



## Responses to consultation

### The Education (supply of Information about the School Workforce) (Wales) Regulations 2017

1.	Liz Miles, Estyn	3
2.	Dr Alwyn Jones, GwE	6
3.	Owen Hathway, NUT Cymru	9
4.	Mike Jones, City and County of Swansea	11
5.	Ruth Richards, Dyfodol	14
6.	Mark Brown, Ysgol Babanod T. Gwynn Jones	17
7.	Governors Wales	21
8.	Meri Hughes, Welsh Language Commissioner	23
9.	Gary Brace	27
10.	Donna Gilbert, Blaenau Gwent Council	30
11.	Sue Alderman, Vale of Glamorgan Council	32
12.	Jacquie Turnbull, MBE, Fairwater Primary School	35
13.	Hywel Merfyn Jones, Stafiaith	38
14.	Malcolm James	40
15.	Hayden Llewellyn, Education Workforce Council	45
16.	Graeme Russell, Torfaen County Borough Council	51
17.	Christine Fischer, Catholic Education Service	55
18.	Sue Robins / John Davies, Wrexham County Borough Council	57
19.	Tim Pratt, ASCL Cymru	61

<b>20.</b>	<b>Dr Lowri Brown, Conwy County Borough Council</b>	<b>63</b>
<b>21.</b>	<b>Annette Farrell, Royal Society of Chemistry</b>	<b>65</b>
<b>22.</b>	<b>Rob Williams, NAHT (Cymru) Director of Policy</b>	<b>68</b>
<b>23.</b>	<b>Phil Higginson, UCAC</b>	<b>72</b>
<b>24.</b>	<b>Jack Worth, The National Foundation for Educational Research in England and Wales (NFER)</b>	<b>75</b>
<b>25.</b>	<b>Rachel Curley, ATL Cymru</b>	<b>79</b>
<b>26.</b>	<b>Information Commissioner's Office</b>	<b>82</b>
<b>27.</b>	<b>Amber Courtney, UNISON Cymru Wales</b>	<b>85</b>
<b>28.</b>	<b>Samuel Middleton, Wellcome Trust</b>	<b>89</b>
<b>29.</b>	<b>Chris Keates, NASUWT Cymru</b>	<b>92</b>
<b>30.</b>	<b>Nick Batchelar, City of Cardiff Council</b>	<b>101</b>
<b>31.</b>	<b>Anonymous 1</b>	<b>104</b>
<b>32.</b>	<b>Anonymous 2</b>	<b>106</b>
<b>33.</b>	<b>Anonymous 3</b>	<b>108</b>
<b>34.</b>	<b>Anonymous 4</b>	<b>110</b>

## **1. Liz Miles**

Estyn

**Question 1 – Do you agree with (option 5) the proposal to carry out an individual level census on the school workforce that utilises the EWC Register of Practitioners?**

**If you disagree, would options 1 to 4 be more suitable?**

Agree

We agree with option 5 as in the long term it will minimise the burden placed on providers by following the principle of 'collecting information once and using many times'. Collecting information at source and analysing the data centrally should also provide greater accuracy.

Individual level data collection provides useful opportunities for linking information and existing administrative sources of data held by the EWC. However, we caution that the information recorded on the EWC register may not be fully up to date as it largely dependent on individuals updating their details. In addition, the EWC does not hold information on administrative and premises staff who are vital to the school workforce.

**Question 2 – The draft regulations currently propose that schools, local authorities and the EWC will have a period of 27 days to complete data returns with a November census date. Do you agree with this proposal?**

Agree

We agree that a period of 27 days to complete data returns and a November census date is reasonable.

**Question 3 – Currently, which sources of data on the school workforce do you use?**

EWC Annual Statistics Digest  
Annual PLASC bulletin  
StatsWales open data

Estyn receives learner level PLASC data via a data sharing service level agreement with Welsh Government. We also collect data directly from providers to support our inspection work and thematic surveys.

We also have a data sharing agreement with EWC, and use data, for example, on NQTs to support our thematic survey work.

**Question 4 – The draft regulations currently propose the collection of data items within seven categories (staff details, contract and service agreement, absences, curriculum, qualifications, recruitment and retention, Welsh**

**language and Welsh medium). Do you agree with the collection of these categories?**

Staff Details	Agree
Contract and service agreement	Agree
Absences	Agree
Curriculum	Agree
Qualifications	Agree
Recruitment and retention	Agree
Welsh Language and Welsh Medium	Agree

We agree with the collection of data items in all seven categories as it fits with the principle of 'collect once and use many times'.

**Question 5 – We would like to know your views on the effects that the draft regulations proposed would have on the Welsh language, specifically on:**

- i) opportunities for people to use Welsh**
- ii) treating the Welsh language no less favourably than the English language.**

**What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?**

We agree that a more detailed data collection of the Welsh language skills of the workforce and the capacity of the workforce to deliver and teach through the medium of Welsh would be beneficial. A more detailed collection would aid the informed targeting of resources to support the current and future workforce's use of the Welsh language. Targeting resources more accurately should improve the opportunities for people to use Welsh. Currently, there is no agreed or clear criteria on which to judge the workforce's competency in speaking, listening, reading or writing through the medium of Welsh. We suggest that Welsh Government considers, as part of the census data collection, implementing a language competency continuum based on the Common European Framework of Reference (CEFR). This would provide a clearer and more accurate picture of the workforce's level of competency in the use of the Welsh language.

**Question 6 - Please also explain how you believe the proposed draft regulations could be formulated or changed so as to have:**

- i) positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language**
- ii) no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.**

The proposed draft regulations should have increased positive effects for people to use the Welsh language. The data collection at individual level will provide greater detail on demographic characteristics. This will help to ensure that the

workforce can enable an increase in the delivery of Welsh medium education and training. We do not think there will be any adverse effects on opportunities for people to use the Welsh language or that the draft proposals treat the Welsh language less favourably than the English language.

**Question 7 – 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.**

No comment offered

## 2. Dr Alwyn Jones

GwE

**Cwestiwn 1 – Ydych chi'n cytuno â'r cynnig (opsiwn 5) i gynnal cyfrifiad lefel unigolion ar y gweithlu ysgolion sy'n defnyddio Cofrestr Ymarferwyr Cyngor y Gweithlu Addysg?**

**Os ydych chi'n anghytuno, a fyddai opsiynau 1 i 4 yn fwy addas?**

Cytuno

Mae GwE yn cytuno bod angen dull mwy manwl o gasglu data am y gweithlu ysgolion er mwyn cael gwybodaeth gadarn o'r gweithlu addysg er mwyn cynorthwyo i baratoi'n well ar gyfer newidiadau posib yn y dyfodol ac i lywio'r broses recriwtio, datblygu a chadw'r gweithlu yma yng Nghymru. Croesawn hefyd ddull canolog a chydlynus i gasglu data er mwyn sicrhau cysondeb ar draws Cymru. Fodd bynnag, dymunwn bwysleisio y dylid sicrhau nad yw gofynion y casgliad yn ychwanegu yn sylweddol at lwyth gwaith Ysgolion ac Awdurdodau.

Cytunwn hefyd bod angen casglu gwybodaeth ar lefel unigolion ac mai opsiwn 5 yw'r dull mwyaf effeithiol i wneud hyn.

**Cwestiwn 2 – Ar hyn o bryd mae'r rheoliadau drafft yn cynnig y bydd gan ysgolion, awdurdodau lleol a Chyngor y Gweithlu Addysg 27 diwrnod i gwblhau'r ffurflenni data gyda'r cyfrifiad i'w gynnal ym mis Tachwedd. Ydych chi'n cytuno â'r cynnig hwn?**

Anghytuno

Tra'n cytuno ar y rhesymeg i gynnal y cyfrifiad ym mis Tachwedd, nid yw GwE o'r farn bod cynnal dau gyfrifiad blynyddol (cyfrifiad gweithlu a chyfrifiad CYBLD) ar amseroedd gwahanol yn ystod y flwyddyn yn dderbyniol nac ychwaith yn effeithlon ac yn gwneud y defnydd gorau o amser, yn enwedig mewn ysgolion bach.

Barn GwE yw y byddai cyplysu'r ddau gyfrifiad a'i gynnal ar yr un amser yn flynyddol yn gwneud gwell defnydd o amser ac yn fwy effeithlon.

**Cwestiwn 3 – Pa ffynonellau data am y gweithlu ysgolion ydych chi'n eu defnyddio ar hyn o bryd?**

Crynodeb Ystadegau Blynyddol CGA  
Bwletin blynyddol CYBLD  
Data agored StatsCymru

**Cwestiwn 4 – Ar hyn o bryd mae'r rheoliadau drafft yn cynnig casglu eitemau o ddata mewn saith categori (manylion staff, contract a chytundeb gwasanaeth, absenoldebau, cwricwlwm, cymwysterau, recriwtio a chadw, iaith Gymraeg a chyfrwng Gymraeg). Ydych chi'n cytuno â chasglu'r categorïau hyn?**

Manylion staff	Cytuno
Contract a chytundeb gwasanaeth	Ddim yn cytuno nac yn anghytuno
Absenoldebau	Cytuno
Cwricwlwm	Cytuno
Cymwysterau	Cytuno
Recriwtio a chadw	Cytuno
Iaith Gymraeg a chyfrwng Cymraeg	Cytuno

Tra'n gweld rhesymeg casglu gwybodaeth ar 'Contract a chytundeb gwasanaeth' – efallai nad oes angen casglu hyn ar lefel Genedlaethol, mae'r wybodaeth yma ar gael gan yr Awdurdodau,

Credwn y byddai casglu gwybodaeth ar:

- Parhaol / Dros dro
- Llawn Amser / Rhan amser (gan nodi faint yn union)
- Cyfrifoldebau (gan gynnwys pwyntiau cyflog)

Yn ddigonol ar gyfer y dibenion a nodir

Cred GwE bod casglu gwybodaeth ar y Gymraeg ar lefel unigol yn hanfodol. Dylai'r wybodaeth a gesglir gynnwys:

- Rhuglder yn y Gymraeg
- Gallu i addysgu trwy gyfrwng y Gymraeg
- Awydd i ddysgu/ gwella sgiliau ieithyddol yn y Gymraeg

**Cwestiwn 5 – Hoffem wybod eich barn ar yr effeithiau y byddai'r rheoliadau ddrafft arfaethedig yn eu cael ar yr iaith Gymraeg, yn benodol ar:**

- gyfleoedd i bobl ddefnyddio'r Gymraeg**
- peidio â thrin y Gymraeg yn llai ffafriol na'r Saesneg.**

**Pa effeithiau rydych chi'n credu y byddai? Sut y gellid gynyddu effeithiau positif a lliniaru effeithiau negyddol?**

Ni chredwn y byddai'r rheoliadau drafft yn cael effaith negyddol ar y Gymraeg, cyn belled bod y cyfrifiad yn gwbl ddwyieithog a bod y ddwy iaith yn cael eu trin yn gyfartal.

**Cwestiwn 6 – Eglurwch hefyd os gwelwch yn dda sut rydych chi'n credu y gall y rheoliadau ddrafft arfaethedig gael eu llunio neu eu haddasu er mwyn:**

- cael effeithiau positif ar gyfleoedd i ddefnyddio'r Gymraeg ac ar beidio â thrin y Gymraeg yn llai ffafriol na'r Saesneg**
- peidio â chael effeithiau andwyol ar gyfleoedd i ddefnyddio'r Gymraeg ac ar beidio â thrin y Gymraeg yn llai ffafriol na'r Saesneg.**

Sicrhau bod y rheoliadau drafft arfaethedig yn gwbl ddwyieithog a bod y ddwy iaith yn cael eu trin yn gyfartal.

**Cwestiwn 7 – Rydym wedi gofyn nifer o gwestiynau penodol. Os oes gennych chi faterion perthnasol nad ydym wedi rhoi sylw penodol iddynt,**

**defnyddiwch y blwch isod i roi gwybod i ni amdanynt.**

Credwn y dylai'r wybodaeth a gesglir ar y gweithlu fod ar gael i'r Consortia a'r Awdurdodau lleol ac y dylai unrhyw ddadansoddiadau fod ar sail Awdurdodau, Consortia a Chymru gyfan fel y gellir adnabod unrhyw batrymau yn lleol ac yn rhanbarthol.



### 3. Owen Hathway

NUT Cymru

**Question 1 – Do you agree with (option 5) the proposal to carry out an individual level census on the school workforce that utilises the EWC Register of Practitioners?**

**If you disagree, would options 1 to 4 be more suitable?**

Disagree

We fundamentally disagree with the proposal for individual's data to be passed from the EWC to the Welsh Government.

The EWC is a professional body independent of the Welsh Government. Furthermore it is paid for by teachers. There should be no obligation on the EWC to provide data collection for the Welsh Government beyond at a summary level.

Aside from the fact that much of this data is simply not needed there is no recognition of the cost of undertaking this work. It will essentially then be a case of teachers paying for the privilege of supplying data about themselves to the Welsh Government with no guarantee of what that data will be used for. The fact that regulations state that the data may be shared with 'partners' causes even greater concern.

These proposals threaten to undermine the very independence of the EWC as an organisation in the eyes of the teaching profession and will be strongly opposed.

**Question 2 – The draft regulations currently propose that schools, local authorities and the EWC will have a period of 27 days to complete data returns with a November census date. Do you agree with this proposal?**

Disagree

**Question 3 – Currently, which sources of data on the school workforce do you use?**

EWC Annual Statistics Digest  
Annual PLASC bulletin  
StatsWales open data

**Question 4 – The draft regulations currently propose the collection of data items within seven categories (staff details, contract and service agreement, absences, curriculum, qualifications, recruitment and retention, Welsh language and Welsh medium). Do you agree with the collection of these categories?**

Staff Details	Disagree
Contract and service agreement	Disagree

Absences	Disagree
Curriculum	Disagree
Qualifications	Disagree
Recruitment and retention	Disagree
Welsh Language and Welsh Medium	Disagree

There is no problem with supplying these details at a summary level. However where they are not already in the public domain there is no need currently for individuals to have to provide them and there is no justification for instructing the EWC to act on behalf of the Welsh Government to do so.

All required information is already available from local authority pay roll databases. There is no need to recreate a new system and no individual details are required.

**Question 5 – We would like to know your views on the effects that the draft regulations proposed would have on the Welsh language, specifically on:**

- i) opportunities for people to use Welsh**
- ii) treating the Welsh language no less favourably than the English language.**

**What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?**

- i) Greater knowledge relating to the provision, or lack thereof, of teachers with Welsh language skills will hopefully enable a better structure to be put in place for the recruitment, retention and professional development of those with or interested in learning the language.
- ii) Treating the two languages on an equal footing should be taken as a matter of natural expectation in a bilingual Wales.

**Question 6 - Please also explain how you believe the proposed draft regulations could be formulated or changed so as to have:**

- i) positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language**
- ii) no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.**

As above

**Question 7 – 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.**

No comment offered

#### 4. Mike Jones

City and County of Swansea

**Question 1 – Do you agree with (option 5) the proposal to carry out an individual level census on the school workforce that utilises the EWC Register of Practitioners?**

**If you disagree, would options 1 to 4 be more suitable?**

Agree

Option 5 will help reduce the burden on schools by obtaining as much data as possible from existing sources – EWC and LA systems. The residual data required from schools is data they should already be holding.

**Question 2 – The draft regulations currently propose that schools, local authorities and the EWC will have a period of 27 days to complete data returns with a November census date. Do you agree with this proposal?**

Agree

This should be possible, as the data should already exist. There will need to be a contingency though in case of IT system issues!

**Question 3 – Currently, which sources of data on the school workforce do you use?**

EWC Annual Statistics Digest  
Annual PLASC bulletin  
StatsWales open data

We use aggregate data for a number of purposes currently. Some of these are ad-hoc in nature and its useful to have access to national datasets.

One issue which will need to be addressed is the current cross-validation of teacher data with class data in school PLASC returns. This often identifies issues such as too many teachers allocated to classes. We need to make sure PLASC class data is still validated correctly. Maybe the PLASC data could be validated against summary totals from the work force census on DEWi?

**Question 4 – The draft regulations currently propose the collection of data items within seven categories (staff details, contract and service agreement, absences, curriculum, qualifications, recruitment and retention, Welsh language and Welsh medium). Do you agree with the collection of these categories?**

Staff Details	Agree
Contract and service agreement	Agree
Absences	Agree

Curriculum	Agree
Qualifications	Agree
Recruitment and retention	Agree
Welsh Language and Welsh Medium	Agree

This will be useful data, and after internal discussions between education, HR and payroll managers we cannot see any major issues with collecting these items.

**Question 5 – We would like to know your views on the effects that the draft regulations proposed would have on the Welsh language, specifically on:**

- i) opportunities for people to use Welsh**
- ii) treating the Welsh language no less favourably than the English language.**

**What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?**

The census will generate data which will be useful in planning Welsh medium provision, for example, data relating to numbers of teachers qualified to teach Welsh will be useful when deciding how best to expand Welsh medium provision. Used alongside other demand-related surveys it should make it easier to decide where additional capacity will be needed and whether or not this can be staffed by suitably qualified teachers in terms of their ability in Welsh.

**Question 6 - Please also explain how you believe the proposed draft regulations could be formulated or changed so as to have:**

- i) positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language**
- ii) no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.**

We need to be able to determine the numbers of teachers able to teach Welsh (first or second languages), which phase they work in, where they are currently located, and if there are any who do not actually teach Welsh currently (and where they are). This will be useful in planning the Welsh medium workforce for the future and in deciding how best to expand provision to meet demand. The data will also be useful in planning future teacher training requirements, especially where there are shortages of staff able to teach in Welsh medium.

**Question 7 – 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.**

In terms of uses for the census data we need to make sure the data can meet all anticipated requirements. Some specific ideas are:-

- We need to be able to determine where skills shortages are, particularly for certain secondary subject areas and Welsh.
- We need to be able to determine where schools have sufficient suitably qualified teachers to work in nursery classes, but where they are choosing to staff these classes with HLTAs.
- We need to at least maintain the ability to generate the current aggregate data obtained via PLASC, as this is useful.
- We still need to be able to calculate key data such as PTRs (staff data will be November but pupil data in January PLASC).
- We need to be able to link primary teacher and support staff to class data from PLASC – maybe the workforce census could include the class names? This will be important as we have to monitor class sizes and staff ratios and therefore need to know who works in each class.

## 5. Ruth Richards

Dyfodol

**Cwestiwn 1 – Ydych chi'n cytuno â'r cynnig (opsiwn 5) i gynnal cyfrifiad lefel unigolion ar y gweithlu ysgolion sy'n defnyddio Cofrestr Ymarferwyr Cyngor y Gweithlu Addysg?**

**Os ydych chi'n anghytuno, a fyddai opsiynau 1 i 4 yn fwy addas?**

Cytuno

Credwn mai dyma'r opsiwn mwyaf cynhwysfawr.

Dyma'r drefn a wnaiff gynnig yr wybodaeth ehangaf o'r sefyllfa a'r anghenion o safbwynt amlygu anghenion hyfforddiant ar gyfer datblygu addysg Gymraeg a'r cwricwlwm Cymraeg, yn unol ag anghenion Strategaeth y Gymraeg.

**Cwestiwn 2 – Ar hyn o bryd mae'r rheoliadau drafft yn cynnig y bydd gan ysgolion, awdurdodau lleol a Chyngor y Gweithlu Addysg 27 diwrnod i gwblhau'r ffurflenni data gyda'r cyfrifiad i'w gynnal ym mis Tachwedd. Ydych chi'n cytuno â'r cynnig hwn?**

Anghytuno

Cytunwn a'r argymhelliad hwn: o safbwynt monitro'r Gymraeg, bydd angen sefydlu gwaelodlin cyn gynted â phosib, a pharhau i fonitro'r sefyllfa'n gyson a rheolaidd.

**Cwestiwn 3 – Pa ffynonellau data am y gweithlu ysgolion ydych chi'n eu defnyddio ar hyn o bryd?**

Fel mudiad sy'n lobbio er lles y Gymraeg, nid yw'r cwestiwn hwn yn berthnasol i ni

**Cwestiwn 4 – Ar hyn o bryd mae'r rheoliadau drafft yn cynnig casglu eitemau o ddata mewn saith categori (manylion staff, contract a chytundeb gwasanaeth, absenoldebau, cwricwlwm, cymwysterau, recriwtio a chadw, iaith Gymraeg a chyfrwng Cymraeg). Ydych chi'n cytuno â chasglu'r categorïau hyn?**

Manylion staff	Cytuno
Contract a chytundeb gwasanaeth	Cytuno
Absenoldebau	Cytuno
Cwricwlwm	Cytuno
Cymwysterau	Cytuno
Recriwtio a chadw	Cytuno
Iaith Gymraeg a chyfrwng Cymraeg	Cytuno

Byddwn yn cefnogi cynnwys yr holl categorïau hyn.

O safbwynt monitro sefyllfa'r Gymraeg, byddwn yn pwyso'r angen i'r holl setiau data a gesglir fod yn gydnaws a'i gilydd, er mwyn cael darlun cynhwysfawr o'r anghenion parthed y Gymraeg ar draws yr holl feysydd darpariaeth a dros amser.

**Cwestiwn 5 – Hoffem wybod eich barn ar yr effeithiau y byddai'r rheoliadau ddrafft arfaethedig yn eu cael ar yr iaith Gymraeg, yn benodol ar:**

- i) gyfleoedd i bobl ddefnyddio'r Gymraeg**
- ii) peidio â thrin y Gymraeg yn llai ffafriol na'r Saesneg.**

**Pa effeithiau rydych chi'n credu y byddai? Sut y gellid gynyddu effeithiau positif a lliniaru effeithiau negyddol?**

Yn gyntaf, dylid datgan nad yw meini prawf Mesur y Gymraeg a nodir uchod yn ddigonol i bwrpas cynllunio tuag at gynyddu addysg Gymraeg na'r Gymraeg mewn ysgolion, ac nad ydynt ychwaith yn cefnogi amcanion Strategaeth y Gymraeg i'r graddau angenrheidiol.

Byddwn yn gobeithio mai gwir bwrpas y rheoliadau drafft fyddai adnabod bylchau yng ngallu'r gweithlu i ddarparu gwersi ar draws ystod o bynciau drwy gyfrwng y Gymraeg, gan fynd i'r afael â hyn ar lefel genedlaethol a lleol, law yn llaw â datblygu a chynyddu'n sylweddol addysg Gymraeg ledled Cymru.

Fel rhan o'n hymateb i ymgynghoriad Strategaeth y Gymraeg, nododd Dyfodol yr anghenion isod o safbwynt rôl allweddol datblygu'r gweithlu addysg yn y broses o greu miliwn o siaradwyr Cymraeg erbyn 2050:

- 1.**Mae angen cynyddu nifer athrawon sydd â sgiliau digonol i weithio yn yr ysgolion Cymraeg cynyddol.
- 2.**Mae angen sicrhau nad yw cynlluniau strategol awdurdodau addysg yn llesteirio twf yn hytrach na'i annog
- 3.**Wrth gynyddu'r defnydd o Gymraeg mewn ysgolion Saesneg mae angen hyfforddiant digonol ar staff, trwy'r Ganolfan Genedlaethol Dysgu Cymraeg.
- 4.**Mae angen cydnabod rôl y Ganolfan Dysgu Cymraeg o ran cynyddu sgiliau iaith y gweithle addysg a'r gweithle cyhoeddus: Mae angen gosod nodau o ran nifer staff i gael hyfforddiant iaith (e.e. 500 y flwyddyn am 10 mlynedd) ac ariannu'r Ganolfan Dysgu Cymraeg i wneud hyn mewn cydweithrediad â phartneriaid, colegau a llywodraeth leol a chanol.
- 5.**Bydd angen 400 yn ychwanegol o ysgolion Cymraeg = 10,000 o athrawon a staff atodol addas eu sgiliau iaith. Mae angen derbyn yr her o ran hyfforddiant, gyda chydlynu rhwng colegau a'r Ganolfan Dysgu Cymraeg

Yn amlwg, byddai casglu data safonol a chenedlaethol ar sgiliau Cymraeg y gweithlu ysgolion (ar bob lefel, nid athrawon yn unig) o gymorth mawr tuag at gynllunio'n ymarferol tuag at dwf y Gymraeg. Os am gael o gorau o'r argymhellion hyn, ac os ydynt am wneud gwir gyfraniad at wireddu amcanion Strategaeth y Gymraeg, yna rhaid defnyddio'r data mewn modd ystyrlon a deallus, gan gyd lynu'r wybodaeth ar bob lefel, ac ar draws ystod o feysydd.

Byddwn yn galw felly am i'r wybodaeth gael ei gasglu a'i defnyddio mewn modd

sy'n cefnogi gweledigaeth y Strategaeth, gan gadw mewn golwg ei huchelgais, a chynorthwyo llunio'r polisïau pellgyrhaeddol fydd angen os yw am lwyddo.

**Cwestiwn 6 – Eglurwch hefyd os gwelwch yn dda sut rydych chi'n credu y gall y rheoliadau drafft arfaethedig gael eu llunio neu eu haddasu er mwyn:**

- i) cael effeithiau positif ar gyfleoedd i ddefnyddio'r Gymraeg ac ar beidio â thrin y Gymraeg yn llai ffafriol na'r Saesneg**
- ii) peidio â chael effeithiau andwyol ar gyfleoedd i ddefnyddio'r Gymraeg ac ar beidio â thrin y Gymraeg yn llai ffafriol na'r Saesneg.**

Fel y nodir uchod, credwn bod angen meini prawf mwy cadarn na'r rhai a nodir uchod. Nid amddiffyn y Gymraeg mewn addysg yw'r nod bellach, ond yn hytrach, ei datblygu a'i chynyddu. Heb dderbyn y newid sylfaenol hwn, yna ni ellir gobeithio gwreiddu gweledigaeth Strategaeth y Gymraeg na chynllunio'n ystyrlon tuag ati.

I'r pwrpas hyn, bydd rhaid ystyried monitro'r Gymraeg fel rhan o ddarlun ehangach; bydd rhaid i'r wybodaeth a gesglir fod yn adlewyrchiad o'r sefyllfa i lefel ysgolion unigol, ac o fewn meysydd pwnc. Rhaid hefyd cofio wrth gwrs bod angen i'r wybodaeth a gesglir adlewyrchu cronoleg y sefyllfa er mwyn rhagweld gofynion y dyfodol. Y nod yw cael darlun ystadegol manwl o anghenion y Gymraeg fel sail i ddatblygu ac atgyfnerthu polisi dros y blynyddoedd i ddod.

Fel y nodir eisoes, rydym yn gefnogol i argymhellion y rheoliadau drafft, ond byddwn yn pwysleisio'r hyn sydd eisoes yn oblygeidig yn y ddogfen ymgynghori ac yn amlwg yn yr asesiad; sef bod rhaid i'r wybodaeth a gesglir am y Gymraeg fod yn gydnaws a'r holl wybodaeth a gesglir, er mwyn creu darlun gwydn o sefyllfa ac anghenion y Gymraeg yng nghyd destun datblygu polisi ehangach.

**Cwestiwn 7 – Rydym wedi gofyn nifer o gwestiynau penodol. Os oes gennych chi faterion perthnasol nad ydym wedi rhoi sylw penodol iddynt, defnyddiwch y blwch isod i roi gwybod i ni amdanynt.**

Croesawn y rheoliadau drafft a'r cyfle i fynegi ein hymateb iddynt.

Gobeithiwn y bydd yr argymhellion hyn yn cynrychioli cam gyntaf tuag at sefydlu system safonol a chyson, a fydd dros amser. yn cynorthwyo a grymuso datblygiad addysg Gymraeg, cynyddu'r Gymraeg yn gyffredinol ar draws y cwricwlwm, a thrwy holl ysgolion Cymru.



## 6. Mark Brown

Ysgol Babanod T. Gwynn Jones

**Question 1 – Do you agree with (option 5) the proposal to carry out an individual level census on the school workforce that utilises the EWC Register of Practitioners?**

**If you disagree, would options 1 to 4 be more suitable?**

Disagree

When registering with the Education Workforce council, I expect my data to be kept safe and secure. I have not agreed to share my individual data with Welsh Government. The EWC is a regulatory body, which means the profession regulating itself to maintain this integrity I would fully expect the Welsh Government to be at 'arms- length'.

At the moment, I fully agree to my registrant information to be shared with the EWC and for them to use the data to collect generic 'statistics' valuable to the profession e.g. how many male teachers etc. If the data is shared with Welsh Government I would fully expect the ability to 'opt out' of sharing this data beyond the Education Workforce Council. Furthermore, I would wish to challenge the fact that I have no control over who can access my data- I have particular concern with WG could 'share with partners', would I be able to protect my registrant data from further sharing and would this sharing violate my rights' under the Data Protection Act; "The individual needs to consent to the collection of their personal information and its use in the purpose(s) in question. The European Data Protection Directive defines consent as "...any freely given specific and informed indication of his wishes by which the data subject signifies his agreement to personal data relating to him being processed", meaning the individual may *signify* agreement other than in writing. However, non-communication should not be interpreted as consent. The Data Protection Act also specifies that sensitive personal data must be processed according to a stricter set of conditions, in particular any consent must be explicit" and "Personal data shall be obtained only for one or more specified and lawful purposes, and shall not be further processed in any manner incompatible with that purpose or those purposes". I have the right over my personal data and would consider any sharing 'with other partners' as a violation of these rights.

The Explanatory Note of the regulations states that the information required under the regulations will '*primarily*' be used for statistical analysis. This leaves it open for the Welsh Government to use the data it is provided with for other purposes and how can I consent to the use of my personal data without full knowledge of who can access it and for which purpose it will be used.

I fund the EWC through my registration fees and am happy with them to collect my data for statistical analysis however I am not paying for the Welsh Government to have access to my data and I would be unhappy with my Professional Body having to burden any further costs. I am happy with the data analysis by my professional

body and would not want any further data published, which could conflict with that of the EWC. It is important that registrants with the EWC have full confidence in the data published by it.

I would like to see how other professional regulatory bodies share information with the EWC, does the NMC or the HPC also share individual registrant details? If the WG are seeking this information from the EWC will there be a fairness approach to all? Will all Independent Professional Bodies be required to offer up this information. If so, some of these bodies are not subject to devolution so surely an act of parliament would be required.

I would also be wary of any data published by the Welsh Government which could be seen to be used for a particular political purpose. I fully expect that my body and data be used independently and not subject to manipulation by a particular political body.

I am also currently volunteering my information to the EWC. If this proposal goes ahead I would consider whether I would need to change what I share in future. If other registrants did this we would lose the high quality statistical analysis offered by the EWC. If something is not broken why fix it? Why complicate it? We could also have two different levels of statistics, including those happy and those not happy to share with Welsh Government.

**Question 2 – The draft regulations currently propose that schools, local authorities and the EWC will have a period of 27 days to complete data returns with a November census date. Do you agree with this proposal?**

Disagree

I strong disagree with the proposals under Question 1. In addition, why 27 days? This shows no reason, it is not a month? I would strongly oppose such a tight time scale unless the EWC were given extra resources (not funded by the EWC registration fees) to process this extra burden and doubling of data from Welsh Government.

**Question 3 – Currently, which sources of data on the school workforce do you use?**

EWC Annual Statistics Digest

This is prepared by my Independent regulatory body. I don't want any other data about my workforce that could be used to politicise the education workforce in Wales. The data does not disclose any individual data and is simple to understand and read.

Why overcomplicate something that is working well?

**Question 4 – The draft regulations currently propose the collection of data items within seven categories (staff details, contract and service agreement, absences, curriculum, qualifications, recruitment and retention, Welsh**

**language and Welsh medium). Do you agree with the collection of these categories?**

Staff Details	Disagree
Contract and service agreement	Disagree
Absences	Disagree
Curriculum	Disagree
Qualifications	Disagree
Recruitment and retention	Disagree
Welsh Language and Welsh Medium	Disagree

I fully disagree with the Welsh Government having access to my individual data in regards to the above categories. I would be happy to share all of the above with the Education Workforce Council however I would not consent to this information being shared with Welsh Government.

Currently I voluntarily share my details in regards to staff details, workplace, qualifications and Welsh ability with the Education Workforce Council. I would 'opt out' of sharing this data if I was not aware of how this data may be used by a non-independent body.

*The EWC .... Holds information on the qualifications of the school workforce; the EWC holds .....details of qualifications which are directly relevant to their training as a practitioner'. The only information I would have to share according to the Education Workforce Council (Main Functions) (Wales) Regulations 2015 would be my mandatory qualifications to be a schoolteacher however I would not then update my qualifications if I did not know how it would be used.*

**Question 5 – We would like to know your views on the effects that the draft regulations proposed would have on the Welsh language, specifically on:**

- i) opportunities for people to use Welsh**
- ii) treating the Welsh language no less favourably than the English language.**

**What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?**

I fully disagree with the proposals. However, I welcome the full bilingual use of my data within the EWC.

**Question 6 - Please also explain how you believe the proposed draft regulations could be formulated or changed so as to have:**

- i) positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language**
- ii) no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.**

Maintain the status quo, which gives us good statistical analysis of those 'able to teach' through the medium of Welsh.

**Question 7 – 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.**

It unclear how this consultation has been circulated widely to the education workforce. I would also be interested to know the response from union officials and how many teachers have been fully consulted on this issue.

In addition, I am aware at the point of registration about a 'Fair Processing Notice'. I am happy with this provision as currently stands. I firmly disagree with any attempt to retrospectively apply this to information that would be shared at an individual basis with the Welsh Government. I would expect a full outline from Welsh Government about a 'Fair Processing Notice' which applies to them and how my individual data would be shared. I would also expect full communication about my rights to opt out. I would also challenge the legality under the data protection act to enforce any 'Fair Processing Notice' which applies to information shared with Welsh Government and 'partners'. I would also not be happy with any using of this data for commercial purposes.

I am happy with the providing of summary data but this provision goes further and asks for individual data. How is this data helpful to the WG? How can I protect it if I don't know who is sharing it?

The EWC has introduced a 'Professional Learning Passport'. I would cease to use this if it was also subject to reporting to Welsh Government.

I strongly oppose any further political interference with my Professional Regulatory Body. The EWC currently is not able to elect and appoint its own council or set an appropriate registration fee, these are available to other regulatory bodies. If the Welsh Government want to control the EWC then it is not a Professional Regulatory Body and should be a public funded institution and not funded by 'Professional Subscriptions'.

The EWC needs to maintain integrity and should not be subject to the will or control of any political party.

## 7. Governors Wales

**Question 1 – Do you agree with (option 5) the proposal to carry out an individual level census on the school workforce that utilises the EWC Register of Practitioners?**

**If you disagree, would options 1 to 4 be more suitable?**

Disagree

Whilst we understand the rationale behind the collection of certain types of data, and the need to streamline the various data collections, to look at sustainability and develop a consistent approach, we feel that collecting the data using Option 4 would be preferable. This relies on Local Authorities and schools to provide the data, rather than another organisation. This happens currently by collecting the PLASC data. It is important not to duplicate data or create additional workload. We do not agree that the EWC register should be used for this purpose. The EWC could be asked to provide summary reports on the data that they already collect.

**Question 2 – The draft regulations currently propose that schools, local authorities and the EWC will have a period of 27 days to complete data returns with a November census date. Do you agree with this proposal?**

Disagree - EWC

Neither Agree nor Disagree – Schools and LAs

We are mindful of data protection requirements and note reference in 4.18 of the explanatory memorandum to “data collected may be shared with partner organisations”. It would be useful to have further clarification on this.

We feel 27 days may not be a sufficient timescale to submit this information.

**Question 3 – Currently, which sources of data on the school workforce do you use?**

EWC Annual Statistics Digest

Annual PLASC bulletin

Governors Wales frequently refers to the statistics on governors within the PLASC data.

**Question 4 – The draft regulations currently propose the collection of data items within seven categories (staff details, contract and service agreement, absences, curriculum, qualifications, recruitment and retention, Welsh language and Welsh medium). Do you agree with the collection of these categories?**

Staff Details

Contract and service agreement

Absences

Neither Agree nor Disagree

Neither Agree nor Disagree

Neither Agree nor Disagree

Curriculum	Neither Agree nor Disagree
Qualifications	Neither Agree nor Disagree
Recruitment and retention	Neither Agree nor Disagree
Welsh Language and Welsh Medium	Neither Agree nor Disagree

Individual staff details are not needed to inform policy decisions.

**Question 5 – We would like to know your views on the effects that the draft regulations proposed would have on the Welsh language, specifically on:**

- i) opportunities for people to use Welsh**
- ii) treating the Welsh language no less favourably than the English language.**

**What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?**

No comment offered

**Question 6 - Please also explain how you believe the proposed draft regulations could be formulated or changed so as to have:**

- i) positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language**
- ii) no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.**

No comment offered

**Question 7 – 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.**

No comment offered

## 8. Meri Hughes

Welsh Language Commissioner  
Response provided bilingually  
**Welsh Version**

Annwyl Syr/Fadam,

### **Ymgynghoriad: Casglu data am y gweithlu ysgolion yng Nghymru**

1. Mae Comisiynydd y Gymraeg yn croesawu'r cyfle hwn i gyfrannu at yr ymgynghoriad uchod.
2. Prif nod y Comisiynydd yw hybu a hwyluso defnyddio'r Gymraeg. Gwneir hyn trwy ddwyn sylw at y ffaith bod statws swyddogol i'r Gymraeg yng Nghymru a thrwy osod safonau ar sefydliadau. Bydd hyn, yn ei dro, yn arwain at sefydlu hawliau i siaradwyr Cymraeg.
3. Mae dwy egwyddor yn sail i waith y Comisiynydd:
  - Ni ddylid trin y Gymraeg yn llai ffafriol na'r Saesneg yng Nghymru;
  - Dylai personau yng Nghymru allu byw eu bywydau trwy gyfrwng y Gymraeg os ydynt yn dymuno gwneud hynny.
4. Cyfrannir y sylwadau isod yn unol â rôl y Comisiynydd dan Adran 4 Mesur y Gymraeg (Cymru) 2011 i roi cyngor a chyflwyno sylwadau i unrhyw berson.
5. Ym Memorandwm Esboniadol yr ymgynghoriad, cyfeirir at strategaeth ddrafft Llywodraeth Cymru: miliwn o siaradwyr Cymraeg erbyn 2050. Mae'r strategaeth yn nodi mai man cychwyn creu mwy o siaradwyr Cymraeg yw sicrhau gweithlu sy'n ateb y galw ar gyfer addysg a hyfforddiant cyfrwng Cymraeg. Cyfeirir at gynllunio i gefnogi athrawon dan hyfforddiant a chynorthwywyr dysgu, ehangu cynlluniau sabothol ar gyfer y gweithlu presennol a chynyddu'n sylweddol nifer y gweithwyr yn y sector gofal plant a'r blynyddoedd cynnar. Mae'r strategaeth yn adnabod yr angen i gasglu data cyson er mwyn deall sefyllfa'r Gymraeg yn llawn. Nodir ym Memorandwm Esboniadol yr ymgynghoriad y bydd yr wybodaeth a gasglir am y gweithlu ysgolion yn cynorthwyo'r Llywodraeth i sicrhau gweithlu digonol ar gyfer addysg cyfrwng Cymraeg a thargedu hyfforddiant addas er mwyn trosglwyddo'r cwricwlwm Cymraeg.
6. Eglurir yn y ddogfen ymgynghori fod y Gymraeg ymhlith y meysydd y bwriedir gorfodi awdurdodau lleol ac ysgolion i gyflenwi gwybodaeth yn eu cylch yng nghyd-destun athrawon a staff cymorth. Nodir fod angen dealltwriaeth well o sgiliau Cymraeg y gweithlu a gallu'r gweithlu i weithio trwy gyfrwng y Gymraeg ac addysgu'r iaith. Nodir hefyd mai un o ddibenion casglu'r data hwn yw helpu i bennu targedau o ran adnoddau a'r gofynion ar gyfer datblygu'r ddarpariaeth Gymraeg mewn ysgolion. Bydd casglu data yn y maes hwn yn allweddol er mwyn asesu gallu'r gweithlu addysg i ddarparu addysg cyfrwng Cymraeg yn unol ag amcanion y Llywodraeth.

7. Cyfeiriaf at Atodlen 1 y Rheoliadau Addysg (Cyflenwi Gwybodaeth am y Gweithlu Ysgolion) (Cymru) 2017 arfaethedig. Nodaf y cynhwysir yn yr wybodaeth y bydd modd ei chasglu dan Reoliad 5 fanylion am bersonau sy'n addysgu meysydd neu bynciau drwy gyfrwng y Gymraeg. Cynhwysir hefyd fanylion am allu personau i addysgu drwy gyfrwng y Gymraeg a lefel eu sgiliau Cymraeg. A oes bwriad casglu data am athrawon sy'n dysgu'r Gymraeg fel pwnc, yn iaith gyntaf ac yn ail iaith? Byddai'r data hwnnw, law yn llaw â'r data am allu athrawon i addysgu trwy gyfrwng y Gymraeg, yn dangos i ba raddau y manteisir i'r eithaf ar gapasiti'r gweithlu i gynnig addysg cyfrwng Cymraeg.
8. Cefnogaf yr amcanion a fynegir uchod ac anogaf y Llywodraeth i sicrhau ei fod yn ofynnol i'r rhai sy'n darparu'r wybodaeth gynnwys yr holl ddata y dymunir ei gasglu ym maes y Gymraeg. Petai darparu'r wybodaeth hon yn ddewisol, mae perygl y câi data anghyflawn ei gasglu ac y byddai hynny yn llesteirio'r ymdrechion i ddeall sgiliau'r gweithlu yn llawn a chynllunio i ddiwallu ei anghenion. Byddai hyn yn tansilio'r nod i gynyddu nifer y siaradwyr Cymraeg i filiwn erbyn 2050.
9. Diolch yn fawr am y cyfle i gyfrannu at yr ymgynghoriad. Pe hoffech drafod y mater ymhellach byddai pob croeso i chi gysylltu â mi.



## 8. Meri Hughes

Welsh Language Commissioner  
Response provided bilingually  
**English Version**

Dear Sir/Madam,

### **Consultation: School workforce data collection in Wales**

1. The Welsh Language Commissioner welcomes this opportunity to contribute to the aforementioned consultation.
2. The principal aim of the Welsh Language Commissioner is to promote and facilitate the use of Welsh. This entails raising awareness of the official status of the Welsh language in Wales and imposing standards on organizations. This, in turn, will lead to the establishment of rights for Welsh speakers.
3. Two principles underpin the work of the Commissioner:
  - In Wales, the Welsh language should be treated no less favourably than the English language;
  - Persons in Wales should be able to live their lives through the medium of the Welsh language if they choose to do so.
4. The following representations are made in accordance with the role of the Commissioner under Section 4 of the Welsh Language (Wales) Measure 2011 to give advice and make representations to any person.
5. The consultation's Explanatory Memorandum refers to the Welsh Government's draft strategy: a million Welsh speakers by 2050. According to the strategy, ensuring that there is a workforce that meets the need for Welsh-medium education and training is the starting point for creating more Welsh speakers. It refers to planning to support the training of teachers and learning assistants, expanding sabbatical schemes for the present workforce and significantly increasing the number of workers in the childcare and early years sectors. The strategy recognises the need for consistent data collection in order to fully understand the situation of the Welsh language. The consultation's Explanatory Memorandum states that the information collected on the school workforce will help the Welsh Government ensure a sufficient workforce for Welsh-medium education and target appropriate training to deliver the Welsh language curriculum.
6. The consultation document explains that the Welsh language is among the proposed areas on which local authorities and schools will be required to supply information in the context of teachers and support staff. It is noted that a better understanding is needed of the Welsh language skills of the workforce and the

capacity of the workforce to deliver through the medium of Welsh and teach the language. It is also noted that one of the aims of collecting this data is to aid the targeting of resources and identify the requirements for the development of Welsh-medium provision within schools. Collecting data in this area will be critical in order to assess the education workforce's capacity to provide Welsh-medium education in accordance with the Welsh Government's objectives.

7. I refer to Schedule 1 of the proposed Education (Supply of Information about the School Workforce) (Wales) Regulations 2017. I note that the information that may be collected under Regulation 5 will include details about persons who teach areas or subjects through the medium of Welsh. Also included are details about a person's ability to teach through the medium of Welsh and the level of their Welsh language skills. Are there plans to collect data regarding teachers who teach Welsh as a subject, as a first language and second language? That data, alongside data regarding teachers' ability to teach through the medium of Welsh, would show to what extent the workforce's capacity to offer Welsh-medium education is fully exploited.
8. I support the objectives expressed above and urge the Welsh Government to ensure that those supplying information are required to include all of the desired data on the Welsh language. If providing this information were optional, there is a danger that incomplete data would be collected which would hinder efforts to understand the workforce's skills fully and plan to meet its needs. This would undermine the aim of increasing the number of Welsh speakers to a million by 2050.
9. Thank you very much for the opportunity to contribute to the consultation. If you would like to discuss the matter further, please do not hesitate to contact me.

## 9. Gary Brace

Personal Response

**Question 1 – Do you agree with (option 5) the proposal to carry out an individual level census on the school workforce that utilises the EWC Register of Practitioners?**

**If you disagree, would options 1 to 4 be more suitable?**

Disagree

The proposal runs a serious risk to the reputation and purpose of the Education Workforce Council.

The EWC is an independent professional regulatory body - it is imperative that it is seen by the education profession to remain so. Holding and analysing information about the education workforce is one of the body's unique features. This must be maintained in order to assist professionals to recognise the organisation's value and independence.

- Over a 16 year period, the EWC and its forerunner, the GTCW, has developed a relationship with professionals which is trusted. One of the reasons for this trust is that registrants' personal data (some of which is provided voluntarily by them) has been carefully protected by the EWC. Education professionals are likely to have a different view of sharing their personal data if that data was simply to be passed to the Welsh Government. This would have an adverse effect on the relationship of registrants with their professional body.
- The EWC has been able to develop increasingly valuable advice on the shape, balance and profile of the teaching and education profession in Wales as the registration database was populated over the 16 years of its existence. Equally importantly, the EWC's previous experience and history means that its analysis of trends is trustworthy and informed. The Welsh Government does not have this historic view of teaching and education workforce development and there is a real danger that it could misinterpret or draw incorrect conclusions from the data. Far better for the Welsh Government to maintain the existing approach of requesting the EWC to provide summary level data about registrants and match that with the data it collects directly from other school and LA surveys.
- It should be pointed out that the Chief Executive of the Education Workforce Council is a statistician by background who established and developed the registration database of the GTCW from 2000 onward and consequently has an unique understanding of the strengths, limitations and pitfalls of the data.
- There is an alternative approach which I note is not an option being offered in this consultation. That is that the Welsh Government could ask the EWC to collect the data provided by PLASC and other LA/ school surveys on behalf of

the Welsh Government and match it with the EWC's own registration data to analyse it.

- During my period at GTCW, we were asked by the Welsh Government Statistical Directorate whether we wished to consider coming within the umbrella of government statistics and to be bound by its rules. The limitations that this would have imposed on the Council's ability to advise independently resulted in us turning down that request. This proposal does not even request EWC consideration of a proposal, but seeks to impose a *fait accompli* by regulation.

There are bigger issues at play here which the Welsh Government must take serious note of.

**Question 2 – The draft regulations currently propose that schools, local authorities and the EWC will have a period of 27 days to complete data returns with a November census date. Do you agree with this proposal?**

Disagree

As stated above, the EWC should not be required to provide data returns to the Welsh Government. The EWC is an independent professional body. The Welsh Government should maintain the approach of requesting summary level data about the workforce from the EWC.

**Question 3 – Currently, which sources of data on the school workforce do you use?**

EWC Annual Statistics Digest

**Question 4 – The draft regulations currently propose the collection of data items within seven categories (staff details, contract and service agreement, absences, curriculum, qualifications, recruitment and retention, Welsh language and Welsh medium). Do you agree with the collection of these categories?**

Staff Details	Neither Agree nor Disagree
Contract and service agreement	Neither Agree nor Disagree
Absences	Neither Agree nor Disagree
Curriculum	Neither Agree nor Disagree
Qualifications	Neither Agree nor Disagree
Recruitment and retention	Neither Agree nor Disagree
Welsh Language and Welsh Medium	Neither Agree nor Disagree

**Question 5 – We would like to know your views on the effects that the draft regulations proposed would have on the Welsh language, specifically on:**

- i) opportunities for people to use Welsh
- ii) treating the Welsh language no less favourably than the English language.

**What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?**

No comment offered

**Question 6 - Please also explain how you believe the proposed draft regulations could be formulated or changed so as to have:**

- i) positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language**
- ii) no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.**

No comment offered

**Question 7 – 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.**

I reiterate the points made in my answer to Q1. There are bigger issues at play here relating to the reputation and independence of the EWC.

Whilst the benefits of matching workforce data from various sources is desirable, there are other ways of achieving that which do not compromise the EWC's independent position.

## 10. Donna Gilbert

Blaenau Gwent Council

**Question 1 – Do you agree with (option 5) the proposal to carry out an individual level census on the school workforce that utilises the EWC Register of Practitioners?**

**If you disagree, would options 1 to 4 be more suitable?**

Agree

Whilst we agree with the principle of option 5, we would welcome clarity on the following:

- Whether schools have been consulted to gauge whether they are readily able to share the data that is required from individual schools, we are aware that our schools use a number of systems in different ways. There will certainly be variations in what information is available in an electronic format from school to school.
- How the issue of data protection will be handled and how there will be assurance that data is handled effectively.
- If there is an intention to provide detailed guidance which clearly defines what data is needed and from which party. This information is difficult to identify from the legislation.
- If there is a need for local authorities or schools to build in reporting systems a longer lead in time may be required to ensure all parties are in a good position to meet the requirements of the legislation.
- If certain information cannot be provided due to availability what the likely penalties may be.

**Question 2 – The draft regulations currently propose that schools, local authorities and the EWC will have a period of 27 days to complete data returns with a November census date. Do you agree with this proposal?**

Neither Agree nor Disagree

Until the details of the process for collection are known it is quite difficult to respond to this question. It is not clear whether school information will be collected from individual schools or whether there will be a requirement on local authorities to obtain this information and then feedback for all parties. If there is an expectation that local authorities will take on a co-ordination role, it is likely that 27 days will be insufficient.

**Question 3 – Currently, which sources of data on the school workforce do you use?**

Not completed

**Question 4 – The draft regulations currently propose the collection of data items within seven categories (staff details, contract and service agreement,**

**absences, curriculum, qualifications, recruitment and retention, Welsh language and Welsh medium). Do you agree with the collection of these categories?**

Staff Details	Agree
Contract and service agreement	Agree
Absences	Agree
Curriculum	Agree
Qualifications	Agree
Recruitment and retention	Agree
Welsh Language and Welsh Medium	Agree

We agree with the collection of all of the above data however as per comments above it is difficult for us to comment whether information held by the schools would be readily available to support this proposal.

**Question 5 – We would like to know your views on the effects that the draft regulations proposed would have on the Welsh language, specifically on:**

- i) opportunities for people to use Welsh**
- ii) treating the Welsh language no less favourably than the English language.**

**What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?**

No comment offered

**Question 6 - Please also explain how you believe the proposed draft regulations could be formulated or changed so as to have:**

- i) positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language**
- ii) no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.**

No comment offered

**Question 7 – 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.**

It is not clear if this proposal will look to secure data for all school based staff or just certain categories of support staff?

If there is a need to build in reporting systems will any support be available to schools or local authorities?

## 11. Sue Alderman

Vale of Glamorgan Council

**Question 1 – Do you agree with (option 5) the proposal to carry out an individual level census on the school workforce that utilises the EWC Register of Practitioners?**

**If you disagree, would options 1 to 4 be more suitable?**

Agree

Agree with proposal subject to assurances that an individual level census complies with the Data Protection Act 1998.

Consideration also needs to be given with regards collection of data from schools that opt out of Local Authority HR/Payroll services

**Question 2 – The draft regulations currently propose that schools, local authorities and the EWC will have a period of 27 days to complete data returns with a November census date. Do you agree with this proposal?**

Agree

Agree in principal but it may be worth considering extending the deadline for the first year collection to allow for technical issues that might arise.

**Question 3 – Currently, which sources of data on the school workforce do you use?**

StatsWales open data

**Question 4 – The draft regulations currently propose the collection of data items within seven categories (staff details, contract and service agreement, absences, curriculum, qualifications, recruitment and retention, Welsh language and Welsh medium). Do you agree with the collection of these categories?**

Staff Details	Agree
Contract and service agreement	Agree
Absences	Agree
Curriculum	Neither Agree nor Disagree
Qualifications	Neither Agree nor Disagree
Recruitment and retention	Neither Agree nor Disagree
Welsh Language and Welsh Medium	Agree

Providing collection/reporting complies with the Data Protection Act 1998. We would also recommend putting a data disclosure or WASPI agreement in place prior to the supply of any data.



Some concerns about fact that information is being pulled from variety of sources and confidentiality and pulling information together and it would need to be clear who was responsible for undertaking this.

**Question 5 – We would like to know your views on the effects that the draft regulations proposed would have on the Welsh language, specifically on:**

- i) opportunities for people to use Welsh**
- ii) treating the Welsh language no less favourably than the English language.**

**What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?**

This would facilitate the opportunity to assess Welsh Language skills across the workforce and to identify development needs. It would allow schools to better prepare for the requirements of the new curriculum. It would also help local authorities to adhere to the requirements of the Welsh Language (Wales) Measure when dealing with schools and the education workforce.

**Question 6 - Please also explain how you believe the proposed draft regulations could be formulated or changed so as to have:**

- i) positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language**
- ii) no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.**

If gaps in knowledge and skills were identified and addressed then the workforce would be better equipped to teach the new curriculum and meet the requirements of teaching Welsh. This would have a positive impact on the language and increase the use of the language.

**Question 7 – 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.**

From the Vale of Glamorgan's view, whilst we would be able to supply most of the information required on behalf of schools, the source of the information will come from different systems, e.g. SIMS and Oracle payroll system.

This will require a significant amount of staffing and financial resource particularly in the first instance for the following reasons:

Need to work with and encourage schools to populate the survey reporting tool (additional work for schools and central staff)

Need to develop system which would allow transfer of payroll information to SIMS reporting tool (additional work for central staff and costs to develop system)

Would there be any financial support to local authorities to support initial implementation?

We have a number of schools who do not subscribe to payroll services so consideration would need to be given as to how to collect this information.

## **12. Jacquie Turnbull, MBE**

Chair of Governors, Fairwater Primary School

**Question 1 – Do you agree with (option 5) the proposal to carry out an individual level census on the school workforce that utilises the EWC Register of Practitioners?**

**If you disagree, would options 1 to 4 be more suitable?**

Disagree

It is reasonable that the Welsh Government should collect data for the analyses it needs to carry out in relation to oversight of the education workforce. However these proposals do not represent an appropriate or necessary approach and indeed raise certain serious concerns:

1. The EWC already publishes a range of information about the education workforce in its annual Statistical Digest, and provides Welsh Government with specific analyses of the data it holds. This proposal appears to be an intention to produce unnecessary duplication of these analyses.
2. The proposal goes further however in requiring that the Education Workforce Council provide individual personal data from its Register to the Welsh Government. Although there is no statutory requirement for registrants to fulfil the information requirements of the Register, the Council does undertake significant work to maintain and improve data population and completeness of the Register. A directive that the personal information would be shared with the Welsh Government could potentially discourage registrants from maintaining accurate and relevant details. This would seriously impact upon the Council's ability to maintain a Register that accurately reflects the detail of the education workforce, and has the potential to lead to complaints and criticism of the EWC and its perceived independence
3. Further, there is a serious lack of detail in the proposal in relation to the intentions behind the collection of individual data. Firstly, the Explanatory Note states that the information will 'primarily' be used for statistical analysis, providing an opening for Welsh Government to use the individual information for other purposes. Secondly, there is the statement that the information will be shared with 'partners' without any explanation of who these might be. These indicators do not provide sufficient surety that the personal details of registrants in the education workforce will be held purely for essential statistical analyses.
4. The proposal also poses a serious threat to the status of the EWC as an independent professional regulatory body. The EWC is not a Welsh Government sponsored body funded by the Welsh Government, but is funded by the fees of registrants. Effectively, the proposal would result in the education workforce paying for their personal data to be supplied and used by Welsh Government. The Council is already restricted in its ability to fulfil the full activities of a professional body: its powers are limited in comparison to other comparable

bodies, it does not set its own registration fees or appoint its own Council members. The Council therefore is restricted in its ability to develop its activities towards promoting and improving the education workforce, and this proposal would further impact upon its status and credibility as an independent professional body.

**Question 2 – The draft regulations currently propose that schools, local authorities and the EWC will have a period of 27 days to complete data returns with a November census date. Do you agree with this proposal?**

Disagree

**Question 3 – Currently, which sources of data on the school workforce do you use?**

EWC Annual Statistics Digest

The Annual Digest already represents a unique source of data which in future years will include data on the whole education workforce.

**Question 4 – The draft regulations currently propose the collection of data items within seven categories (staff details, contract and service agreement, absences, curriculum, qualifications, recruitment and retention, Welsh language and Welsh medium). Do you agree with the collection of these categories?**

Staff Details	Disagree
Contract and service agreement	Disagree
Absences	Disagree
Curriculum	Disagree
Qualifications	Disagree
Recruitment and retention	Disagree
Welsh Language and Welsh Medium	Disagree

It is not in dispute that the Welsh Government needs to receive quality data analyses to inform policy direction. However, the proposal that registrants' personal data should be shared in full with the Welsh Government and possibly other third party organisation goes beyond ethical considerations on the maintenance of the register.

**Question 5 – We would like to know your views on the effects that the draft regulations proposed would have on the Welsh language, specifically on:**

- i) opportunities for people to use Welsh**
- ii) treating the Welsh language no less favourably than the English language.**

**What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?**

No comment offered

**Question 6 - Please also explain how you believe the proposed draft regulations could be formulated or changed so as to have:**

- i) positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language**
- ii) no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.**

No comment offered

**Question 7 – 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.**

Despite the assurance in the introduction to the consultation document that the draft regulations had been developed following extensive engagement with stakeholders, this does not appear to be the case in respect of the Education Workforce Council. I understand that when the original draft regulations were shared with the Council they did not include any reference to it providing the Welsh Government with personal data from its Register of Education Practitioners, and indeed the Council was explicit that any data provided would be at a summary level.

The undue haste that this consultation has been implemented without any consultation on the amendment does not reflect the assertion that there had been extensive engagement with stakeholders.

Plainly, the Welsh Government must be assured it has access to adequate information to assist efficient and effective workforce planning. However, not only does the requirement to provide full personalized data appear superfluous to the requirements, it poses a significant and unwarranted threat to the independence of the Council in its function as a professional regulatory body. Further, the manner of the imposition of the proposal demonstrates a lack of respect for the EWC and does not convey any confidence in the ability or willingness of the Welsh Government to work constructively with a major stakeholder representing the education workforce.

### 13. Hywel Merfyn Jones

Statiath

**Cwestiwn 1 – Ydych chi'n cytuno â'r cynnig (opsiwn 5) i gynnal cyfrifiad lefel unigolion ar y gweithlu ysgolion sy'n defnyddio Cofrestr Ymarferwyr Cyngor y Gweithlu Addysg?**

**Os ydych chi'n anghytuno, a fyddai opsiynau 1 i 4 yn fwy addas?**

Cytuno

**Er y bwriedir casglu data am unigolion, nid yw'n eglur a fwriedir i'w wneud yn anhysbys i'r rhai sy'n prosesu'r data, h.y. a fydd modd i'r rhai sy'n prosesu'r data adnabod yr unigolion ai peidio. Gan y dywedir yn adran 4.16 y Memorandwm Esboniadol 'The purpose of collecting the data in this form for the Welsh Government is for statistical purposes, including planning and evaluation, and to support policy development' cymeraf nad oes angen medru adnabod unigolion o'r data. Yn adran 9.65 dywedir 'the intention would be that linking of school and local authority data to the EWC register data would be undertaken internally by WG staff'. Dylid sicrhau, er mwyn sicrhau cyfrinachedd data unigolion, nad yw'r staff sy'n cysylltu'r data o'r ffynonellau gwahanol yn gallu gweld dim ond enw, rhyw, dyddiad geni a'r Rhif Yswiriant Gwladol neu gyfeirnod Cyngor y Gweithlu Addysg a bod y staff hynny'n wahanol i'r rhai sy'n cael gweld gweddill y data, a bod gwaharddiad llwyr rhag i neb gweld y ddata fath o ddata.**

**Cwestiwn 2 – Ar hyn o bryd mae'r rheoliadau drafft yn cynnig y bydd gan ysgolion, awdurdodau lleol a Chyngor y Gweithlu Addysg 27 diwrnod i gwblhau'r ffurflenni data gyda'r cyfrifiad i'w gynnal ym mis Tachwedd. Ydych chi'n cytuno â'r cynnig hwn?**

Cytuno

**Cwestiwn 3 – Pa ffynonellau data am y gweithlu ysgolion ydych chi'n eu defnyddio ar hyn o bryd?**

Crynodeb Ystadegau Blynyddol CGA  
Bwletin blynyddol CYBLD  
Data agored StatsCymru

**Cwestiwn 4 – Ar hyn o bryd mae'r rheoliadau drafft yn cynnig casglu eitemau o ddata mewn saith categori (manylion staff, contract a chytundeb gwasanaeth, absenoldebau, cwricwlwm, cymwysterau, recriwtio a chadw, iaith Gymraeg a chyfrwng Gymraeg). Ydych chi'n cytuno â chasglu'r categorïau hyn?**

Manylion staff	Cytuno
Contract a chytundeb gwasanaeth	Cytuno
Absenoldebau	Cytuno
Cwricwlwm	Cytuno
Cymwysterau	Cytuno

Recriwtio a chadw  
laith Gymraeg a chyfrwng Cymraeg

Cytuno  
Cytuno

**Cwestiwn 5 – Hoffem wybod eich barn ar yr effeithiau y byddai'r rheoliadau ddrafft arfaethedig yn eu cael ar yr iaith Gymraeg, yn benodol ar:**

- i) gyfleoedd i bobl ddefnyddio'r Gymraeg**
- ii) peidio â thrin y Gymraeg yn llai ffafriol na'r Saesneg.**

**Pa effeithiau rydych chi'n credu y byddai? Sut y gellid gynyddu effeithiau positif a lliniaru effeithiau negyddol?**

Mae'r data y bwriedir ei gasglu yn hanfodol i fedru dadansoddi'r sefyllfa bresennol. Gallai hynny arwain at gynllunio gwell ac fe allai hynny arwain at ehangu addysg cyfrwng Cymraeg a gwella dysgu Cymraeg ail iaith. Ar hyn o bryd, e.e., nid oes data ar gael ar gyfansoddiad y gweithlu sy'n dysgu drwy gyfrwng y Gymraeg o ran oedran y gweithwyr neu eu cymwysterau. Bydd data o'r fath yn rhoi sail gadarnach i ystyried angenion recriwtio a hyfforddi. Byddai hynny'n arwain at fwy o gyfleoedd i bobl ddefnyddio'r Gymraeg, wrth iddynt gael eu dysgu, a dylai osod y seiliau i ehangu addysg cyfrwng Cymraeg, a fyddai yn ei dro yn arwain at gynnydd yn y niferoedd— staff a disgyblion—sy'n defnyddio'r Gymraeg, ac ymhellach ymlaen cynnydd yn y boblogaeth yn gyffredinol.

**Cwestiwn 6 – Eglurwch hefyd os gwelwch yn dda sut rydych chi'n credu y gall y rheoliadau ddrafft arfaethedig gael eu llunio neu eu haddasu er mwyn:**

- i) cael effeithiau positif ar gyfleoedd i ddefnyddio'r Gymraeg ac ar beidio â thrin y Gymraeg yn llai ffafriol na'r Saesneg**
- ii) peidio â chael effeithiau andwyol ar gyfleoedd i ddefnyddio'r Gymraeg ac ar beidio â thrin y Gymraeg yn llai ffafriol na'r Saesneg.**

Dylid ystyried sut y mae sicrhau:

- i) bod rhyngwyneb Cymraeg i'r meddalwedd a ddefnyddir yn yr ysgolion a'r awdurdodau addysg;
- ii) bod modd cofnodi eitemau data yn Gymraeg (e.e. nodi yn Gymraeg pa gymwysterau sydd gan athro);
- iii) hyrwyddo ysgolion ac awdurdodau defnyddio rhyngwyneb Cymraeg a nodi eitemau data yn y Gymraeg.

**Cwestiwn 7 – Rydym wedi gofyn nifer o gwestiynau penodol. Os oes gennych chi faterion perthnasol nad ydym wedi rhoi sylw penodol iddynt, defnyddiwch y blwch isod i roi gwybod i ni amdanynt.**

Unrhyw sylwadau a gynnigir

## 14. Malcolm James

### Personal Response

I wholeheartedly applaud the initiative of the Welsh Assembly government to collect data on the demographic profile of teachers in Wales in order to address inequalities. However, I should like to make the following comments as part of the consultation.

1. The consultation must be comprehensive in the inequalities it seeks to address, and one of the most pressing areas of inequality, not just in Wales, but throughout the UK and overseas, is the dearth of male teachers. This issue is particularly acute in primary education, where, according to 2012 figures from the Office of National Statistics (ONS 2012), women outnumber men by around 6:1, but is also found in secondary education, where women, according to statistics from the same source, women outnumber men by around 3:2. It has not always been like this and there has been a long-term decline in the number of male teacher and in 1970 around 25% of primary school teachers and 60% of secondary school teachers were men.

This is a major factor in the under-performance of boys in the UK education system relative to girls (and is a phenomenon which is far from unique to the UK) and there is copious data to support this. For example, girls outperform boys in SATS Key Stage 2 tests in reading (although they are comparable in maths), at 16, roughly 27% of girls achieve 5 GCSEs at grade A\*-C, compared with only 20% of boys and the ratio of girls to boys taking A-levels is around 55:45 in favour of girls.

This is a complex and multi-faceted problem and by no means all the blame for this situation can be laid at the door of the lack of male teachers, or, indeed, the education system in general. However, there is strong evidence that the preponderance of female teachers engenders an atmosphere in which girls' behaviour and learning style is considered the norm, whilst those of boys are considered to be deviant.

An important factor is boys' lack of engagement with education in general, and reading in particular. Strong evidence for how this can be tackled was provided by the 2010 BBC1 documentary *Gareth Malone's Extraordinary School for Boys*, in which, in the space of eight intensive weeks, Gareth Malone managed to improve the reading age of 10 or 11 year old boys by between 6 months and a year. It was very apparent how he was instantly able to strike up a rapport with the boys (with the result that, when he treated surly resistance from one of the boys with a no-nonsense 'go and stand in the corner' approach, it was no more than a brief squall) through teaching methods which appealed to boyish boisterousness and competitiveness. It is, of course, impracticable to roll out this sort of teaching programme on a large scale, but, if some of the lessons were heeded from when boys started school, there would not be such a large problem to fix.



The fact that Gareth Malone was able to engage the boys and improve their reading so quickly is not surprising, because the well-known 'Blue Eyes, Brown Eyes' experiment, in which a teacher in Iowa in the 1960s segregated the class by eye colour and treated the groups unequally, showed that disadvantaged groups started to exhibit negative effects from disadvantage and discrimination very quickly.

2. Data-gathering is a useful exercise, but it is of very limited value unless it is a precursor to taking effective action. Unlike a number of areas where there is concern that women are under-represented, such as Westminster MPs, competition for places on teacher training schemes and for many teaching jobs is not unduly fierce, and there is strong anecdotal evidence that schools have great difficulty filling many teaching posts. Trying to address the imbalance by excluding women is therefore likely to be ineffective, because the problem is the reluctance of men to go into the teaching profession and this is therefore a more intractable problem.

3. There are a number of reasons for this, and the reasons may be difficult to disentangle. One is the fear of having your career and reputation wrecked by false allegations of sexual impropriety with pupils (boys or girls). Career-ending and life-changing allegations are relatively rare (although too frequent), so that most male teachers will get through their career without encountering them personally, and aspiring male teachers may well, incorrectly, believe that 'there is no smoke without fire'. However, the danger may well put men off at a more subconscious level and research from the University of Bedfordshire (2013) cites fear of false allegations as one significant factor in the reluctance of young men to enter the teaching profession.

Major reasons are pay and conditions, and this has been confirmed to me by a colleague whose husband is an English teacher (the only one in the department). This is illustrated by the following vignette. In March 2014 teachers held a one-day strike in support of a pay claim and *Private Eye* printed a strip cartoon about the strike. This provoked the following letter from 'Steve':

*I really enjoy Scene and Heard [the general heading of the section in which the strip cartoon appeared], but I had to write in about the one from the teachers' strike as what was said doesn't represent the real world, or that one problem with teaching is the unions are consistently, loudly, wrong about everything.*

*A good example is pay: they argue for a national payscale and claim they stick up for teachers. But the payscale would keep*

*me earning far less than I am. I do a good job and am now earning about £35,000 (I'm in my fourth year of teaching) while their payscale would have me starting on £21,000 and now earning £27,000 regardless of how good or bad I was at teaching kids, as it was an automatic progression. I would not do the job for that money and my school would not have a single physics teacher as a result. Is that what they want?*

I'm sure that Steve does do a good job, as he claims, but the reason why he earns £35,000 is that there is a shortage of physics teachers and it is necessary to pay a premium to recruit them into teaching. It is also no coincidence that physics is a male-dominated STEM subject. Physics graduates have well-paid alternatives, but so do arts graduates, even if these are in careers unrelated to their studies. However, if sufficient graduates eschew these opportunities in favour of teaching at £21,000, salary levels will not rise, and the fact that English and history posts can be filled at this salary, whereas physics posts cannot would suggest that women tend to demand lower salaries than men. If a good physics teacher is worth £35,000, so is a good English teacher and this salary is hardly a fortune, but is a 30% increase over £27,000.

In late 2015 Professor John Howson, the founder of TeachVac stated in evidence to a parliamentary select committee that there was a 'woeful' lack of new teachers in key secondary school subjects and that teaching would become a less attractive career with economists predicting that salaries in the private sector would increase by 4% p.a., whereas the government was committed to restricting public sector salary growth to an average 1%. He was concerned that between that teaching had lost 10,000 applicants between 2005 and 2015 and, that tellingly, the bulk of these had been women. The fact that the teaching profession might now be losing its appeal even to women suggests that it lost much of its appeal to men some time ago.

Raising salaries will boost the status of teaching and, as Sahlberg (2011) states in relation to Finland, the fact that teachers are paid slightly above the average graduate salary is one of the factors that makes teaching one of the most respected professions in the country on a par with engineering and the law. In the UK George Bernard Shaw's aphorism that 'those who can do, those who can't teach' still rings true. Paul Krugman's observation that when he was young, the brightest went into teaching or public service, because, although banking paid more, it was not that much more and 'everyone knew banking was boring' has been replaced by the attitude that bankers are (still) 'masters of the universe' (Krugman 2009). Not only will this make teaching more attractive to men, but it is also likely to attract a higher calibre of female teachers.

However, this requires a fundamental change in attitude towards teaching and the public sector in general. A recent article by Fiona Millar (Millar 2017) called for a large injection of cash into schools, but a significant number of the comments expressed the all too common attitude that the state education system must make do with whatever resources we are willing to give them and that they must make constant 'efficiency savings'. This must change if we are to recruit more male teachers and thereby improve the performance of boys and *The ABC of Gender Equality in Education* (OECD 2015) makes it clear that boys who attend disadvantaged schools suffer more than girls. Inequality hurts everyone, but it seems to have a bigger impact on boys, and by addressing inequality we will be helping both boys and girls, but boys will benefit more.

Another major factor is teaching conditions and the perception that teaching is a 'crap job'. This can be due to excessive class sizes, which do not encourage imaginative and engaging teaching methods, lack of classroom discipline, so that teachers spend more time trying to control an unruly class than actually teaching and excessive administrative workloads. All of these problems are exacerbated by unsympathetic management and the constant pressure to produce good test results.

It is notable that there is a significantly higher proportion of men teaching in independent schools. Ward (2014) cites figures from the ISC that show that almost 40% of its FTEs and that, even in primary education, 29% of hours are taught by men. I suspect that men are just as likely to be accused of sexual impropriety by the children of doctors and lawyers in independent schools as by children in state schools and, whilst pay in many independent schools is higher than in the state sector, this is by no means universally so. However, the biggest factor cited is that conditions are better in the independent sector and that teachers can actually do the job they want to do and are paid to do. It is therefore perfectly possible to attract a higher proportion of men into teaching, if there is the political will to do so.

4. Whilst the recruitment of more male teachers needs to be a priority, it must be recognised, as in other areas where there are inequalities, that there is only so much that can be done and attempts to do artificially boost the number of male teachers through quotas or other means are likely to be ineffective, or even counter-productive. For example, attempts to make the physics curriculum more attractive. Traditionally, primary school teaching has always been a female dominated profession, and it is highly unlikely that we will ever attain parity.

However, even a relatively small improvement may bring about significant benefits. In Michael Moore's film *Where to Invade Next* the

female director of an Icelandic company proposed that at least three directors out of 25 should be women because 'one is a token and two are a minority', but when there are three women the dynamics of the board start to change. Similarly, if we are able to reach even 20-25% of male teachers this may spark other changes which will be beneficial. In Gareth Malone's documentary it was clear how quickly the boys became engaged once they formed a bond with Gareth Malone, to the extent that it took all of his considerable skill to keep their enthusiasm under control. When faced with resistance by one of the boys, he dealt with it firmly, but without turning a drama into a crisis.

In order to be effective, this must be allied to adequate funding, because it becomes very difficult to design lessons which engage boys when schools are stretched, both in terms of finance and personnel.

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## 15. Hayden Llewellyn

Education Workforce Council

**Question 1 – Do you agree with (option 5) the proposal to carry out an individual level census on the school workforce that utilises the EWC Register of Practitioners?**

**If you disagree, would options 1 to 4 be more suitable?**

Disagree

The Council supports the general principle of the Welsh Government collecting data for purposes it reasonably requires, however in doing so it is essential that it does this in an appropriate and proportionate manner. The consultation proposals as they currently stand appear to present a number of concerns in this regard.

1. Any data requested from schools or local authorities must not duplicate existing data which are collected and publically available. To do so will create unnecessary additional burdens for them. The Council has highlighted in its response to question 7 a number of areas in the draft regulations where schools / local authorities would be required to provide data already collected and held by the Council.
2. The Council is particularly concerned about the proposal for it to be required to provide individual level data from its Register to the Welsh Government. The EWC is a professional body, which is independent of government; it is **NOT** a Welsh Government sponsored body which is directly funded by the Welsh Government.

The Welsh Government already restricts the Council's work as an independent professional regulatory body. Unlike other professional bodies, the Council has more limited powers than its counterparts and does not set its own registration fees or appoint its own Council. The Council believes that the draft regulations strike at the heart of the Council's independence, with a statutory requirement upon it to share personal information about its registrants with government likely to further blur perception of the Council's independence and worth.

The Council also highlights that there is no statutory requirement for registrants to populate or maintain their records on the Register and so the proposed regulations are likely to discourage them from sharing personal information with the EWC and in turn affect the Council's ability to maintain a Register as it is required to do in legislation.

There is also the question of who will meet the costs of providing such data to the Welsh Government. The Council is funded by registrant fees and is not funded by the Welsh Government. The Welsh Government appears to be proposing that school staff effectively pay (through their registration fees) for their personal data being supplied to the Welsh Government. This is wholly inappropriate. Furthermore, given that the draft regulations only relate to data

about the school workforce, the Welsh Government seems to be expecting all registrant groups to meet the costs involved in this work.

3. The Council is unclear amount the Welsh Government's intentions for using, publishing and sharing the registrant data it is requesting. Of particular concern are:
  - the fact that the regulations state that the data may be shared with "partners", without any detail of who this might be and;
  - the Explanatory Note of the regulations states that the information required under the regulations will '*primarily*' be used for statistical analysis. This leaves it open for the Welsh Government to use the data it is provided with for other purposes.

As an independent professional body, funded by registrants' fees, the Council considers it should be responsible for analysing and publishing data from its Register and not the Welsh Government. The Welsh Government should not duplicate the statistical analysis or publication of data that is already undertaken / available from the EWC and there is a danger that the Welsh Government could misinterpret information, which Council is better placed to analyse.

The EWC regularly publishes an extensive amount of information about the school workforce through its annual Statistical Digest, via its website and in the form of tailored analyses for the Welsh Government and a host of other stakeholders. It is unclear whether the Welsh Government is intending to duplicate such analyses and reporting. The Council is happy to discuss any requests for summary data and provide it to the Welsh Government within agreed timescales.

4. The Explanatory Memorandum (EM) refers to the benefits of each option for the Welsh Government and the local authorities and schools highlighting in particular with option 5, '*reducing the administrative burden on them by reducing the number of data items they are required to capture*'. No benefits to the Council have been identified in any of the suggested options; there is merely an assumption that the Council will fund the resource and provision of data internally from registrants' fees with no benefit to the Council or the registrant groups as a whole.

In summary, the Council believes that it is more appropriate to provide summary rather than individual level data from its Register to the Welsh Government. However, it would also invite the Welsh Government to consider an alternative option to those in the consultation document which has not been explored by the Welsh Government. As part of the EWC annual registration fee renewal process, every February and April the Council exchanges data with all local authorities in order to facilitate the annual registration fee deduction from salary for employees. The Council could enhance that exchange to collect additional data on behalf of the Welsh Government. That would negate the need for the Welsh Government to hold the personal information of registrants as there would be no requirement to match records from different sources. That work could be undertaken by the EWC.

**Question 2 – The draft regulations currently propose that schools, local authorities and the EWC will have a period of 27 days to complete data returns with a November census date. Do you agree with this proposal?**

Disagree

The Council reiterates that although it strongly opposes the draft regulations, it is more than happy to discuss summary level data requirements with the Welsh Government and provide these to agree timescales.

**Question 3 – Currently, which sources of data on the school workforce do you use?**

EWC Annual Statistics Digest

The Annual Digest is produced by the Council from its unique source of data and will in future years include data relevant to the whole education workforce.

Given that there is no legal requirement for registrants to maintain their records with the Council, it does undertake significant work to maintain and improve data population and completeness of the Register. The imposition of these regulations is likely to further discourage registrants from providing their data and will lead to complaints and criticism of the EWC and its perceived independence.

**Question 4 – The draft regulations currently propose the collection of data items within seven categories (staff details, contract and service agreement, absences, curriculum, qualifications, recruitment and retention, Welsh language and Welsh medium). Do you agree with the collection of these categories?**

Staff Details	Neither Agree nor Disagree
Contract and service agreement	Neither Agree nor Disagree
Absences	Neither Agree nor Disagree
Curriculum	Neither Agree nor Disagree
Qualifications	Neither Agree nor Disagree
Recruitment and retention	Neither Agree nor Disagree
Welsh Language and Welsh Medium	Neither Agree nor Disagree

The Council recognises the need for the Welsh Government to receive quality data analyses to inform policy direction. However, Council's concern is with the proposal that registrants' personal data should be shared in full with the Welsh Government and possibly other third party organisation.

The Council notes that supply teachers and supply learning support workers have been excluded from consideration as part of school workforce planning. This seems to be an obvious omission given that both represent a significant part of the workforce (12% of registered school teachers; 15% of registered school learning support workers).

**Question 5 – We would like to know your views on the effects that the draft regulations proposed would have on the Welsh language, specifically on:**

- i) opportunities for people to use Welsh**
- ii) treating the Welsh language no less favourably than the English language.**

**What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?**

The regulations would provide the benefit of more data in respect of Welsh language provision within the school workforce.

**Question 6 - Please also explain how you believe the proposed draft regulations could be formulated or changed so as to have:**

- i) positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language**
- ii) no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.**

Council's response is as per question 5.

**Question 7 – 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.**

The introduction to the consultation document refers to the draft regulations having been developed following extensive engagement with stakeholders. This is not true in respect of the Education Workforce Council.

The Welsh Government's Head of Education Workforce Data and Analysis met officers of the Council in September 2016 to discuss the work being undertaken to develop workforce data. This was to ensure schools/local authorities were not going to be asked to provide data which was already held by the EWC as required by *The Education Workforce Council (Main Functions) (Wales) Regulations 2015, as amended* thus reducing duplication and workload. The draft regulations were shared with the Council and did not include any reference to it providing the Welsh Government with personal data from its Register of Education Practitioners.

The Council was explicit that any data provided would be at a summary level. Indeed the GTCW and now the EWC has provided the Welsh Government with anonymised data which includes age and gender profile as well as employment and qualification information since 2007 to assist with workforce planning.

The Council only became aware that the draft regulations had been amended to include an additional schedule (Schedule 2) requiring the Council to provide the



Welsh Government with a registered person's full personal record just before the Christmas holidays. At no point prior to that had the Council been consulted by the Welsh Government about their intention to place a statutory requirement on it to provide personalised data from the Register of Education Practitioners. Immediately after the Christmas break, officers of the Council met with the Head of Education Workforce Data and Analysis and were informed that the consultation was due to be launched 2 days later. Council officers confirmed that the Council would strongly oppose the regulations. The Council considers that the way the Welsh Government has approached this consultation in respect of the EWC to be inappropriate.

Officers understand that the Welsh Government may be open to further discussion with regards to the regulations and the proposals in respect of the EWC.

There are a number of inaccuracies in, and concerns with the consultation document, the explanatory memorandum (EM) and the draft regulations which are clarified below:

- *'The EWC .... Holds information on the qualifications of the school workforce; the EWC holds .....details of qualifications which are directly relevant to their training as a practitioner'* - The Education Workforce Council (Main Functions) (Wales) Regulations 2015, as amended require the Council to hold qualification information *'if known'*. The Council holds qualifications for school teachers as there is a mandatory requirement for them to hold Qualified Teacher Status (QTS) in order to register with the Council and work as school teachers (save for certain exemptions).

There is no mandatory qualification requirement for school learning support workers and, in many cases, employers do not record them. Consequently the Council is implementing a data capture strategy to improve the completeness of qualification records for support workers. However, there is no statutory requirement for registrants to populate or maintain their records and the proposed legislation is likely to further discourage them from sharing personal information.

- 4.19 of the EM states that the Welsh Government will issue a 'Fair Processing Notice' to all members of the workforce covered by the Regulations. Registrants of the Council are already subject to its own 'Fair Processing Notice' and were registered with the Council with the full knowledge of that notice. It would seem highly inappropriate to issue a notice retrospectively and effectively remove an individual's right to choose whether their personal data is shared or not.
- 7.4 of the EM states there is a general consensus across stakeholders that there is a need to collect a greater level of information on the school workforce which is well managed and reported more effectively and the EWC is named as one such stakeholder. The Council contests that statement. The Council already holds a significant amount of quality data on the school workforce and regularly receives requests for analyses from other stakeholders who recognise the quality and completeness of the data held.

- Schedule 1 (9) of the draft regulations -Provision of Information by Schools and Local Authorities refers to qualifying trainees who are undertaking a course or programme of initial teacher trainings, the type of course or programme. The Council already collects this data as part of the work it does on behalf of the Welsh Government in respect of confirming the award of Qualified Teacher Status (QTS). This would be a duplication of information already available.
- Schedule 1 (13) of the draft regulations -Provision of Information by Schools and Local Authorities 'whether or not the person is able to teach through the medium of Welsh' – the Council already records this information on Register as required under *The Education Workforce Council (Main Functions) (Wales) Regulations 2015, as amended*. This would be a duplication of information already available.

## 16. Graeme Russell

Torfaen County Borough Council

**Question 1 – Do you agree with (option 5) the proposal to carry out an individual level census on the school workforce that utilises the EWC Register of Practitioners?**

**If you disagree, would options 1 to 4 be more suitable?**

Agree

**Question 2 – The draft regulations currently propose that schools, local authorities and the EWC will have a period of 27 days to complete data returns with a November census date. Do you agree with this proposal?**

Agree

Agree this seems a reasonable timescale however this would depend on whether or not any verification process is included, how that would work and any timescales related to that.

**Question 3 – Currently, which sources of data on the school workforce do you use?**

StatsWales open data

The Council uses its HR/Payroll system (IFOR) as a source of data on the school workforce which enables some limited internal comparison to be made .

**Question 4 – The draft regulations currently propose the collection of data items within seven categories (staff details, contract and service agreement, absences, curriculum, qualifications, recruitment and retention, Welsh language and Welsh medium). Do you agree with the collection of these categories?**

Staff Details	Agree
Contract and service agreement	Disagree
Absences	Disagree
Curriculum	Disagree
Qualifications	Agree
Recruitment and retention	Agree
Welsh Language and Welsh Medium	Agree

The Council understands the logic around the need to capture many of the data requirements such as name, pay, recruitment, retentions and qualifications etc...It is not clear however what is required from contract details and at what level such detail would be required. Full time vs part time is understandable and head count vs full time equivalents makes sense but it is not at all clear how contract details might help in forward planning of the workforce.

In a similar way, the degree of detail around sickness absence would need to be worked through and agreed. Currently, there appears the potential for considerable inconsistency in the presentation of data and the consultation stresses the importance of data integrity. With this in mind, it is a particularly important aspect to “get right” in terms of definition and consistency of application, together with the required level of detail.

With regards curriculum it is felt that more information is required in order to provide an informed view . Synchronising collection dates for any related returns on this topic would be helpful.

In view of comments above “disagree” has been submitted for contact /service agreement absences and curriculum.

It will also be important to agree a date from which to capture the data eg if it’s a November census date then suggest information to be used could be that available as at end September .

**Question 5 – We would like to know your views on the effects that the draft regulations proposed would have on the Welsh language, specifically on:**

- i) opportunities for people to use Welsh**
- ii) treating the Welsh language no less favourably than the English language.**

**What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?**

The Welsh Language requirements and their value are clearly understood. However greater clarity will first be required around the Welsh Language Commissioners expectations as it relates specifically to schools to ensure consistency of application.

**Question 6 - Please also explain how you believe the proposed draft regulations could be formulated or changed so as to have:**

- i) positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language**
- ii) no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.**

Please see response to question 5 above

**Question 7 – 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.**

Torfaen County Borough Council welcomes the opportunity to respond to the Welsh Government consultation in respect of School Workforce Data Collection in Wales, issued on 13th January 2017 and due to close on 3 March 2017. The Council employs in excess of 4,000 employees with some 2,250 being schools based and of these some 750 teachers.

The issues contained within the consultation have been considered at officer level only, but at both a principled level and also at a more practical, operational level.

1. In broad terms the Council welcomes the objectives included within the consultation which the Council sees as being to:
  - facilitate the understanding by Councils of their workforce profiles on a more consistent basis.
  - provide a mechanism for an improved understanding of workforce profiles thereby facilitating more effective workforce planning
  - enable an improved understanding of the workforce challenges faced by having greater clarity and understanding of the workforce
  - In a practical sense, to avoid unnecessary duplication, improve co-ordination of data and reduce the number of such surveys and returns. (this is seen as essential to giving the new individual level census credibility)
  - Enable Councils and schools to co-ordinate the completion of the census within a sensible time frame if there is an annual cycle.
2. If the census is to be introduced then other returns need to be withdrawn as quickly as possible avoiding a duplication of time and effort in any transitional period.
3. The logic behind the preferred option of an individual level census is understood.
4. An annual data collection is supported. Although much can happen in the interim, anything more frequent could prove an unnecessary drain on staff resources. The timing of November appears to have some logic although why it would not be implemented until 2019 is not clear and there may be merit in exploring a 2018 introduction.
5. There also needs to be transparency (perhaps through supporting guidance) on where the responsibility lies for each piece of data between the parties identified to ensure clear accountability and to avoid duplication or missed data
6. The whole thrust of the proposal must be to improve the quality and integrity of the data collected. It must also contain a clear message that this is not about collecting data for the sake of it but that the data once collected, will be analysed and considered in more detail to plan the use of public sector workforce resources effectively into the future.

To some extent, these comments are general in their nature given the lack of detail in terms of the practical implementation and then process of data gathering which is perhaps understandable at this stage. It is suggested that if the changes proposed are to be introduced then the inclusion of practitioners may prove

helpful in setting out a manageable process for data collection with sensible guidance.

I hope these comments may be of some use but please do not hesitate to contact me should you wish to discuss such matters further.

## 17. Christine Fischer

Catholic Education Service

**Question 1 – Do you agree with (option 5) the proposal to carry out an individual level census on the school workforce that utilises the EWC Register of Practitioners?**

**If you disagree, would options 1 to 4 be more suitable?**

Agree

**Question 2 – The draft regulations currently propose that schools, local authorities and the EWC will have a period of 27 days to complete data returns with a November census date. Do you agree with this proposal?**

Agree

**Question 3 – Currently, which sources of data on the school workforce do you use?**

School Census Results First Release

**Question 4 – The draft regulations currently propose the collection of data items within seven categories (staff details, contract and service agreement, absences, curriculum, qualifications, recruitment and retention, Welsh language and Welsh medium). Do you agree with the collection of these categories?**

Staff Details	Agree
Contract and service agreement	Agree
Absences	Agree
Curriculum	Agree
Qualifications	Agree
Recruitment and retention	Agree
Welsh Language and Welsh Medium	Agree

**Question 5 – We would like to know your views on the effects that the draft regulations proposed would have on the Welsh language, specifically on:**

- i) opportunities for people to use Welsh**
- ii) treating the Welsh language no less favourably than the English language.**

**What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?**

No comment

**Question 6 - Please also explain how you believe the proposed draft**

**regulations could be formulated or changed so as to have:**

- i) positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language**
- ii) no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.**

No comment

**Question 7 – 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.**

No comment



## 18. Sue Robins / John Davies

Wrexham County Borough Council

**Question 1 – Do you agree with (option 5) the proposal to carry out an individual level census on the school workforce that utilises the EWC Register of Practitioners?**

**If you disagree, would options 1 to 4 be more suitable?**

Agree

If there is an identified need for this data, that using data already collected would be the preferred route.

Need to understand how this proposal links to the data collection proposals being reviewed by the Staff Commission, supporting public services reforms and linking up with the Central Data Unit (PAMS)

Need to ensure that data covers all school based employees including those registered with EWC and those who are not, such as ancillary and administration/ business manager roles.

**Question 2 – The draft regulations currently propose that schools, local authorities and the EWC will have a period of 27 days to complete data returns with a November census date. Do you agree with this proposal?**

Neither Agree nor Disagree

Need to be clear if these are school working days, i.e. taking into account half term periods.

Suggest collection date is December, to give schools time to complete their annual performance / pay review (with effect from September) but often systems updated Oct/Nov. Will avoid the busy period and ensure most up to date data for pay purposes is available for the census.

**Question 3 – Currently, which sources of data on the school workforce do you use?**

Annual PLASC bulletin

StatsWales open data

Workforce information held by data unit, one source – schools and non schools

PLASC workforce information is used within the Authority as source of school FTE data.

**Question 4 – The draft regulations currently propose the collection of data items within seven categories (staff details, contract and service agreement, absences, curriculum, qualifications, recruitment and retention, Welsh**

**language and Welsh medium). Do you agree with the collection of these categories?**

Staff Details	Agree
Contract and service agreement	Neither Agree nor Disagree
Absences	Agree
Curriculum	Neither Agree nor Disagree
Qualifications	Neither Agree nor Disagree
Recruitment and retention	Disagree
Welsh Language and Welsh Medium	Agree

Consultation document refers to school workforce, but then teachers are mentioned on a number of occasions. Is the proposal for data for ALL of school workforce, therefore does their need to be different levels of data collected for different types of workforce professions e.g. administration, Teachers?

Contract –as these can be variable, termly – if collecting a snap shot, not sure on value.

May be useful if collected information that enables comparisons by schools/school size/authorities e.g. the number of posts on levels Main scale 1-6, UPS, leadership spine points – as governors now have discretion on pay values, this may vary across authorities/Wales.

Absences – already supply in one format to Data unit for PAMS reporting, and different format to welsh government. Be helpful to provide once, with one standard definition, and clear formula used across to enable comparisons to be made. Currently data unit information includes schools figures as part of overall authority absence rates, this I believe should be separated out, as well as the combined figure.

Curriculum and qualifications- *NOT SURE SCHOOLS HOLD THIS CONSISTENTLY* – If this is now held by EWC for registration purposes, would make sense to collect from this source. The Authority does not collect/record this information outside of the checks made during recruitment.

Recruitment/retention – no further comments as unclear on level of data proposed to be collected. It was collected as part of STATS3, e.g. no. of vacancies at a point in time. Data to show key types of vacancies – e.g. heads / subject leads/ business managers and turnover or churn rates % could be useful for workforce planning purposes, however not currently collected by authority.

Welsh – needs to link to data already required under welsh standards.

**Question 5 – We would like to know your views on the effects that the draft regulations proposed would have on the Welsh language, specifically on:**

- i) opportunities for people to use Welsh**
- ii) treating the Welsh language no less favourably than the English language.**

**What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?**

There needs to be clarity about what information will be gathered about the ability to speak/write/read in Welsh and importantly how will the ability of the individual be measured?

The wording of the questions/definitions presented to establishments about the ability of the workforce in Welsh will need to be carefully considered as well as ensuring clear guidance in order to avoid any misunderstanding and misinterpretation to ensure that an accurate picture of the workforce is obtained.

There needs to be a clear structure as to what information will be reported back to the LA/centre and in what format.

Any future resources/information will need to be available bilingually at the same time. This will avoid any possible discrimination.

There needs to be better opportunities within establishments for individuals to use Welsh at whatever level they are at and to normalise it at work. This needs to be promoted in order to raise the status, aspiration and confidence in using the language.

**Question 6 - Please also explain how you believe the proposed draft regulations could be formulated or changed so as to have:**

- i) positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language**
- ii) no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.**

There needs to be sufficient financial resources allocated by WG to local areas to develop Welsh in the workforce as well as be able to respond to any specific areas of development that will be identified from the School Workforce data collection in Wales. Up skilling staff will be imperative in endeavouring to respond to the goals of WG for future Welsh speakers in all sectors of education.

A specific ability in a level of Welsh should be included as part of the entry requirements to the new Teacher Training Programme in order to ensure that any future professionals have at least a specific level of ability in Welsh in order to teach and work in all sectors of education in Wales. Over time, this requirement at Teacher Training will result in the reduction of resources and financial resources required to up skill staff in the future.

If the School Workforce data collection in Wales initiative is implemented with a clear focus on the equality of Welsh, consequently, it will support other WG priorities such as the Welsh in Education Strategic Plans and a million Welsh

speakers by 2050.

**Question 7 – 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.**

Any data collection needs to focus on core essential data required in a consistent easy to feed into format to avoid creating any additional bureaucracy to schools/authorities as resources are already stretched.

Data collection needs to be joined up – e.g. staff commission proposals, Welsh standards, Central data unit – one single approach preferred.

Data collected published should assist Authorities in comparing to aid local workforce planning, and also published wider to potentially serve other purposes e.g. reduce FOI requests which we frequently have re authority absence levels, pay etc.

## 19. Tim Pratt

ASCL Cymru

**Question 1 – Do you agree with (option 5) the proposal to carry out an individual level census on the school workforce that utilises the EWC Register of Practitioners?**

**If you disagree, would options 1 to 4 be more suitable?**

Agree

It would ensure the least burdensome way of collecting data, as it utilises data already in the various systems.

**Question 2 – The draft regulations currently propose that schools, local authorities and the EWC will have a period of 27 days to complete data returns with a November census date. Do you agree with this proposal?**

Agree

It seems a reasonable requirement

**Question 3 – Currently, which sources of data on the school workforce do you use?**

EWC Annual Statistics Digest  
StatsWales open data

**Question 4 – The draft regulations currently propose the collection of data items within seven categories (staff details, contract and service agreement, absences, curriculum, qualifications, recruitment and retention, Welsh language and Welsh medium). Do you agree with the collection of these categories?**

Staff Details	Neither Agree nor Disagree
Contract and service agreement	Neither Agree nor Disagree
Absences	Neither Agree nor Disagree
Curriculum	Neither Agree nor Disagree
Qualifications	Neither Agree nor Disagree
Recruitment and retention	Neither Agree nor Disagree
Welsh Language and Welsh Medium	Neither Agree nor Disagree

Whilst we would support the general principle of collection of these data items, we would not support the collection of the following personal details: name, date of birth, national insurance number, teacher reference number.

We understand the need for the Welsh Government to have access to more complete and wide-ranging data sets about the school workforce, however, we do not agree that personal details should be a part of those sets.

In our view, it would be possible to allocate a unique number to each person's data (a similar system is used with learners) that would allow data linking and quality assurance without the need for releasing confidential information. We do not see that it is either necessary or desirable for this level of confidential, personal information to be used, nor that its absence would prevent the Welsh Government from reaching appropriate conclusions about the school workforce.

**Question 5 – We would like to know your views on the effects that the draft regulations proposed would have on the Welsh language, specifically on:**

- i) opportunities for people to use Welsh**
- ii) treating the Welsh language no less favourably than the English language.**

**What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?**

We understand that information on Welsh language use would aid the informed targeting of resources and identify the requirements needed for the development of Welsh-medium provision within schools and ensure that the Welsh language is treated no less favourably than the English language. We do not foresee any positive or negative effects beyond these.

**Question 6 - Please also explain how you believe the proposed draft regulations could be formulated or changed so as to have:**

- i) positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language**
- ii) no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.**

See comments above

**Question 7 – 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.**

We cannot find anything within the documentation about data security. We would be interested to have information about the proposed level of data security, and how the Welsh Government will ensure that data collected is kept confidential and secure.

## 20. Dr Lowri Brown

Conwy County Borough Council

**Question 1 – Do you agree with (option 5) the proposal to carry out an individual level census on the school workforce that utilises the EWC Register of Practitioners?**

**If you disagree, would options 1 to 4 be more suitable?**

Agree

This option will avoid duplication of efforts as it will use existing data sources.

**Question 2 – The draft regulations currently propose that schools, local authorities and the EWC will have a period of 27 days to complete data returns with a November census date. Do you agree with this proposal?**

Agree

**Question 3 – Currently, which sources of data on the school workforce do you use?**

Annual PLASC bulletin  
StatsWales open data

MIS report on information from the following sources:

- PLASC
- Annual internal statistical census undertaken in Conwy in September which collects:
  - Number of teachers
  - Can teach through the medium of Welsh
  - TA's
  - Caretakers / Admin / School meals clerk and hours per week / food hygiene certificate / first aid certificate
  - Key holders
  - Governors and co-ordinators
  - Mini bus drivers

**Question 4 – The draft regulations currently propose the collection of data items within seven categories (staff details, contract and service agreement, absences, curriculum, qualifications, recruitment and retention, Welsh language and Welsh medium). Do you agree with the collection of these categories?**

Staff Details	Agree
Contract and service agreement	Agree
Absences	Agree
Curriculum	Agree
Qualifications	Agree

Recruitment and retention                      Agree  
Welsh Language and Welsh Medium      Agree

**Question 5 – We would like to know your views on the effects that the draft regulations proposed would have on the Welsh language, specifically on:**

- i) opportunities for people to use Welsh**
- ii) treating the Welsh language no less favourably than the English language.**

**What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?**

Recruiting Welsh speaking leaders to rural schools continues to be an issue. We as LA will need to ensure the utilisation of the WG 2.5 million rural schools grant to attract skilled Welsh speaking workforce. This grant is also used to upskill Welsh learners to enable them to deliver a Welsh medium curriculum of 25% or more. Release staff to attend Welsh language courses. Continue to develop a Welsh speaking workforce through the strengthening of rural schools and rural communities. Promote Welsh heritage and Welsh culture

**Question 6 - Please also explain how you believe the proposed draft regulations could be formulated or changed so as to have:**

- i) positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language**
- ii) no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.**

No comment offered

**Question 7 – 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.**

No comment offered



## 21. Annette Farrell

Royal Society of Chemistry

**Question 1 – Do you agree with (option 5) the proposal to carry out an individual level census on the school workforce that utilises the EWC Register of Practitioners?**

**If you disagree, would options 1 to 4 be more suitable?**

Neither Agree nor Disagree

Our response to this consultation focuses on the data which we would like to see collected rather than the mechanism by which this data collection is coordinated.

We agree that the current data collected on the teaching workforce in Wales is insufficient and that a centrally coordinated process would ensure consistency and allow for additional useful data to be collected.

We would however, need assurances that teachers are comfortable with the way their data would be collected and used.

**Question 2 – The draft regulations currently propose that schools, local authorities and the EWC will have a period of 27 days to complete data returns with a November census date. Do you agree with this proposal?**

Neither Agree nor Disagree

Schools, local authorities and the EWC are best placed to advise on the timing of the census. Welsh Government should ensure that they take account of schools' needs to avoid burdening them at busy times of year.

With regard to recruitment and retention, the data collected would need to be reflective of the previous year, rather than just a snap-shot of vacancies in November which isn't typically when teacher recruitment happens.

**Question 3 – Currently, which sources of data on the school workforce do you use?**

EWC Annual Statistics Digest  
Annual PLASC bulletin  
UCAS teacher training data

We have used the EWC data to try and find out what qualifications chemistry teachers hold and other trends in relation to chemistry teachers in particular, and STEM teachers in general at both primary and secondary level. UCAS teacher training data is useful for us to find out details of applications and acceptances for initial teacher training courses.

We have found the EWC annual statistics digest to be of limited use for our purposes. For example, the information does not cover primary schools, does not differentiate between key stage 3 and key stage 4, and with subject training it's not possible to tell how many of those who have trained to teach science have a prior undergraduate degree in the chemical sciences. The way that source data is provided (by teachers themselves and by teacher training colleges) causes some of these limitations, although this is partly due to the cross-subject teaching of separate sciences and double award science in many schools.

**Question 4 – The draft regulations currently propose the collection of data items within seven categories (staff details, contract and service agreement, absences, curriculum, qualifications, recruitment and retention, Welsh language and Welsh medium). Do you agree with the collection of these categories?**

Staff Details	Agree
Contract and service agreement	Agree
Absences	Agree
Curriculum	Agree
Qualifications	Agree
Recruitment and retention	Agree
Welsh Language and Welsh Medium	Agree

To help with our work supporting teachers of chemistry, we are looking for data that helps us to understand how much chemistry teaching in Wales is conducted by teachers who are well prepared to teach the subject.

We're interested in finding out about those teachers who have a background in chemistry, those who consider themselves to be 'general science' teachers as well as the extent of cross-subject teaching, for example those who consider themselves to be biology or physics specialists who also teach some chemistry.

We believe that good subject knowledge and pedagogical content knowledge is a crucial factor in chemistry teaching. We're interested to know which/how many teachers have a degree in the chemical sciences, whether teachers are participating in quality chemistry-specific CPD, how many have completed a chemistry-specific PGCE and an idea of what chemistry classes (ie. which key stages and which courses eg. GCSE chemistry, double award science or applied science) they are actually teaching in a given period. The proposals do not include data collection regarding teachers' professional development, however this is information that we would find useful.

In order to help us support science teaching in primary schools, we would also be interested in data identifying the highest level of science qualification held by primary teachers including those who are designated as science leaders within their schools. Participation of primary teachers and science leaders in science-specific CPD would also be useful to know.

We are also interested in recruitment and retention of chemistry teachers and how this compares to need. This might include linking data on vacant posts and pupil numbers. Subject-specific data collected on this area will help us plan our activities and help us address any chemistry-specific issues. Our experience in England has

shown that teacher supply concerns show regional variations. If the data in Wales could be split regionally, this would be useful.

The data is most valuable when it is consistent over time so that trends can be identified.

We note that this current proposal would not collect data on the complete teacher workforce in Wales as it does not include supply teachers and FE teachers. It would be preferable if such teachers could be included in some way.

For the data to be useful to us we would like there to be a mechanism for it to be accessed at a sufficient level of detail, whilst still complying with relevant data protection regulations.

We would also be interested to hear how the Welsh Government plan to analyse the data

**Question 5 – We would like to know your views on the effects that the draft regulations proposed would have on the Welsh language, specifically on:**

- i) opportunities for people to use Welsh**
- ii) treating the Welsh language no less favourably than the English language.**

**What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?**

No comment provided

**Question 6 - Please also explain how you believe the proposed draft regulations could be formulated or changed so as to have:**

- i) positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language**
- ii) no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.**

No comment provided

**Question 7 – 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.**

No comment provided

## 22. Rob Williams

NAHT (Cymru) Director of Policy

**Question 1 – Do you agree with (option 5) the proposal to carry out an individual level census on the school workforce that utilises the EWC Register of Practitioners?**

**If you disagree, would options 1 to 4 be more suitable?**

Disagree

NAHT Cymru agree that there is a need to establish more consistent, accurate and useable workforce data in Wales, however, the use of the personal, individual information currently held by the EWC would be inappropriate and unnecessary if Option 4 was effectively implemented.

EWC undertake the critical role of regulator and in order to develop and maintain the confidence and trust of those with professional roles registered with the EWC, that core function must not be compromised.

EWC must also continue to remain independent of the Welsh Government and the education workforce need to be able to trust that both of the above organisations are able to fulfil their respective roles with integrity and without being overly influenced by each of their core functions.

An inherent risk in Welsh Government utilising the data held by the EWC is that members of the workforce may subsequently choose to withhold key information when registering that would otherwise assist in developing a truly accurate picture across Wales and thereby resulting in it no longer being the most useful data in future workforce planning.

**Question 2 – The draft regulations currently propose that schools, local authorities and the EWC will have a period of 27 days to complete data returns with a November census date. Do you agree with this proposal?**

Neither Agree nor Disagree

It would appear sensible to align any census date with existing similar school-level processes such as the PLASC returns, however, NAHT Cymru would suggest that a range of school lead-ers and administrators from every sector across Wales be directly consulted upon in order to agree the most appropriate period for implementation.

Consideration also needs to be given to the varying positions of respective settings in terms of their access to administrative support, MIS systems and current data collection / storing processes and the potential for additional resource required to bring all up to a minimum standard.

This could prove to be particularly challenging for many schools given their current budget constraints.

**Question 3 – Currently, which sources of data on the school workforce do you use?**

EWC Annual Statistics Digest  
Annual PLASC bulletin  
StatsWales open data

NAHT Cymru's use of particular sources of workforce data is dependent upon the purpose for which it has been sought. Having a single, comprehensive and accurate source of workforce data is therefore highly desirable.

However, the purpose, use of that data and the ultimate protection of the individual (in terms of areas such as confidentiality) must be clarified from the very outset.

Clearly, if such information is in one comprehensive dataset, that is repeated on an annual basis, then it is much easier to track trends over time, and see where patterns are emerging/issues are arising. E.g. from the school workforce data in England, it possible to follow the increase in teacher vacancies over time.

NAHT colleagues also suggest that if the data is collected in a similar format to the workforce census in England, then easier comparisons could be made across the two?

In reflecting upon the England model, currently, the analysis of the workforce census data has taken a national view only, which is often criticised (at least in relation to vacancies) for providing an inaccurate picture at a regional level. The DfE have begun to realise this, and did an additional analysis, back in September, looking at some of the data at a more regional level. Once the Welsh workforce census is in place, it might be good for this approach to be taken from the beginning.

**Question 4 – The draft regulations currently propose the collection of data items within seven categories (staff details, contract and service agreement, absences, curriculum, qualifications, recruitment and retention, Welsh language and Welsh medium). Do you agree with the collection of these categories?**

Staff Details	Neither agree nor disagree
Contract and service agreement	Agree
Absences	Agree
Curriculum	Agree
Qualifications	Agree
Recruitment and retention	Agree
Welsh Language and Welsh Medium	Agree

The area of staff details requires far greater clarification.

The need to link various pieces of the data streams above is clear - in order to accurately assess the whole workforce - for example, if a single teacher occupies more than one contract.

However, the fundamental protection of individual confidentiality must be maintained. Therefore, a method for anonymised identification of an individual will be necessary - for example, the use of teacher reference numbers.

Certain key data will be useful in protecting key characteristics and ensuring equality across Wales, but in such circumstances, confidentiality is paramount.

**Question 5 – We would like to know your views on the effects that the draft regulations proposed would have on the Welsh language, specifically on:**

- i) opportunities for people to use Welsh**
- ii) treating the Welsh language no less favourably than the English language.**

**What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?**

The draft regulations should enable a clearer picture to develop of the Welsh language across Wales' education system.

Given the challenges for recruitment to all sectors but particularly the Welsh-medium settings, together with the Welsh Language objectives set out by Welsh Government in moving towards 2050, it is now more important than ever that a clear and realistic picture be produced in order to inform future planning and monitoring of progress towards targets.

**Question 6 - Please also explain how you believe the proposed draft regulations could be formulated or changed so as to have:**

- i) positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language**
- ii) no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.**

Please see the above comments.

In aligning the draft regulations with other Welsh Government policies - including the Welsh Language Strategy, the Wellbeing of Future Generations Act and the roll out of the new curriculum in Wales - an increasing opportunity for people to use the Welsh language should arise. The status of the language should continue to be enhanced, but a realistic picture of the current and future workforce will be imperative.

**Question 7 – 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.**

There will need to be a clear outline of the remit, use and protection afforded to

the collected data in order to instil confidence and trust from the profession.

It would also be welcome if a comprehensive workload assessment was undertaken in order to adequately prepare schools for the required additional administrative activity in collating and submitting the required data. This will be of particular use for schools and settings with small or limited administrative support.

## 23. Phil Higginson

UCAC

**Cwestiwn 1 – Ydych chi'n cytuno â'r cynnig (opsiwn 5) i gynnal cyfrifiad lefel unigolion ar y gweithlu ysgolion sy'n defnyddio Cofrestr Ymarferwyr Cyngor y Gweithlu Addysg?**

**Os ydych chi'n anghytuno, a fyddai opsiynau 1 i 4 yn fwy addas?**

Ddim yn Cytuno Nac yn Anghytuno

- 1.1 Mae UCAC yn cydnabod pwysigrwydd casglu data cywir a chyfredol er mwyn cynllunio'r gweithlu addysg yn strategol. Mae hyn yn allweddol ar gyfer ateb gofynion y byd addysg o ran niferoedd o ymarferwyr mewn meysydd penodol. Mae e hefyd yn allweddol ar gyfer gweithredu argymhellion Donaldson, chynllunio'r gweithlu i gyrraedd y nod o gael miliwn o siaradwyr Cymraeg erbyn 2050, a gwireddu polisïau uchelgeisiol Llywodraeth Cymru.
- 1.2 Heb ddata cywir a chyfredol, ni fydd yn bosibl i Lywodraeth Cymru adnabod nodweddion ac anghenion y gweithlu addysg yng Nghymru, fel y nodir yn y Memorandwn Esboniadol (4.10). Gyda datganoli Cyflog ac Amodau athrawon i Gymru, y mae'r wybodaeth hon yn angenrheidiol.
- 1.3 Mae UCAC yn croesawu'r nod o ddiddymu'r CYBLD a chasglu data blynyddol am absenoldeb salwch athrawon, ac yn eu lle cynnal un cyfrifiad lefel unigolion ym mis Tachwedd.
- 1.4 Noda UCAC fod opsiynau 4 a 5 ill dau yn cynnwys cynnal cyfrifiad lefel unigolion o ysgolion ac awdurdodau lleol. Byddai opsiwn 5 hefyd yn casglu a chysylltu gwybodaeth o gofrestr Cyngor y Gweithlu Addysg.
- 1.5 Sut mae sicrhau y "byddai'r cyfrifiad yn cydymffurfio ag egwyddorion craidd y Ddeddf Diogelu Data, gyda'r sicrwydd y bydd data personol yn cael ei gadw'n gwbl ddiogel ac yn cael ei ddefnyddio at y diben bwriedig yn unig"? Byddai rhaid cael mwy o fanylder cyn ffafrio opsiwn 5 ar draul opsiwn 4.
- 1.6 Credwn ei bod yn bwysig iawn na fyddai casglu'r wybodaeth ar lefel unigol yn ychwanegu at lwyth gwaith sylweddol athrawon na phenaethiaid.
- 1.7 Nodwch eich bod am osgoi ailadrodd wrth gasglu data. Croesawn hyn gan na chredwn fod cyflwyno'r un data yn flynyddol os na fu newid y defnydd gorau o amser.

**Cwestiwn 2 – Ar hyn o bryd mae'r rheoliadau drafft yn cynnig y bydd gan ysgolion, awdurdodau lleol a Chyngor y Gweithlu Addysg 27 diwrnod i gwblhau'r ffurflenni data gyda'r cyfrifiad i'w gynnal ym mis Tachwedd. Ydych chi'n cytuno â'r cynnig hwn?**

Cytuno



- 2.1 A bwrw bod y system ddiogel o drosglwyddo data a gyfeirir ato yn y Memorandwm Esboniadol (9.59-9.60) yn barod, ac yn cyfathrebu'n ddiraffferth gyda'r systemau data a geir mewn ysgolion ac awdurdodau lleol, dylai cyfnod o 27 diwrnod o waith fod yn ddigonol.

### **Cwestiwn 3 – Pa ffynonellau data am y gweithlu ysgolion ydych chi'n eu defnyddio ar hyn o bryd?**

Crynodeb Ystadegau Blynyddol CGA  
Bwletin blynyddol CYBLD  
Data agored StatsCymru

Rydym wedi cael gwybodaeth ddefnyddiol o bob un o'r ffynonellau hyn, ond byddai'n haws ymdrin â gwybodaeth ar yr un ffurf. Mae rhai materion yn eisiau o'r ystadegau; er enghraifft, data er mwyn helpu cynllunio ar gyfer recriwtio a chadw pobl yn y proffesiwn. Hefyd, mae data agored StatsCymru yn anodd i'w ddehongli.

### **Cwestiwn 4 – Ar hyn o bryd mae'r rheoliadau drafft yn cynnig casglu eitemau o ddata mewn saith categori (manylion staff, contract a chytundeb gwasanaeth, absenoldebau, cwricwlwm, cymwysterau, recriwtio a chadw, iaith Gymraeg a chyfrwng Gymraeg). Ydych chi'n cytuno â chasglu'r categorïau hyn?**

Manylion staff	Ddim yn Cytuno Nac yn Anghytuno
Contract a chytundeb gwasanaeth	Cytuno
Absenoldebau	Cytuno
Cwricwlwm	Cytuno
Cymwysterau	Cytuno
Recriwtio a chadw	Cytuno
Iaith Gymraeg a chyfrwng Gymraeg	Cytuno

- 4 O ran casglu data absenoldebau, deallwn yr angen i sicrhau gwybodaeth gywir at bwrpas talu cyflog a thaliadau statudol, ond mae gennym ofidiau ynglŷn â defnyddiau posibl eraill y gellir eu gwneud gyda'r data hyn. Mae'n bwysig cadw cyfrinachedd o ran adnabod yr unigolyn.

### **Cwestiwn 5 – Hoffem wybod eich barn ar yr effeithiau y byddai'r rheoliadau ddrafft arfaethedig yn eu cael ar yr iaith Gymraeg, yn benodol ar:**

- i) gyfleoedd i bobl ddefnyddio'r Gymraeg**
- ii) peidio â thrin y Gymraeg yn llai ffafriol na'r Saesneg.**

### **Pa effeithiau rydych chi'n credu y byddai? Sut y gellid gynyddu effeithiau positif a lliniaru effeithiau negyddol?**

- 5 Mae angen sicrhau bod rhyngwyneb unrhyw system a ddatblygir ar gael yn y Gymraeg, fel y bo modd mewnbynnu, darllen a lawrlwytho data yn y Gymraeg.

### **Cwestiwn 6 – Eglurwch hefyd os gwelwch yn dda sut rydych chi'n credu y gall y rheoliadau ddrafft arfaethedig gael eu llunio neu eu haddasu er mwyn:**

- i) cael effeithiau positif ar gyfleoedd i ddefnyddio'r Gymraeg ac ar beidio â thrin y Gymraeg yn llai ffafriol na'r Saesneg**
- ii) peidio â chael effeithiau andwyol ar gyfleoedd i ddefnyddio'r Gymraeg ac ar beidio â thrin y Gymraeg yn llai ffafriol na'r Saesneg.**

6.1 Dylid ymgynghori'n bellach ac yn fanylach gyda rhanddeiliaid i lunio cwestiynau i fesur hyder a hyfedredd yn y Gymraeg, ar lafar ac yn ysgrifenedig. Gallai hyn fod yn werthfawr o ran ehangu'r gweithlu addysg Gymraeg, o ran athrawon a chymorthyddion. Hyderwn bydd y gwaith paratoi sydd wedi ei gychwyn gan y Llywodraeth ar gyfer casglu data yn dod â gwybodaeth fwy penodol am y gweithlu addysg, gan gynnwys lefel hyfedredd / cymwysterau Cymraeg a dyheadau'r gweithlu ar gyfer eu gyrfa. Mae'n bwysig defnyddio dull effeithiol, hwylus o gasglu data angenrheidiol ac i wneud hyn cyn gynted â phosib.

**Cwestiwn 7 – Rydym wedi gofyn nifer o gwestiynau penodol. Os oes gennych chi faterion perthnasol nad ydym wedi rhoi sylw penodol iddynt, defnyddiwch y blwch isod i roi gwybod i ni amdanynt.**

- 7. Mae gan UCAC bryderon ynglŷn â dilysrwydd corff proffesiynol megis Cyngor y Gweithlu Addysg yn rhannu data ar lefel yr unigolyn gyda'r Llywodraeth. A oes cysail i hyn? Sut y gesglir data am y gweithlu lechyd yng Nghymru, er enghraifft? A oes rheidrwydd ar gyrff proffesiynol megis y GMC a'r RCN i rannu data gyda Llywodraeth Cymru?

Mae'r sawl sydd yn cofrestru eu manylion gyda'r CGA yn gorfod cofrestru, a thalu i wneud hynny. Mae yna ddealltwriaeth glir bod y CGA yn cadw eu manylion personol yn gyfrinachol. Wrth gwrs, gellid trosglwyddo crynodeb o wybodaeth i'r Llywodraeth, er mwyn diwallu anghenion ystadegol heb dramgwyddo cyfrinachedd yr unigolyn.

## 24. Jack Worth

The National Foundation for Educational Research in England and Wales (NFER)

**Question 1 – Do you agree with (option 5) the proposal to carry out an individual level census on the school workforce that utilises the EWC Register of Practitioners?**

**If you disagree, would options 1 to 4 be more suitable?**

Agree

NFER welcomes the fact that the Welsh Government is proposing draft regulations that allow for the development and implementation of an individual-level school workforce census for Wales. The school workforce data collections currently made by the Welsh Government are of an inadequate level of detail and quality for effective workforce planning. Devolution of control over teachers' pay to the assembly makes the need for detailed data even more urgent.

We believe the Welsh Government is right to identify the collection of individual-level school workforce census data as a priority. Individual-level census data from the school workforce census in England has provided a greater level of detail on the school workforce and provided new insights for understanding the composition of the workforce. It has enabled researchers from inside and outside government to undertake analysis that greatly enhances policy making and public understanding about the teaching workforce and supply challenges at a time when this is one of the most pressing issues facing the education sector in England. It has also enabled the Department for Education to develop a detailed teacher supply model to predict future demand for teachers and inform the setting of targets and limits for the number of initial teacher training places. The data collection proposed in this consultation would benefit the Welsh Government by enabling it to conduct more detailed workforce planning, including establishing a similar model for teacher supply.

We do not have a particular preference for how Welsh Government collects data about teachers. However, it is really important that Welsh Government think carefully about data quality and coverage when deciding how to collect this information. These are both critical and will impact on how the data can be analysed and the insights that can be drawn from research conducted using it. This should include consideration of how incentivised data providers are likely to be to provide up-to-date and accurate data.

**Question 2 – The draft regulations currently propose that schools, local authorities and the EWC will have a period of 27 days to complete data returns with a November census date. Do you agree with this proposal?**

Neither Agree nor Disagree

NFER has no particular view on this matter.

**Question 3 – Currently, which sources of data on the school workforce do you use?**

EWC Annual Statistics Digest  
Annual PLASC bulletin  
StatsWales open data

NFER have used data on teacher numbers, recruitment and retention from StatsWales for understanding the teacher supply challenge in Wales. However, the school workforce data collections currently made by the Welsh Government are of an inadequate level of detail and quality for effective workforce planning. Devolution of control over teachers' pay to the assembly makes the need for detailed data even more urgent. The EWC Annual Statistics Digest provides a useful summary of the composition of the teaching workforce in Wales, but does not report figures on relevant topics such as teacher retention or turnover. This is a major shortcoming for understanding how changes within the school workforce are potentially affecting delivery of education within the Welsh education system.

NFER researchers extensively use England's individual-level school workforce census for analysis. We have just begun a major new research project on dynamics within the teacher workforce, exploring patterns of teacher retention and turnover using the school workforce census in England. It would not be possible to conduct similar analysis using publicly available data in Wales. However, a school workforce census in Wales would enable similar detailed analysis to be undertaken, to gain deeper insights into the teacher supply challenges faced in Wales. In order to enable such third-party research to take place, Welsh Government should explore how the school workforce census data could be made available for researchers to request for analysis (subject to appropriate safeguards, such as having research plans with a legitimate need to access individual-level data and relevant data protection and security measures in place).

**Question 4 – The draft regulations currently propose the collection of data items within seven categories (staff details, contract and service agreement, absences, curriculum, qualifications, recruitment and retention, Welsh language and Welsh medium). Do you agree with the collection of these categories?**

Staff Details	Agree
Contract and service agreement	Agree
Absences	Agree
Curriculum	Agree
Qualifications	Agree
Recruitment and retention	Agree
Welsh Language and Welsh Medium	Agree

The introduction of the school workforce census in England in November 2010 marked a considerable improvement in the quality of information government held about the characteristics of teachers and other school staff. All these features (except for Welsh-medium, which is specific to Wales) are collected as part of England's school workforce census, and each contributes to its richness and

usefulness for workforce planning and research. The Welsh Government is right to be taking England's school workforce census as a model.

Collecting relevant information about school staff in a school workforce census would be a very positive move for workforce planning and research in Wales. Linking this data, or at least enabling the data to be linked in future, to other datasets presents even greater opportunities for further enhancing the insights that civil servants and researchers will be able to gain from analysing the data for policymakers. The benefits of enabling data linkage should be considered and, where necessary, built into the data that is collected through, for example, having appropriate permissions to link data and relevant data fields to enable linkage.

We highlight three particular examples where enabling the school workforce census data to be linked with other data could hugely enhance the insights that it would be possible to gain through research.

- 1. Linking individual staff records across multiple censuses.** The Department for Education has recently linked individual staff records in the school workforce census across many censuses. This has enabled research on teacher retention to distinguish between teachers who move school and teachers who leave the profession, and therefore provide a detailed picture of the dynamics within the teaching workforce.
- 2. Linking school workforce census records to records in other relevant datasets.** England's school workforce census has [recently been linked](#) to data on teachers' initial teacher training records. This has enabled [new research](#) to be undertaken to measure the retention rates of teachers who trained through different training routes, and to gain a more detailed understanding of the teacher training system and the implications for workforce planning.
- 3. Enabling teacher information to be linked to data about the pupils those teachers teach.** The [Welsh Government](#) and [OECD](#) have both highlighted teacher quality as a key factor in the challenge of improving the quality of education in Wales. Teacher effectiveness (narrowly defined as the average amount of pupil attainment progress across all the pupils he/she teaches) has not been directly measured in Wales. The existence of Welsh literacy and numeracy data for every pupil in year two to year nine offers a rare opportunity to measure teacher effectiveness far more accurately than elsewhere (e.g. England). While the Welsh Government may understandably be reluctant to collect information necessary for linking pupils to the teachers who teach them, there should be scope for independent researchers to undertake research of this kind (with clear safeguards to ensure that the data is only used for agreed research purposes and is specifically not used to make judgements on individuals). Such research could identify the characteristics of teachers who are most effective at raising pupil attainment in literacy and numeracy.

**Question 5 – We would like to know your views on the effects that the draft regulations proposed would have on the Welsh language, specifically on:**

- i) opportunities for people to use Welsh**
- ii) treating the Welsh language no less favourably than the English language.**

**What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?**

NFER has no particular view on this matter.

**Question 6 - Please also explain how you believe the proposed draft regulations could be formulated or changed so as to have:**

- i) positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language**
- ii) no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.**

NFER has no particular view on this matter.

**Question 7 – 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.**

### **About NFER**

The National Foundation for Educational Research in England and Wales (NFER) is a charity and the leading independent provider of education research and assessments in the UK. We provide evidence that improves education, learning and the lives of learners in the form of insights that are relevant and accessible and inform policy and practice. Successive UK governments have used our evidence to inform policy thinking.

Through expert research and extensive knowledge of education and assessment, we offer a unique perspective on today's and tomorrow's educational challenges. We draw on trusted relationships, working with a range of influential organisations from government departments to employers; from school leaders and teachers to parents. The breadth of our work enables us to have a systemic view of the education system, linking together evidence from different areas to give a wide perspective.

## 25. Rachel Curley

ATL Cymru

**Question 1 – Do you agree with (option 5) the proposal to carry out an individual level census on the school workforce that utilises the EWC Register of Practitioners?**

**If you disagree, would options 1 to 4 be more suitable?**

Disagree

ATL Cymru does not agree with the proposal to use the EWC Register of Practitioners.

The EWC is an independent regulatory body, funded principally by practitioner registration fees. The personal data it holds about practitioners has been gathered for specific purposes in line with the EWC's remit. We have significant concerns about individual level personal data held by the EWC being used as part of this process.

The summary of proposals states that "This collection will provide Welsh Government with data to inform negotiations and decisions on pay related matters and provide greater evidence to support future workforce planning". These responsibilities sit clearly at employer level and it is schools and local authorities that should have responsibility for collecting and providing this data, not a separate and independent regulator.

The summary of proposals and the Regulations need to provide far more clarity and reassurance about how this data will be used, stored and communicated. Until this clarity and reassurance is provided, ATL Cymru would be more comfortable with an aggregated level census collected from school and local authorities (option 3) rather than an individual level census. We can see the benefits of an individual level census if the acknowledged concerns about the use of personal data are addressed.

**Question 2 – The draft regulations currently propose that schools, local authorities and the EWC will have a period of 27 days to complete data returns with a November census date. Do you agree with this proposal?**

Disagree

One of the stated principal aims of the regulations is to provide detailed and robust data to support the devolution of pay and conditions. The data provided should therefore be as accurate as possible which means it should be provided once all Performance Management processes have been completed and salaries confirmed. A November date is likely to be too early, particularly to ensure any appeals have been completed. We would suggest a date early in the calendar year.

We would urge Welsh Government to ensure that this data collection is streamlined with all other data collection responsibilities for schools to ensure that the impact on workload is minimised.

Welsh Government has indicated that the first pay award under the devolved arrangements could take place with effect from 1 September 2019. More information and clarity is therefore needed about what data will be used before the statutory workforce data collection is in place and available.

**Question 3 – Currently, which sources of data on the school workforce do you use?**

EWC Annual Statistics Digest  
Annual PLASC bulletin  
StatsWales open data

**Question 4 – The draft regulations currently propose the collection of data items within seven categories (staff details, contract and service agreement, absences, curriculum, qualifications, recruitment and retention, Welsh language and Welsh medium). Do you agree with the collection of these categories?**

Staff Details	Agree
Contract and service agreement	Agree
Absences	Agree
Curriculum	Agree
Qualifications	Agree
Recruitment and retention	Agree
Welsh Language and Welsh Medium	Agree

Consideration also needs to be given about how to report and record information about staff who hold more than one post at one or more schools (eg two part-time teacher posts, one part-time teacher post and one support staff post).

It would be helpful to ensure the data records the highest level of relevant qualification held in the area of learning or subjects taught.

The data should also record whether non teaching staff hold Qualified Teacher Status.

**Question 5 – We would like to know your views on the effects that the draft regulations proposed would have on the Welsh language, specifically on:**

- i) opportunities for people to use Welsh**
- ii) treating the Welsh language no less favourably than the English language.**

**What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?**



We agree that the collection of information on the ability of the workforce to teach Welsh, and the provision of teaching through the medium of Welsh, will provide important data to support the Welsh Language Strategy.

We strongly believe that the education system is key to helping achieve 1 million Welsh speakers by 2050. Children and young people need the opportunities in school, college and university to learn, use and extend their knowledge of the Welsh language. Adults also need those same opportunities to ensure Welsh becomes a language which is used every day. However, without clear funding commitment for CPD for current teachers, lecturers and support staff, the current workforce will not be able to learn or improve their Welsh language skills. Cuts to the funding for adult and community learning over recent years mean that the current workforce needs opportunities to learn Welsh too. Changes to ITE will not meet the needs of the current workforce.

**Question 6 - Please also explain how you believe the proposed draft regulations could be formulated or changed so as to have:**

- i) positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language**
- ii) no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.**

It isn't clear whether paragraphs 13 and 14 of Schedule 1 will provide accurate data about the level of qualification or ability in relation to Welsh language skills. This requires better definition.

**Question 7 – 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.**

No comment offered

## 26. Information Commissioner's Office

Response to the Welsh Government Consultation:  
School workforce data collection in Wales

### Background to the Information Commissioner's Office

The Information Commissioner has responsibility in the UK for promoting and enforcing the Data Protection Act 1998 (DPA) and the Freedom of Information Act 2000 (FOIA), the Environmental Information Regulations (EIR) and the Privacy and Electronic Communications Regulations. She upholds information rights in the public interest, promotes openness by public bodies and data privacy for individuals. She does this by providing guidance to individuals and organisations, solving problems where she can, and taking appropriate action where the law is broken. The opportunity to respond to this consultation is therefore welcomed but comments will only be made in respect of matters relevant to the scope of her responsibilities.

#### A) Privacy / Data Protection Impact Assessment (PIA / DPIA)

The Information Commissioner notes that Para 3.5 of the Explanatory Memorandum sets out that a PIA will be undertaken to ensure compliance with The Data Protection Act 1998 (DPA). Whilst this is to be welcomed, there are a couple of issues that she would like to raise.

In May 2018 the DPA will be replaced by the General Data Protection Regulation (GDPR), so it may make sense to plan and assess the data protection compliance of the project against GDPR, particularly as the proposed processing will not begin until 2019.

The GDPR emphasises the importance of a privacy by design approach, and makes DPIAs a legal requirement for any large scale processing of special category data (the definition of "special category data" is similar to "sensitive data" under DPA), which it refers to as "high risk processing". As this project proposes using health and ethnicity data, it is likely that it will fall within that definition and that a DPIA will be a legal requirement.

The GDPR sets some parameters for what a DPIA is expected to contain:

- A description of the processing operations and the purposes, including, where applicable, the legitimate interests pursued by the data controller.
- An assessment of the necessity and proportionality of the processing in relation to the purpose.
- An assessment of risk to the individuals.
- The measures in place to address risk, including security and to demonstrate compliance.

The current statutory Code of Practice on Conducting PIAs is available on the ICO's website. In addition, the EU's Article 29 Working Party will be producing GDPR guidance on High Risk Processing and DPIAs during 2017.

Having the DPIA available as part of this consultation would have been very helpful to stakeholders when considering the arguments set out for and against the 5 options. The impacts on the various organisations involved in collecting and using school workforce data are explored in the Regulatory Impact Assessment, but there is only passing reference to the impact on the individual data subjects and their right to privacy. A DPIA covering the issues in the bullet points above would enable a much rounder consideration of the proposals.

In addition to enabling the policy makers and consultees to consider the impact of the proposals on individuals an early DPIA would help to shape the further development of the project – supporting a privacy by design approach (as required by GDPR), rather than risking a situation where mitigations to address privacy must be retrofitted to an otherwise complete proposal.

## B) Purpose and legal basis of processing

Throughout the documents the purpose of the processing is broadly described in relation to matters of workforce management, particularly at national level. This suggests that information will be used to generate statistics and other anonymised data sets to support policy making. However, the document does not rule out using the data in a way that could have significant impact on the individual, and the ability to share pre-employment / pre-training place information with school proprietors suggests that some processing may indeed impact significantly on individuals. Under GDPR the definition of statistical purposes implies that neither the aggregated output nor the underlying personal data are “used in support of measures or decisions regarding any particular natural person” (GDPR Recital 162).

Clarity of purpose will therefore be important when identifying which of the lawful conditions for processing will be applicable to the project. Under GDPR these must be identified, documented and set out in Fair Processing Notices as they impact on the rights of the individual.

In GDPR, the conditions for lawful processing of personal data are set out in Article 6, and those for lawful processing of special categories of data are set out in Article 9. They are similar - but not identical to - the DPA conditions for processing and will require some consideration at an early stage of the project.

The GDPR includes research and statistics amongst the many derogated topics – these are the topics on which Member States can bring forward nationally appropriate legislation in relation to exemptions and other detail. In the UK, the Department for Culture, Media and Sport is leading this work.

## C) Anonymisation / Pseudonymisation

A question that the DPIA should address is at what point the personal data could be pseudonymised or anonymised to significantly decrease the impact on data subjects' privacy without compromising the purpose of the project. Under GDPR Article 89 (processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes), measures that no longer permit the

identification of individuals from the data must be used wherever the purpose of the processing can be achieved in that manner.

This will be a relevant consideration both to the core purposes of the proposals, and also in relation to any requests to share data, for example with researchers.

### C) Individual's rights

The rights of the individual are strengthened under GDPR, and need to be given thorough consideration. As noted above, the individual's rights vary depending on the lawful basis for the processing.

Two examples of how the enhanced individual's rights are likely to impact on this proposed project are set out below.

- The right to be informed. The Information Commissioner welcomes the reference at paragraph 4.19 of the Regulatory Impact Assessment that Welsh Government will issue a Fair Processing Notice to all members of the school workforce covered by the implementation of the regulation. GDPR Articles 12-14 set out the requirements on data controllers to inform data subjects, including specific criteria for the information that will need to be included in these notices, as well as requiring that they are straightforward for the intended audience to read. Guidance on Privacy Notices under the GDPR can be found on the ICO's website.
- **The right to rectification.** Article 16 of GDPR sets out that data subjects are entitled to have their personal data rectified through application to the data controller if it is inaccurate or incomplete. If that data has been disclosed to third parties, the data controller will be required to inform data subjects of the rectification wherever possible. Data Controllers must also inform data subjects about the third parties to whom the data has been disclosed where appropriate. If the data controller fails to respond appropriately to a request for rectification, the data subject will be able to complain to the Information Commissioner, and / or seek judicial remedy.

## 27. Amber Courtney

Unison

**Question 1 – Do you agree with (option 5) the proposal to carry out an individual level census on the school workforce that utilises the EWC Register of Practitioners?**

**If you disagree, would options 1 to 4 be more suitable?**

Disagree

UNISON members who were asked about this had concerns about data being held on them (other than by their employer) that could be individually matched to them. UNISON understands the value of regular and thorough data capture to inform policy, appropriate workforce planning and assessing training needs, but there is concern about the Welsh Government 'holding' data on a mass scale which can be specifically attributed to individuals.

The EWC register of practitioners does not encompass the whole school workforce, therefore, how would Welsh Government intend to deal with non EWC registrants who would still form a significant part of the schools workforce?

UNISON is concerned that individual registrants of the EWC (who in effect pay for the body) will have suspicions about another party "the government" having access to the personal information that they provide the EWC as registrants.

In relation to training and qualifications, information provided to the EWC for Learning Support Workers is voluntary. This information should also be held by their employer at school or local authority level - if it isn't, that needs to be questioned.

Additional EWC data on training will be largely inconsistent given that there is no standard entry requirement or professional standards (except HLTA) for learning support workers. Providing this information to the EWC is not mandatory, and therefore a difficult enough task for the EWC. Further sharing of this information at an individual level may arouse suspicion, and therefore a reluctance to willingly give them the information in the first place.

UNISON would like to know the views of the EWC Council on this matter and how much consultation has been done in conjunction with them on this point.

Summary EWC data cross referenced to local authority and school census information would be sufficient.

More information on security and data protection must be given.

Option 4 is preferred.

**Question 2 – The draft regulations currently propose that schools, local authorities and the EWC will have a period of 27 days to complete data returns with a November census date. Do you agree with this proposal?**

Neither agree nor Disagree

UNISON reserves the position that we are opposed to individual level data being sourced from the EWC for the reasons outlined above. The comments below relate to local authority and school level provision of data.

It is important that the information is made available within a suitable period and that sufficient time is allowed to ensure good quality information is collected in order to produce the intended outcomes outlined in this consultation. Clearly the amount of time required to turnaround the necessary data will depend on the size of the school, pupil numbers and the complexity of the workforce. Data should be expected in a standardised format year upon year.

Data should be reported at a time most suitable for ongoing negotiations, workforce planning, and delivery of education. This data should be produced and made available at the same point each year.

As a trade union, we are experienced negotiators and it is not uncommon for tasks such as data collection and production to be used as a stalling tactic during a negotiation process. As timescale for responses and availability of clear data outcomes should be set for the same period each year and be rigidly applied.

Appropriate assessment must be made of the additional pressures that data collection places on school and local authority employees - particularly those performing administrative functions whose workload can easily be overlooked.

**Question 3 – Currently, which sources of data on the school workforce do you use?**

Annual PLASC bulletin  
StatsWales open data

Learning support workers were first registered with the EWC in 2016, therefore, UNISON has not had use for the statistics digest to date.

**Question 4 – The draft regulations currently propose the collection of data items within seven categories (staff details, contract and service agreement, absences, curriculum, qualifications, recruitment and retention, Welsh language and Welsh medium). Do you agree with the collection of these categories?**

Staff Details	Disagree
Contract and service agreement	Agree
Absences	Neither Agree nor Disagree
Curriculum	Agree
Qualifications	Agree

Recruitment and retention	Agree
Welsh Language and Welsh Medium	Agree

It will undoubtedly be beneficial to the education sector in Wales to have detailed information on the categories outlined within this consultation. UNISON has long argued the benefit of having an open and transparent system and to work to harmonise the operation of schools and treatment of the workforce across Wales. We believe the collation of the information will better expose the huge discrepancies that we know exist, and will evidence and support our call for greater consistency in the pay, conditions, job roles, expectations, and general treatment of school support staff across Wales. The benefits of better consistency are easy to identify and well detailed within the consultation.

UNISON does, however, have some concerns about the level of detail required by individual members of the schools workforce. Details identified within the consultation include personal information such as date of birth and national insurance number. Understandably, many members of the workforce will have concerns about why this data is required, how it will be used and where it will be stored. Whilst there may be credible reasons for collating such data, it is essential that robust processes are place to guarantee confidentiality. It is UNISON's view that data should be anonymised and broken down and stored in different places so that if the data is hacked, it will prevent access to the whole data set.

**Question 5 – We would like to know your views on the effects that the draft regulations proposed would have on the Welsh language, specifically on:**

- i) opportunities for people to use Welsh**
- ii) treating the Welsh language no less favourably than the English language.**

**What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?**

UNISON supports the need to have a more informed understanding of the use of the Welsh Language in our schools. There is also work to be done around the skills of the staff within schools to deliver welsh language provision. There is concern about this being attributed to individual members of staff, rather than to obtain a picture of a school as a whole, for instance.

UNISON does not support welsh language data on individuals being used for punitive means. If skills gaps are identified, the focus must be on support and training. Everyone currently working in education and training deemed to have the appropriate skills to do their job should not be forced into learning a language to retain that job. Welsh language learning is a journey for both staff and pupils and should be a positive one.

Support staff in schools report to UNISON that their additional language capabilities are often overlooked or not acknowledged because the policy emphasis is focused on teachers. Capturing this information is a positive opportunity to gauge how many more Welsh speakers are already in our schools.

The data collection should not ignore the importance of Welsh language skills amongst support staff who are not based solely in the classroom such as administrators, midday supervisors, kitchen assistants and care takers.

**Question 6 - Please also explain how you believe the proposed draft regulations could be formulated or changed so as to have:**

- i) positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language**
- ii) no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.**

The regulations fall into the established terminology around the 'teacher' workforce where they should be making reference to the whole schools workforce. Please read through the regulations again with this point in mind and redraft accordingly rather than us point out every place where reference to the whole school workforce should be made.

If data provision is different for different categories of staff, and UNISON's view is that it should not be, please specify why.

**Question 7 – 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.**

As outlined above, UNISON is aware of the huge discrepancies that are a factor across the whole schools workforce in Wales, particularly amongst schools support staff who don't benefit from standardised pay, terms and conditions in the way teaching staff do.

There is no requirement within the regulations to report data about the supply workforce in schools. UNISON has already taken issue with the Welsh Government over the exclusion of support staff from the supply task force, and thereby a failure to acknowledge the over-reliance of the schools system on supply agencies. This data collection exercise is an opportunity to get an accurate snap shot of supply use on a regular basis.

UNISON is clear that the schools workforce and therefore the delivery of education would benefit from greater consistency. The collection of data alone will not address this issue and further work needs to be done to address the important issue. We are confident that such data collection, so long as it addresses the relevant issues, will expose the anomalies across Wales and it is then the responsibility of decision makers to ensure the fair treatment of all school staff across Wales.



## 28. Samuel Middleton

Wellcome Trust

**Question 1 – Do you agree with (option 5) the proposal to carry out an individual level census on the school workforce that utilises the EWC Register of Practitioners?**

**If you disagree, would options 1 to 4 be more suitable?**

Agree

**Question 2 – The draft regulations currently propose that schools, local authorities and the EWC will have a period of 27 days to complete data returns with a November census date. Do you agree with this proposal?**

Disagree

**Question 3 – Currently, which sources of data on the school workforce do you use?**

No comment offered

**Question 4 – The draft regulations currently propose the collection of data items within seven categories (staff details, contract and service agreement, absences, curriculum, qualifications, recruitment and retention, Welsh language and Welsh medium). Do you agree with the collection of these categories?**

Staff Details	Agree
Contract and service agreement	Agree
Absences	Agree
Curriculum	Agree
Qualifications	Agree
Recruitment and retention	Agree
Welsh Language and Welsh Medium	Agree

A new School workforce survey in Wales presents the opportunity to collect data that would provide the Welsh government and other stakeholders with a more detailed picture of the workforce and lead to more effective interventions. We suggest collecting the following data:

### 1. Nationality of teachers

This would help identify trends in the school workforce, in particular an increasing reliance on teachers from overseas. This is important for workforce planning and anticipating changes in recruitment and retention patterns as migration patterns change.

### 2. Qualifications, including Subject knowledge enhancement (SKE) courses

Qualifications give a good indication of subject expertise. SKE courses should be considered an indication of expertise, but they are currently not picked up in existing school workforce surveys.

3. **Hours taught by specialists** (e.g. teacher with undergraduate degree or higher or a SKE course in related subject)  
It is important to gain an understanding of the extent to which pupils experience teaching from someone with subject expertise.
4. **Number of days in past year used for continuing professional development (CPD)**  
CPD is a crucial element of effective teaching. Currently it is difficult to quantify how much CPD teachers undertake. Collecting this information would generate a more accurate picture which would aide interventions to increase CPD amongst teachers.
5. **Prior occupation (if not higher education leaver)**  
This would contribute to a fuller picture of teacher recruitment, which could lead to more targeted interventions.
6. **Destination after leaving role (where possible)**  
This would help generate a fuller picture of teacher retention and potentially help inform interventions to address workforce-leavers.
7. **Collecting data at the local level**  
Being able to break data down by local authority area would enable the Welsh government and others to identify specific areas that are, for example, struggling with recruitment, and would help ensure interventions were carefully targeted.
8. **Use of temporary staff (teachers)**  
This would provide greater detail on staff shortages and what schools are doing to address them.
9. **Rate of vacancies by subject and age group taught**  
This would help generate a clearer picture of staff shortages, preferably broken down by local area.

**Question 5 – We would like to know your views on the effects that the draft regulations proposed would have on the Welsh language, specifically on:**

- i) **opportunities for people to use Welsh**
- ii) **treating the Welsh language no less favourably than the English language.**

**What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?**

No comment offered

**Question 6 - Please also explain how you believe the proposed draft regulations could be formulated or changed so as to have:**

- i) **positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language**
- ii) **no adverse effects on opportunities for people to use the Welsh**

**language and on treating the Welsh language no less favourably than the English language.**

No comment offered

**Question 7 – 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.**

No comment offered

## 29. Chris Keates

NASUWT Cymru

1. The NASUWT welcomes the opportunity to comment on the Welsh Government's proposals to introduce regulations that will allow for the development and implementation of an individual-level school workforce census for Wales through the provisions of The Education (Supply of Information about the School Workforce) (Wales) Regulations 2017 (the draft Regulations).
2. The NASUWT is the largest teachers' union in Wales representing teachers and school leaders.

### GENERAL COMMENTS

3. The NASUWT recognises that this consultation highlights that the collection of workforce data by the Welsh Government is long overdue and acknowledges that the data identified for collection would address a significant gap in the information, knowledge and understanding that the Welsh Government has in relation to the school workforce.
4. However, the NASUWT states from the outset of this response that, whatever process is used for the collection, collation and subsequent use of information, an individual's right to privacy and control over personal data must be respected fully.
5. The NASUWT notes that the consultation document states that:  
*'Information on gender, disability and ethnicity are crucial in identifying potential demographical issues within the workforce, such as gender imbalance and pay inequality.'*  
The Union endorses this view but also maintains that the collection of such data should be a requirement of the Welsh Government under the Equality Act 2010 and the Public Sector Equality Duty (PSED).
6. The NASUWT is concerned that although it is stated in the consultation document that the draft Regulations would impose requirements for local authorities and maintained schools, including special schools and pupil referral units (PRUs), to supply information in seven specific areas, it is clear that the Welsh Government intends to place a requirement on the Education Workforce Council (EWC) for the release of personal data relating to registrants, as identified in the draft Regulations. The NASUWT questions seriously the prudence of placing such a requirement on the EWC.
7. The NASUWT is concerned that the consultation document and the draft Regulations lack clarity in identifying the persons about whom the data is being collected. In several sections, the whole school workforce is referenced, whereas in other sections only teachers are mentioned. The Union maintains that the Welsh Government must be clear and transparent in identifying the persons to be included in the data collection.

- 8.** The NASUWT does, however, recognise the need for the Welsh Government to collect detailed information directly from local authorities and schools on pay; equalities, including age, gender, disabilities, ethnicity, religion and belief; sexuality; trans status; and marital status, including civil partnerships and same-sex marriage.
- 9.** The Union would also expect the Welsh Government to collect data on full-time and part-time status, maternity and pregnancy and trade union activities.
- 10.** The NASUWT points out that footnote 1 to section 7(b) of Schedule 1 in the draft Regulations is incomplete. Information on pay ranges set out in the School Teachers' Pay and Conditions Document (STPCD) includes the leading practitioner pay range (section 16 of the STPCD) and the unqualified teacher pay range (section 17 of the STPCD).
- 11.** The NASUWT also notes that Section 7(d) of Schedule 1 to the draft Regulations only references safeguarding under part 5 of the STPCD, whereas persons other than teachers can be safeguarded. This information would be incomplete if persons other than teachers were not included.
- 12.** The NASUWT acknowledges the need for the Welsh Government to collect data on staff details, contract and service agreements, absences, curriculum, qualifications, recruitment and retention, and the Welsh language and Welsh medium.
- 13.** However, the NASUWT believes that there is a current lack of clarity in the meaning of 'contract for services', which is used in a number of places throughout the consultation document and the draft Regulations. The Union maintains that a precise definition should be provided in the final Regulations.
- 14.** Likewise, in recognising the need for the collection of data on absences, the NASUWT is concerned that most local authorities and school absences management policies do not positively support the management of sickness absence and that the provision of this data may result in unreliable, inappropriate, and insecure outcomes. The Union maintains that 'reasons for absence', as referred to in Section 11 of Schedule 1 to the draft Regulations must be clearly defined but, at the same time, must be generic and non-intrusive.
- 15.** Similarly, the data on the 'The level of a person's Welsh language skills, as referred to in Section 14 of Schedule 1 to the draft Regulations should be clearly prescribed.
- 16.** The NASUWT is also concerned about the meaning provided for 'subject' referred to in regulation 2 of the draft Regulations as this is restricted to subjects set out in regulations 105 and 106 of the Education Act 2002.
- 17.** The Union notes that this approach would only include:
  - *for Key stages 1, 2 and 3 the core subjects – maths, English/Welsh, and science plus technology, PE, history, geography, art, music, Welsh (2nd language), and a modern foreign language; and*

- for Key Stage 4 the core – maths, English/Welsh, and science plus only PE and Welsh (2nd language).
18. The NASUWT suggests that the reference to the Education Act 2002 should be removed as it appears to be insufficient, out of date and inconsistent with the current direction of travel of Welsh Government curriculum policy, and could result in data relating to some teachers not being recorded.
  19. The Union notes that the consultation document not only fails to refer directly to the requirement that will be placed on the EWC but also fails to provide a prescribed list of the areas in which information will be obtained. Given the lack of respect commanded by the EWC within the teaching profession, there is a need for complete transparency about the information that will be supplied and teachers would need to be reassured about the future security of the information they supply, often voluntarily, to the EWC.
  20. Indeed, the NASUWT maintains that the fact that teachers provide information to the EWC on a voluntary basis would result in such information being incomplete and may not necessarily be based on standard descriptors.
  21. As stated previously in this response, the NASUWT does not believe that the EWC is the appropriate body to collect the information that is required by the Welsh Government for the purposes referred to in the consultation document. The Union maintains that it would be more secure, and more straightforward and consistent, for the information to be obtained directly by the Welsh Government from local authorities and schools.
  22. However, the NASUWT recognises obtaining such information directly from local authorities and schools in a consistent manner will present its own challenges as great care will need to be exercised not only in the framing of the final Regulations but also in the design of the data capture questionnaires and the associated guidance to local authorities and schools to ensure a high level of consistency and compliance that is not workload-intensive for schools and local authorities.
  23. Notwithstanding the views expressed about the involvement of the EWC in the data collection process, should the Welsh Government persist with its proposals, the NASUWT maintains that the failure to identify in the consultation document that the draft Regulations will provide the Welsh Government with the power to require the release of information from the EWC and that the information to be released will be restricted to that prescribed in Schedule 2 of the draft Regulations, will cause far more consternation about the proposals than would have arisen if this clarity had been provided. The fundamental issues over the right to privacy and the control over personal data would, of course, have still remained a grave concern.
  24. The NASUWT acknowledges that the Information Commissioner's Office (ICO) publication *Data sharing code of practice* indicates that where a public body (in this case the EWC) is legally obliged (in this case by virtue of the draft Regulations) to share particular information with a named organisation (in this

case, this is assumed to be the Welsh Government's Education and Public Services Group), it is permissible to share the information.

25. Consequently, the NASUWT recognises that should the draft Regulations become law then the EWC will have to provide the information to the Welsh Government.
26. It will, of course, be for individual registrants to decide what information they are prepared to share with the EWC, other than that required by statute.
27. The NASUWT, therefore, urges the Welsh Government to consider the appropriateness and value of requiring the supply of information from the EWC that is only provided by registrants on a voluntary basis, for example ethnic group, disability, and details relating to qualifications, as such information has the potential to undermine the reliability of the census outcomes.
28. The NASUWT notes that the Explanatory Memorandum states the regulations and data requirements will undergo a full Privacy Impact Assessment (PIA) to ensure that it complies with the Data Protection Act 1998 and the Human Rights Act 1998. However, the Union notes that this work is yet to be carried out and will require assurances that the points made above are fully taken into consideration. Furthermore, the NASUWT expects to be provided with the full details of the PIA when it is completed.

## **SPECIFIC COMMENTS**

29. The NASUWT offers the observations and comments that follow in relation to the questions posed on the consultation response form.

**Question 1 – Do you agree with (option 5) the proposal to carry out an individual level census on the school workforce that utilises the EWC Register of Practitioners?**

**If you disagree, would options 1 to 4 be more suitable?**

Neither Agree nor Disagree

The NASUWT acknowledges that the information held by the EWC would assist in facilitating the development of a centrally co-ordinated individual-level census, but is concerned by the reference, in the Explanatory Note, to the information obtained from the EWC being 'primarily' used for statistical analysis and research to help develop policies in relation to the school workforce.

The Union maintains that the use of 'primarily' must be replaced with 'only' and that the draft Regulations and schedules must be amended, as necessary, to reflect this position.

Furthermore, the NASUWT asserts that the information requested from the EWC should be on the basis of aggregate data rather than individual data, but in so doing

it is recognised that this would not sit easily with the proposal for an individual-level census.

Consequently, the Union maintains that the EWC would either need to seek the permission of registrants before providing some of the personal data referred to in Schedule 2 of the draft Regulations, or provide registrants with the right to refuse the release of such data, notwithstanding the views of the ICO referred to in paragraph 24 of this response.

In terms of the context of the individual-level census, the NASUWT is clear that there should be no direct contact with, or requirement placed on, teachers and other members of the school workforce, at Welsh Government, local authority or school level, to engage with census returns and/or the provision of information outside that which is already held by these bodies. The NASUWT would not expect teachers and other members of the school workforce to suddenly be bombarded with requests for information as a lead-in to the census and would advise members accordingly, if such practice was to develop.

**Question 2 – The draft regulations currently propose that schools, local authorities and the EWC will have a period of 27 days to complete data returns with a November census date. Do you agree with this proposal?**

Neither Agree nor Disagree

The NASUWT maintains that the question is misconceived as there is no time limit placed on the provision of information from schools in the draft Regulations and the reference to ‘days’ should be to ‘working days’.

In addition, the Union asserts that definition of ‘working days’ in the draft Regulation 4, Interpretation, must be changed to reflect the 195 days on which schools are required to be in session rather than relying on the meaning within the Banking and Financial Dealings Act 1971.

The NASUWT acknowledges the merit in conducting the census in November/early December but questions the suggestion in the consultation document that the first collection would not occur until November 2019.

**Question 3 – Currently, which sources of data on the school workforce do you use?**

EWC Annual Statistics Digest  
Annual PLASC bulletin  
StatsWales open data

The NASUWT has used the data sources referred to above to inform the work of the Union in holding the Welsh Government, local authorities, school governing bodies and school management to account for the various roles and responsibilities each body or group has in ensuring that the education service is adequately and equitably funded, managed in a fair and consistent manner and the children and young people



of Wales are provided with equality of opportunity both across Wales and when compared to the rest of the UK.

**Question 4 – The draft regulations currently propose the collection of data items within seven categories (staff details, contract and service agreement, absences, curriculum, qualifications, recruitment and retention, Welsh language and Welsh medium). Do you agree with the collection of these categories?**

Staff Details	Agree
Contract and service agreement	Agree
Absences	Agree
Curriculum	Agree
Qualifications	Agree
Recruitment and retention	Agree
Welsh Language and Welsh Medium	Agree

Although the NASUWT agrees with the collection of data from the categories listed, this agreement is offered in the context of the concerns and issues raised elsewhere in this response.

**Question 5 – We would like to know your views on the effects that the draft regulations proposed would have on the Welsh language, specifically on:**

- i) opportunities for people to use Welsh**
- ii) treating the Welsh language no less favourably than the English language.**

**What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?**

The NASUWT does not believe that the draft Regulations will affect the opportunities for people to use Welsh or that the Welsh language would be treated any less favourably than the English language unless the Regulations are, or are not, printed bilingually and the opportunity is, or is not, provided for the information to be supplied in Welsh.

The Union believes that the collection of data on the ability of the workforce to speak Welsh is clearly necessary in relation to the Welsh Government's policy on increasing the numbers of Welsh speakers and the growth in the number of Welsh medium schools. The collection of this data should assist the Welsh Government in devising strategies and policies to ensure that there are sufficient teachers, and other members of the school workforce, to deliver the curriculum requirements through the medium of Welsh.

**Question 6 - Please also explain how you believe the proposed draft regulations could be formulated or changed so as to have:**

- i) positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language**

- no less favourably than the English language**
- ii) no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.**

The NASUWT notes that this question serves only to repeat the second part of question 5 and appears to have been included by mistake.

**Question 7 – 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.**

The NASUWT notes that there is a lack of clarity in many parts of the draft Regulations. The nature of the data collection form and the fields and sub-fields included, together with the guidance provided to local authorities and schools must be clear and concise. The draft Regulations themselves may also require amendment to avoid ambiguities.

In addition to the comments made at paragraph 10 of this response in relation to the omission of the leading practitioner pay range and the unqualified teacher pay range from Section 7(b) of Schedule 1, the NASUWT also notes that information on Teaching and Learning Responsibility Payments and Special Needs Allowances are not included in Section 7. The NASUWT maintains that the collection of data on the use and level of payments of these allowances is essential.

Section 7(e) of Schedule 1 of the draft Regulations makes reference to a daily rate of pay. However, there is no clarity about the persons to whom this applies. The footnote references the STPCD in relation to supply teachers, who would be directly employed by the local authority, but it is also likely that support staff may be employed on a daily rate.

The NASUWT notes that provision of information on whether the person has been awarded the National Professional Qualification for Headship (NPQH) is not included in Schedule 1, although reference to meeting the standards for higher level teaching assistants is included at Section 3.

Section 8(a) of Schedule 1 of the draft Regulations makes reference to the 'areas of learning or subjects taught by P'. The NASUWT has noted concerns about the use of the subjects set out in Regulations 105 and 106 of the Education Act 2002 at paragraph 20 of this response.

Section 8(e) of Schedule 1 of the draft Regulations makes reference to 'the national curriculum school year P teaches'. However, this is likely to be more than one curriculum school year for the vast majority of teachers, including primary teachers, depending on the definition of the 'census period'.

Section 8(g) of Schedule 1 of the draft Regulations makes reference to 'the amount of tuition P has provided'. A definition of 'tuition' is required. For example, does this include form periods, after-school clubs, assemblies, etc?

Furthermore, Section 8(g) of Schedule 1 refers to 'the period of seven days'. The NASUWT questions this, as the STPCD, rightly, makes no provision for teachers to work on Saturdays and Sundays.

Section 10 of Schedule 1 requires information on absence on the census date. The NASUWT questions the necessity for this as it would also be covered under section 11.

Section 12 of Schedule 1 requires information on the reason for termination of contract. Specific data fields must be provided to ensure that there is consistency in reporting and that such reasons are generic and non-intrusive.

Section 14 of Schedule 1 requires information on the 'level of a person's Welsh language skills'. This will require the provision of specific data fields to ensure that there is consistency in reporting.

Section 15 of Schedule 1 requires information only on vacancies for teaching staff. The NASUWT questions why data on vacancies for other categories of staff is not required if the census is to capture information to inform workforce planning for the whole school workforce and not just teachers.

Section 15(c) of Schedule 1 will also require specific data fields to ensure that there is consistency in reporting the reason for vacancies not being filled.

Section 1(g) of Schedule 2 makes reference to the 'official reference number assigned by the Council, where such a number is held'. The NASUWT questions the circumstances in which the EWC would be holding information on persons who are not registrants.

The NASUWT also notes that the information held by the EWC in regard to Section 1(e) of Schedule 2 (ethnic group) and Section 2 of Schedule 2 (disabilities) will only be information volunteered by registrants and is, therefore, likely to be incomplete.

Section 3 of Schedule 2 requires information about the initial training of teachers, but it is not clear whether this includes those with PGCE.

Section 3(c) of Schedule 2 also includes the 'subject or subjects' studied by the school teacher. This is also ambiguous as it could relate to the person's first degree, especially regarding those who undertook PGCE, or the subjects studied during their teacher training. These, in any case, may differ from those as set out in Regulations 105 and 106 of the Education Act 2002. The Union also notes that Section 7 of Schedule 2 requires information on the qualifications held by a registered person but believes that this may duplicate the information required under Section 3(c) of Schedule 2.

Notwithstanding the NASUWT view that information should be collected by the Welsh Government from local authorities and schools rather than from the EWC, the Union notes that the provision of information on whether the person has met the standards for higher level teaching assistants as required under Section 3 of

Schedule 1 is not included in Schedule 2, although the award of the NPQH is included.

### 30. Nick Batchelar

City of Cardiff Council

**Question 1 – Do you agree with (option 5) the proposal to carry out an individual level census on the school workforce that utilises the EWC Register of Practitioners?**

**If you disagree, would options 1 to 4 be more suitable?**

Agree

**Question 2 – The draft regulations currently propose that schools, local authorities and the EWC will have a period of 27 days to complete data returns with a November census date. Do you agree with this proposal?**

Disagree

Local Authorities and schools will need to be provided with the census requirements well in advance of the census date in order to produce the reports on the due date. A period of quality assurance will be required and in the first year there may be a need for some flexibility.

It seems from the Draft regulations that information held by schools must be submitted to local authorities in order for the LA to complete the census. The workload impact on schools must be considered and there should be a clear timescale within which schools must submit the data. Local authorities will then require a period of time to merge the data from individual schools with its centrally held data in order for the census to be submitted. The proposed 27 days is a concern.

Clarification is sought on the '27 days' and if these are working days or calendar days.

We agree that the November timing seems most practicable.

**Question 3 – Currently, which sources of data on the school workforce do you use?**

Annual PLASC bulletin  
StatsWales open data

**Question 4 – The draft regulations currently propose the collection of data items within seven categories (staff details, contract and service agreement, absences, curriculum, qualifications, recruitment and retention, Welsh language and Welsh medium). Do you agree with the collection of these categories?**

Staff Details	Agree
Contract and service agreement	Agree

Absences	Agree
Curriculum	Agree
Qualifications	Agree
Recruitment and retention	Agree
Welsh Language and Welsh Medium	Agree

**Question 5 – We would like to know your views on the effects that the draft regulations proposed would have on the Welsh language, specifically on:**

- i) opportunities for people to use Welsh**
- ii) treating the Welsh language no less favourably than the English language.**

**What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?**

Whilst it is clear that data will be collected and used for monitoring and workforce planning purposes the regulations do not make any specific proposals in relation to i) and ii) above.

**Question 6 - Please also explain how you believe the proposed draft regulations could be formulated or changed so as to have:**

- i) positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language**
- ii) no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.**

No comment offered

**Question 7 – 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.**

We wish to make the following observations/comments:

**Data Governance**

As the local authority would be required to release personal data within the census we seek confirmation that the census is compliant with European data protection legislation.

We also seek confirmation that the changes within the new General Data Protection Regulations effective in May 2018, where applicable, are met.

It is clear that a Regulatory Impact Assessment has been undertaken, please clarify if a Privacy Impact Assessment has been undertaken. This is of particular importance due to the personal data included in the census. The regulations suggest that data might be shared with third parties. This needs to be factored into the PIA.

## **Data Records**

Local authorities and schools will need to work together to agree how the census will be undertaken. Whilst contractual, pay and personal data is held on local authority pay and personnel systems, information such as qualifications and Welsh language ability may not be held. Some local authority systems may have the ability to hold this information but development costs may be necessary and agreements will need to be reached on how the information can be input into the system.

The information about the teaching responsibilities of teachers can only be provided by schools. It may be necessary for schools to review the extent to which SIMS is used for this purpose as potentially there is a degree of variance.

Ultimately, the Census will have a workload impact in the period up to the first Census in order to comply with the reporting requirements.

### 31. Anonymous 1

**Question 1 – Do you agree with (option 5) the proposal to carry out an individual level census on the school workforce that utilises the EWC Register of Practitioners?**

**If you disagree, would options 1 to 4 be more suitable?**

Agree

**Question 2 – The draft regulations currently propose that schools, local authorities and the EWC will have a period of 27 days to complete data returns with a November census date. Do you agree with this proposal?**

Agree

**Question 3 – Currently, which sources of data on the school workforce do you use?**

Annual PLASC bulletin  
StatsWales open data

**Question 4 – The draft regulations currently propose the collection of data items within seven categories (staff details, contract and service agreement, absences, curriculum, qualifications, recruitment and retention, Welsh language and Welsh medium). Do you agree with the collection of these categories?**

Staff Details	Agree
Contract and service agreement	Agree
Absences	Agree
Curriculum	Agree
Qualifications	Agree
Recruitment and retention	Agree
Welsh Language and Welsh Medium	Agree

**Question 5 – We would like to know your views on the effects that the draft regulations proposed would have on the Welsh language, specifically on:**

- i) opportunities for people to use Welsh**
- ii) treating the Welsh language no less favourably than the English language.**

**What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?**

No comment offered



**Question 6 - Please also explain how you believe the proposed draft regulations could be formulated or changed so as to have:**

- i) positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language**
- ii) no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.**

No comment offered

**Question 7 – 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.**

No comment offered

## 32. Anonymous 2

**Cwestiwn 1 – Ydych chi'n cytuno â'r cynnig (opsiwn 5) i gynnal cyfrifiad lefel unigolion ar y gweithlu ysgolion sy'n defnyddio Cofrestr Ymarferwyr Cyngor y Gweithlu Addysg?**

**Os ydych chi'n anghytuno, a fyddai opsiynau 1 i 4 yn fwy addas?**

Cytuno

**Cwestiwn 2 – Ar hyn o bryd mae'r rheoliadau drafft yn cynnig y bydd gan ysgolion, awdurdodau lleol a Chyngor y Gweithlu Addysg 27 diwrnod i gwblhau'r ffurflenni data gyda'r cyfrifiad i'w gynnal ym mis Tachwedd. Ydych chi'n cytuno â'r cynnig hwn?**

Cytuno

**Cwestiwn 3 – Pa ffynonellau data am y gweithlu ysgolion ydych chi'n eu defnyddio ar hyn o bryd?**

Crynodeb Ystadegau Blynyddol CGA

**Cwestiwn 4 – Ar hyn o bryd mae'r rheoliadau drafft yn cynnig casglu eitemau o ddata mewn saith categori (manylion staff, contract a chytundeb gwasanaeth, absenoldebau, cwricwlwm, cymwysterau, recriwtio a chadw, iaith Gymraeg a chyfrwng Cymraeg). Ydych chi'n cytuno â chasglu'r categorïau hyn?**

Manylion staff	Cytuno
Contract a chytundeb gwasanaeth	Cytuno
Absenoldebau	Ddim yn cytuno nac yn anghytuno
Cwricwlwm	Cytuno
Cymwysterau	Cytuno
Recriwtio a chadw	Cytuno
Iaith Gymraeg a chyfrwng Cymraeg	Cytuno

**Cwestiwn 5 – Hoffem wybod eich barn ar yr effeithiau y byddai'r rheoliadau ddrafft arfaethedig yn eu cael ar yr iaith Gymraeg, yn benodol ar:**

- i) gyfleoedd i bobl ddefnyddio'r Gymraeg**
- ii) peidio â thrin y Gymraeg yn llai ffafriol na'r Saesneg.**

**Pa effeithiau rydych chi'n credu y byddai? Sut y gellid gynyddu effeithiau positif a lliniaru effeithiau negyddol?**

No comment offered

**Cwestiwn 6 – Eglurwch hefyd os gwelwch yn dda sut rydych chi'n credu y gall y rheoliadau ddrafft arfaethedig gael eu llunio neu eu haddasu er mwyn:**

- i) cael effeithiau positif ar gyfleoedd i ddefnyddio'r Gymraeg ac ar beidio â thrin y Gymraeg yn llai ffafriol na'r Saesneg**
- ii) peidio â chael effeithiau andwyol ar gyfleoedd i ddefnyddio'r Gymraeg ac ar beidio â thrin y Gymraeg yn llai ffafriol na'r Saesneg.**

No comment offered

**Cwestiwn 7 – Rydym wedi gofyn nifer o gwestiynau penodol. Os oes gennych chi faterion perthnasol nad ydym wedi rhoi sylw penodol iddynt, defnyddiwch y blwch isod i roi gwybod i ni amdanynt.**

No comment offered

### 33. Anonymous 3

**Question 1 – Do you agree with (option 5) the proposal to carry out an individual level census on the school workforce that utilises the EWC Register of Practitioners?**

**If you disagree, would options 1 to 4 be more suitable?**

Agree

The proposal would appear to offer a full and comprehensive view of the education workforce in Wales

**Question 2 – The draft regulations currently propose that schools, local authorities and the EWC will have a period of 27 days to complete data returns with a November census date. Do you agree with this proposal?**

Agree

**As long as the date is shared well in advance and does not conflict with other data collection systems/key processes within school then this is suitable.**

**Question 3 – Currently, which sources of data on the school workforce do you use?**

EWC Annual Statistics Digest  
Annual PLASC bulletin

**Question 4 – The draft regulations currently propose the collection of data items within seven categories (staff details, contract and service agreement, absences, curriculum, qualifications, recruitment and retention, Welsh language and Welsh medium). Do you agree with the collection of these categories?**

Staff Details	Agree
Contract and service agreement	Agree
Absences	Disagree
Curriculum	Agree
Qualifications	Agree
Recruitment and retention	Agree
Welsh Language and Welsh Medium	Agree

Concerns regarding data protection:

Would the absence data of staff be considered as personal data; what would be the purpose of the national collection of this information? How would you ensure it cannot/is not linked to individual staff?

A similar concern could also be raised about the contract and service agreement but it would depend more upon the level of data which was required at this point.

**Question 5 – We would like to know your views on the effects that the draft regulations proposed would have on the Welsh language, specifically on:**

- i) opportunities for people to use Welsh**
- ii) treating the Welsh language no less favourably than the English language.**

**What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?**

Having an overview will support the one million Welsh speakers goal and will help to shape and better-target opportunities for education workforce staff to achieve this.

**Question 6 - Please also explain how you believe the proposed draft regulations could be formulated or changed so as to have:**

- i) positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language**
- ii) no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.**

Localisation and targeting of training/funding/ITT etc

**Question 7 – 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.**

No comment offered

### 34. Anonymous 4

**Question 1 – Do you agree with (option 5) the proposal to carry out an individual level census on the school workforce that utilises the EWC Register of Practitioners?**

**If you disagree, would options 1 to 4 be more suitable?**

Agree

**Question 2 – The draft regulations currently propose that schools, local authorities and the EWC will have a period of 27 days to complete data returns with a November census date. Do you agree with this proposal?**

Agree

27 working days should be sufficient in most cases. We presume that ‘working days’ will not include school closure periods e.g. October half term. It will be important to agree a deadline for return of the data as far in advance as possible so that schools and local authorities can forward plan.

**As long as the date is shared well in advance and does not conflict with other data collection systems/key processes within school then this is suitable.**

**Question 3 – Currently, which sources of data on the school workforce do you use?**

EWC Annual Statistics Digest  
Annual PLASC bulletin  
StatsWales open data

**Question 4 – The draft regulations currently propose the collection of data items within seven categories (staff details, contract and service agreement, absences, curriculum, qualifications, recruitment and retention, Welsh language and Welsh medium). Do you agree with the collection of these categories?**

Staff Details	Agree
Contract and service agreement	Agree
Absences	Agree
Curriculum	Agree
Qualifications	Agree
Recruitment and retention	Agree
Welsh Language and Welsh Medium	Agree

Account needs to be taken of the fact that the information local authorities can provide will often only be as good as the information that schools provide to the local authority e.g. there is a chance that not all schools consistently or accurately record staff sickness absences.

There can equally be some inconsistency between the contractual information local authorities hold relating to school staff and the reality of the situation in the school e.g. a member of staff may have been appointed on a fixed-term basis but a school may then have made them permanent, but may not have updated the 'contract status' field on the payroll system.

Whilst local authorities do – and will continue to - advise schools of the need to record and maintain staffing information properly, they are unable to police this.

It should also be noted that local authority payroll systems vary – as a result, so does the level of information they hold. For example, one system might be capable of recording detailed reasons for staff sickness absence such as 'anxiety', whereas another system might instead record the broad nature of the absence such as 'mental health'.

**Question 5 – We would like to know your views on the effects that the draft regulations proposed would have on the Welsh language, specifically on:**

- i) opportunities for people to use Welsh**
- ii) treating the Welsh language no less favourably than the English language.**

**What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?**

No comment offered

**Question 6 - Please also explain how you believe the proposed draft regulations could be formulated or changed so as to have:**

- i) positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language**
- ii) no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.**

No comment offered

**Question 7 – 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.**

No comment offered