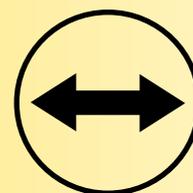


The General Teaching Council for Wales (Constitution) (Amendment) Regulations 2007 – a consultation on the composition of the Council.

**Consultation
Document**



Date of Issue: 26 June 2006

Action Required: Responses by 8 September 2006

**Teaching and
Leadership**



- Title of Document :** The General Teaching Council for Wales (Constitution) (Amendment) Regulations 2007 – a consultation on the composition of the Council.
- Audience:** Those bodies listed in the Schedule to the General Teaching Council for Wales (Constitution) Regulations 1999 (as replaced by the General Teaching Council for Wales (Constitution) (Amendment) Regulations 2003); Directors of Education; 10% sample of maintained schools in Wales and other bodies concerned with education in Wales including the Initial Teacher Training Institutions; Higher and Further Education Institutions; the General Teaching Councils and teaching unions.
- Overview:** This document invites views on proposed amendments to The General Teaching Council of Wales Constitution Regulations 1999 (as amended).
- Action required:** Please respond by 8 September 2006. Response forms can be sent to:
Mr Ryan Taylor
Practitioner Development 2
Department for Education, Lifelong Learning & Skills
Welsh Assembly Government
Cathays Park
Cardiff
CF10 3NQ
or completed electronically and sent to:
gtcw.enquiries@wales.gsi.gov.uk
- Further information:** Enquiries about this document should be directed to:
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Tel: 029 2082 3039 or 029 2082 6055
Fax: 029 2082 6109
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Tel:029 2080 1030
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E-mail: gtcw.enquiries@wales.gsi.gov.uk
or from the Assembly's website www.learningwales.gov.uk
- Related Documents:** The General Teaching Council for Wales (Constitution) Regulations 1999, SI 1999/(no. 1619)
The General Teaching Council for Wales (Constitution) (Amendment) Regulations 1999, SI 1999/(W.43)
The General Teaching Council for Wales (Constitution) (Amendment) Regulations 2003, SI 2003/(W.51)

The General Teaching Council for Wales (Constitution) (Amendment) Regulations 2007 – a consultation on the composition of the Council

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The General Teaching Council for Wales (Constitution) (Amendment) Regulations 2007 – a consultation on the composition of the Council

Summary

This consultation invites views on proposals to amend The General Teaching Council of Wales (Constitution) Regulations 1999, as amended, by The General Teaching Council for Wales (Constitution) (Amendment) Regulations 2003 <http://www.opsi.gov.uk/legislation/wales/wsi1999/993185e.htm>, that govern the arrangements by which members of the General Teaching Council for Wales (GTCW) are elected and appointed.

A consultation previously took place in July 2005. This suggested minor amendments to the regulations in the light of experiences of running two elections and two rounds of appointments to the Council, the aim being to introduce the regulations in March 2006. From the comments we received during the consultation that ended on 14 October 2005 we clearly had the support to amend the regulations in the way we had proposed. Three issues, however, were raised about the composition of the Council that had not been included in the consultation. Given the importance of the issues raised it was decided to put the amending regulations on hold that so that we could undertake a full and thorough consultation on the additional issues. These additional issues are fully described in Section 2.

It is intended that the new regulations will come into force in March 2007 in readiness for a new round of appointments to the Council, which need to be made to commence in September 2007. The draft regulations are not included with this consultation but will be developed in the light of the views that come forward.

Comments are also invited on the draft Regulatory Appraisal at Annex C.

The closing date for this consultation is **8 September 2006**.

Responses should be sent to:

Mr Ryan Taylor
Practitioner Development 2
Department for Education, Lifelong Learning & Skills
Welsh Assembly Government
Cathays Park, Cardiff, CF10 3 NQ
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N.B prior to public consultation this document has been considered by the School Workforce Advisory Panel (SWAP) whose members have agreed that there appear to be no significant workload issues.

Section 1: Background

1. The General Teaching Council for Wales was established by the National Assembly for Wales on 1 September 2000. It provides an independent and authoritative voice for teachers, and was established to maintain and enhance high standards of teaching.
2. The General Teaching Council for Wales (Constitution) Regulations 1999 <http://www.opsi.gov.uk/si/si1999/19991619.htm>, as amended, (the 1999 Regulations) provide for the constitution of the GTCW. The Council consists of 25 members:
 - Category 1: twelve are teachers elected by their fellow professionals;
 - Category 2: nine are appointed by the Assembly Minister for Education, Lifelong Learning and Skills from nominations made from a list of organisations with interests in the education field (including 4 members from nominations from the 8 teacher unions);
 - Category 3: four members are appointed directly by the Minister for Education, Lifelong Learning and Skills.
3. The Schedule to the 1999 Regulations, which sets out the list of organisations entitled to nominate persons for appointment by the National Assembly for Wales, was replaced by a new Schedule in March 2003 following consultation with interested bodies to take account of changes to those organisations listed, for example, in terms of title or changes to constitution (Annex D). The current list of bodies as included in the General (Constitution) (Amendment) Regulations 2003 can be accessed at <http://www.opsi.gov.uk/legislation/wales/wsi2003/20030389e.htm>
4. It is nearly six years since the General Teaching Council for Wales was established. In that time 37 people have served on the Council, having been elected or appointed by the Minister for Education, Lifelong Learning and Skills, either following a nomination or an open advertisement. There have been two elections, one administered by the Welsh Assembly Government, one by the General Teaching Council for Wales, and two rounds of appointments.

2005 Consultation on the composition of the Council

5. In the light of the experience gained to date and following an evaluation that was undertaken by the Council of the 2004 elections in July 2005, the Welsh Assembly Government consulted widely on proposed amendments to the regulations that govern the arrangements by which members of the General Teaching Council for Wales are elected and appointed. Our overall aim was to bring some clarity to the various voting categories as set out in legislation.

6. The 2005 consultation sought views on the Assembly Government's plans to:

- amend the existing election categories to include Assistant Headteachers; to ensure that at least one of the elected candidates in the Head/Deputy Head and Assistant Head category is from the primary sector and one from the secondary sector;
- amend the existing election categories for teachers of pupils to avoid confusion;
- clarify who may stand as a candidate for election;
- remove the requirement for the Minister for Education, Lifelong Learning and Skills to approve the Council's election scheme.

7. From the comments we received we clearly had support to develop regulations based on the plans outlined. A summary of the responses has been published on the Assembly's web-site http://new.wales.gov.uk/topics/educationandskills/education_and_skills_consultatio/42571641111?lang=en

8. Three additional issues, however, were also raised about the composition of the Council that were not included in the consultation and these are :

- the need to clarify the position of elected and directly appointed members;
- a call for all teacher unions in Wales to be given a guaranteed place on the Council;
- a request that consideration be given to providing representation based on the linguistic nature of the education system in Wales.

9. Given the significance of these issues, and after careful consideration, it was decided to put the proposed regulations on hold and to undertake a full and thorough consultation on the additional issues. In order for us to be in a position to do this we asked 13 members of the Council, whose term of appointment was due to end in August 2006, to serve for a further year. Without exception they all agreed, and we are grateful to them for doing this.

10. Our intention is to introduce one set of new regulations to come into force in March 2007 that will reflect the outcome of both the 2005 consultation and this current consultation on the additional issues.

Section 2 : Additional issues

11. As previously mentioned, there were three issues that fell outside the scope of the 2005 consultation on which we would welcome further views.

Issue 1

12. Two organisations, the General Teaching Council for Wales and the National Association for Head Teachers (NAHT) asked if we could clarify the position of elected and directly appointed members.

13. As the regulations currently stand only nominated members appointed by the Assembly (ie – those in category 2 – see para 2) are required to “act as individual members and not as representatives of the organisations which nominated them”. The Council finds this requirement very helpful in clarifying the capacity in which members approach the Council table and Council business in general, but feel that this could be extended so that it applies to all members of the Council i.e. those elected (category 1), those appointed from nomination (category 2) and those directly appointed (category 3). This, they say, would reflect and strengthen the Council’s own ‘Code of Conduct and Best Practice for Members’ which already says that ‘members observe the relevant Regulations which govern their membership of the Council and act as individuals in their own right and not as representatives of any organisations to which they may be belong.’

14. From the outset, it was expected that the General Teaching Council for Wales would be an independent organisation which was objective and able to speak with a distinct voice free of vested interest. This still remains our view.

Q1. Do you agree that the current requirement that applies only to nominated members which requires them to “act as individual members and not as representatives of the organisations which nominated them” should be extended to cover all members of the Council?

Issue 2

15. The National Union for Teachers (NUT) and National Association for Schoolmasters Union of Women Teachers (NASUWT) called for all teacher unions in Wales to be given a guaranteed place on the Council.

16. Both of these teaching unions have suggested that teachers would be better served if teacher unions in Wales were given a guaranteed place on the Council as is the case with the General Teaching Council for England. The NUT argue that at present, union representatives could be drawn from the minority unions only, despite the fact that the NUT represents 50% of teachers in Wales.

17. The General Teaching Council for Wales currently has 25 members -
- Category 1 - twelve are teachers elected by their fellow professionals;
 - Category 2 - nine are appointed by the Assembly Minister for Education, Lifelong Learning and Skills from nominations made from a list of organisations with interests in the education field (including 4 members from nominations from the 8 teacher unions who must be teachers); All nominees are invited to interview and decisions on appointments are made on the basis of fair and open competition and in line with the Assembly Code of Practice on Public Appointments.
 - Category 3 - four members are appointed directly by the Assembly Minister for Education, Lifelong Learning and Skills. Again applicants are invited to interview and decisions on appointments are made on the basis of fair and open competition.

The changes proposed, therefore, by the NUT and NASUWT only apply to those members in Category 2.

18. Since its establishment in September 2000, the Council has worked well as an organisation and the composition outlined above has ensured that the Council has a broad range of expertise among its members; has not been unwieldy and has been effective in its decision making. It has also ensured that consideration has been given to the geographic, linguistic and gender balance of the Council.

19. The Council represents a broad spectrum of interests across the education field which allows it to act independently from any one cause or interest group. Its wide variety of membership which reflects both the teaching profession and the public interest through its lay members has been a key factor in the success of the Council in terms of its regulatory, advisory and operational functions.

20. We believe that a key strength of the Council's current composition is that in addition to ensuring that there is a majority of teacher members on the Council (the Welsh General Teaching Council currently has the highest percentage of teacher members compared to its overall membership of all the UK Teaching Councils), it also provides for an outward looking professional body with a diverse range of members from the education service and other walks of life. Moreover, we have never been led to believe that the current operating constitution has caused any difficulties and is in need of modification. We would, however, welcome your views. In doing so we would ask you to bear in mind the following points.

21. Currently there are 8 teacher unions listed in Part 1 of Schedule of the General Teaching Council for Wales (Constitution) (Amendment) Regulations 2003). Giving guaranteed seats to the each of these unions would increase the size of the Council from 25 to 29 members. At present four members are selected by the Assembly Government from nominations made by each of the eight teaching unions. This mechanism ensures that these appointments are made on merit in accordance with the Assembly's Code of Practice on Public Appointments.

22. Agreeing to the NUT/NASUWT's proposal would ensure that all teaching unions have a seat on the Council at all times, which is not the case under the present system. For example, in the Council's first term the NUT was not represented, and currently the NASUWT does not have a seat on the Council.

23. An increase in the number of Council members would mean additional costs for the Council and it is possible, therefore, that this could mean an increase in the fee paid by teachers.

24. Giving every teaching union a place on the Council could also affect the balance of the Council and result in there being less influence from other organisations with an interest in education. The current system works by limiting the size of the Council and maintaining a balance of two thirds from within the teaching profession and one third lay membership. Your views are invited.

Q2. Do you feel that all the teacher unions in Wales should be given a guaranteed place on the Council?

Q3. Would this better serve the teaching profession?

Q4. Do you think the status quo should be maintained?

Other options

25. If you support Q2, we would welcome your views on how this can be achieved. There are a number of options.

26. At present, in category 2 of the membership, the Assembly Government appoints nine members from nominations made by organisations with an interest in education including teaching unions. Four of these are union nominees, from Part 1 of the Schedule to the Regulations, and five are nominees made by interested bodies in the education sector from Part 2 of the Schedule to the Regulations. All appointments are made on merit and in accordance with the Assembly Code on Public Appointments.

A number of possible options are presented below for your consideration.

Option A

27. One place on the Council could be allocated to each teacher union listed in Part 1 of the Schedule to the Regulations. This would mean either increasing the size of the Council from 25 to 29 members, or reducing the number of members that are selected from Part 2 of the Schedule (nominated by interested bodies) from 5 to 1. We welcome your views.

Q5. Do you think the size of the Council should be increased to include a member from each of the unions currently listed in Part 1 of the Schedule to the Regulations ?

Q6. Do you think the list of organisations in Part 1 of the Schedule to the Regulations accurately reflects the teaching unions in Wales ? If not, who do you suggest should be listed?

Q7. Do you think that the number of nominated places for interested bodies should be reduced so that we can give automatic places to the teaching unions?

Option B

28. Rather than give automatic places to all the teacher unions, which could increase the size of the Council, we could give automatic places to the two largest teaching unions (in terms of the number of teachers represented) i.e. the NUT and NASUWT and determine the other two union members as now, following nomination and interview.

29. This would satisfy the requests that have been made by the NUT and NASUWT and ensure that there continued to be a majority of teachers on the Council. It would, however, lessen the opportunities for the smaller unions (in terms of the number of teachers they represent) to play a part.

Q8. Do you think there would be any benefit to be achieved in giving automatic places to the two largest teaching unions, and selecting the other two union places by interview following nomination?

Option C

30. We could merge Part 1 and 2 of the Schedule to the Regulations. This would mean that there would be one list of nominating bodies from which the Assembly Government could select nine members to the Council. This would, however, also mean that there would be no limit on the number of appointments being made from nominations submitted by the teaching unions. As the appointments are, however, made on the basis of a successful interview, there would be no automatic places for union nominees and, if less than the current four nominees were successful, this would affect the balance of teacher representation on the Council (currently there is a requirement that nominees put forward by the teaching unions in Part 1 of the Schedule to the Regulations are teachers. These together with the elected teacher members (Category 1) ensures there is always a majority of teacher members on the Council).

Q9. Do you think it would be helpful to merge Part 1 and Part 2 of the Schedule to the 1999 Regulations, as amended, so that there is one list from which the Assembly Government could select nine members?

Option D

31. We could amend the Regulations so that the unions listed in Part 1 of the Schedule determine between themselves who should fill the four places on the Council reserved for union members. An extension of this idea may be to allocate union places on the Council on a rotational basis so that all unions were represented over a period of time.

32. This would give autonomy to the unions who would need to set up an appropriate mechanism for the selection process ensuring openness and transparency within the selection system.

Q10. Do you think there is merit in the decision making process being handed to the unions themselves or should the Assembly Government continue to make these appointments on the basis of nominations made ?

Q11. If the unions were to decide the appointments, do you think that places should be determined on a rotational basis ?

Issue 3

33. The Welsh Language Board has asked if consideration could be given to providing representation based on the linguistic nature of the education system in Wales.

34. This is not an issue about the ability of members to speak Welsh, rather about them being representative of the Welsh-Medium education sector. The appointments made by the Assembly Government both directly and from nominations ensure that the linguistic balance of the Council is adequate and in fact, at present, 8 out of 25 Council members speak Welsh. There is, however, no specific representation from the Welsh-medium education sector. The Welsh Medium education sector does not have a specific opportunity to nominate a member for appointment to the Council.

35. While there is not a specific election category for teachers in the Welsh medium sector, there is nothing to preclude teachers from this sector from seeking election under any of the categories. Alternatively it is open to any person to apply for one of the appointments made directly by the Assembly Government.

36. We could address the Welsh Language Board's concern by amending the Regulations to include a representative body from the Welsh Medium Sector in Part 2 of the Schedule to the Regulations so that they can nominate a person who will be considered for appointment. We welcome your views.

Q12. Do you think the existing opportunities are adequate for the Welsh medium sector to be represented on the Council, and that the Regulations should remain as they are?

Q13. Do you think there would be benefit in adding a body which is representative of the Welsh –medium Sector to the list of bodies able to nominate candidates for appointment ? If yes, can you make a suggestion as to which body this should be?

Section 3: Responses

37. Please respond on the enclosed proforma by 8 September 2006 with any comments you have on the proposals. The completed proforma should be sent to:

Mr Ryan Taylor
Practitioner Division 2
Department for Education Lifelong Learning and Skills
Welsh Assembly Government
Cathays Park
Cardiff
CF10 3NQ

Or complete the form electronically and send to: gtcw.enquiries@wales.gsi.gov.uk

Thank you for taking the time to let us have your views.

Annex A

	Name	Sector/Interest
Elected Members	Dr Elwyn Davies	Headteacher, Pencoed Comprehensive School, Bridgend LEA
	Gwen Williams	Former Headteacher, Edwardsville Infants School, Merthyr Tydfil LEA
	Frank Bonello	Head of Welsh, Tonypany Community College, Rhondda Cynon Taff LEA
	Angela Jardine	Teacher, Gabalfa Primary School, Cardiff LEA
	Tim Cox	Teacher, Bryn Hafren Comprehensive School, Vale of Glamorgan LEA
	Goronwy Jones	Headteacher, Baden Powell Primary School, Cardiff LEA
	Valerie Merriman	Teacher, Abergwynfi Infant School, Neath Port Talbot LEA
	Anthony H Hughes	Headteacher, Pontrhydyfen Primary School, Neath Port Talbot LEA
	Jane Setchfield	Teacher, Head of Chemistry, Llanedryn High School, Cardiff LEA
	Jean Campion	Teacher, Mount Pleasant Primary School, Newport LEA
	Rosemond Nelson	Athrawes Fro, in charge of a Welsh Language Centre, Carmarthenshire LEA
	Suzanne Nantcurvis	Geography teacher, Head of Careers, Director of Sixth Form Studies, Ysgol Dinas Bran, Denbighshire LEA
Nominated Members	Mal Davies (Chairman)	Headteacher, Willows High Schools, Cardiff LEA. Nominated by National Union of Teachers (NUT)

Peter Williams	Diocesan Director of Education, Wrexham LEA Nominated by Churches Joint Education Policy Committee (CJEPC)
Professor Gareth Roberts	Professor of Education, Bangor University, Gwynedd LEA. Nominated by the Universities Council for the Education of Teachers (UCET)
Richard Parry Jones	Director of Education, Ynys Mon LEA. Nominated by Welsh Local Government Association (WLGA)
Nichola Jones	Assistant Head, Special Educational Needs Service, Bridgend LEA. Nominated by National Association of Special Educational Needs (NASEN)
Susan Jenkins	Headteacher St Joseph's RC High School, Newport LEA. Nominated by Welsh Secondary Schools Association (WSSA)
Gareth H Jones	Headteacher, Bryn Celynnog Comprehensive School, RCT LEA. Nominated by Secondary Heads Association (SHA)
Ronald Carrotte	Headteacher, Ysgol Maesydderwen, Swansea LEA. Nominated by Association of Teachers and Lecturers (ATL)
Michael Edwards	Head Teacher, Maes-y-coed Primary School, RCT LEA. Nominated by National Association of Head Teachers (NAHT)
Directly Appointed Members	Jacqueline Turnbull Lecturer University of Glamorgan,
	Sheila Drayton Independent Consultant
	Ian Guy Lawyer, Neath Port Talbot Council,
	Jacquelyn Tonge Retired Chief Executive, Powys County Council

List of Schools Consulted

Ysgol Gynradd Kingsland	Anglesey
Ysgol Bodfeurig	Gwynedd
Ysgol Dolbadarn	Gwynedd
Ysgol Gynradd Llanllechid	Gwynedd
Y.G. Rhydyclafdy	Gwynedd
Ysgol Babanod Coed Mawr	Gwynedd
Ysgol Y Traeth	Gwynedd
Ysgol Gynradd Y Ganllwyd	Gwynedd
Ysgol Gynradd Y Parc	Gwynedd
Ysgol Gynradd Aberdyfi	Gwynedd
Ysgol Ein Harglwyddes	Gwynedd
Ysgol Y Gader	Gwynedd
Ysgol Gynradd Dolwyddelan	Conwy
Ysgol Gynradd Ro Wen	Conwy
Ysgol Y Foryd	Conwy
Ysgol Glan Conwy	Conwy
Betws Yn Rhos Primary School	Conwy
Eirias High School	Conwy
Ysgol Y Castell	Denbighshire
Ysgol Esgob Morgan	Denbighshire
Gellifor C.P. School	Denbighshire
Ysgol Brynhyfryd	Denbighshire
Howell's School	Denbighshire

Ysgol Tir Morfa	Denbighshire
Llwyn Onn Special Education Centre	Flintshire
Ysgol Glan Aber C.P.	Flintshire
Greenfield C.P. School	Flintshire
Northop Hall C.P. School	Flintshire
Ysgol Terrig	Flintshire
Broughton Infants School	Flintshire
Rhes-Y-Cae Controlled	Flintshire
Ysgol Y Llan, Whitford V.P.	Flintshire
Flint High School	Flintshire
Argoed High School	Flintshire
The Rofft C.P. School	Wrexham
Penycae Junior C.P. School	Wrexham
Tanyfron C.P. School	Wrexham
Hafod Y Wern Infants C.P. School	Wrexham
Rhosymedre Infants C.P. School	Wrexham
Ysgol Bodhyfryd	Wrexham
Borderbrook School	Wrexham
Berriew C.P. School	Powys
Llangurig C.P. School	Powys
Ladywell Green Nurs. & Inf. School	Powys
Ysgol Gynradd Glantwymyn	Powys
Crickhowell C.P. School	Powys
Llanrhaeadr Ym Mochnant C.P. School	Powys
Llanfechain C.I.W. School	Powys
Builth Wells High School	Powys

Ysgol Gynradd Felinfach	Ceredigion
Ysgol Gymraeg Aberystwyth	Ceredigion
Ysgol Gynradd Llanilar	Ceredigion
Ysgol Gynradd Beulah	Ceredigion
Y.G. Capel Dewi	Ceredigion
Ysgol Gynradd Trewen	Ceredigion
Y.G. Blaenporth	Ceredigion
Trefilan V.C.P. School	Ceredigion
Ysgol Gyfun Dyffryn Teifi	Ceredigion
Johnston C.P. School	Pembrokeshire
Pennar CP Junior School	Pembrokeshire
Roch C.P. School	Pembrokeshire
The Greenhill School	Pembrokeshire
Portfield Special School	Pembrokeshire
Ysgol Gynradd Drefach	Carmarthenshire
Ammanford Junior School	Carmarthenshire
Ysgol Gynradd Ystradowen	Neath, Port Talbot
Ysgol Gynradd Llansawel	Carmarthenshire
Llanmiloe C.P. School	Carmarthenshire
Llangennech Junior School	Carmarthenshire
Ysgol Llanstephan	Carmarthenshire
Swiss Valley C.P. School	Carmarthenshire
Llandeilo C.P. School	Carmarthenshire
Pontyberem C.P. School	Carmarthenshire
Ferryside V.C.P. School	Carmarthenshire
Pentip V.A. C.I.W. Primary	Carmarthenshire

Queen Elizabeth	Carmarthenshire
Bryn Nursery School	Swansea
Brynhyfryd Infants School	Swansea
Glais Primary School	Swansea
St Helen's Primary School	Swansea
Mayals Primary School	Swansea
Hendrefoilan Primary School	Swansea
Crwys Primary School	Swansea
Pengelli Primary School	Swansea
Knelston Primary School	Swansea
YGG Llwynderw	Swansea
Pentrehafod School	Swansea
Ffynone House School	Swansea
Blaengwrach Primary School	Neath, Port Talbot
Coedffranc Infant School	Neath, Port Talbot
Cymer Afan Primary School	Neath, Port Talbot
Llansawel Primary School	Neath, Port Talbot
Croeserw Primary School	Neath, Port Talbot
Ysgol G.G.D. Rhiwfawr	Swansea
Y.G.G. Pontardawe	Neath, Port Talbot
St Joseph's Infant School	Neath, Port Talbot
Sandfields Comprehensive School	Neath, Port Talbot
Garth Primary School	Bridgend
Nottage Primary School	Bridgend
Ysgol Cynwyd Sant	Bridgend
Cefn Glas Infant School	Bridgend

Maes yr Haul Primary School	Bridgend
Ynysawdre Comprehensive School	Bridgend
Albert C.P. School	Vale of Glamorgan
Holton Primary School	Vale of Glamorgan
Llanilltud Fawr Primary	Vale of Glamorgan
Ysgol Iolo Morganwg	Vale of Glamorgan
Gwenfo C.I.W. Primary	Cardiff
St Helen's R.C. Junior School	Vale of Glamorgan
St Richard Gwyn R.C. High School	Vale of Glamorgan
Ysgol Erw'r Delyn	Vale of Glamorgan
Abernant Primary School	Rhondda, Cynon, Taff
Caegarw Primary School	Rhondda, Cynon, Taff
Caradog Primary School	Rhondda, Cynon, Taff
Cwmdar County Primary School	Rhondda, Cynon, Taff
Maerdy Infants School	Rhondda, Cynon, Taff
Penygraig Junior School	Rhondda, Cynon, Taff
Trehopcyn Primary School	Rhondda, Cynon, Taff
Ynysboeth Junior School	Rhondda, Cynon, Taff
Ysgol G.G. Llyn Y Forwyn	Rhondda, Cynon, Taff
Gwauncelyn primary	Rhondda, Cynon, Taff
Ysgol Gyfun Rhydfelen	Rhondda, Cynon, Taff
Treorchy Comprehensive School	Rhondda, Cynon, Taff
Trefechan Nursery School	Merthyr Tydfil
Dowlais Infants School	Merthyr Tydfil
Trelewis Primary School	Merthyr Tydfil
St Mary's R.C. Primary School	Merthyr Tydfil

Afon Taf High School	Merthyr Tydfil
Oakdale Infant School	Caerphilly
Waunfawr Primary School	Caerphilly
Nant Y Parc Primary School	Caerphilly
Lansbury Park Infant School	Caerphilly
Lower Rhydney Primary School	Caerphilly
Cwmfelinfach Primary School	Caerphilly
Twyn Primary School	Caerphilly
Risca Community School	Newport
Lewis Girls' Comprehensive School	Caerphilly
Sirhowy Infant School	Blaenau Gwent
Willowtown Primary School	Blaenau Gwent
Llanyrafon Primary School	Torfaen
Garnteg Primary School	Torfaen
Our Lady of the Angels R.C	Torfaen
Fairwater High School	Torfaen
Crownbridge Special Day School	Torfaen
Thornwell Primary School	Monmouthshire
The Dell Primary School	Monmouthshire
Ysgol Gymraeg Y Ffin	Monmouthshire
Osbaston C.V. Primary School	Monmouthshire
Haberdashers Monmouth School For Girls	Monmouthshire
Fairoak Nursery School	Newport
Gaer Infant School	Newport
St Julians Infant School	Newport
Millbrook Junior School	Newport

Caerleon (Lodge Hill) Infants School	Newport
St Mary's R.C. Primary	Newport
Hartridge High School	Newport
Caerau Nursery School	Cardiff
Albany Primary School	Cardiff
Hawthorn Junior School	Cardiff
Radnor Primary School	Cardiff
Peter Lea Primary School	Cardiff
Mount Stuart Primary	Cardiff
Coryton Primary School	Cardiff
Oakfield Primary School	Cardiff
Ysgol Pencae	Cardiff
Tredegarville C.I.W. Primary School	Cardiff
St David's C.I.W. Primary School	Cardiff
Llanedeyrn High School	Cardiff
The Academy	Cardiff
Ty Gwyn Special School	Cardiff
Ysgol Gynradd Aberffraw	Anglesey
Ysgol Henblas	Anglesey
Ysgol Gynradd Rhosneigr	Anglesey
Ysgol Llandygai	Gwynedd
Ysgol Y Llys	Denbighshire
Ysgol Dyffryn Ial	Wrexham
Golftyn C.P. School	Flintshire
Presteigne C.P. School	Powys
Ysgol Gymraeg Cwmtwrch	Swansea

Clyro C.I.W. School	Powys
St. Michael's C.I.W. School	Powys
Macintyre Care - Womaston School	Powys
The Meads C.P. Infant & Nursery School	Pembrokeshire
St Francis V.R.C. School	Pembrokeshire
Ysgol Gynradd Bancffosfelen	Carmarthenshire
Nant Y Cwm School	Pembrokeshire
Primary Education Centre	Swansea
Bridgend Pupil Referral Unit	Bridgend
Cogan Nursery School	Vale of Glamorgan
Ferndale Infants School	Rhondda, Cynon, Taff
Rhiwgarn Infant School	Rhondda, Cynon, Taff
Corpus Christi Catholic High School	Cardiff

REGULATORY APPRAISAL

EDUCATION, WALES

THE GENERAL TEACHING COUNCIL FOR WALES (CONSTITUTION) (AMENDMENT) REGULATIONS 2007

Purpose and intended effect of the Regulations

1. The Regulations will amend the General Teaching Council for Wales (Constitution) (Amendment) Regulations 1999, as amended, which govern the arrangements by which members of the Council are elected and appointed. The exact wording of the amending Regulations has yet to be decided and will be subject to views expressed in the consultation.
2. A consultation previously took place in July 2005. This suggested minor amendments to the regulations in the light of experiences of running two elections and two rounds of appointments to the GTCW, the aim being to introduce the regulations in March 2006. The consultation ended on 14 October 2005 and from the comments received we clearly had the support to amend the regulations in the way we had proposed.
3. Three issues, however, were raised about the composition of the Council that had not been included in the consultation, and it was decided to put the amending regulations on hold that so that we could undertake a full and thorough consultation on the additional issues.
4. The new regulations which we will be introducing, to come into force in March 2007, will reflect the outcome of the current consultation on the additional issues, as well as making the following amendments for which we had support in the 2005 consultation:
 - to amend the existing election categories to include Assistant Headteachers; to ensure that at least one of the elected candidates in the Head/Deputy Head and Assistant Head category is from the primary sector and one from the secondary sector;
 - to amend the existing election categories for teachers of senior pupils and teachers of junior pupils to avoid confusion;
 - to clarify who may stand as a candidate for election;
 - to remove the requirement for the Minister to approve the GTCW election scheme.

5. The three additional issues that have been raised for consideration, are:
- (i) the need to clarify the position of elected and directly appointed members;
 - (ii) a call for all teacher unions in Wales to be given a guaranteed place on the Council;
 - (iii) a request that consideration be given to providing representation based on the linguistic nature of the education system in Wales.

Risk Assessment

6. If the amendments to the Regulations are not put in place then there could be confusion when the next appointments/elections arise. Having identified possible areas of confusion it is only proper to take the opportunity to aid understanding. To do otherwise could adversely affect the future elections/appointments to the Council. This would result in the GTCW being unable to operate which would impact negatively on all the GTCW's functions including the statutory registration of teachers, teacher disciplinary procedures and the administration of the individually focussed Continuing Professional Development programme for teachers.

We could also continue to be pressed by the teacher unions and other bodies in Wales, that the issues they have raised about the composition of the GTCW have not been considered by the Assembly Government.

Options

7. There are two options:

(a) Do nothing

If we do not make the amendments proposed in 2005 (listed in paragraph 4) there is likely to be confusion during the next GTCW elections in 2008. There is also the possibility that the list of nominating bodies will not be accurate, which could result in a reduced pool of candidates from which to select the Assembly appointed Council members in 2007. If the additional amendments (listed in paragraph 5) are not made, this would not adversely affect the appointments/elections process, which could continue as now.

(b) Make the Legislation

If we make these amendments we ensure that :

- the next round of Assembly appointments in 2006 is carried out on the basis of an accurate and up to date list of nominating bodies and that all appointments are made from the largest pool of candidates possible;
- some types of teacher, previously under-represented on the Council (e.g. assistant head teacher and head teacher/deputy head teacher in the

senior pupils category) are no longer disadvantaged;

- the titles of the election categories are clear so as to avoid confusion in the GTCW elections in 2008;
- the criteria to stand as a candidate for election is clear;
- burdens upon the Council, in terms of having to seek the Assembly's approval to the election scheme, are removed in line with the Council's growing independent status;
- we will be sure that the composition of the Council has the support of all the teaching unions and interested bodies.

Costs

8. There are no financial implications for the Assembly. Any changes to guidance as a result of these amendments will be met from within existing budgets. If the size of the Council is increased there would be small additional costs in terms expenses paid to members. If these could not be borne within the Council's existing budget, there is a slight possibility that there would need to be an increase in the fee charged to teachers.

Consultation

9. We intend to consult electronically for a thirteen week period from 26 June. All bodies listed in Schedule 1 to the Regulations plus other interested bodies will be consulted together. The views expressed in the consultation will be taken into account in drafting the amending Regulations.

Enforcement, Monitoring and Review

10. The Assembly Government holds regular meetings with the GTCW to discuss a wide variety of issues impacting on the Council including its statutory obligations. This will continue if the proposals are implemented.

Summary

11. The proposed Regulations will ensure that the Assembly appointment exercise in 2007 and the GTCW elections in 2008, run as smoothly as possible.

**Schedule 1 to The General Teaching Council for Wales
(Constitution) (Amendment) Regulations 2003 - Bodies
entitled to make nominations to the GTCW**

PART ONE

- 1 National Union of Teachers (Cymru)
2. National Association of Schoolmasters Union of Women Teachers (Cymru)
3. Secondary Heads Association in Wales
4. Professional Association of Teachers
5. National Association of Head Teachers in Wales
6. Undeb Cenedlaethol Athrawon Cymru
7. Association of Teachers and Lecturers
8. NATFHE - The University and College Lecturers' Union

PART TWO

9. Fforwm Ltd
10. Further Education National Training Organisation
11. National Association for Special Educational Needs
12. National Council for Education and Training for Wales
13. Association of Directors of Education in Wales
14. Welsh Local Government Association
15. Wales TUC Cymru
16. Governors Wales (Confederation of School Governors Associations in Wales)
17. Roman Catholic Church in Wales
18. Church in Wales
19. Churches Joint Education Policy Committee
20. Heads of Higher Education Wales

21. Universities Council for the Education of Teachers Cymru
22. Confederation of British Industry Wales
23. Parent Teacher Associations of Wales
24. Independent Schools Information Service Wales
25. Welsh Secondary Schools Association
26. Welsh Primary Schools Association
27. Institute of Directors
28. Welsh Association of Standing Advisory Councils on Religious Education
29. Association of Directors of Social Services in Wales
30. Wales Council for Voluntary Action.