by the accreditation of the ITT programmes of study. This in turn will allow a thorough review and Quality Assured accreditation process to be undertaken with the necessary rigour and support to ensure that all ITT programmes are thoroughly and appropriately reviewed.

7.11 More specific consideration will be given on how the programmes will raise the quality of provision and attract the right people with the right skills, qualifications and an aptitude for teaching to enter teacher training. These changes are intended to improve the quality of ITT in Wales and in turn raise the standard of teaching in our schools.

8. CONSULTATION

8.1 The Welsh Government undertook a consultation on the "Draft criteria for the accreditation of Initial Teacher Education programmes in Wales and the proposal for the Education Workforce Council to accredit initial teacher education"⁶

8.2 A summary of responses is available at:

<https://consultations.gov.wales/consultations/initial-teacher-education-accreditation>

<https://ymgyngoriadau.llyw.cymru/ymgyngoriadau/achredu-addysg-gychwynnol-i-athrawon>

9. COMPETITION ASSESSMENT

9.1 There is no market implications associated with the making these Regulations.

10. IMPACT OF THE PROPOSED LEGISLATION ON DUTIES OF THE WELSH MINISTERS AS SET OUT IN THE GOVERNMENT OF WALES ACT 2006

10.1 The Regulations are not considered to have any specific impact on the duties of the Welsh Ministers as set out in the Government of Wales Act 2006.

11. IMPACT UPON THE VOLUNTARY SECTOR

11.1 None

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12. EQUALITY OF OPPORTUNITY AND WELSH LANGUAGE

12.1 No issues relating to these duties are considered to arise from the making of these Regulations.

13. SUSTAINABLE DEVELOPMENT

13.1 The aim of these Regulations is to deliver the improvements we all seek to learner outcomes, by investing in the development of a skilled and committed professional workforce.