

REC response - Consultation on the Education (Wales) Bill

Introduction

- 1 The Recruitment and Employment Confederation (REC) is the professional body for the UK recruitment industry, representing over 3,500 corporate members, who together account for around 80% of the recruitment industry by turnover. Part of the REC is the Institute of Recruitment Professionals which represents just under 5,000 individuals in recruitment.
- 2 REC Education is the specialist sector group for recruitment agencies who deal with educational staff, supply teachers and related areas. With 250 members of the sector group, we represent the majority of suppliers who work daily with schools up and down the country to ensure they have suitably skilled, properly vetted staff as and when they need them.
- 3 We have an active contingent of members across Wales and a positive relationship with the General Teaching Council for Wales. The REC delivered the Quality Mark Wales on behalf of the Welsh Government between 2007 and 2011. Quality Mark Wales was an audit for specialist recruitment agencies that provide supply teachers and other educational workers. The programme ensured they were following the rigorous application processes that are in place for checking staff before they are sent into schools. We have recently launched an audit programme - REC Audited Education – that builds on the legacy of Quality Mark to set standards for recruitment in education. REC Audited Education is overseen by an independent panel of organisations from the education sector.
- 4 In this response, we outline our view on the relevant provisions of the Education (Wales) Bill that concern the recruitment industry and the temporary staff supplied by our members to the Welsh educational system. Our response is focused on the provisions concerning the Education Workforce Council – registration and regulation of teachers and wider workforce.

The contribution of temporary staff in the Welsh education system

- 5 REC Education welcomes the commitment of the Welsh Government to the continued improvement of the standards of teaching and the quality of learning in Wales. We support the establishment of an Education Workforce Council to maintain and improve standards of professional conduct amongst teachers and persons who support teaching and learning in Wales. Such a body will build on the work of the General Teaching Council for Wales in ensuring teachers are appropriately qualified and maintain high standards of conduct and practice, to ensure all of those who work in institutes of learning across Wales are suitable and competent.
- 6 Supply teachers and other cover staff are a key part of the educational workforce in Wales. They help schools and other institutions cover unexpected absences and meet spikes in demand to ensure they can continue to support teaching and learning in Wales. We believe it is vital that a new Education Workforce Council engages effectively with the agencies that supply such teachers from its inception. They provide an essential service and enable continuity for pupil's learning when educational institutions cannot fulfil this need themselves.
- 7 We believe any code specifying the standards of professional conduct and practice expected of registered persons to be prepared and published by Welsh Ministers should pay due attention to the role of supply teachers and other cover staff in the Welsh education system. The REC – as the leading representative body for education supply agencies in Wales - would have an interest in any such code and expect to be consulted.

- 8 REC Education agrees with the principles set out in section 37 referring to the supply of information associated with arrangements made by one person (the “agent”) for a registered person to provide relevant services at the request of or with the consent of a relevant employer (whether or not under a contract). We believe guidance to agents on how they should engage with the Council to supply such information in order to comply with their obligations should be clear and relevant contacts with the Council highlighted to all agents before implementation.
- 9 Relevant employers also need to be reminded of the obligations of agents in providing arrangements for a registered person to provide relevant services at the request of or with the consent of a relevant employer, including suitable employment checks. The Education Workforce Council should compile a how to guide on how relevant employers should engage agents and supply agencies for the supply of staff. The REC would be happy to assist the Council with preparing such a document.

Maintaining high standards and compliance in education recruitment

- 10 The work of the REC to improve standards across the recruitment industry is part of our wider effort to help the Welsh educational system ensure it has the suitably qualified, properly vetted temporary workforce it needs to cover unexpected absences and meet spikes in demand. All agencies who join the REC sign up to the REC Code of Professional Practice (the Code). The Code is made up of ten key principles, which require basic statutory compliance and higher ethical standards that go beyond the statutory regulations which also govern recruiters’ activities.
- 11 The Code is enforced through the Complaints and Disciplinary Procedure (CDP), to which all members are subject. This means that any alleged breaches of the Code can be investigated via the CDP. In the first instance, we encourage whistle blowers to raise the complaint directly with the member concerned as all members will have their own internal complaints procedure in place. If the individual or company is not satisfied with the agency’s response, we will investigate the complaint ourselves via the CDP. In many cases, we are able to resolve the complaint between the parties and if the member is found to be in breach of the Code, we will request reassurances from the member about future conduct.
- 12 In cases where the agency does not cooperate with the REC or where a complainant or an agency appeals the findings of the Complaints Officer, complaint cases will be referred to the REC Professional Standards Committee. The PSC is made up of corporate and individual members of the REC and also, representatives from the Confederation of British Industry and Trades Union Congress. The PSC has the right to investigate complaints against members and to issue sanctions, which include reprimands (a warning to remain on a member’s file for a set period), a compliance order (where members must undertake a specific course of action) and ultimately, expulsion from the REC. At the PSC’s discretion, their decisions may be publicised.
- 13 The REC has introduced an online Compliance Test to further check our members’ compliance. This is made up of a series of multiple choice questions covering both key legislation (primarily, the main industry legislation i.e. the Conduct of Employment Agencies and Employment Businesses Regulations 2003) and the Code. All new applicants for membership must take and pass the test within six months of making their initial application for membership. The applicant has three attempts to pass the test and if they do not pass on their third attempt within the six month period, they will not be able to become a full member and will need to wait a further six months until they can apply for membership again. All existing members of the REC need to take and pass the test every two years. Since launching the Compliance Test for new members in July 2012, businesses have been refused entry to the REC.

- 14 The REC also conducts Compliance Reviews, carried out on a risk based basis with the aim of offering support where it is most needed. In cases where existing members get low scores on the Compliance Test, the REC provides additional support to such members and this support may include a Compliance Review. This is where a member of the REC Compliance team visits the member at their premises and carries out a check on the member's documentation, processes and procedures. The REC will provide guidance and support to the member with the aim of them passing the test on their next attempt.
- 15 REC Audited Education is a paid for compliance product. The audit goes beyond just compliance, requiring agencies to demonstrate that they operate best practice in areas such as customer service, staff development, diversity and client management. The application process includes an online diagnostic and an onsite audit. Applicants are required to demonstrate their knowledge of key legislation and procedures in the diagnostic. This is followed by a tailored on-site audit by one of our experts, who will not just check documentation, but will talk to applicants about their processes and systems, providing practical support, to ensure they are a best practice recruiter. REC Audited Education covers standards particular to education agencies with a particular focus on safeguarding. Successful members can use a specific logo to show that they have met the standards required for this award.
- 16 REC Audited Education builds on the legacy of the Quality Mark Wales scheme. The REC delivered the Quality Mark Wales on behalf of the Welsh Government between 2007 and 2011. Quality Mark Wales was an audit for specialist recruitment agencies that provide supply teachers and other educational workers. The programme ensured they were following the rigorous application processes that are in place for checking staff before they are sent into schools. With the Welsh Government's decision to stop funding the scheme due to expenditure cuts, the REC has stepped in to ensure that standards continue to improve, vulnerable groups are protected and that the quality of services are maintained in our sector.
- 17 An independent panel of organisations from the education sector has oversight of REC Education. We believe representatives of the Education Workforce Council should also sit on this panel and engage with the industry directly on relevant matters – referenced in part 7 of the Education (Wales) Bill - concerning the temporary educational workforce in Wales.
- 18 The REC and members of REC Education would welcome supporting the Education Workforce Council in promoting careers in the registrable professions in Wales. We are active members of the Wales Employment & Skills Board (Bwrdd Cyflogaeth a Sgiliau Cymru) and have a UK wide Partnership Agreement with the Department of Work and Pensions and Jobcentre Plus. This includes promoting a wide range of careers in local labour markets and highlighting career pathways across a wide range of professions. In addition, the REC convened a Youth Employment Taskforce in 2010 to suggest ways of tackling the problems of youth unemployment. Members actively support careers guidance for young people and hundreds of recruiters have signed our Youth Employment Charter, a voluntary initiative through which REC members pledge to help reduce youth unemployment, and showcase existing good practice within the industry to reach out to the next generation of workers.
- 19 REC Education believes that a period of temporary employment as a supply teacher or in other cover position provides individuals with valuable experience of the teaching sector. Such periods should count as a period of induction – complete with relevant approvals from the relevant principal - in a suitable education environment before the person may be registered.

Conclusion

- 20 REC Education welcomes the continued efforts of the Welsh Government to raise standards and improve the quality of teaching in Wales. In this response, we have detailed our view on the relevant provisions of the Education (Wales) Bill that concern the recruitment industry and the temporary staff supplied into the Welsh educational system. The launch of a new Education Workforce Council is an exciting development. We would urge that the Council has a designated supply teacher and cover staff liaison, including a member of staff whose duties include engaging with supply agencies and their representative bodies.
- 21 Our members are committed to raising standards and continuing to provide education institutions across Wales with suitably qualified, properly vetted staff as and when they need them. The REC looks forward to continuing to work with the Welsh Government in this important area.

For more information

- 22 If you would like further information on any of the points made above or if we can contribute to the on-going work of the Children and Young People Committee in this area, please contact:

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