

Proposed changes to the newly qualified teacher (NQT) induction regulations for England

Consultation Response Form

The closing date is: 1 December 2011
Your comments must reach us by that date.

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Please tick if you want us to keep your response confidential.

Reason for confidentiality:

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If your enquiry is related to consultation you can contact the consultation unit on: 0370 000 2288 or

e-mail: NQTInduction.CONCONSULTATION@education.gsi.gov.uk

If you have a query relating to the consultation process you can contact the Consultation Unit on:

Telephone: 0370 000 2288

e-mail: consultation.unit@education.gsi.gov.uk

Please mark an X in the box below that best describes you as a respondent.

| | | |
|--|---|---|
| <input type="checkbox"/> Headteacher/Principal | <input type="checkbox"/> Teacher | <input type="checkbox"/> Governor/Chair of Governors |
| <input type="checkbox"/> Parent/Carer | <input type="checkbox"/> Overseas School/Organisation | <input type="checkbox"/> Union/Professional Association |
| <input type="checkbox"/> Local Authority | <input checked="" type="checkbox"/> Other | |

Please Specify:

This is a response from General Teaching Council Scotland (GTCS) – the independent professional regulatory body which maintains and enhances teaching standards in Scotland.

Institutions in which induction can be served

Current regulations are prescriptive about which schools/institutions can offer statutory induction. However, we believe that it would be less prescriptive if it were possible for any setting to offer statutory induction provided they were able to meet the necessary conditions set out in statutory guidance. We therefore propose to open out statutory induction to as many settings as possible (currently permitted within existing primary legislation). This will enable independent nursery schools (not attached to an independent school), Pupil Referral Units (PRUs) and accredited British schools abroad to offer statutory induction if they meet the required conditions{1}.

{1}The required conditions will be set out in the statutory guidance.

Q1) Do you agree that the decision about where induction can be served or offered should be based on whether the setting is able to meet the required conditions, rather than the type of school/institution?

Yes

No

Don't Know

Comments:

We believe that the decision about where induction can be served or offered should be based on whether the setting is able to meet the required conditions AND the type of school / institution. The Teacher Induction Scheme (TIS) in Scotland requires NQTs to complete their induction (probationary) period in a primary or secondary school, depending on their teaching qualification. This ensures that NQTs receive as wide an experience as possible, and gain experience in curriculum delivery in mainstream settings. At the end of the probationary year, teachers can then also seek employment in early years or special school settings. The proposal highlights the importance of the setting being able to meet required conditions. It would be expected that necessary conditions would include the level of support provided to an NQT, opportunities to deliver an appropriate and differentiated curriculum related to the relevant sector, as well as opportunities to develop pedagogical practice and behaviour management techniques. Therefore, it would be important to ensure that all settings, including the specific examples detailed above, can provide these necessary conditions, and that NQTs would gain experience that could be transferred to other, perhaps less specific settings. One way to address this may be to reflect the nature of the NQT experience in the category of teacher registration. It is important to note that this proposed change has potential repercussions for teachers moving from England to Scotland, as their experience in some of the described settings may not be adequate for the teacher to be granted full registration from GTCS.

Appropriate bodies for independent schools including academies

Currently an independent appropriate body makes the final decision about whether an NQT has passed statutory induction by meeting the relevant professional standards for teachers (based on the recommendation of the headteacher/principal). Under current regulations, local authorities undertake this role in respect of maintained schools, academies and further education (FE) colleges. The Independent Schools Council Teacher Induction Panel (ISCTip) acts as the appropriate body for their member schools and was approved for this function by the Secretary of State. Appropriate bodies for independent schools, including academies, may charge a fee for acting in this capacity.

There is strong demand from the academies sector in particular for appropriate body arrangements to change. We therefore propose to establish a new appropriate body that would act in that capacity for academies and free schools.

Q2) Do you agree that a new appropriate body for academies and free schools should be established?

Yes

No

Don't Know

Comments:

Independent quality assurance of statutory induction, ensuring that schools provide adequate support for their NQTs, and that their assessment is fair and consistent across all institutions, is extremely important. Therefore, the proposal to establish a new appropriate body for academies and free schools would appear sensible. However, it would appear that following the establishment of a new body, academies and free schools would then have four choices of types of appropriate body. We would question the need for this number of appropriate bodies. With this number, it would be important to ensure consistency of practice at an organisational level across the range of appropriate bodies. In the TIS in Scotland, the role of the local authority as the appropriate body is clearly defined. Each local authority makes the final recommendation to GTCS about whether or not an NQT has met the Standard for Full Registration (SfR), working in close partnership with the headteachers of the schools where the NQTs have spent their probationary period. This is an effective model, welcomed by NQTs, headteachers and local authorities, which ensures consistency of practice.

Establish teaching schools as appropriate bodies

Under current arrangements, maintained schools must use their local authority in which they are situated to undertake the role of appropriate body. However, evidence suggests that there is strong support for teaching schools to be able to carry out the role of appropriate body for schools in the maintained sector, should they elect to do so. This would potentially provide many maintained schools with an alternative to their local authority. It would also be consistent with the role we envisage for teaching schools.

We therefore propose to enable teaching schools to act in the role of appropriate body, offering an alternative to the local authority. However, a teaching school should not act as the appropriate body for those NQTs where the teaching school has been involved in their initial teacher training or where the teaching school itself is offering induction for that NQT. In these cases, another teaching school or a local authority would have to fulfil the role of appropriate body to preserve the important element of independence.

Q3) Do you agree that teaching schools should be able to act in the role of appropriate body, offering an alternative to the local authority?

Yes

No

Don't Know

Comments:

In Scotland, the role of the local authority is central to the success of the TIS. Whilst it is clear that teaching schools may have an important and valuable role to play in the induction year of NQTs, the role of the local authority in the areas of quality assurance and advice and support related to local practice and policies is equally valuable. The model described above raises concerns about consistency of practice. Does this mean that, in practice, depending on the training experiences of NQTs, a large secondary school could be working with a number of different appropriate bodies with the same cohort of NQTs, and that this could change in each school session? If this is the case, this is neither desirable nor practical. There would also be the possibility of schools moving around appropriate bodies, depending on experiences of working relationships and levels of support and guidance. Practice in Scotland, where relationships between schools, local authorities and the GTCS has grown and developed over ten years of the TIS, ensures that national guidelines are implemented and that lack of consistency is minimised.

Allowing schools to choose which local authority can act as their appropriate body

We also propose that schools should be free to decide which local authority can act as their appropriate body. However, the local authority must always act in this capacity if they are asked to do so by a maintained school in their area.

Q4) Do you agree that schools should be able to decide which local authority can act as its appropriate body; but that the default position should be the local authority in the area in which the school is situated?

Yes

No

Don't Know

Comments:

In Scotland, the local authority in which the school is situated would always have the role of appropriate body. As stated in previous responses, this relationship is part of strength of the TIS in Scotland, and we would recommend this as a model of good practice. Local authorities, by their very nature, hold a lot of related intelligence about the schools in their area – e.g. feedback from recent inspections by Her Majesty's Inspectors of Education (HMIE), performance data, in depth knowledge of schools, school staff and school catchment areas. The TIS sees the NQT as part of this wider educational landscape, and does not provide support to NQTs in isolation. An alternative local authority, or other appropriate body as defined in the proposal, would not necessary have that amount of information about a school in another local authority area. Equally, our local authority probationer managers, supported by GTCS, work with all school supporters, mentors and probationer teachers across a local authority, again ensuring consistency of practice and an agreed focus on the SfR.

Length of the induction period

The induction period is usually a full school year (or three terms) for an NQT working full time and the pro-rata equivalent for those working part-time. For those serving induction in a further education (FE) setting it is a minimum 189 working days.

a) discretion to reduce the length of the statutory induction period to a minimum of one term to take account of prior teaching experience

There are a number of cases where a teacher already has significant and proven teaching experience gained from outside of the maintained sector. There is currently no provision to recognise the experience of these teachers and they are treated in the same way as an NQT. We believe that headteachers, together with the appropriate body, are best placed to identify if full induction is needed for these teachers and to decide whether a reduced induction period would be appropriate.

We therefore propose that appropriate bodies should have discretion to recognise previous teaching experience, upon advice from the headteacher, by reducing the length of the induction period (with the teacher's agreement) to a minimum of one term. This discretion might be used for example where a teacher has been teaching successfully in the independent sector; or for those teachers who have gained QTS via the 'assessment-only' route

b) discretion on how to deal with issues such as the date of commencement of induction; the operating day and ad hoc absences e.g. illness

We also want to ensure that schools and appropriate bodies have the flexibility wherever possible to make decisions about and manage their own induction arrangements according to local circumstances. We therefore propose to give appropriate bodies discretion, upon advice from the headteacher, over matters such as the date of commencement of statutory induction, the operating day and how to account for and deal with ad hoc absences.

Q5) Do you agree that appropriate bodies should have discretion to offer a reduced statutory induction period to take account of a teacher's previous experience?

Yes

No

Don't Know

Comments:

Yes, we agree that it may be desirable for appropriate bodies to have discretion to offer a reduced statutory induction period to take account of a teacher's previous experience. For information, teachers who choose to complete their probationary period in the independent sector undertake the flexible route to achieve the SfR, and are awarded full registration on successful completion of this route. Teachers applying to work in Scotland, with an appropriate qualification, may be offered provisional registration, with further school experience required in a specific sector or subject in order to gain full registration through GTCS's Exceptional Admissions to the Register (EAR) procedures. This would be in line with the suggested proposal. However, it should be noted that, with the proposed number of appropriate bodies, consistency of practice may again be an issue. There may be wide local variation on the decisions of lengths of induction periods, which again would not be desirable.

Q6) Do you agree that appropriate bodies should have the discretion, once induction has started, to account for matters such as the date of commencement of induction, the operating day and ad hoc absences?

Yes

No

Don't Know

Comments:

Within the proposed model of appropriate bodies, it is desirable that once induction has started, the appropriate bodies should have the discretion to account for such matters as described above. Whilst flexibility and common sense is always positive, it should also be noted that all NQTs are entitled to clear, uncomplicated guidance in these areas. In Scotland, much of this advice is provided to local authorities by GTCS, again ensuring consistency of advice which can be adapted to suit local circumstances. It would not be helpful for NQTs in neighbouring schools in the same area to receive differing advice in areas such as ad hoc absences etc. While there is a need for flexibility in practice according to local needs, this is a role that local authorities can deliver effectively.

16 month limit on short term supply work

In order to ensure that all NQTs undertake induction within a reasonable period of qualification, there is currently a 16 month time limit for how long they are able to undertake short-term (less than one term) supply cover work in maintained schools without undertaking statutory induction. In exceptional circumstances the 16 month limit may be extended by up to a further 12 months.

This arrangement often prevents schools from employing NQTs on a supply cover basis even when they are not in a position to offer longer-term employment. It creates problems for both the NQT in gaining employment and for the school in securing much needed resource which they often already know, from first hand experience, to be of the required standard. We therefore propose to replace the 16 month limit for short term supply work with a maximum limit of five years from the date of achieving QTS, with no discretion to extend.

Q7) Do you agree that the 16-month limit on short term supply work for NQTs should be replaced with a maximum, fixed 5-year period from the date of achieving QTS before having to undertake statutory induction?

Yes

No

Don't Know

Comments:

This appears to be a sensible suggestion, to help ensure maximum opportunities for employment of NQTs. It is important to clarify the information included about Scotland in the above section. It is stated that this system currently operates in Scotland – this is only the case for NQTs who do not choose to participate in the standard route through the TIS. Teachers who participate in the TIS are guaranteed a year's employment in the same school, supported by a mentor and supporter and with a 0.8 teaching commitment. NQTs who do not choose this route undertake the flexible route, which has the five year time limit described above. NQTs who begin the TIS then transfer to the flexible route have a three year time limit for completion.

If the NQT worked in a number of schools over this time period, which in the circumstances described would appear likely, there is potential for contact with a large number of appropriate bodies. Notwithstanding previous comments on consistency, this may cause practical difficulties related to responsibilities for support and quality assurance, which would require to be addressed to ensure that competency issues are addressed if necessary.

Link between statutory induction and the national curriculum in independent schools

Current arrangements require independent schools, to only offer induction where the NQT is teaching the national curriculum for the relevant key stage of the pupils they are teaching. However, academies and free schools have the freedom and flexibility to set their own curriculum and the link between induction and the national curriculum may act as a barrier to these schools offering statutory induction to their NQTs. We therefore propose to remove the link between statutory induction and the national curriculum.

Q8) Do you agree that it is not necessary for teachers to be teaching the national curriculum at the relevant key stage for the pupils they are teaching during their induction?

Yes

No

Don't Know

Comments:

It would be expected that knowledge of the National Curriculum and relevant experience in the delivery of this would be a core part of the induction period. It is clear however, that the removal of this necessity in academies and free schools would pose a difficulty in the induction programme. As previously suggested in the response to Q1, one way to address this would be to reflect the nature of the NQT experience in the category of teacher registration. However, this may not be desirable in terms of teacher mobility.

Charging arrangements for appropriate bodies

Under current arrangements appropriate bodies can only charge independent schools and FE colleges for their services. We propose to make it possible for appropriate bodies to charge all schools for their services. This is an important step in ensuring that schools are free to choose which institution can act as their appropriate body and means that they won't be tied to their own local authority in this respect.

Q9) Do you agree that appropriate bodies should be able to charge a fee to all schools for carrying out this function?

Yes

No

Don't Know

Comments:

The support and advice to NQTs should be an integrated part of an education system. It would be our view that schools should not require to pay for this service. Would there be a possibility that some schools would choose not to employ NQTs because of the cost implication? If the decision is made to charge a fee, our view would be that this should be a standard fee, so that any decision about an appropriate body would be based on quality of provision, rather than on cost.

Loss of data and data errors

There have occasionally been instances where teachers have only recently discovered that there is no record of them passing induction and yet they have been teaching successfully in the maintained sector for years. Some of these cases arise because of errors made in informing them that they did not need to complete induction in the first place, others simply because the data is missing. Under current arrangements there is no option but to insist that they complete induction immediately if they wish to work in the maintained sector.

However, we believe that it should be for the appropriate body to decide if induction is needed in these cases. Most teachers will have participated in performance management arrangements which are based on the relevant minimum standards (or higher) - the same standards that NQTs have to demonstrate they have met at the end of their induction period. We therefore propose that in exceptional circumstances, in the absence of data or data errors, the appropriate body may decide that induction is deemed to have been completed on the basis of evidence from the performance management process along with advice from the head teacher that the relevant standards have been met.

Q10) Do you agree that appropriate bodies should be able to use their discretion to decide that induction has been completed where data records are incomplete or incorrect, based on evidence that the relevant standards have been met?

Yes

No

Don't Know

Comments:

Whilst we would agree that this would seem a sensible decision to address an ongoing problem, we would repeat the issue of consistency related the possibility of an increased number of appropriate bodies. Clear guidelines would be necessary to ensure that headteachers had consistent guidance on, for example, what would be considered as appropriate evidence.

The TIS in Scotland, as well as clear guidance on teacher registration, ensures that this is not a major issue. On rare occasions where this has occurred, local authorities would seek guidance from GTCS on steps to be taken, and our role in this ensures consistency of practice.

Recommendation to extend an induction period

Currently, regulations only allow headteachers to make a recommendation to the appropriate body as to whether the NQT has met the relevant standards or not yet met the relevant standards. It is then the appropriate body's decision to pass, fail or extend the NQT's induction period. We propose that the headteacher should also have the option to recommend to the appropriate body, prior to the end of the statutory period, that the induction period should be extended.

Q11) Do you agree that headteachers/principals should have the additional option of recommending an extension to an NQT's induction period prior to its completion?

Yes

No

Don't Know

Comments:

Headteachers / Principals are well placed to make this decision, having worked closely with the NQT over the course of the school session. In Scotland, the local authority (informed by the head teacher) makes the recommendation to GTCS that the NQT has achieved the SfR (or otherwise). If the SfR has not been achieved, the recommendation to GTCS is for either cancellation or extension. Subsequently, a GTCS Professional Standards panel, consisting of GTCS Council members, makes the final decision. This is accepted practice in Scotland.

Reduced teaching timetable

Under current arrangements schools/headteachers must ensure that NQTs serving statutory induction receive no more than a 90% timetable of another qualified teacher employed at the school, without management duties. This entitlement is currently contained within the School Teachers Pay and Conditions Document (STPCD). This also applies to schools in the independent sector, including academies through provisions within the statutory guidance for induction.

We propose to include the requirement for a 10% reduced timetable for NQTs serving statutory induction in maintained schools (in addition to PPA time) within regulations. Comparable arrangements for ensuring a reduced teaching timetable in independent schools will continue to be set out in the statutory guidance.

Q12) Do you agree that the requirement for no more than a 90% teaching timetable for NQTs serving induction should be included in regulations for maintained schools?

Yes

No

Don't Know

Comments:

We agree that the requirement for no more than a 90% teaching timetable for NQTs should be included in regulations for maintained schools. This is an important component in NQT support, and a vital investment for the future of the teaching profession. In Scotland, the agreed class contact time is 18 hours (0.8 FTE) which allows dedicated time for professional development and access to a nominated teacher as an allocated probationer supporter. We would recommend therefore, that consideration should be given to a teaching requirement of no more than 80%.

Service of only one induction period

At present if an NQT is judged to have failed their induction (and where applicable the decision is upheld on appeal) they are no longer permitted to be employed as a teacher in a maintained school. Evidence indicates that the vast majority of NQTs pass induction without any problems. Most recent data indicates that only 15 NQTs are judged to have failed induction in a single year. We considered whether it might be helpful to allow NQTs to have more than one chance to pass induction. However, stakeholder evidence was clear that this would not be desirable, particularly as teachers are free to move to a different school to complete their induction if they wish. We therefore propose to retain the regulation that allows NQTs to serve induction only once and have only one chance to pass.

Q13) Do you agree that NQTs should continue to be allowed to serve only one induction period, retaining the 'one chance to pass' requirement?

Yes

No

Don't Know

Comments:

We agree that NQTs should be allowed to serve one induction period, which will help maintain and enhance quality of provision. However, it is important to recognise that there may be exceptional circumstances which will affect the quality of an induction period that may be outwith the control of an NQT. Examples of this might include significant staffing changes in the designated school, health issues or personal circumstances – and it is important that these are picked up during the induction period. Retaining the one chance to pass means that this early intervention is vital.

Teachers who failed probation prior to 1992

The Education (Specified Work and Registration) (England) Regulations 2003 enables those teachers who failed their probation prior to 1992 to apply to the Secretary of State for consent to carry out 'specified work' (see main consultation document for definition).

Currently, the Secretary of State has determined that such teachers should serve an 'induction period' similar to that required for statutory induction in order to work as a teacher in a maintained school. However, given the time that has lapsed since these teachers completed their initial teacher training we are proposing to remove this regulation. This would prevent these teachers from applying to the Secretary of State from 1 September 2012 to carry out specified work and would be consistent with the 'one chance to pass' rule for induction.

Q14) Do you agree that the facility should be removed for those teachers who failed probation prior to 1992 to apply to the Secretary of State for consent to carry out specified work from 1 September 2012?

Yes

No

Don't Know

Comments:

Yes, there have been significant changes in many areas since 1992, including for example, pedagogy, use of information technology to support learning and curriculum content, so this would seem a sensible proposal.

Statutory guidance to support proposed changes to NQT induction regulations

We plan to consult separately in the New Year on the statutory guidance that accompanies the NQT induction regulations. This will enable the proposed statutory guidance to reflect the regulatory changes subject to the outcome of the consultation.

As part of the drive to cut bureaucracy, we are committed to reducing the amount of guidance that is issued to schools and other stakeholders. We therefore propose to reduce the size of the statutory guidance that will accompany any changes to the NQT induction regulations, subject to the outcomes of the consultation.

Q15) Which elements of the current statutory guidance would you like to be retained?

Comments:

The proposed increase in the number of appropriate bodies will require very clear statutory guidance.

General Comments

Q16) Please use the space for comments on any other aspects of the proposals, including their likely impact.

The consultation document contains a number of proposals that will tighten current procedures and address some specific issues. We agree with such proposals, and have included this information in this response. However, we have also identifies a number of concerns related to the proposals. A recurring theme throughout our response to the consultation is the need to ensure consistency of practice if the proposals to increase the number and nature of appropriate bodies.

Thank you for taking the time to let us have your views. We do not intend to acknowledge individual responses unless you place an 'X' in the box below.

Please acknowledge this reply

Here at the Department for Education we carry out our research on many different topics and consultations. As your views are valuable to us, would it be alright if we were to contact you again from time to time either for research or to send through consultation documents?

Yes

No

All DfE public consultations are required to conform to the following criteria within the Government Code of Practice on Consultation:

Criterion 1: Formal consultation should take place at a stage when there is scope to influence the policy outcome.

Criterion 2: Consultations should normally last for at least 12 weeks with consideration given to longer timescales where feasible and sensible.

Criterion 3: Consultation documents should be clear about the consultation process, what is being proposed, the scope to influence and the expected costs and benefits of the proposals.

Criterion 4: Consultation exercises should be designed to be accessible to, and clearly targeted at, those people the exercise is intended to reach.

Criterion 5: Keeping the burden of consultation to a minimum is essential if consultations are to be effective and if consultees' buy-in to the process is to be obtained.

Criterion 6: Consultation responses should be analysed carefully and clear feedback should be provided to participants following the consultation.

Criterion 7: Officials running consultations should seek guidance in how to run an effective consultation exercise and share what they have learned from the experience.

If you have any comments on how DfE consultations are conducted, please contact Carole Edge, DfE Consultation Co-ordinator, tel: 01928 738060 / email: carole.edge@education.gsi.gov.uk

Thank you for taking time to respond to this consultation.

Completed questionnaires and other responses should be sent to the address shown below by 1 December 2011

Send by post to: Teacher Standards and Development Team, Department for Education, Level 4, Sanctuary Buildings, Great Smith Street, London SW1P 3BT.

Send by e-mail to: NQTInduction.CONULTATION@education.gsi.gov.uk