



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

***Response from the Association of Teachers and Lecturers
1 December 2011***

ATL, the education union, is an independent, registered trade union and professional association, representing approximately 160,000 teachers, head teachers, lecturers and support staff in maintained and independent nurseries, schools, sixth form, tertiary and further education colleges in the United Kingdom. AMiE is the trade union and professional association for leaders and managers in colleges and schools, and is a distinct section of ATL. We recognise the link between education policy and members' conditions of service.

ATL exists to help members, as their careers develop, through first rate research, advice, information and legal advice. Our evidence-based policy making enables us to campaign and negotiate locally and nationally.

ATL is affiliated to the Trades Union Congress (TUC), Irish Congress of Trade Unions (ICTU), European Trade Union Committee for Education (ETUCE) and Education International (EI). ATL is not affiliated to any political party and seeks to work constructively with all the main political parties.

ATL policy

ATL believes that teachers as professionals must be recognised for their knowledge, expertise and judgement, at the level of the individual pupil and in articulating the role of education in increasing social justice. Within light national parameters, development of the education system should take place at a local level, within local authority structures: the curriculum should be developed in partnership with local stakeholders; assessment should be carried out through local professional networks. Schools should be encouraged to work collaboratively to offer excellent teaching and learning, and to support pupils' well-being, across a local area. Accountability mechanisms should be developed so that there is a proper balance of accountability to national government and the local community, which supports collaboration rather than competition.

Executive Summary

Induction is a key part of teachers' early professional education and provides a vital guarantee of early support to newly qualified teachers. In light of its importance, we welcome the review of the arrangements although we are concerned that little or no evidence is shown to support a number of the proposals. ATL's response to the proposals is as follows;

- ♦ In light of the current lack of inductable posts in particular areas, we reluctantly agree with the proposal to extend the 16-month limit on short term supply teaching to five years but point out to the government that this is merely a postponement of the problem and not a long-term solution.
- ♦ ATL largely agrees that, generally, criteria which settings must meet rather than setting-type should determine which settings can offer induction. Criteria must include settings which value QTS, will provide NQTs with experience working with fully qualified teacher colleagues, and afford NQTs with sufficiently-broad professional experience which will support their future teaching careers with use of the national curriculum.

- ◆ NQTs face particular challenges in their first year, of learning by experience and through focused professional development and the 10% reduced timetable entitlement is vital to this and must not be removed.
- ◆ ATL challenges the proposal which would increase the number and type of appropriate bodies, again with no evidence to suggest that this would be an effective measure. Local authorities have experience and expertise in providing this service to schools, and it would be better for local authorities to receive the funding in order to continue to provide this service with the review better focusing on how to improve that service. Instead we have unfounded proposals that will increase inconsistency, damage standards, interfere with the core education business of teaching schools and make cheapness rather than effectiveness a key driver in appropriate body selection, to the cost of the quality of the induction process itself.
- ◆ Within a strong regulatory framework, supported by clear statutory guidelines, ATL supports some increased discretion on behalf of local authority appropriate bodies and headteachers, within particular circumstances, in relation to reduction or extension of induction period, decisions about statutory induction commencement dates and accounting for ad hoc absences. We also agree with the proposal that would remove the requirement that induction can only be served once with only one chance to pass, in exceptional circumstances.

ATL's Response

ATL welcomes the DfE's review of induction arrangements and we have long supported the view, as stated in the consultation document, that induction provides a vital link between initial teacher education and employment as a practising teacher, representing a "crucial period in the early and formative development of NQTs' skills and knowledge".¹ Based on our own members' wealth of knowledge and experience, ATL is clear that teaching needs to be a deeply knowledgeable, reflective, flexible and innovative profession requiring a rich initial teacher education experience based on principles of strong pedagogy, understanding of child development, and practical experience and supported through focused and resourced early and continuing professional development.

However, many of our members would not accept the consultation document's assertion that the current induction arrangements are fair, nor that they provide a benchmark for good practice. The principle of induction is a good and vital one, which we believe is watered down by some of these proposals. We reluctantly support some of the changes because we believe that many NQTs are ill-served by the current induction arrangements when combined with a chronic lack of inductable opportunities in many areas. This results in an appalling waste of training and professional commitment, and a loss to the profession of many purely by default. Some of the proposals within this document will provide some relief, at least temporarily, to this problem but a far deeper solution is required to truly answer the challenge.

Extension of 16-month limit on short term supply teaching

ATL members reluctantly agree with the government's proposal to extend the 16-month time limit on short term supply teaching to five years. The GTCE's 2011 Annual Digest of Statistics shows that of the 88% of NQTs who were registered and working as teachers on the census date, 12.9% are working in supply.² Whilst this figure is down slightly from the previous year, it is still far too high, especially as many of these NQTs will be on short-term non-inductable supply. We know from our regional networks that requests for extension to the 16-month rule to local authorities have increased sharply. ATL members hope that, in extending this limit, that this allows NQTs increased time to get the inductable experience that they require to continue working as a qualified teacher in maintained settings.

However, ATL members have many concerns about this extension. For a start, will it be enough? Unless something changes within the supply and demand equation of teachers entering the profession and the number of vacant positions, this will merely postpone the issue for many NQTs and those who support them. ATL members support this proposal only with a guarantee that government will look to develop a long-term and meaningful solution.

¹ DfE consultation document, 'Proposed changes to the newly qualified teacher (NQT) induction regulations for England', Introduction, Section 1.2, 2011.

² GTCE, [2011 Annual Digest of Statistics](#), p. 48, 2011.

It is vital that the government recognises the key role that induction plays in teachers' early professional development; it reinforces early learning, supports early good practice and promotes a reflective approach to teaching which is key to professional development and improvement. Teachers on supply have limited access to school-based CPD thereby missing out on up-to-date training as the GTCE Chief Executive, Alan Meyrick observes; "supply teachers play a very important role in schools, but we know that they are much more likely than others to miss out on structured, effective professional development."³ Meeting the CPD needs of supply teachers, particularly NQT supply teachers, is a challenge that government need to rise to, within the context of extending the induction time-limits, if teacher quality is to be its top priority as it attests.

We know that the problem of lack of inductable posts for NQTs is one that has been around for some time yet these proposals make no reference to those recently or currently affected by the 16-month restriction. If the government is clear that the education system can afford to have NQTs teaching supply for longer without having their induction, then this must apply to those who have lost / or who are at risk of losing their right to work as qualified teachers within the maintained sector due to the 16-month rule and the lack of available inductable posts. ATL suggests that the government consider backdating the coverage of these proposals by a suitable period. Indeed, within the logic of the 5-year extension, that back-dating could cover a period of similar or longer duration.

Extension of the 16-month time limit is not only problematic but will not solve the fundamental issue of lack of jobs. This problem demonstrates that the current ratios between supply and demand are resulting in unequal distribution of candidates for the positions available. This needs regular central review of training places, informed by local authority provided detailed oversight of training providers and actual and potential induction settings. Without this, other avenues such as opening out the types of setting that can offer induction, extending supply teaching limits, even providing guarantees of induction placement, as Scotland does, are only temporary solutions to the problem and ones that can create many problems of their own. High-quality induction, as a right and responsibility for teachers cannot be compromised. ATL is clear that induction is vital to the profession continuing to grow in quality and ability to meet the demands of society and technological advances.

Settings for induction; criteria and requirements around National Curriculum and reduced timetable

Crucial to the success of induction are the commitment, resources and type of experience that each setting can provide and ATL members believe that prescription around setting should relate more to these criteria rather than a crude prescription of particular settings. In judging whether a setting is suitable to offer induction, it needs to be ascertained whether an NQT would get sufficient range and quality of the experience there in order to meet the appropriate standards, the level of staff support they would receive and the level of mentoring expertise within the qualified teacher team. To ensure this, there needs to be appropriate, consistent regulation of settings against a threshold of practice, regulated against these types of criteria which reflect the feedback of the profession. Therefore, we hope to have the opportunity to comment on the revised statutory guidance which will be developed to support these changes in regulation.

We know from our members' experience and research evidence, that successful induction settings have suitably qualified and experienced staff with the training and time to support NQT induction. Increasingly, teachers in private nursery settings are being replaced by Early Years Professionals, making these settings, in our view, as ineligible to be induction settings; not by virtue of their type but rather by their lack of staff capacity to properly support induction. ATL has long championed the crucial role of the early years sector and we would welcome opportunities for teachers to take up induction in early years settings, where they are specifically early years trained and wish to teach in Foundation stage, as long as they meet requirements around support of QTS staff and retain opportunities to work across settings and age ranges.

³ GTCE website, [GTCE News Comment 'Latest data from teaching register published'](#), 6 September 2011.

The circumstances of PRUs make the possibility of their offering induction a challenging one. The current statutory guidance states that a suitable post for induction “must not present the NQT, on a day-to-day basis, with discipline problems that are unreasonably demanding”.⁴ It would be difficult for most PRUs to have the capacity to make this assurance. ATL deems this stipulation a vital one in this early stage of a teacher’s career and one which must stay within the revised Statutory Guidance.

Extension of the settings currently eligible to offer induction is problematic as we are concerned that this is driven more by government’s need to ensure that there are more inductable posts available rather than the suitability of settings such as pupil referral units (PRUs) and independent nurseries, as the government proposes. Further, if this is meant to open up the numbers of settings able to offer inductable posts, it is questionable whether settings such as PRUs and independent nurseries would do so in any significant numbers, particularly the former as very few NQTs would be ready for the unique challenges that PRUs offer.

Inductable settings must give NQTs opportunity to meet the professional standards and thus must offer sufficient breadth of experience. Therefore if settings such as PRUs or independent nurseries are used, it would be best done within collaborative networks with mainstream schools so they have opportunities to get further experience, to teach to a full class for example. It also gives them greater opportunities for later transition to other sectors/settings should they wish.

In light of ATL’s view that settings need to meet strict criteria of capacity, staff resource and commitment to professional development, schools in extreme circumstances such as special measures would not be suitable for induction and we urge that this prescription stays within the regulations and statutory guidance. We also believe that free schools are unsuitable to offer induction due to the lack of requirement on them to employ qualified teachers. NQTs need to be supported by qualified teachers with experience and expertise.

In the consultation, it states that stakeholders find that the national curriculum requirement in the induction process is “not central to the success of the induction experience and does not impact on the quality of the induction process”⁵, thereby leading to the government’s proposal that the link between statutory induction and the national curriculum should be removed. It would have been useful to have access to this stakeholder feedback. ATL members do not agree with this proposal as our members are clear that the national curriculum link is important in terms of ensuring consistency in judgements and supporting career transferability. ATL believes that, at the very least, a significant proportion of the national curriculum should be followed within an induction setting.

We recognise the changing environment regarding academies and free schools joining independent schools in the lack of requirement for national curriculum. However, this government is currently involved in a major review of the National Curriculum and it seems perverse to remove this stipulation from induction settings. If this requirement is removed, the curriculum that NQTs teach during their induction year could become an obstacle to their getting future positions in any school that has a different curriculum, whereas keeping the requirement ensures that all post-induction NQTs are on a level playing field.

ATL members believe it essential that NQTs on induction have a 10% reduced teaching timetable (in addition to the 10% reduced timetable for PPA time to which all qualified teachers are entitled) and that all settings should meet this requirement. Indeed, members feel it that it needs to be enforced more strongly than it is at present as the process of induction is time-consuming if it is to be done properly. Induction is a professional education programme, designed to develop reflection and excellent practice within the teaching profession, where NQTs need to provide evidence of progress; indeed 10% is in fact the minimum time that it requires. We agree that this needs to be retained in the regulations pertaining to maintained schools and indeed should be one of the key criteria in the decision on the suitability of any setting that wishes to offer induction, including independent schools and academies.

⁴ DCSF, [Statutory Guidance on Induction for Newly Qualified Teachers in England](#), 2008, p.9

⁵ DfE consultation document, ‘Proposed changes to the newly qualified teacher (NQT) induction regulations for England’, Introduction, Section 4.7, 2011.

Appropriate bodies

ATL agrees with the importance of the role of appropriate bodies in providing independent quality assurance of statutory induction, ensuring that schools provide sufficient support for their NQTs and that their assessment is fair and consistent across all institutions. However, ATL finds that the proposals around increasing the number of appropriate bodies are open to challenge in relation to capacity, quality and its assurance, accountability and transparency and collaboration, as we outline below.

We are surprised at the government's proposal to increase the number of appropriate bodies. The government fails to outline the reasons that there is academy sector demand for their own appropriate body nor does it make an argument for it beyond stating that there is demand. Induction may look different in some respects across different types of institution or sector but the key criteria for support and completion of induction are the same for all and therefore it's highly questionable that different sectors require their own appropriate bodies. Diversification here will result in lower levels of consistency and accountability for quality assurance across appropriate bodies will become more difficult to maintain efficiently.

ATL members believe that academies and free schools should not have their own appropriate body. Furthermore, as we've stated earlier, ATL has strong concerns about free schools even being able to offer induction; it would be highly ironic and unsuitable for a setting which is allowed and encouraged to engage non-QTS individuals as teachers to provide a programme for induction to QTS. The proposal that they can do so, and that they will have their own appropriate body to which they are accountable does little to allay the profession's fears that this government's education policies are damaging to teacher professionalism. It also will build on fears that there will be a two- (or indeed three- or more) tier system related to teacher professionalism, which will do nothing to add to the reputation of the profession either in England or in other countries.

While we accept the expertise that teaching schools can provide to the induction process, ATL members' concerns regarding lack of consistency also apply to the proposal that teaching schools become appropriate bodies. The argument that the consultation puts forward for this provides no evidence that this would work more effectively beyond the statement that it would give choice beyond the local authority. The government's brief consultation provides no evidence for arguments that there is a lack of quality in local authority provision of induction support to schools, in their role as appropriate body.

The role of appropriate body is a complex one and if it is to be fulfilled effectively, it is time-consuming and requires a complex mix of skills and experience. The numbers of NQTs in any particular area or requiring support from a particular appropriate body can change from year to year, making the maintenance of appropriate staff levels a challenge. Appropriate bodies currently practise a wide range of support, monitoring and assessment for induction. Included in the 2002 DfES research study on induction was a summation by two local authorities of the tasks involved: one cited organisation of the induction programme, overseeing monitoring for quality assurance, checking the final assessment while another included tasks such as keeping a database, administration including highlighting assessment forms which cause concern and fieldwork with NQTs.⁶ The research observed that proactive appropriate bodies have the following characteristics:

- ◆ building dialogue within and between all groups of participants as central through close relationships and learner-centred support programmes,
- ◆ preventative measures are taken against poor induction experiences through prioritisation of visits to certain schools and feedback to schools on assessment reports for future improvement,
- ◆ employment of multiple strategies by a team to address each area of support, monitoring and assessment including support through courses, network groups, school visits, phone and email contact,

⁶ Totterdell, Heilbronn, Bubb, Jones, [Evaluation of the Effectiveness of the Statutory Arrangements for the Induction of Newly Qualified Teachers](#), p.58, Institute of Education, 2002. DfES

- ♦ provision is ongoing throughout the period and progression is made explicit; rationale of year-long programme is shared, support is appropriate to phase in induction, discussion of suitable future targets built into feedback sessions.⁷

The proposal that teaching schools become appropriate bodies is deeply problematic. Teaching schools are schools for educating pupils, first and foremost. There is a big issue of capacity which is not addressed in this proposal, particularly alongside the workload and priorities' implications of their role as providers of initial teacher education, co-ordinators in CPD provision and leadership coaches. Local authorities not only have had experience within this area but appropriate body team members are able to draw upon other local authority staff for assistance with financial and administrative matters, school visits and running support sessions. The role of appropriate body is complex and is especially demanding at particular times of year – capacity joins consistency as a key issue of concern for ATL members in light of the government's proposals. Major investment would need to occur before teaching schools could effectively take on this responsibility while keeping their core function of pupil education.

The illusory issue of choice, as mentioned in the consultation, is somewhat of a red herring as schools already have choice around some aspects of induction support. Headteachers can already choose to take elements of induction support from local authorities, the appropriate body, other schools or private consultancies. However, the 2002 report and observations from members find that often “the least cost effective induction activities are induction courses run by some private organisations”⁸. Opening up this induction regulatory role to a plethora of providers is no guarantee of quality, and maintaining proper levels of accountability across diverse settings, outside of the local authority structure, will be administratively complex, time-consuming and expensive.

Indeed giving schools the right to choose which LA can act as their appropriate body doesn't recognise issues of capacity and will make it even more difficult for LAs to gauge the likely demand on their induction services and thus ensure sufficiency, and efficient use, of resources. School visits are also a significant part of the appropriate body role and local proximity is therefore important. Collaborative arrangements between LAs aiming to increase cost-effectiveness and quality of the offer are to be welcomed but emphasising competition between LAs is detrimental to such co-operative arrangements.

The proposal that appropriate bodies can charge for their services to all settings is deeply problematic. The driver for this, as stated in the consultation, seems to be to break the link between schools and local authorities as appropriate bodies, with little recognition on the impact this will have on schools. With local authority and direct cuts already hitting schools, this is likely to be a key factor on schools' willingness and ability to offer induction to NQTs. For those who do offer induction, there is a worry that it will be the cheapest rather than the most effective package of induction support and regulation which will be chosen, and with quality assurance systems weakened by fragmentation and diversity of offer, the support structures supporting NQTs and schools through induction will deteriorate.

Discretionary arrangements

Within a strong regulatory framework and a structure of local authority appropriate bodies, supported by clear statutory guidelines, ATL members support a level of professional discretion for appropriate bodies, informed by headteachers. With appropriate and clear criteria, we therefore agree with the proposal that appropriate bodies have the discretion to reduce the length of the statutory induction period to a minimum of one term to take account of prior teaching experience. This should not be done lightly as inappropriate shortening of induction will cut short the targeted professional support and reduced timetable that a teacher on induction would receive, risks undervaluing the induction process and could result in a damaging drop in standards. It should only be done with candidates who show equivalent or above levels of experience and expertise to those who have passed induction and this would need to be subject to external monitoring. This latter caveat further underscores the need for independent

⁷ Ibid, p.59

⁸ Ibid, p.vi

appropriate bodies such as local authorities, rather than sector-specific or teaching school appropriate bodies, in relation to this proposed increase of discretionary powers.

We agree with a common sense approach to decisions about statutory induction commencement dates and accounting for ad hoc absences with some limited discretion afforded to appropriate bodies, on headteachers' advice. However, key for ATL members is the issue of consistently high standards being maintained across all induction settings and appropriate bodies. Therefore discretion should only be allowed within specified parameters, perhaps with guidance to promote and share good practice. We are concerned about the element in the proposal that relates to discretion around the operating day; these days worked must be standard or adjusted to a recognised standard. To ensure this, discretion in this area must be within clearly defined parameters with monitoring by an independent local authority appropriate body.

ATL members agree that headteachers should have the discretion to recommend to the local authority appropriate body if they believe an extension to an NQT's induction period would be appropriate. ATL believes that any discretionary powers must be used sparingly, must be supported by evidence, including evidence of consultation with the NQT, and there needs to be an independent review body who notes how often the powers are used, and in what circumstances. Statutory guidelines should be in place to advise and ensure compliance with procedures, including right of appeal for any NQT who is unhappy with the decision made. At local level, only a local authority appropriate body could meet the level of independence required for the review and appeal body role.

Further, members believe that this discretion could be extended to the previous requirement that induction can only be served once with only one chance to pass. The right to extend should negate the need for this discretion but if discretion is to be allowed in other areas, and recognising that there may have been concerns with the induction setting, or a previous appropriate body, or in particular sets of circumstances, that flexibility would be helpful, within clear parameters, supported by guidance.

However, it is perverse that this consultation also proposes imposing the 'one chance to pass' restriction on those few teachers who failed probation prior to 1992 and stopping their current right to apply to Secretary of State to serve an 'induction period' similar to that required for statutory induction in order to work as a teacher in a maintained school. It may be apposite to devolve this discretionary power to a local authority appropriate body but it is inconsistent just to remove it altogether and therefore ATL disagrees with this proposal.

Where induction data has been lost or given erroneously, so that teachers have no record of passing induction, appropriate body discretion is welcome as long as it is clear, from experience and evidence of practice, through performance management and evidence of early and continuing professional development that the teachers concerned are at or beyond the standard of practice required to pass induction. However, criteria needs to be clear that this discretionary power can only occur in exceptional circumstances of data error, with procedures in place for verifying, or gathering as much evidence as possible to support, that premise.

Conclusion

Induction is an incredibly important part of an NQT's career when they are afforded a statutory, funded framework of support, with reduced timetable. The demands made on NQTs are high and this ensures that they receive sufficient support to meet their needs and the needs of their pupils. We are concerned that many of these proposals look to weaken the key local authority structures of support with no evidence that the capacity and structures are available elsewhere. Diversifying the appropriate body structure, in conjunction with the new teaching standards which are vague in many parts, will exacerbate the danger of inconsistent and multiple interpretations of NQTs' success or failure during induction. ATL is one of the key voices of the profession and we will continue to challenge strongly any proposals which will undermine teacher professionalism and risk compromising the education of our children and young people.