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**Explanatory Memorandum/Regulatory Impact Assessment - Subordinate
legislation**

Explanatory Memorandum to the Education (Supply of Information about the School Workforce) (Wales) Regulations 2016

This Explanatory Memorandum has been prepared by the Department for Education and Public Services and is laid before the National Assembly for Wales in conjunction with the above subordinate legislation and in accordance with Standing Order 27.1.

Minister's Declaration

In my view, this Explanatory Memorandum gives a fair and reasonable view of the expected impact of [insert title of Order]. **AND WHERE AN RIA HAS BEEN COMPLETED INCLUDE** [I am satisfied that the benefits outweigh any costs.]

Cabinet Secretary for Education

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1. Description

- 1.1. These draft Regulations impose a duty on schools, local authorities and the Education Workforce Council (EWC) to supply items of data about each member of the school workforce to the Welsh Government when requested to do so. They also specify which items of information should be provided, how they will be used and with whom they may be shared.

2. Matters of special interest to the Constitutional and Legislative Affairs Committee

- 2.1. No specific matters identified.

3. Legislative background

- 3.1. This instrument outlines the information that schools, local authorities and the EWC are expected to supply to the Welsh Government about individual members of the school workforce.
- 3.2. The instrument states how the data may be used and with whom the data may be shared.
- 3.3. The power to make the regulations is contained in section 114(1),(2)(c), (3), (6) and (8) and 120(2) of the Education Act 2005. Those powers were conferred on the National Assembly for Wales but are now vested in the Welsh Ministers by virtue of paragraphs 30 and 32 of Schedule 11 to the Government of Wales Act 2006. The regulations will follow the negative procedure.
- 3.4. The power for the supply of information from the EWC from their Register of Practitioners (maintained by the EWC under section 9 of the Education (Wales) Act 2014) is contained in section 35 of the Education (Wales) Act 2014.
- 3.5. As the information requested in a school workforce census will be at individual level and include the collection of personal data (i.e. name, date of birth and National Insurance number) and the potential for the collection of personal sensitive data (e.g. ethnicity, disability, sickness absence records) the regulations and data requirements will undergo a full Privacy Impact Assessment (PIA) to ensure that it complies with the Data Protection Act 1998 and the Human Rights Act 1998.
- 3.6. This statutory instrument is subject to annulment in pursuance of a resolution of the National Assembly for Wales (the negative procedure).

4. Purpose & intended effect of the legislation

- 4.1. The purpose of these regulations is to provide robust and accurate data that will inform workforce planning at both a national level and local level in schools. This will ensure the provision of a skilled and motivated workforce that delivers excellence in teaching for the benefit of learners in Wales.
- 4.2. There is currently limited information available on the school workforce in Wales. What information is collected is done via various data collections and ad-hoc surveys.

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- 4.3. The Welsh Government does not collect or hold any individual level information on the school workforce or any data on teachers' pay and conditions in Wales. Currently, some aggregated data is collected on teachers, support staff and recruitment and retention at school level through the Pupil Level Annual School Census (PLASC). Aggregated data on teacher sickness absence is collected separately, directly from local authorities.
- 4.4. Based on information from PLASC, as at January 2016, there were 24,236 FTE teachers and 23,995 FTE support staff employed in the school sector in Wales. The information collected does not provide a breakdown of the workforce by the key demographic characteristics necessary to inform workforce and succession planning as well as the development of new policies.
- 4.5. In addition, separate data collections on other aspects of the workforce to inform policy development or monitor progress against objectives are undertaken through ad hoc surveys or data collections requiring the involvement of schools and local authorities.
- 4.6. The EWC holds information on teachers and learning support workers in schools on their register of education practitioners. Information available includes demographic details of the workforce and details of qualifications which are directly relevant to their training as a practitioner.
- 4.7. This approach to data collection is inefficient and has a significant impact on the work load of local authorities and schools. They are often asked to respond to requests for information at different times of the year and using different definitions. This piecemeal approach to the collection of information on the workforce is not sustainable in the long-term. A School Workforce Data Collection would help streamline the collection process in schools and local authorities, as well as providing significant improvements in the quality, timeliness and utility of school workforce statistics. This data collection supports the Workforce Strategy Unit remit to reduce bureaucracy in schools.
- 4.8. Following the successful introduction of the School Workforce Data Collection, the Welsh Government is committed to phasing out two existing collections on the school workforce. These collections are:
 - a) The workforce elements of the Pupil Level Annual School Census (PLASC)¹;
 - b) The annual 'Teacher Sickness Absence Data Collection'.
- 4.9. The data collected through a School Workforce Data Collection will enhance the evidence base available to inform policy making, particularly around the recruitment, retention, turnover of the workforce, equality and diversity, workforce qualifications and the deployment of specialist teachers.
- 4.10. No information is currently collected centrally on the pay and conditions of teachers in Wales. As a consequence, the Welsh Government is

¹ PLASC is a census of pupils in maintained school settings in Wales and is carried out by the Welsh Ministers under their powers in section 29 of the Education Act 1996.

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unable to accurately calculate the cost of changes in the workforce and the impact of new policies. This leads to a dependency on the Department for Education (DfE) to inform Welsh Government of future cost implications for the teaching workforce in Wales. Additionally, due to the limited information available on teachers in Wales, evidence submitted to the School Teacher Review Body (STRB) and negotiations as part of discussions on matters relating to teachers' pay and conditions is insufficient and does not provide a true reflection of the characteristics and needs of the school workforce in Wales.

- 4.11. The development of a School Workforce Data Collection is a key part of the Welsh Government's agenda for reform in the education system in Wales. It will provide a vital resource to inform policy development in relation to building capacity in schools and workforce planning.
- 4.12. Analysis using detailed and robust data from a workforce collection will help to inform the Welsh Government in developing future policies to meet the well-being goals in the Future Generations Act. For a more prosperous Wales, better workforce planning is needed in order to ensure that a skilled and well-educated population are fully utilised and in employment, allowing people to take advantage of the wealth generated through securing decent work. For a more equal Wales, the collection of demographic data will increase understanding of the workforce landscape and enable policy makers to monitor the extent to which the teaching population represents the diversity of the population it serves.
- 4.13. The majority of data items to be collected by the Welsh Government are items which are already required to be held by local authorities or schools for their own purposes, for example the pay and contract details of individuals or information on the subjects taught for timetabling purposes. Certain data items relating to qualifications and specific demographic information are collected by the Education Workforce Council as part of the process for registering the school workforce under Education Workforce Council (Main Functions) (Wales) Regulations 2015.
- 4.14. A single school workforce data collection on an individual level basis will help relieve the burden currently placed on schools and local authorities to provide aggregate data in various ways and at different points in time. It will also enable a consistent approach to managing and reporting school workforce information across schools and local authorities.
- 4.15. Data will be collected for teachers and school support staff employed in the maintained sector. It will include information about pay, contracts, qualifications, curriculum, absences and recruitment and retention. The data set will include some personal details (i.e. name, date of birth, national insurance number) which are required for the purposes of checking and quality assurance of data and for linking data collected from different systems (i.e. school, local authority and EWC). This will also enable the linking of data over time to identify trends and changes in the school workforce.

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- 4.16. The purpose of collecting the data in this form for the Welsh Government is for statistical purposes, including planning and evaluation, and to support policy development.
- 4.17. The necessary work to standardise data items and processes will also be valuable for the schools and local authorities in the longer term, by ensuring more complete and accurate information is maintained in their own systems, enabling more effective workforce management and planning at a local level.
- 4.18. The data collected may be shared with partner organisations whose responsibilities and permissions are set out in the regulations. This will include research relating to qualifying workers or qualifying trainees which may be expected to be of public benefit. This data sharing is a key element required to reduce the burden on schools, as it enables us to move towards the overarching aspiration of collecting data once and using it many times in line with the '[Code of Practice for Official Statistics](#)'². However, each case will be determined on its merits and subject to approval. Data sharing agreements will be used to ensure that data is only shared where it is compliant with the legislation.
- 4.19. Welsh Government issue a 'Fair Processing Notice' to all members of the school workforce covered by the implementation of the regulations and data collection summarising the information held about them, why it is held and the third parties to whom it may be passed on.

5. Consultation

- 5.1. Details of the consultation undertaken are detailed in the RIA below.

6. Regulatory Impact Assessment

- 6.1. A Regulatory Impact Assessment has been conducted, and is included in Part 2 of this document.

² Code of Practice for Official Statistics: https://www.statisticsauthority.gov.uk/wp-content/uploads/2015/12/images-codeofpracticeforofficialstatisticsjanuary2009_tcm97-25306.pdf

PART 2 – REGULATORY IMPACT ASSESSMENT

7. Background

- 7.1. Following the publication of recommendations in the Silk Report in 2014, and the subsequent announcement by the First Minister as to the potential devolvement of teachers' pay and conditions to Wales, the need for a more detailed and robust data collection on the school workforce to support the new responsibilities has been emphasised. This collection will provide Welsh Government with a sufficient quality of data to support robust forecasting of teachers' pay in Wales and inform negotiations and decisions on pay related matters.
- 7.2. The ['Qualified for Life: An Education Improvement Plan'](#)³ sets out the Welsh Government's vision for education '*...about creating a system where the learner is the main focus of everything we do, and to ensure they benefit from excellent teaching and learning.*'. To deliver this, the Welsh Government has set a strategic objective of an '*An excellent professional workforce with strong pedagogy based on an understanding of what works.*'
- 7.3. Currently, limited information relating to the size and shape of the school workforce in Wales is collected by the Welsh Government at an aggregated level through the Pupil Level Annual School Census (PLASC). Additional information is collected separately as part of the annual Teacher Sickness Absence data collection, while various policy areas may undertake ad hoc data collections or surveys on specific aspects of the workforce in order to inform the development of policies. The continuation of this process for the management and collection of school workforce information is represented as 'Option 1 – do nothing' in the options below.
- 7.4. There is a general consensus across stakeholders ⁴that there is a need to collect a greater level of information on the school workforce in Wales that is more streamlined and consistent, as well as managed and reported more effectively. Options 2 to 5 below present potential means for collecting the required information.
- 7.5. Enshrining the collection of individual level data in secondary legislation would enable the required level of information for understanding the size and characteristics of the school workforce and promote effective workforce and succession planning.
- 7.6. The development of a school workforce data collection for Wales will help address the issues associated with uncoordinated data collections. It will relieve data collection burdens and duplication of effort and deliver significant improvements in the quality, timeliness and utility of school workforce data.

³Qualified for Life: An Education Improvement Plan':

<http://gov.wales/topics/educationandskills/allsectorpolicies/qualified-for-life-an-educational-improvement-plan/?lang=en>

⁴Include a selection of schools and local authorities; Welsh Local Government Association (WLGA); ESTYN; Education Workforce Council (EWC); Education Workforce Unions; Data Unit - Wales.

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- 7.7. This Regulatory Impact Assessment presents two options (options 4 and 5) in relation to the collection of individual level information. The second of these options looks at the potential to link information collected as part of the data collection from schools and local authorities to information held on the Education Workforce Council (EWC) register.

8. Options

- 8.1. Five options have been considered in the development of school workforce data collection. The options considered were:
- Option 1 - Do nothing. Maintain existing processes for collecting school workforce information at an aggregated level from schools and local authorities.
 - Option 2 – Bring regulations into force enabling the collection of data for an Individual level survey but sent to only a proportion of schools or local authorities.
 - Option 3 – Bring regulations into force enabling the collection of data for a single aggregated level census collected by Welsh Government from schools and local authorities.
 - Option 4 – Bring regulations into force enabling the collection of individual level school workforce information from all schools and local authorities.
 - Option 5 – Bring regulations into force enabling the collection and linking of individual level information from all schools, local authorities and the EWC register.
- 8.2. Each of the options is outlined below and the advantages and disadvantages of each are briefly summarised.

Option 1 – Do nothing. Maintain existing processes for collecting school workforce information at an aggregated level from schools and local authorities.

- 8.3. This option will continue with existing processes whereby Welsh Government collect information on the school workforce in Wales at an aggregated level by various data collections and surveys. The teacher and support staff headcount and full-time equivalents (FTE), recruitment and retention information will continue to be collected through the Pupil Level Annual School Census (PLASC) whilst teacher sickness absence data would be collected through a separate annual data collection exercise. This option will allow for Welsh Government and other organisations to continue to undertake ad-hoc surveys and data collections to gather specific information where no data is currently collected.
- 8.4. Maintaining the status quo is deemed to be not sustainable in the long term with no perceived benefits to workforce planning, schools, local authorities, Welsh Government and other users of school workforce statistics.

Advantages:

- This is the baseline option and as such there are no additional benefits associated with this option.
- Option 1 would incur no additional transitional or implementation costs as there would be no requirement for training or professional development associated with implementing new systems or processes.
- No requirement for development changes to information management systems and processes at school and local authority level.

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- Familiarity with requirements and processes means that future data returns can be completed on same basis as previous returns.

Disadvantages:

- Information collected on the school workforce will continue to be collected on a piecemeal basis using inconsistent definitions and processes.
- The information collected would not allow for robust and accurate analysis of the whole school workforce and its associated costs.
- Welsh Government would not be able to accurately measure the costs of teachers in Wales and the impact of changes in the school workforce and pay arrangements on future pay costs.
- Welsh Government will not be able to accurately monitor the effectiveness of policies relating to school workforce.

Option 2 – Bring regulations into force enabling the collection of data for an Individual level survey but sent to only a proportion of schools or local authorities

- 8.5. This option would involve Regulations to be put in place to provide a statutory basis for the collection of school workforce data from schools and local authorities. An individual level survey would be sent to a proportion of schools and local authorities. A sample of schools and local authorities would be identified to submit individual level information on the school workforce relating to pay and a range of other characteristics information.
- 8.6. The regulations will be made under section 114 of the Education Act 2005 which provides that the data collected will only be used for qualifying purposes. Section 114 provides that a qualifying purpose is one where the data is supplied to a person for use for in evaluation, planning, research or statistical purposes, or any other purpose prescribed in regulations.
- 8.7. This option would require the development of a secure data collection method to transfer the data from schools and local authorities to the Welsh Government.

Advantages:

- This option may provide the least burden as schools would not be required to provide data each year.
- Extending breadth of information collected would help fill certain knowledge gaps in school workforce information.

Disadvantages:

- Information collected on the school workforce will continue to be collected on a piecemeal basis using inconsistent definitions and processes.
- The information collected would not allow for robust and accurate analysis of the whole school workforce including its associated costs.

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- Welsh Government would not be able to accurately measure the costs of teachers in Wales and the impact of changes in the school workforce and pay arrangements on future pay costs.
- Survey data would be less accurate than using census data as it would be based on a sample of teachers who are assumed to be representative of the total population.
- To produce accurate estimates of teacher pay costs, additional data on the total number of teachers in service in Wales in the current academic year broken down by pay scales, amounts and hours worked would be required. This is not available from an existing data collection, and would need to be collected from local authorities in addition to an individual level survey.

Option 3 – Bring regulations into force enabling the collection of data for a single aggregated level census collected from schools and local authorities

8.8. Option 3 would involve an annual collection of aggregated level data on the whole school workforce. This option would involve electronic data forms sent out to schools and local authorities requesting information on the number of individuals within pre-determined categories of information.

Advantages:

- Aggregated data could be submitted without the need to develop secure systems as the information could be transferred.
- Extending breadth of information collected would help fill certain knowledge gaps in school workforce information.
- Less internal resource requirements for the Welsh Government to analyse aggregated level data compared to individual level data.

Disadvantages:

- Information on the school workforce will continue to be collected and reported on an inconsistent basis.
- Significant burden placed on schools and local authorities in the analysis and aggregation of data reported to Welsh Government. This may lead to reluctance from schools and local authorities to complete returns leading to incomplete data.
- The collection of information at an aggregated level does not provide the same level of accuracy and granularity as an individual level collection for statistical and evaluation purposes.

Option 4 - Bring regulations into force enabling the collection of individual level school workforce information from all schools and local authorities

8.9. Under option 4, Regulations would provide a statutory basis for the collection of school workforce data from schools and local authorities. This will enable the collection of individual level school workforce information relating to pay and other characteristics information such as age profile, ethnicity, qualifications, Welsh language skills and curriculum

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taught, as well as information on recruitment and retention. The collection would require the inclusion of unique identifiers for each individual to ensure the accuracy and validation of information and to enable the development of measures such as progression rates, promotion rates and leaver rates over time.

- 8.10. The regulations will be made under section 114 of the Education Act 2005 which provides that the data collected may only be used for a qualifying purpose. As noted above section 114 provides that a qualifying purpose is one where the data is supplied to a person for use for in evaluation, planning, research or statistical purposes, or any other purpose prescribed in regulations.
- 8.11. The regulations also forbid the further disclosure of information.
- 8.12. This option would require the development of a secure data collection method to transfer the data from schools and local authorities to the Welsh Government. There would also be some developments required to school and local authority systems to enable the extraction of the data in a consistent and standardised format.

Advantages:

- This legislation would ensure information is collected from all schools and local authorities on the whole school workforce. This would provide a complete and comprehensive picture of the school workforce to enable effective workforce planning.
- The collection of individual level data will help minimise the existing burden placed on data providers by following the principle of 'collecting information once and using many times'.
- An individual level data collection would consolidate and streamline school workforce data collections. The data currently collected on the school workforce via the PLASC and teacher sickness absence returns would be derived from the individual data loaded on the school workforce data collection.
- The on-going maintenance of information within school and local authority systems would enable schools to use the data in their day-to-day business and enable more effective workforce planning at a local level.
- Individual level data would allow for linking of information over time to enable the measuring of trends and informing policy development, while precisely evaluating the implementation and impact of policies.
- Given existing school and local authority management system processes and governance requirements, significant detail about the school workforce is already held. Providing information on an individual level may provide less of a burden for schools and local authorities compared with providing information in aggregated form.
- Greater accuracy from collecting information from source, enabling analysis of information internally and ensuring data is aggregated and reported on consistently.

Disadvantages:

- There may be an initial resource effort required for data collection and recording of information within their systems. However, the resource required for on-going information maintenance is likely to be less than currently required for the various ad-hoc surveys and data requests.
- Greater internal resource would be required for the Welsh Government to analyse individual level data compared to aggregated data.
- Individuals' concerns about the collection and security of personal information and application of the Data Protection Act

Option 5 – Bring regulations into force enabling the collection and linking of individual level information from all schools, local authorities and the EWC register.

- 8.13. Under option 5, Regulations would provide a statutory basis for the collection and linking of school workforce data from schools, local authorities and the EWC.
- 8.14. The regulations will be made under section 114 of the Education Act 2005 which provides that the data collected may only be used for a qualifying purpose. As noted section 114 provides that a qualifying purpose is one where the data is supplied to a person for use for in evaluation, planning, research or statistical purposes, or any other purpose prescribed in regulations.
- 8.15. It would replace some existing aggregated level data collections, such as the teacher and learner support staff headcount, and recruitment and retention data collected via the Pupil Level Annual School Census (PLASC) and the Teacher Sickness Absence data collection.
- 8.16. The information collected will require the inclusion of each individual teacher's unique EWC registration number which is held within local authority and school systems. This unique reference number would be used to link the information collected to other characteristics information held on the EWC register such as ethnicity, qualifications, age profile and Welsh language.
- 8.17. As per option 4, this option would require the development of a secure data collection method to transfer the data to be submitted by schools and local authorities to the Welsh Government. There would also be some developments required to school and local authority systems to enable the extraction of the data in a consistent format.

Advantages:

- This legislation would ensure that information is collected from all schools and local authorities on the whole school workforce. This would provide a complete and comprehensive picture of the school workforce to enable effective workforce planning and inform policy development.

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- The collection of individual level data will help minimise the burden placed on data providers by following the principle of 'collecting information once and using many times'.
- An individual level data collection would help consolidate and streamline existing school workforce data collections. The data currently collected on the school workforce via the PLASC and teacher sickness absence returns would be derived from the individual data loaded on the school workforce data collection.
- The on-going maintenance of information within school and local authority systems would enable schools to use the data in their day-to-day business and enable more effective workforce planning at a local level.
- Individual level data would allow for linking of information over time to enable the measuring of trends and precisely evaluating the impact of different decisions on the workforce.
- An advantage over option 4 is that it will allow linking to existing administrative sources of data held by the EWC will remove the potential for duplication of data, and help minimise the burden placed on schools in requiring to collate new information.
- Given existing school and local authority management system processes and governance requirements, significant detail about the school workforce is already held. Providing information on an individual level may provide less of a burden for schools and local authorities compared with providing information in aggregated form.
- Greater accuracy from collecting information from source, enabling analysis of information internally and ensuring data is aggregated and reported on consistently.

Disadvantages:

- There may be an initial resource effort required for data collection and recording of information within their systems. However, the resource required for on-going information maintenance is likely to be less than currently required for various data requests.
- Greater internal resource requirements for the Welsh Government to analyse individual level data compared to aggregated data.
- Linking of data from across systems is a potentially resource intensive procedure and the quality and timeliness of information recorded on the EWC register is largely dependent on individuals updating their details as circumstances change.
- Individuals concerns about the collection and security of personal information and application of the Data Protection Act.

9. Costs & benefits

- 9.1. It is difficult to quantify the costs associated with the development of information systems within schools and local authorities as they are negotiated on an individual basis. However, where direct costs and resource costs will be incurred is identified in the following section. More detailed costs will be informed through the consultation exercise and continued engagement with relevant individuals and organisations.

Option 1 – Do nothing

Costs

- 9.2. As this option proposes no change it is considered that there are no additional costs associated with this option.

Benefits

- 9.3. The principle benefit of this option is the avoidance of any implementation and transitional costs of developments to existing system for the collection and reporting of data.

Option 2 – Bring regulations into force enabling the collection of data for an Individual level survey but sent to only a proportion of schools or local authorities

Costs

Schools:

- 9.4. The direct costs of an individual level survey to schools include the development of their existing management information systems (MIS) to record and report on the required information. Costs for the development of school MIS and license fees for the MIS for existing statutory data collections (e.g. PLASC) are negotiated with software suppliers at a local authority or school level on a per pupil basis.
- 9.5. Whilst the information to be provided by schools is required for the day-to-day management of the school workforce, different schools currently adopt different processes for recording the information. Some schools maintain their information electronically whilst others keep certain workforce information in paper format. There will be an initial resource cost associated with the recording of missing or incomplete information into their systems.
- 9.6. There will also be resource requirements for the submission and validation of information to WG. This collection would replace the workforce element of the PLASC data collection. It would involve an extract of information held in their MIS at a certain point in time, rather than the current process of collecting and aggregating the information prior to submission. Therefore, it is not expected it would result in additional costs.
- 9.7. This option presents less of a burden on respondents compared to an annual census: schools will only be required to report on a rotation basis as schools would not be asked to return data each year.

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- 9.8. However, it is deemed that this would not present a significant cost saving as schools would be required to ensure the maintenance of information held in their systems as part of their day-to-day business of maintaining their workforce data and ensuring that the information is accurate for when they are required to submit information.
- 9.9. There will be an on-going cost related to the maintenance of information as circumstances change. However, this would form part of the requirements that schools should be undertaking as part of their day-to-day business of maintaining their workforce data.

Local authorities:

- 9.10. Costs would be incurred by local authorities to develop their HR and payroll systems to record and report on the required information. This would include the rationalisation and mapping of existing coding structures to streamline the data collection and ensure consistency in reporting.
- 9.11. Given that the information to be captured from local authorities are required for their existing pay and human resource processes it is likely that most of the information is already held, and therefore significant additional costs are unlikely to be accrued. However, there may be some initial resource cost in recording missing or incomplete records.
- 9.12. There would be an annual ongoing resource requirement for the updating of data where changes occur, which should form part of their day-to-day business of maintaining their workforce data, and for validation and submission of information to WG.

Secure data transfer systems:

- 9.13. There would be an initial cost to develop and implement the process and technical infrastructure for the secure transfer of individual level data from schools and local authorities to Welsh Government. The intention is to develop on existing systems used for the transfer of pupil level data. Based on costs for existing pupil level data collections the development and re-use of existing systems are estimated to cost up to £120k. This includes the development of 'xslt' for transferring data from school and local authority systems, development of system interface for schools and local authorities and the transfer of data into WG data systems. On-going maintenance and support costs for a secure data transfer system are estimated at £40k per annum.
- 9.14. The development of an entirely new secure data transfer system would cost significantly more, up to £250k.
- 9.15. There are unlikely to be significant resource savings in survey and system design or cost savings in collection compared to options for a full individual level data collection due to economies of scale.

Welsh Government:

- 9.16. A survey of a proportion of the workforce would present less burden on Welsh Government resources in terms of data analysis compared with a full individual level data collection. There would be an on-going annual

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resource cost associated with the drafting of data requirements, technical specifications and guidance documentation as well as the data collection process.

Benefits

- 9.17. Whilst the initial collation and load of data into school and local authority systems would incur a cost, improved processes for the management of school workforce data can be seen as a benefit in the longer-term with less resource and effort required compared with collecting and analysing information for specific data requests throughout the year.
- 9.18. Local authorities and schools will be able to use the data in their day-to-day management of the school workforce enabling more effective workforce planning.

Option 3 – Bring regulations into force enabling the collection of data for a single aggregated level census collected from schools and local authorities

Costs

Schools:

- 9.19. The direct costs of an aggregated level collection to schools include the development of their existing management information systems (MIS) to record and report on the required information. Costs for the development of school MIS and license fees for the MIS are generally negotiated with software suppliers at a local authority or school level on a per pupil basis.
- 9.20. Whilst the information to be provided by schools is required for the day-to-day management of the school workforce, different schools currently adopt different processes for recording the information. Some schools maintain their information electronically whilst others keep certain workforce information in paper format. There will be an initial resource cost associated with the recording of new, missing or incomplete information into their systems.
- 9.21. There will be an on-going cost related to the maintenance of information as circumstances change. However, this would form part of the requirements that schools should be undertaking as part of their day-to-day business of maintaining their workforce data.

Local authorities:

- 9.22. Costs would be incurred by local authorities to develop their HR and payroll systems to record and report on the required information in aggregated form. This would include the rationalisation and mapping of existing coding structures to streamline the data collection and ensure consistency in reporting.
- 9.23. Given that the information to be captured from local authorities are required for their existing pay and human resource processes it is likely that most of the information is already held, and therefore significant additional costs are unlikely to be accrued. However, there may be some initial resource cost in recording missing or incomplete records.

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- 9.24. There would be an annual ongoing resource requirement for the updating of data where changes occur, but this should form part of their day-to-day business of maintaining their workforce data.
- 9.25. However, the volume and range of information to be collected under this legislation is extensive. The resource and effort required from local authorities in collecting, validating and aggregating the school and local authority data would be substantial and time consuming potentially leading to significantly higher costs.

Secure data transfer systems:

- 9.26. An aggregated level data collection would be completed electronically on pre-formatted templates using excel spreadsheets and submitted via existing data transfer systems. As no sensitive or personal information would be transferred, there would not be any associated costs for the development of this collection.

Welsh Government:

- 9.27. An extended aggregate level data collection would be consolidated with the separate collections of school workforce information currently undertaken as part of the annual PLASC returns and the Teacher Sickness Absence returns. It would also remove the need to undertake additional ad-hoc requests for information administered by Welsh Government at different periods throughout the year. Responsibility for the collection of school workforce data would be transferred from the School Statistics team within Knowledge Analytical Services (KAS) to the School Workforce Data Team.
- 9.28. This option would require an increase in Welsh Government resource requirements for the collection, analysis and reporting of information. However, this would represent less resource requirement for the Welsh Government in analysing aggregated data compared to individual level data.
- 9.29. There would be an on-going annual resource cost associated with the drafting of data requirements, guidance documentation and data collection forms as well as the data collection process.

Benefits

- 9.30. Local authorities and schools will be able to use the data in their day-to-day management of the school workforce enabling more effective workforce planning.
- 9.31. Expanding breadth of information collected on the school workforce will enable better analysis to be undertaken and provide for a better evidence base to inform policy development on school workforce related matters. However, aggregated data would not provide the required level of data to accurately model their impact on teacher pay costs.
- 9.32. This would enable a more co-ordinated approach to the analysis of school workforce information and free up resource within KAS to undertake work on other areas of school statistics.

Option 4 - Collect individual level school workforce information from schools and local authorities

Costs

Schools:

- 9.33. The direct costs of an individual level survey include the development of their existing management information systems (MIS) to record and report on the required information. Costs for the development of school MIS and license fees for the MIS are generally negotiated with software suppliers at a local authority or school level on a per pupil basis. The data items requested from schools for an individual level collection would be the same as an aggregated level collection. Therefore, there would not be higher costs incurred for the development of their MIS for an individual level collection compared to an aggregated level collection.
- 9.34. Whilst the information to be provided by schools is required for the day-to-day management of the school workforce, different schools currently adopt different processes for recording the information. Some schools maintain their information electronically whilst others keep certain workforce information in paper format (e.g. sickness absence). There will be an initial resource cost associated with the recording of new, missing or incomplete information into their systems.
- 9.35. There will be an on-going cost related to the maintenance of information as circumstances change. However, this would form part of the requirements that schools should be undertaking as part of their day-to-day business of maintaining their workforce data.

Local authorities:

- 9.36. Costs would be incurred by local authorities to develop their HR and payroll systems to record and report on the required information. This would include the rationalisation and mapping of existing coding structures to streamline the data collection and ensure consistency in reporting.
- 9.37. Given that the information to be captured from local authorities are required for their existing pay and human resource processes it is likely that most of the information required is already held within their systems, and therefore high additional costs are unlikely to be accrued. However, there may be some initial resource cost in recording missing or incomplete records.
- 9.38. There would be an annual ongoing resource requirement for the updating of data where changes occur, which should form part of their day-to-day business of maintaining their workforce data. There will be a resource cost associated with the validation of information of information from schools and in extracting and submitting information to the Welsh Government. However, these costs are deemed to be significantly less than that required for an aggregated level collection.

Secure data transfer system:

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- 9.39. There would be an initial cost to develop and implement the process and technical infrastructure for the secure transfer of individual level data from schools and local authorities to Welsh Government. The intention is to develop on existing systems which is currently used for the transfer of pupil level data.
- 9.40. Based on costs for existing pupil level data collections the development and re-use of existing systems are estimated to cost up to £120k. This includes the development of 'xslt' for transferring data from school and local authority systems, development of system interface for schools and local authorities and the transfer of data into WG data systems. On-going maintenance and support costs for a secure data transfer system are estimated at £40k per annum.
- 9.41. The development of an entirely new secure data transfer system would cost significantly more, up to £250k.

Welsh Government:

- 9.42. A full individual level data collection would replace the annual PLASC returns and the Teacher Sickness Absence returns. It would also remove the need to undertake additional ad-hoc requests for information administered by Welsh Government at different periods throughout the year. Responsibility for the collection of school workforce data would be transferred from the School Statistics team within Knowledge Analytical Services (KAS) to the School Workforce Data Team.
- 9.43. This option would require an increase in Welsh Government resource requirements for the collection, analysis and reporting of information.
- 9.44. An individual level data collection would require a greater amount of validation and analysis internally compared with an aggregated data collection or a survey of a proportion of schools. There would be an on-going annual resource cost associated with the drafting of data requirements, technical specifications and guidance documentation as well as the data collection process.

Benefits

- 9.45. Whilst the initial collation and load of data into school and local authority systems would have a cost, improved processes for the management of school workforce data can be seen as a benefit in the longer-term with less resource and effort required compared with collecting and analysing information for specific data requests throughout the year.
- 9.46. Local authorities and schools will be able to use the data in their day-to-day management of the school workforce enabling more effective workforce planning.
- 9.47. Capturing information at source provides more accurate data (i.e. school data transmitted to local authorities who can validate the data before transferring to Welsh Government for analysis). This would ensure that any analysis, aggregation and reporting of data is undertaken on a consistent basis, ensuring the accuracy and comparability of information.

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- 9.48. More robust information will enable more powerful analysis to be undertaken.
- 9.49. The collection of individual level information for the total teaching population would result in more robust data providing greater accuracy in calculating teacher pay costs and modelling the impact of changes in pay and conditions and different pay policies on the school workforce and the total pay bill.

Option 5 - Bring Regulations into force enabling the collection and linking of individual level information from schools, local authorities and the EWC register.

Costs

Schools:

- 9.50. The direct costs of an individual level survey include the development of their existing management information systems (MIS) to record and report on the required information. Costs for the development of school MIS and license fees for the MIS are generally negotiated with software suppliers at a local authority or school level on a per pupil basis.
- 9.51. The data items requested from schools for an individual level collection would be the same as an aggregated level collection. Therefore, there would not be higher costs incurred for the development of their MIS for an individual level collection compared to an aggregated level collection.
- 9.52. Whilst the information to be provided by schools is required for the day-to-day management of the school workforce, different schools currently adopt different processes for recording the information. Some schools maintain their information electronically whilst others keep certain workforce information in paper format. There will be an initial resource cost associated with the recording of new, missing or incomplete information into their systems.
- 9.53. There will be an on-going cost related to the maintenance of information as circumstances change. However, this would form part of the requirements that schools should be undertaking as part of their day-to-day business of maintaining their workforce data.

Local authorities:

- 9.54. Costs would be incurred by local authorities to develop their HR and payroll systems to record and report on the required information. This would include the rationalisation and mapping of existing coding structures to streamline the data collection and ensure consistency in reporting.
- 9.55. Given that the information to be captured from local authorities are required for their existing pay and human resource processes it is likely that most of the information required is already held within their systems, and therefore significant additional costs are unlikely to be accrued. However, there may be some initial resource cost in recording missing or incomplete records.

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- 9.56. There would be an annual ongoing resource requirement for the updating of data where changes occur, which should form part of their day-to-day business of maintaining their workforce data. There will be a resource cost associated with the validation of information of information from schools and in extracting and submitting information to the Welsh Government. However, these costs are deemed to be significantly less than that required for an aggregated level collection.

Education Workforce Council (EWC):

- 9.57. This option involves the use of existing administrative data held by the EWC in line with Official Statistics best practice. Information captured as part of the process for registering teachers and learning support workers on key demographic and characteristics and qualifications relevant to their training as a practitioner would be provided by the EWC.
- 9.58. This information would be linked to information collected from schools and local authorities using a combination of key fields including teacher number, national insurance number, name and date of birth.

Secure data transfer systems:

- 9.59. There would be an initial cost to develop and implement the process and technical infrastructure for the secure transfer of individual level data from schools and local authorities to Welsh Government. The intention is to develop on existing systems which is currently used for the transfer of pupil level data.
- 9.60. Based on costs for existing pupil level data collections the development and re-use of existing systems are estimated to cost up to £120k. This includes the development of 'xslt' for transferring data from school and local authority systems, development of system interface for schools and local authorities and the transfer of data into WG data systems. On-going maintenance and support costs for a secure data transfer system are estimated at £40k per annum.
- 9.61. The development of an entirely new secure data transfer system would cost significantly more, up to £250k.

Welsh Government:

- 9.62. A full individual level data collection would replace the annual PLASC returns and the Teacher Sickness Absence returns. It would also remove the need to undertake additional ad-hoc requests for information administered by Welsh Government at different periods throughout the year. Responsibility for the collection of school workforce data would be transferred from the School Statistics team within Knowledge Analytical Services (KAS) to the School Workforce Data Team.
- 9.63. This option would require an increase in internal resource requirements for the collection, analysis and reporting of information.
- 9.64. An individual level data collection would require a greater amount of validation and analysis internally compared with an aggregated data collection or a survey of a proportion of schools. There would be an on-going annual resource cost associated with the drafting of data

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requirements, technical specifications and guidance documentation as well as the data collection process.

- 9.65. Additionally, individual record level linkage is a resource intensive procedure. The linking process could be contracted to an external supplier which would involve significant cost. However, the intention would be that linking of school and local authority data to the EWC register data would be undertaken internally by WG staff.

Benefits

- 9.66. Whilst the initial collation and load of data into school and local authority systems would have a cost, improved processes for the management of school workforce data can be seen as a benefit in the longer-term with less resource and effort required compared with collecting and analysing information for specific data requests throughout the year.
- 9.67. Local authorities and schools will be able to use the data in their day-to-day management of the school workforce enabling more effective workforce planning.
- 9.68. Capturing information at source provides more accurate data (i.e. school data transmitted to local authorities who can validate the data before transferring to Welsh Government for analysis). This would ensure that any analysis, aggregation and reporting is undertaken on a consistent basis, ensuring the accuracy and comparability of information.
- 9.69. More robust information will enable more powerful analysis to be undertaken, providing a better evidence base to inform and accurately model the costs of policies related to the school workforce.
- 9.70. The use of existing administrative data on the school workforce would reduce the burden placed on schools and local authorities by reducing the number of data items they are required to capture, verify and report.

10. Impact on sectors and duties

Schools and Local Government:

10.1. There will be development requirements to school management information systems and local authority payroll and HR systems for the collection and reporting contained in this legislation. There will be a requirement for local authorities to ensure that existing systems are developed to report information Welsh Government consistently across local authorities. However, the majority of the information to be collected is necessary for the current day-to-day management of the workforce and is already held by local authorities and is unlikely that significant additional costs are incurred. There will be a requirement for schools and local authorities to ensure the accuracy and completeness of information provided to Welsh Government on the school workforce

Education Workforce Council (EWC):

10.2. There will be a requirement for the EWC to ensure the accuracy and completeness of information held on the school workforce in line with official statistics principles. Privacy notices will need to be in place, to ensure that individuals are fully aware of how information held about them will be used and with whom it may be shared.

Duties

Equality of opportunities

10.3. This legislation and the information to be collected will help the Welsh Government meet the Welsh Specific Equality Duties under The Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011 which cover engagement, equality and employment information, pay differences and procurement. Greater detail on the demographic characteristics and pay information of the school workforce from this collection will support the education sectors contribution to the Welsh Government's Strategic Equality Plan objective to work with partners to identify and address the causes of the gender, ethnicity and disability pay and employment differences. Therefore, it is considered that this legislation will have a positive impact on the relevant protected characteristics in the school workforce.

The Welsh language

10.4. This collection of information on the ability of the workforce to teach Welsh, and the provision of teaching through the medium of Welsh, will provide supportive analysis for the Welsh Language Strategy's aim of 1 million Welsh speakers by 2050. In order to achieve the aim, there needs to be a significant increase in the number of people receiving Welsh-medium education and who have Welsh language skills, as it is only through enabling more people to learn Welsh that we will reach a million speakers. Ensuring there is a workforce that meets enables an increase in the delivery of Welsh-medium education and training is the starting point for creating more speakers. This means planning to support the training of teachers and learning assistants, expanding sabbatical schemes for the current workforce. The information collected will

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support Welsh Government in meeting its strategic aims of ensuring a sufficient workforce for Welsh-medium education and the targeting of appropriate training to deliver the Welsh language curriculum.

11. Consultation

11.1. Prior to the formal consultation process various interested organisations were consulted to discuss the implementation of a data collection and review the potential data items identified within the collection.

Organisations and individuals engaged include:

- A selection of Schools and Local Authorities ;
- Welsh Local Government Association (WLGA);
- ESTYN;
- Education Workforce Council (EWC); and
- Education Workforce Unions.

11.2. These initial discussions proved positive, with a general consensus that greater intelligence on the school workforce in Wales needs to be developed. These discussions confirmed that the majority of the information identified is already available, although it is held across various information management, HR and payroll systems.

11.3. Policy colleagues within Welsh Government have been consulted with regard to their data and policy requirements, and to identify any other data collections or surveys on the school workforce currently undertaken or planned for consideration in the project.

11.4. A summary of the formal consultation undertaken will be provided following the completion of the consultation exercise.

12. Competition Assessment

12.1. A competition assessment has been undertaken and it is deemed that there would not be any adverse affects on competition from the introduction of this legislation as this would not impose additional costs on businesses. For this reason, there is no requirement to undertake a full competition assessment of this proposal at this stage.

13. Post implementation review

13.1. The school workforce data collection will be subject to post implementation review in year one and three after implementation. The reviews will consider how far the anticipated benefits have been realised. Feedback will be sought from local authority and school representatives to assess the benefits delivered in terms of reduced burden and provision of better quality information. The views of Welsh Government colleagues will be sought on the impact of the collection on the development and evaluation of policies.

13.2. All data items included within the school workforce data collection will be reviewed for each cycle of the annual data collection to ensure its continued justification.

14. Summary

- 14.1. The school workforce collection requires the collection of a range of information relating to teachers and support staff on workforce demography, pay and contracts, qualifications, curriculum taught, absence and recruitment and retention.
- 14.2. A number of options have been considered for the collection of the required information, including a survey of a proportion of the workforce, an aggregated collection and an individual level census. The collection and linking of information at an individual level from schools and local authorities, and linking to information held on the EWC register, is considered as the optimal method for collection.
- 14.3. It is vital in providing the level of detail necessary to ensure the quality and accuracy of information submitted to support workforce and succession planning and to inform the development of new policies. It is also necessary in providing the level of detail and flexibility required to accurately calculate the current and future costs of the teaching workforce in Wales.
- 14.4. It will provide a comprehensive view of the school workforce in Wales and allow for detailed workforce planning at both a national and local level.
- 14.5. There may be an initial limited impact placed on some schools and local authorities in the short term to populate systems with missing or incomplete information and ensuring consistency in how information is recorded. However there are potential long-term savings as the resource requirements for on-going maintenance of information will be reduced compared to that required for meeting the variety of information requests currently serviced.
- 14.6. Measures will be taken to ensure that the privacy risks associated with this proposal are minimised. Information will be submitted by secure data transfer systems and stored in secure databases. Access to the data systems and data held will be restricted to authorised individuals.