

**MINUTES OF THE MEETING OF THE THIRTY-SIXTH MEETING OF THE GENERAL
TEACHING COUNCIL FOR WALES**

DATE: 9TH JULY 2009

LOCATION: RUTHIN CASTLE, RUTHIN

Present:

Members:

Mal Davies (Chairperson)	Mike Edwards
Jacque Turnbull (Deputy Chair)	Angela Jardine
Phil Bassett	Gareth Jones
Frank Bonello	Hélène Mansfield
Tim Cox	Suzanne Nantcurvis
Elwyn Davies	Hugh Pattrick
Susan Davies	Anna Spokes
Sheila Drayton	Sarah Stockford

Apologies:

Beth Davies	Roberto De Benedictis
Ian Guy	Gareth Matthewson
Jane Morris	Sue O'Halloran
Jane Setchfield	Cleo Sollars
Jacky Tonge	

Officers:

Gary Brace	Chief Executive
Hayden Llewellyn	Deputy Chief Executive (Qualifications, Registration and Professional Standards)
Julia Evans	Deputy Chief Executive (Finance, Personnel and Corporate Services)
Karen Evans	Policy and Planning Manager
Jo Read	Council Secretary
Joy Austin	Executive Assistant to the Chief Executive

1. Welcome and Preliminaries

- 1.1 The Chairperson welcomed members to the thirty-sixth meeting of the Council.
- 1.2 Apologies had been received from Beth Davies, Roberto De Benedictis, Ian Guy, Gareth Matthewson, Jane Morris, Sue O'Halloran, Jane Setchfield, Cleo Sollars and Jacky Tonge.
- 1.3 The Chairperson reminded members that Anne Robertson had resigned from the Council and confirmed that Gareth Matthewson had been appointed by the Welsh Assembly Government to fill the vacancy. The term of office would run until 31st August 2010. Mr Matthewson had been informed of today's Council meeting at short notice and had given his apologies.

- 1.4 A welcome was then extended to Ian Matheson (Educational Planning and Research Officer, General Teaching Council for Scotland) who was attending the meeting as an observer.
- 1.5 The Chairperson reminded members that the meeting would be conducted bilingually. A welcome was extended to those observing in the public gallery.
- 1.6 Members were then provided with a brief report on the International Teaching Councils' Conference which the Council had hosted in Cardiff on 24th to 26th June 2009. The Chairperson reported on the success of the conference which had received excellent media coverage. He said that there had been opportunity for all attendees to engage in challenging topics and to hear key note speeches from a number of high quality speakers. He then gave his thanks to officers for the first class welcome which was extended to all who attended the conference and their considerable work in organising the event. Members concurred and a round of applause was given.

2. Declarations of Interest

- 2.1 There were no declarations of interest.

3. Chairperson's correspondence

- 3.1 The Chairperson drew attention to correspondence received from the Minister for Children, Education, Lifelong Learning and Skills on 3rd July 2009 regarding Council's Corporate Plan 2009-12 and Operational Plan 2009-10.
- 3.2 Members noted the correspondence. No issues were raised.

4. Draft minutes of the Council meeting held 28th April 2009

- 4.1 The minutes of the meeting were confirmed as a correct record.

Matters arising:

- 4.2 Minute 4.2: Evidence to the All Wales Convention: One member requested an update on Council's submission to the All Wales convention. The Chief Executive reported that the oral submission had gone well and that a verbatim account of the Council's input was available on the All Wales Convention website.
- 4.3 Minute 15.4: Annual Statistics Digest 2009: Additional data and analyses had been tabled for members' information following requests at the previous meeting. One member requested that a further analysis be undertaken, to provide a further split between the primary and secondary sectors. This would be circulated to members by post.
- 4.4 There were no other matters arising.

5. To receive notification of any issues which members wish to raise in respect of the 'Information' Agenda item (18)

- 5.1 There were no items notified.

6. Draft minutes of the Executive Committee meeting 8th June 2009

- 6.1 The Chief Executive introduced these minutes and advised members that all issues would be covered on the meeting agenda bar one.

Matters arising:

- 6.2 Minute 8.3: Revised Communications Strategy: As part of this item, the Chief Executive drew members' attention to his report to the Executive Committee on three meetings which had been conducted under 'Chatham House Rules' with representatives from ADEW, HEFCW, the HE sector and other individuals engaged with CPD provision with a view to seeing if a joint position on the future funding of teacher CPD could be developed for presentation to the Welsh Assembly Government. A concise, high-level set of principles had been developed which incorporated a consensus of views but, in the final analysis, ADEW and HEFCW (for different reasons) did not wish to submit it as a joint document.
- 6.3 The Chief Executive proposed that the Chairperson might write to the Minister for Children, Education, Lifelong Learning and Skills on three CPD issues in the light of the Assembly Government's pending review, namely, the funding of CPD in Wales paper; the analysis of the use of Induction & EPD funding including recommendations to improve the Assembly's guidance; and the design of the mainstream Chartered Teacher programme (subject to agreement later in the meeting). Members were content with the recommendation.
- 6.4 There were no other matters arising.
- 6.5 The unconfirmed minutes were noted.

7. Draft minutes of the Registration Committee meeting 4th June 2009

- 7.1 Hugh Patrick briefly introduced these minutes drawing attention to two items which the committee had discussed which would not be covered by the meeting agenda. These were namely; that there remained no legal requirement for teachers working in independent schools in Wales to register with the Council and, that teachers approaching the five year rule with regards to their induction were being monitored. The Council continued to write to teachers who, having attained QTS but not yet passed their induction year, were approaching their time limit for doing so. However, the Council had no further remit with regards to this matter.

Matters arising:

- 7.2 There were no matters arising.
- 7.3 The unconfirmed minutes were noted.

8. Draft minutes of the Policy Committee meeting 4th June 2009

- 8.1 The Chief Executive briefly introduced these minutes and drew members' attention to the main points.

Matters arising:

- 8.2 Minute 2.2: Position paper on professional regulation in FE: Members were informed that he and the Deputy Chairperson had a successful meeting with AMiE (the Association for Managers in Education which was a partnership between ACM and ATL) on 15th June 2009. Representatives from AMiE had been supportive of the Council's position paper. The Chief Executive went on to report that a meeting with *fforwm* representatives, also attended by the Chairperson and Deputy Chairperson,

had been less beneficial as *fforwm* did not appear to fully appreciate the regulatory aspect of a professional body nor the thrust of the council's 14-19 argument. Contact would be renewed with UCU once the organisation was in a position to engage in discussions.

- 8.3 At this point the Chairperson drew members' attention to the White Paper in England which set out plans to introduce a renewable licence to teach for qualified teachers. This would take effect from September 2010. The Chairperson proposed that the Policy Committee might develop a position on this development. Members concurred.
- 8.4 One member suggested that in the context of a forthcoming general election educational policies of each political party be sought. The Chief Executive concurred that these views should be formally obtained.
- 8.5 Minute 4: Draft principles for underpinning GTCW research activity: The Chief Executive went on to report that the Policy Committee had commenced a new area of work in developing a Council strategy for research which set out detailed activities and principles.
- 8.6 Minute 5: GTCW response to Assembly consultation of Performance Management: Members were informed that the Council's response to the Welsh Assembly Government's consultation on Performance Management had been submitted.
- 8.7 There were no other matters arising.
- 8.8 The unconfirmed minutes were noted.

9. Draft minutes of the Audit & Scrutiny Committee 8th June 2009

- 9.1 Sheila Drayton presented these minutes, highlighting three main points.

Matters arising:

- 9.2 Minute 2.2: Matters arising: Members were informed that the Audit & Scrutiny Committee were trialling an action checklist which enabled members to track the progress and expected completion time of action items. The trial would be continued and, if felt appropriate, a recommendation might be made to Council for the template to be adopted for all Standing Committees.
- 9.3 Minute 3: Internal Audit reports & Minute 4: Internal Audit opinion for the financial year: Council had received substantial assurances from its Internal Auditors and acknowledgment was given to officers' work in attaining this.
- 9.4 Minute 12.1: Self assessment exercise: It was suggested that, when members were undertaking this exercise, that they might not wish to be critical of their colleagues or the committee overall and so it might be preferable for each member to offer one general suggestion for improvement.
- 9.5 Minute 3.3: Internal Audit reports: One member sought clarification on the option given by the Deputy Chief Executive (Finance, Personnel and Corporate Services) that the Council's payroll function might be brought in-house and questioned if capacity existed for this to be undertaken. Julia Evans explained that there had been a small number of errors experienced with Council's payroll service but that a meeting would be scheduled with representatives from Moorepay to resolve these issues. The option to bring the function in-house had not yet been explored, but should this be pursued, it would be as a matter of ensuring quality and reliability rather than in order to cut costs.
- 9.6 There were no other matters arising.

9.7 The unconfirmed minutes were noted.

10. Adoption of Revised Standing Orders (GTCW 29/09)

10.1 The Chief Executive presented this paper which invited members to adopt a small number of minor changes to Council's Standing Orders. The changes had evolved following members' annual self-evaluation exercise and the Audit & Scrutiny Committee's consideration of the report which detailed the outcomes of the exercise.

10.2 At this point, one member questioned whether there was a contradiction on page 7, paragraph 18, sections 2 and 3. Members were unclear whether the Chairperson could proceed with business in cases of urgency should a quorum not be present. It was agreed that the text should be reviewed.

10.3 Another member highlighted that procedures for voting needed to be incorporated.

10.4 A final point for clarification was pointed out and attention was drawn to page 4, paragraph 5. It was suggested that any action regarding the continued absence of a Council member would be taken in Private Session.

10.5 The Chief Executive suggested that Council should adopt the revised Standing Orders as proposed and that the three queries could be referred to the Executive Committee for further discussion. Members concurred.

10.6 Members agreed to adopt the revised version of Standing Orders.

10.7 No other issues were raised.

11. Revised draft Code of Professional Conduct & Practice (GTCW 30/09)

11.1 Hayden Llewellyn (*Deputy Chief Executive, Teachers' Qualifications, Registration and Professional Standards*) introduced this paper, reminding members that, under the 1998 Teaching and Higher Education Act, the Council was able to issue a Professional Code for registered teachers. Having published the first code in 2002, Council had decided that the document should be reviewed every three years.

11.2 As part of the current review, Council had been advised in May 2008 that GTCW was the only Teaching Council in the UK and Ireland (with disciplinary responsibilities) whose code did not set minimum standards for the regulation of the profession. The Council had received some concerns from teacher unions in Wales that the standards of conduct and competence expected by GTCW were not as clearly prescribed as other GTCs.

11.3 At its meeting in June 2008, the Registration Committee had reached the view that it was important for the Council to seek to set out the minimum standards for the regulation of the profession through a Code of Professional Conduct and Practice. Whilst the Council's existing documents, *Statement of Professional Values and Practice* and *Professionalism in Practice* were useful and served an important purpose, it was thought that the most appropriate way to give clear guidance to teachers, employers and teacher unions was through a new document which would replace the existing ones. The new Code would also continue to provide transparency for the public as the Council is required to conduct its statutory professional standards responsibilities in the interests of the public.

- 11.4 Members were invited to discuss the proposed draft *Code of Conduct and Practice for Registered teachers* which, once approved, would be subject to consultation with the profession.
- 11.5 One member voiced her concerns regarding the development of the Code, which she felt went a step too far in comparison to Council's existing guidance documents. Highlighting a number of the key principles and standards set out in the proposed Code, she was concerned that the text was too authoritarian and that it ventured too far into teachers' personal lives. She also said that the text was too open to interpretation and, in places, impractical. The Chief Executive pointed out that the text from the *Statement of Professional Values and Practice* and *Professionalism in Practice* had been largely carried across into the new document and that the terminology used to describe the expectations of teachers was not new. Later in the discussion, the member pointed out that although the phrasing in the previous documents was broadly similar to that in the new Code, the status of the latter would be much higher and teachers would be compelled to adhere to it rather than encouraged.
- 11.6 Assurances were sought that research had been undertaken on similar codes published by other GTCs and regulatory bodies. Members were assured that the committee had been provided with a wide variety of research material as a basis for consideration, from other UK and Ireland GTCs and a range of professional bodies in medical and healthcare sectors.
- 11.7 A discussion took then place about the terminology used in the draft Code and a variety of views were expressed. The main points of the discussion were namely: the text of the proposed document might be seen to be prescriptive in advising professionals how to be professional; that concise, "plain English" should be used wherever possible and that positive phrasing, such as "uphold", could be used rather than giving a list of "should nots". Members concurred that the Code, when published for consultation with the profession, would need to be given context so that teachers could understand why the document had been developed.
- 11.8 One member of the Registration Committee took the opportunity to explain that, in developing the proposed draft, consideration had been given to a variety of examples and that some of these contained significantly more rigid expectations of its professionals. Whilst the Code did not seek to provide an exhaustive list of unacceptable behaviour, the committee had sought to provide more clarity on the expectations on teachers in Wales to which, she felt, teachers were entitled.
- 11.9 Members went on to discuss the part of the Code which specified that teachers should not discuss personal relationships with children and particularly how the text might be amended in order to both avoid misinterpretation and to fit in with curriculum expectations. The term 'inappropriate' might be inserted to provide clarity.
- 11.10 In their role as Professional Standards Committee panellists, members were particularly conscious of the types of cases and incidents which were brought to the Council's attention for investigation and wanted to provide clarity regarding acceptable behaviours. One member, making reference to her experience as a Professional Standards Committee member and the types of case which she had heard, confirmed her opinion that absolutely clear guidance was needed.
- 11.11 Final points raised were namely: that no standards existed for HLTAs and Cover Supervisors and that Council might wish to comment on this and, that consideration might be given to seeking guidance from the *Plain English* organisation on the draft text.
- 11.12 One member sought further detail on the consultation arrangements. Hayden Llewellyn proposed that the consultation would take place from October 2009 to

January 2010 and reported that all teachers and stakeholder organisations would be invited to respond via the Council's website. The consultation would also be publicised in *Teaching Wales*.

11.13 Members agreed the timetable for consultation. Members also agreed that the text of the draft Code should be amended on the basis of the points raised in discussion and that the revised draft should be circulated to all members for comment prior to the next Registration Committee meeting on 17th September 2009. All members of Council would be invited to submit their comments. The Registration Committee was remitted to agree the document for consultation.

11.14 No other points were raised.

12. Proposals for revised membership of Professional Standards Committees (GTCW 31/09)

12.1 In presenting this paper, Hayden Llewellyn (*Deputy Chief Executive, Teachers' Qualifications, Registration and Professional Standards*) reported on proposals developed by the Registration Committee to reduce the pool of persons available to sit on Professional Standards Committees and to separate the role between persons responsible for the policy, decision making and advisory functions of Council and those who sit on Professional Standards Committees.

12.2 Members were reminded that Council had agreed in July 2008 to review its existing arrangements due to three reasons. These were namely: that the pool of persons who sit on Professional Standards Committees relative to the case output was too high and would continue to increase due to the Council's constitutional arrangements; secondly, that most regulators had separated the roles of "standard setter" and "adjudicator" and lastly, the Council had experienced a small number of cases where all Council members were potentially "tainted" which might bring risk of High Court Appeal. The Registration Committee had discussed and debated the issues over the previous year.

12.3 Members' attention was drawn to the proposed underpinning principles for establishing a professional standards pool. These were the balance of the pool in terms of registered teachers, lay members and (until the Assembly revised the Regulations) Council members; current teaching experience in each phase or as a headteacher; gender; bilingual ability; ethnicity; experience of professional standards work and geographical spread. The principles also set out, that the pool should be of a size such that members would undertake on average seven committee days per year; that new appointments to the pool would be through a formal recruitment process using a person specification or set of competences; the composition of the selection panel; the appointments period with option for limited extension; remuneration in line with the Council's daily supply rate and compulsory attendance at the annual refresher training. Officers would review that size, composition and balance of the pool annually following members' refresher training and give consideration to the current level of casework.

12.4 It was proposed that Council would move to this position in two stages. Firstly by circa 2013 to largely reduce the number of Council members populating the pool, and by circa 2015 where Council members formed no part of the pool at all.

12.5 One member congratulated members of the Registration Committee for developing a rational set of principles for consideration. Another member pointed out that an amendment might be required on page 8, paragraph 2.1, section (e) to include the introduction of the Independent Safeguarding Authority.

12.6 No other points were raised. Subject to one amendment to the text of the principles, members approved the proposed principles and timetable for implementation.

13. Proposals for Chartered Teacher mainstream programme (GTCW 32/09)

- 13.1 Hayden Llewellyn (*Deputy Chief Executive, Teachers' Qualifications, Registration and Professional Standards*) provided a brief outline of the proposals for the design of a portfolio route to Chartered Teacher Status and summarised the previously agreed features of the mainstreamed Chartered Teacher programme in Wales. It was proposed that the finalised overall 'package' would then be provided to the Welsh Assembly Government to inform their CPD Review.
- 13.2 The Chief Executive said that the independent evaluation, once completed and received, would provide further information on the outcomes of the pilot which should be used to fine tune the final package design. He did not expect the evaluation to impact highly on the overall programme design, as the evaluation focused on the effectiveness of particular delivery and assessment approaches to individual modules and the portfolio.
- 13.3 One member questioned if modules would be prescribed or whether providers would have flexibility to tailor modules. Hayden Llewellyn said that it would be a mixture of the two would be issued and that sufficient time would be allowed for providers to submit their proposed modules for approval. He also gave assurances that meetings with all providers to discuss the finer detail would be arranged once agreement on the funding of the mainstreamed Chartered Teacher programme had been progressed.
- 13.4 Members were reminded that a presentation would be given to Council at its meeting on 20th October 2009 by Professor David Egan from the Institute for Applied Educational Research Unit based at UWIC. The Institute had been awarded the contract for the independent evaluation of the Chartered Teacher pilot and the oral report would provide members with a final report on the evaluation exercise.
- 13.5 No further points were raised. Members agreed to the proposals and looked forward to the independent evaluation report.

14. Draft Annual Report & Draft Annual Accounts, 2008-09 (GTCW 33/09)

- 14.1 The Chief Executive presented this paper, drawing attention to the Council's key successes set out in the Executive Summary of the Annual Report. He paid tribute to officers' work which had resulted in the achievements of which the Council could be very pleased. These included the successful introduction of online access to the Register of Qualified Teachers; the development of a position paper on future schools inspection arrangements and their presentation to Estyn; detailed analysis of the professional development activities undertaken by new teachers during their first three years of teaching and the successful completion of the first phase of the Chartered Teacher programme pilot. The Council had also extended its networking opportunities across Europe through its membership of EUNEC; had received a clean bill of health on the 2007-08 accounts from the Wales Audit Office and issued a significant number of press releases to publicise the positive work of teachers in Wales.
- 14.2 In relation to the draft Annual Accounts Julia Evans (*Deputy Chief Executive, Finance, Personnel and Corporate Services*) reported that considerable care had been taken throughout the operational year to hold expenditure to budget. Members were informed that after planned movements to reserves the year achieved the planned break-even position.

Annual report 2008-09:

- 14.3 One member drew attention to the record of members' attendance. He pointed out that, whilst attendance of Council meetings was good, attendance of the Standing Committees was variable and he made a plea for members to attend whenever possible to assist in the long-term development of proposals. Another member sought

clarification on whether attendance of meetings by video conference was included. Officers confirmed that it was.

Unaudited Annual Accounts 2008-09:

- 14.4 One member went on to suggest that officers check his entry in the Declaration of Related Party Interests with regards to a close family member who may have received CPD funding toward their individual professional development in 2008-09. Officers would check this information accordingly and update the declaration if appropriate. Another member suggested that declarations should also be made in regard to any relationship which might include that of Governor to a school.
- 14.5 Julia Evans took this opportunity to inform members that the members' declaration form would be simplified in readiness for next year's accounts.
- 14.6 There were no further points of clarification and members were content for the Annual Report 2008-09 and Annual Accounts 2008-09 to be remitted to the Chairperson and Chief Executive for finalisation.

15. Draft GTCW response to Assembly consultation on Welsh Medium Education Strategy (GTCW 34/09)

- 15.1 Karen Evans (*Policy and Planning Manager*) gave a brief introduction to this paper which sought members' views on Council's draft response to the Welsh Assembly Government's consultation on a Welsh Medium Strategy.
- 15.2 Members' comments had been sought previously and had been incorporated. The deadline for responding to the consultation was 5th August 2009.
- 15.3 One member voiced his concerns that Welsh-speaking teachers were being drawn into the Welsh medium schools such that the pool of expertise who might teach Welsh in English medium schools was reduced significantly. He highlighted the need for maintaining sufficient expertise in the English medium schools. Another member gave his opinion that it would be better to conceive all schools as bi-lingual in the future, rather than have the two language mediums separated.
- 15.4 A view was also given about students studying Welsh GCSE as a second language compared to other Modern Foreign Languages. There was a high percentage of literature to be studied as part of the Welsh second language GCSE compared to modern foreign language syllabi. The member felt that this difference put students at a disadvantage.
- 15.5 One member gave his support for the draft response and was pleased that it was aspirational.
- 15.6 No further points were raised. Members agreed to remit finalisation to the Chairperson and Chief Executive.

16. Council self assessment exercise (GTCW 35/09)

- 16.1 In introducing this exercise, the Chief Executive invited members to assess Council's performance for the 2008-09 operational year. Members were reminded to hand in their completed questionnaires which would feed into the annual evaluation report.
- 16.2 With regards to the location of Council meetings (question 2.3), one member gave her opinion that there had been an appropriate spread of geographical locations during 2008-09. She added that the question would need to be updated for future exercises as a result of the change in Council's policy on the location of meetings. Two members

felt it important to note that the Council had decided to hold three Council meetings a year in Cardiff and only one a year in north Wales with effect from 1st September 2009 due to the current financial constraints experienced by the Council.

- 16.3 One member sought clarification on the “Calendar of regular agenda items” which was referred to in question 2.6. The Chief Executive said that a list of regular agenda items had been created for both Council and Standing Committees and that the Audit & Scrutiny Committee was currently trialling its use. Officers would develop it further so that it could be circulated to all members. It was suggested that the document might be circulated at the same time as the Calendar of Meetings each year.
- 16.4 A discussion then took place about the possibility of evaluating the Council’s performance in terms of its strategic direction and a number of views were expressed. One member acknowledged that the self assessment exercise did a good job of evaluating the Council’s systems but that, in his opinion, there might be a need to measure the effectiveness of the GTCW. Another member supported the view that there was a need to assess the effectiveness of the way in which Council business was handled which would also give opportunity to review if all members had contributed. The Deputy Chairperson pointed out that there was also no assessment of the Council’s ability to achieve an appropriate strategic direction, or how effective the Council was in monitoring and keeping up-to-date with developments in education in Wales and elsewhere. The Chief Executive reminded members that the Internal Audit system provided an independent evaluation of Council’s performance on a regular basis.
- 16.5 Members then discussed whether the Council should seek the opinions of those the Council was serving on its effectiveness. This would include not only teachers in Wales, but other stakeholders such as the public and other organisations. One member said that the Council could not test whether it had raised the status of the profession in the eyes of the public without any benchmark data. At this point, another member suggested that the Council should be more pro-active and communicate its aspirations and work to teachers in Wales.
- 16.6 The Chief Executive said that the current self assessment exercise had specific aims and that assessment of Council’s strategic performance was a separate matter. However, he acknowledged that there was a degree of lack of understanding of the Council’s role and reminded members that explaining the Council’s functions had been highlighted for action in the Revised Communications Strategy. He added that there would be cost implications should Council decide to instigate an independent evaluation of strategic effectiveness.
- 16.7 In summary, one member gave her opinion that the self assessment exercise was worthwhile in enabling Council to evaluate some fundamental aspects of its own performance and that the fact that the exercise appeared to be almost routine demonstrated that the organisation had evolved and become mature and efficient in the delivery of many of its aims. She concurred that assessment of strategic performance would be a separate exercise and went on to suggest that research could be undertaken on how other regulators gain feedback and measure their effectiveness.
- 16.8 Members agreed that further discussions on the issue of strategic performance should be remitted to Executive Committee.
- 16.9 Final comments on the self assessment exercise were specifically on training for members. Members suggested that training sessions might be offered on current educational issues such as 14-19 Learning Pathways and Foundation Phase developments. Members welcomed the presentations which had been provided on corporate governance by CIPFA and by WAG on the Independent Safeguarding Authority. The Chief Executive invited members to specify areas which would be beneficial.

17. Any other business

17.1 There was no other business in the Public Session.

17.2 The Council then moved into Private Session.

**The next Council meeting will take place on Tuesday 20th October 2009
at
University of Glamorgan, Pontypridd**