

**MINUTES OF THE TWENTY-NINTH MEETING OF THE
EDUCATION WORKFORCE COUNCIL**

DATE: 6 July 2023

LOCATION: Microsoft Teams

Present:

Members:

Bethan Thomas	Kathryn Robson
David Williams	Kelly Edwards (part attendance)
Eithne Hughes	Nicola Stubbins
Geraint Williams	Rosemary Jones
Gwawr Taylor	Theresa Evans-Rickards
Jane Jenkins	Sue Walker

Officers:

Hayden Llewellyn	Chief Executive
Elizabeth Brimble	Director of Qualifications, Registration and Fitness to Practise
Bethan Stacey	Director of Professional Development, Accreditation and Policy
Lisa Winstone	Director of Finance and Corporate Services
David Browne	Head of Fitness to Practise
Beverley Curtis	Corporate Governance Officer (<i>minutes</i>)
Sioned Wyn	EWC Communications Officer (<i>observing</i>)

1. Welcome and preliminaries

- 1.1 The Chairperson welcomed members and officers to the twenty-ninth meeting of the Education Workforce Council (EWC). She thanked members for their cooperation in moving the meeting to being held virtually following recent communications.
- 1.2 Members were reminded that this would be Liz Brimble's (*Director of Qualifications, Registration and Fitness to Practise*) last meeting as she would be retiring on 31 August 2023. On behalf of Council, the Chairperson extended sincere gratitude to her for her many years of dedicated service.
- 1.3 Kelly Edwards had noted that she would be joining the meeting later due to an unavoidable commitment. Geraint Williams had also noted that he would be joining the meeting slightly later. The Chairperson thanked members for their attendance noting the importance of ensuring that Council and Committee meetings were quorate given that the Council was not at full complement.
- 1.4 Members were reminded that due to a nationwide delay in audits being undertaken by Audit Wales on account of the introduction of a new auditing standard, the Audit and Scrutiny Committee and subsequently Council would need to meet to review and approve the Annual Report and Accounts for 2022-23. These meetings had been scheduled for 4 and 7 August 2023 respectively.

1.5 The Chairperson reminded members to ensure their availability for the full day on 16 November 2023 as the scheduled Council meeting would be followed by the members' annual planning session.

2. Declarations of Interest

2.1 There were no declarations of interest.

3. Chairperson's correspondence and report

3.1 The Chairperson invited the Chief Executive to update the Council on several issues:

- **Council vacancies:** The Chief Executive reported that the Welsh Government had sought expressions of interest via its marketing channels to fill the two remaining vacancies on Council. The closing date for submissions was 7 July 2023 and the Chairperson had been approached by officials to be involved in the recruitment process as was previously the case. A further update was expected from Welsh Government in the coming weeks.
- **Audit and Scrutiny Committee meeting minutes:** As a point of clarification for the new Council, the Chief Executive explained that the draft minutes from the Audit and Scrutiny Committee meeting would be presented to the Council for noting at the November 2023 meeting. This was an annual practice given the short space of time between the Committee meeting on 29 June and Council meeting on 6 July and the distribution of papers in line with the Council's Standing Orders.
- **Whistleblowing training:** Members were informed that the Audit and Scrutiny Committee as well as the Council's two nominated Whistleblowing contacts would undergo Whistleblowing training on 21 September 2023.

3.2 The Chairperson informed members that she and the Chief Executive met with the Minister for Education and Welsh Language for their annual meeting on 7 June 2023. She reported that a number of topics were discussed and the meeting was positive. As a result of the meeting, an invitation had been extended to the Minister to attend the Council meeting in November to meet the members he had recently appointed to form the new Council from 1 April 2023. A response was awaited.

3.3 Following Council's discussions at its last meeting on 20 April 2023 surrounding the election of a Council Chairperson, the Chairperson highlighted the deliberations that took place concerning the potential to appoint a deputy chairperson. She noted that a secondment agreement had been made with her employer to accommodate her work as Council Chairperson. Given that this agreement had been put in place and with consideration to her only recently being appointed, she suggested maintaining the current position and reviewing the situation with regards to the requirement for a deputy in the future. The Council supported the Chairperson's suggestion.

4. Draft minutes of the Council meeting of 20 April 2023

4.1 The Chairperson introduced the draft minutes of the Council meeting of 20 April 2023 and asked members to approve the minutes as an accurate record of discussions.

4.2 There were no matters arising and Council ratified the minutes.

5. To receive notification of any issues which members wish to raise in respect of the 'for information' agenda items

5.1 In reference to EWC 38/23, the Chief Executive reported that the Audit and Scrutiny Committee had reviewed the report at its last meeting on 29 June 2023 and had recommended that further detail capturing more in depth discussions and themes be added to the report. This would be actioned for the annual review next year. The Chairperson of the Audit and Scrutiny Committee noted the benefits of such a paper for a newly formed Committee and thanked officers for taking the recommendation forward.

5.2 There were no further issues notified.

6. Draft minutes of the Executive Committee meeting of 23 May 2023

6.1 The Chief Executive presented the Executive Committee minutes and reported that there were no matters arising to draw to members' attention that were not covered later on the agenda.

6.2 No queries were raised by members.

7. Draft minutes of Registration and Regulation Committee meeting of 23 May 2023

7.1 Nicola Stubbins, Chair of the Registration and Regulation Committee, presented the minutes and reported that there were no matters arising to draw to members' attention that were not covered in Council's agenda. She reported that as a newly formed Committee, members had explored the agenda items in depth during the meeting to ensure full understanding of the context.

7.2 No queries were raised by members.

8. Report from the Chief Executive

EWC 27/23

8.1 The Chief Executive presented the report updating Council on a range of matters not covered elsewhere on the agenda, and invited members' comments and queries.

8.2 Members were referred to paragraph four which formally reported the result of the recent election of the Council Chairperson with Eithne Hughes taking up the position from 15 May 2023. This information had already been communicated to members via the Corporate Governance Officer following the conclusion of the election. A secondment agreement with the Chairperson's employer had been agreed and put in place, whereby 1.5 days per week was allocated for the Chairperson to conduct Council's work.

8.3 Liz Brimble was currently the designated deputy to the Chief Executive. With her impending retirement on 31 August 2023, the Chief Executive had sought expressions of interest from the other directors to adopt the deputising duties. As an update to paragraph seven, he

reported that Lisa Winstone (*Director of Finance and Corporate Services*) would take on the designation from 1 September 2023.

- 8.4 As reported at paragraph nine, the Director of Schools wrote to the EWC on 6 April 2023 setting out an intention to review the “middle tier” and inviting comments on the terms of reference and how the review should be undertaken. The Chief Executive had replied, indicating the Council had long held the view that it considered itself aligned to the middle tier rather than being part of it. The opinion was given that the review should be undertaken by an independent party, but with an understanding of the Welsh context. A response to the correspondence had yet to be received.
- 8.5 As an update to paragraph 23, the Chief Executive reported that the meeting between himself, the Chairperson and Owain Lloyd (Director of Education) scheduled for 5 July 2023 had been cancelled at short notice. Meetings had taken place between the Chairperson, Chief Executive and representatives from the opposition parties; the Conservative party and Plaid Cymru on 19 May and 26 June 2023 respectively.
- 8.6 Referring members to paragraph 30, the Chief Executive highlighted a number of particulars in the Council’s communications and engagement work including the launch of a podcast, a new EWC website and the Council’s presence at a number of upcoming events.
- 8.7 In response to a member’s query, the Chief Executive noted that officers had engaged with a representative from the newly established CTER (Commission for Tertiary Education and Research) body. Officers hoped to arrange a briefing to Council from the body at the next annual training day in April 2024 once the body was fully established and operational.
- 8.8 Members had no further questions on the report.

9. Draft Annual Equality Report 2022-2023 and draft Welsh Language Standards Annual Monitoring Report 2022-2023 **EWK 28/23**

- 9.1 Bethan Stacey (*Director of Professional Development, Accreditation and Policy*) presented these reports which had previously been discussed and subsequently recommended to Council for approval by the Executive Committee. She noted that both reports outlined the progress that had been made against core objectives in these areas.
- 9.2 In response to a member’s query on measuring the effects of the actions taken, Bethan Stacey noted that both reports were illustrative, in line with guidance from the Welsh Language Commissioner and Equality and Human Rights Commission but direct measurable information was difficult to ascertain given the size of the organisation and the protection of personal identifiable data. Officers continued to review best practices on how to report in this area.
- 9.3 Responding to a member’s query, Bethan Stacey confirmed that equality information relating to registrants was collated and published in the Council’s Annual Workforce Statistics and presented to the Welsh Government each year.
- 9.4 The Chairperson invited the Chief Executive to instigate a discussion surrounding the use of the Welsh language at Council meetings. He noted that in previous years, meetings had been conducted bilingually with the use of a simultaneous translator however the previous Council had decided that they did not require this service for meetings without observers

present in the public gallery. He also noted that agendas and Council minutes from the previous meeting were presented to the Council bilingually as part of the bundle of papers.

9.5 Members discussed the provision and agreed that they would like future meetings to be available bilingually. The provision was agreed to take place from the November 2023 Council meeting onwards.

9.6 Members had no further questions and approved both reports for publication.

10. Draft Fitness to Practise Annual report EWC 29/23

10.1 Liz Brimble presented the draft report which had previously been discussed and subsequently recommended to Council for approval by the Registration and Regulation Committee.

10.2 Members had no queries and were content to approve the report for publication.

11. Upgrade of EWC Database EWC 30/23

11.1 Liz Brimble introduced this paper which set out the progress to date to upgrade the EWC's Registration database.

11.2 As reported at paragraph seven, and previously reported to the Registration and Regulation Committee, during discussions on the specifications to incorporate the Council's Fitness to Practise casework system, it had become apparent that there were many complexities to consider. Officers had consequently agreed a revision to the project plan to allow more time to develop and agree the specification stage of the project. The revised delivery date for the new system to be live was agreed as 22 May 2024.

11.3 Liz Brimble reported that as the draft specifications for the system development were nearing completion, an internal project board of managers from across EWC was being established. The board would meet monthly to review the project plan and ensure progress with the project was maintained.

11.4 Fortnightly meetings between the EWC and the contractor's senior project manager continued to take place. The meetings were minuted and action points noted with assigned responsibility where applicable.

11.5 Referring members to paragraph eight, Liz Brimble noted that the current version of the database would not be supported by Microsoft from October 2023. She clarified that the system would move to a Cloud based solution which would ensure there would be no interruption of service until the launch of the upgraded database in May 2024.

11.6 She reported that the specifications for the Council's work in respect of its registration function and professional development function were at their final review and work was progressing in line with the agreed timescales for the Council's other areas of work.

11.7 As reported at paragraph 12, officers had agreed the approach to data cleaning and migration from the existing system with the contractor and had met to review and agree the data fields and values to be migrated. The contractor had also been provided with an initial

list of data cleaning required as well as a subset of live data to enable the infrastructure and system build to begin.

11.8 The Chairperson of the Registration and Regulation Committee noted that the Committee had an in-depth discussion surrounding the upgrade at its last meeting as reported via the draft minutes. She assured Council that the Committee would continue to oversee the implementation of the upgrade with scrutiny and probing considerations.

11.9 Members had no further queries and were content to receive the update.

12. QTS, Registration and Induction progress report

EWC 31/23

12.1 Liz Brimble introduced this progress report which updated members on the EWC's work in relation to Registration and administering the award of Qualified Teacher Status (QTS) and Induction.

12.2 As reported at annex A, the total number of individual registrants as at 12 June 2023 was 77,890. This was approximately 2,000 additional registrants in comparison with the same period last year.

12.3 An average of 65 applications a day continued to be received and processed by the team. Liz Brimble reported that the majority of applications continued to be received for the school learning support worker category of registration. A high number of applications had also been received from newly qualified teachers which was a common trend for the time of year.

12.4 As reported at paragraphs 8 -10, work to bring on the new categories of registration was progressing well following the new legislation enacted on 22 May 2023. New registrants would receive a letter confirming their registration as well as a paper copy of the Code of Professional Conduct and Practice. Officers were liaising with the Welsh Government to obtain the most up to date data available on the number of independent schools in Wales to ensure that all settings were contacted and made aware of their legislative obligation to ensure staff were registered.

12.5 Correspondence had been sent to a number of youth work settings to clarify the provision that they had in place. Officers were liaising with WLGA who had agreed to circulate correspondence to local authority Corporate HR Directors to assist with identifying any further local authority settings that employed individuals now required to hold registration.

12.6 In response to a member's query, Liz Brimble confirmed that the EWC was confident in its resource and capacity to manage the process of registering individuals in the new categories. The overall numbers were relatively small in comparison to when other categories such as the further education sector was introduced.

12.7 Referring members to paragraph 11, Liz Brimble highlighted the impending Welsh Government consultation on amending legislation to allow more flexibility around the member composition of Fitness to Practise panels. As the number of registration categories had now increased to 11, she noted that this flexibility was essential to ensure that panels could be formed efficiently with the correct level of expertise and to avoid conflicts of interest amongst smaller groups of registrants.

- 12.8 Liz Brimble reported that a number of data provisions and projects were ongoing / been completed since 1 April 2023 as outlined at annex B. She highlighted that the work on the further education and work based learning sector workforce survey had concluded with the survey report published on Council's website on 30 June 2023. Individual college level data had been provided to Welsh Government for them to disseminate as per the agreed parameters of the commissioned work.
- 12.9 As reported at paragraph 21, work was on track for the administration and award of QTS to persons undertaking programmes of ITE in 2022-23. In response to a member's query on the retention data held as part of this process, Liz Brimble confirmed that officers did hold the tracking data with regards to individuals obtaining QTS and consequently undertaking their Induction period as a NQT. This information would be collated as part of the Council's data analyses.
- 12.10 Members had no further questions and were content to receive the progress update.

13. Fitness to Practise progress report

EWC 32/23

- 13.1 Liz Brimble introduced this progress report on the Council's Fitness to Practise work and associated procedural matters.
- 13.2 As reported at paragraph four, 10 hearings had so far concluded since 1 April 2023. Officers estimated that approximately 60 cases would be heard in the 2023-24 financial year which was in line with the budgeted figure.
- 13.3 Referring to paragraph five, Liz Brimble reported that the Council had three live ISOs imposed in 2022, all for 18 months with reviews at 6 and 12 months. The first 6-month reviews for all three had been completed and investigations remained ongoing with no change in circumstance. An ISO Committee was scheduled to hear a new case and another Committee was currently being scheduled to hear a further ISO referral.
- 13.4 As an update to paragraph nine, it was reported that the EWC had received its first Induction Appeal since 2014. Members would be kept updated on the matter.
- 13.5 As reported at paragraph 18, recruitment for additional lay members was completed in May 2023 with 9 new members being appointed, bringing the total number of panel members to 62, inclusive of 12 Chairs.
- 13.6 Compulsory annual training for panel members and Chairs took place on 22 and 23 June 2023 respectively. Sessions had been given by the General Dental Council (GDC) and the Welsh Independent Schools Council (WISC) and feedback from attendees had been very positive.
- 13.7 Liz Brimble reported that the Council's current contract for the provision of legal services would expire on 30 September 2023. Officers would undertake a procurement exercise whereby an Invitation to Tender would be published via etenderwales, the public sector procurement website.
- 13.8 Responding to a member's query on the figures provided at annex C, Liz Brimble noted that employers had a legislative duty to refer cases to the EWC in accordance with strict guidelines referring to dismissals. She clarified that some referrals received were as a result

of a failed probation which could be for many reasons not equivalent to professional misconduct or incompetency. These cases would be assessed by an Investigating Committee who would determine whether or not there was a case to answer.

13.9 Members had no further comments and were content to receive the progress report.

14. Accreditation of Initial Teacher Education **EWC 33/23**

14.1 Bethan Stacey introduced this paper which provided members with a progress report on the Council's statutory role to accredit programmes of Initial Teacher Education (ITE) in Wales.

14.2 Paragraphs 6 - 11 listed the programmes that had been subject to interim monitoring as a condition of accreditation. Outcomes had been shared with Partnerships in accordance with the timeframes outlined within the interim monitoring guidance.

14.3 As previously reported, one Partnership's programme had been deemed to be noncompliant with the Criteria following a monitoring visit in July 2022. A subsequent action plan to address these matters was submitted by the Partnership and approved by the Board. As a result of information provided in February 2023 via an Estyn inspection visit, which was considered by the Board, a further matter of noncompliance was identified and an additional action plan, intended to address these matters, was provided to Estyn and the EWC by the Partnership. In May 2023, following a return visit to the Partnership, the Board made a determination that the programme continued to be noncompliant with the Criteria and that further progress was required to address the compliance issues. Board activity would take place in the autumn term 2023 to determine the effectiveness and impact of any actions taken. The Estyn inspection activity had concluded and the inspection report was due to be published in September 2023; the Board would consider any further evidence provided as a result.

14.4 Referring to paragraph 12, Bethan Stacey reported that the accreditation period for seven programmes across three partnerships was due to expire in August 2024. The publishing of the process for re-accreditation and the timeline for implementing the process had been impacted by the publication of the revised Criteria by Welsh Government. Officers had agreed with the affected partnerships that submission of their programmes for re-accreditation would be no later than January 2024.

14.5 As reported at paragraph 14, the EWC continued to work with Estyn to draft a joint position on how in a single process, accreditation, monitoring and inspection would complement and inform each other. A draft had been shared with partnerships for consideration and as a result of this consultation and feedback, the EWC and Estyn committed to further develop the document with input from a working group of partnership representatives. The first meeting of the working group which was scheduled for 25 May 2023 was postponed.

14.6 Members had no further questions and were content to receive the progress report.

15. Review of Risk Register **EWC 34/23**

15.1 Lisa Winstone introduced this paper and reminded members that the Register was reviewed by the Senior Management Team on a quarterly basis. The last Senior Management Team

review took place on 13 June 2023 and the Register was also discussed the Audit and Scrutiny Committee at its last meeting on 29 June 2023.

- 15.2 Members were referred to paragraph four which outlined the Council's risk profile. Lisa Winstone reported that the main risks to the EWC continued to be reputational and financial.
- 15.3 The assessment of the severity of risks were outlined at paragraphs 6 – 7. She summarised that nine risks reported a medium residual risk and the remaining seven assessed a low residual risk. It was reported that the definition of risk continued to reflect the Council's risk appetite as risk-averse.
- 15.4 In response to a member's query surrounding the risk associated with the amendment of legislation to include other staff in the post-16 sector as discussed at EWC 31/23, the Chief Executive noted that officers would continue to review the situation and discuss further once the Welsh Government consultation document had been drafted.
- 15.5 The Chairperson of the Audit and Scrutiny Committee noted that the Committee had discussed the Risk Register in detail at their last meeting. Suggestions had been made surrounding its presentation for members' scrutiny and the inclusion of emerging risks. The Committee had agreed to review the matter at future meetings.
- 15.6 The Council had no further questions and were content to approve the Risk Register.

16. Promotion of careers in education

EWC 35/23

- 16.1 Bethan Stacey introduced this paper and explained that under the Education (Wales) Act, one of the EWC's main functions was to promote careers in the education workforce.
- 16.2 As reported at paragraph two, a number of software developments had taken place during the 2022-23 year. She particularly highlighted the 'spider software' whereby vacancies posted on employer websites would be duplicated and advertised on Educators Wales. As an update to the paper, she reported that 19 local authority feeds were live and 12 further education feeds were now in place. The software had proved to be a key driver of traffic to the website and for the first time since its implementation, the Educators Wales jobs portal held more live educational vacancies in Wales than its largest competitor.
- 16.3 Referring to paragraph six, Bethan Stacey reported that officers were liaising with Welsh Government to develop a strategy for increased use of the Educators Wales jobs portal. Welsh Government officials requested that EWC draft a short paper outlining progress with the development and implementation of the jobs portal as a basis for this work. The paper was provided to Welsh Government on 2 June 2023.
- 16.4 Bethan Stacey noted the significant amount of advocacy work that was ongoing in this area reported at paragraphs 9 – 14. She detailed a number of examples whereby the advocacy work had resulted in measurable outcomes regarding attendance and engagement. Officers continued to attend a high number of events as reported at annex A.
- 16.5 Members commented positively on the Educators Wales website and its ease of use and noted the encouraging progress in this area.

17. Council review and discussion on members' annual training day **EWC 36/23**

- 17.1 The Chief Executive presented this paper which gave an overview of the responses collated from the members' annual review process relating to the Council that concluded its term on 31 March 2023. Members were asked to note the positive scoring and feedback resulting from the review.
- 17.2 The paper also noted that the members' annual training day would take place in April 2024. Annual training for members took place in years 2, 3 and 4 of Council's term with year 1 being induction training. The Chief Executive noted that work would soon begin on the agenda for the training and invited members to contact the Corporate Governance Officer with any training needs or suggestions they may have.
- 17.3 Responding to a member's query, the Chief Executive noted that officers were grateful for members' comments and feedback and endeavoured to make any arrangements or implement any changes to assist members in undertaking their roles as Council members. He noted that previous examples of changes that had been made following a review cycle was the move to electronic papers and the implementation of an annual training day instead of information briefings before / after Council meetings.
- 17.4 Members noted the positive scoring.

18 - 23. Information item(s)

Members received "for information" paper(s) on:

- **Quarterly review (1 January – 31 March 2023)** **(EWC 37/23)**
- **Review of Audit and Scrutiny Committee's year** **(EWC 38/23)**
- **Statutory Induction and Professional Learning Passport (PLP)** **(EWC 39/23)**
- **Report on post 16 professional standards and silhouettes and other short term Welsh Government projects** **(EWC 40/23)**
- **Secretariat to the IWPRB** **(EWC 41/23)**
- **EWC responses to external consultations** **(EWC 42/23)**

24. Any other business

- 24.1 No other business was raised and the public meeting was closed.

Council moved into private session