



**Guidance on the
registration
of
School Learning
Support Workers
(Local Authorities, Private
Supply Agencies and
Independent Contractors)**

Guidance on the registration of School Learning Support Workers

Introduction

From 1st April 2016, under the Education Wales Act 2014 and The Education Workforce Council (Main Functions) (Wales) Regulations 2015 (as amended), the requirement for professional registration will be extended to learning support workers in both school and Further Education (FE) settings in Wales. This means that in order to work as a learning support worker in Wales, a person must be registered with the Education Workforce Council (EWC) .

A school learning support worker means a person who is not employed as a qualified school teacher but who provides or supports the provision of any of the services listed below by a school teacher in a school maintained by a Local Authority. This includes special schools, maintained nursery schools and pupil referral units.

The services are defined as:

- planning and preparing lessons and courses of study for pupils;
- delivering lessons to pupils (includes delivery via distance learning or computer aided techniques);
- assessing the development, progress and attainment of pupils; and
- reporting on the development, progress and attainment of pupils.

A person can only be employed as a school learning support worker to provide the above services if **all** of the following requirements are met:

- they are registered with the EWC in the category of School Learning Support Worker;
- they provide the above services with direct interaction with learners to assist or support the work of school teachers or nominated teachers in the school;
- they provide the services under the direction and supervision of such school teachers or nominated teachers in accordance with arrangements made by the head teacher of the school; and
- the head teacher is satisfied that they have the skills, expertise and experience to provide the services.

The legal responsibility for ensuring that only registered school learning support workers are employed in posts providing the above services lies not only with the practitioner but also the employer (Local Authorities & School) and, if applicable, a private supply agency or independent contractor.

This guidance is to be used by Local Authorities, Foundation schools and schools that manage their own pay function, private supply agencies and independent contractors in providing data to EWC in order for it to register existing school learning support workers on 1st April 2016. Any school learning support worker employed after 1st April 2016 will need to make an application to register to the EWC directly (using the standard registration application form) before they may commence their post.

Once registration has been completed for existing school learning support workers, a new set of guidance will be issued to schools and Local Authorities for use from 1st April 2016 onwards.

Please Note: From 1st April 2016 the EWC will have the following four different categories of registration:

- * School Teacher
- * FE Teacher
- * School Learning Support Worker
- * FE Learning Support Worker

Deciding which existing staff need to be registered on 1st April 2016 in the category of “School Learning Support Worker”

A practitioner **must** be registered in the category or categories of registration for the role(s) they undertake. For example, you may have staff who are qualified teachers for which they have a part-time contract of employment. In addition, they may also have a part-time contract as a school learning support worker. In such cases the practitioner must be registered in **both** the ‘School Teacher’ and ‘School Learning Support Worker’ categories. They would however, only pay one registration fee.

A key consideration for employers in determining whether registration is a requirement is the role the individual is actually undertaking rather than their job title. It should be noted that the Welsh Government’s expectation is that anybody in the “No” list should not be engaged in learning support activities, as defined under the relevant subordinate legislation”.

The list below should assist employers with identifying their employees that will need to be registered but it is not exhaustive and may be revised over time.

Yes	No
Teaching assistant HLTA Classroom assistant Nursery assistant Learning support assistant Special needs assistant Additional needs assistant Pastoral / welfare assistant Bilingual support assistant Support assistant Cover supervisor Foundation phase assistant Technician Learning coaches / mentors School librarian (if any part of their role includes any of the services referred to above) Unqualified teacher (including GTP / Teach First trainees) Instructor (including peripatetic staff who are not qualified school teachers) *Self-employed persons or persons provided by an external contractor such as sports coaches or music instructors	Caretakers Career advisor Educational psychologist School nurse Administrative staff Catering staff Attendance and inclusion officer Lunchtime supervisors Breakfast club supervisors Finance controller Data Manager Voluntary helpers e.g. reading, after school clubs Outdoor education instructors Flying Start staff Business manager / bursar IT manager Examination officer / invigilator Youth workers (including those employed by a school and undertaking the services referred to above) Student on school placement

- * Examples of this are where the Local Authority or school have a contract with an external provider to deliver learning in any subject area (commonly sports or music tuition). The Local Authority and / or school will need to ensure that any individual providing learning in this way is registered with the Council as a school learning support worker before undertaking any work.