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Teaching Regulation Agency

An executive agency of the Department for Education

Annual report and accounts

For the year ended 31 March 2020

Ordered by the House of Commons to be printed on 15 July 2020. Accounts presented to the House of Commons pursuant to Section 6(4) of the Government Resources and Accounts Act 2000. Annual Report presented to the House of Commons by Command of Her Majesty

HC 522



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ISBN 978-1-5286-2069-7

CCS0720825872 07/20

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Printed on paper containing 75% recycled fibre content minimum

Printed in the UK by the APS Group on behalf of the Controller of Her Majesty's Stationery Office

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Performance Report

Overview

This section details the organisational structure and performance, key issues and risks of the Teaching Regulation Agency (TRA or the Agency).

Accounting Officer's introduction and perspective on performance

The TRA is an executive agency of the Department for Education (DfE or the Department).

At the time of writing we are working during the unprecedented challenges of the COVID-19 global pandemic. It is in this context that our work to support educational and learning settings for children has a particular level of prominence, and will continue to do so for some time. In March 2020, all scheduled Professional Conduct Panels (PCPs) were postponed due to lockdown. However, we have continued to progress misconduct investigations up to the point of the PCP, in line with published procedures. We are now looking to deliver some PCPs virtually, and in the longer term as restrictions are eased, we are developing plans to deliver PCPs at our Coventry office, complying with social distancing guidelines.

The Department's estimate and forward plans included provision for the continuation of the TRA into 2020-21. It is therefore appropriate to prepare the Agency's accounts on a going concern basis.

We have continued to regulate the teaching profession, whilst improving current working practices, and being responsive to the needs of stakeholders. During 2019-20 we introduced new guidance for TRA witnesses to ensure they are well prepared for misconduct panels and have introduced a new case management system for the scheduling of misconduct panels.

We have worked with Department policy teams to support the development of, and the changes required for, the recognition of professional qualifications for overseas teachers in preparation for leaving the European Union. We have reprocured our legal services contracts, ensuring best value in terms of quality and cost.

Statement of purpose and activities

Our purpose is to support employers, schools and headteachers with safeguarding responsibilities, as set out in our 2018-21 Corporate Plan ¹. We are responsible for the Database of Qualified Teachers (DQT) which provides employers the opportunity to complete pre-employment checks to ensure that they are employing teachers who are appropriately qualified for their role.

We have responsibility, on behalf of the Secretary of State for Education ('the Secretary of State'), to act as the competent authority for teaching in England; and to operate as the regulatory system for all teacher misconduct, as defined by The Teachers' Disciplinary (England) Regulations 2012 and the Teacher Misconduct Procedures – Disciplinary procedures for the Teaching Profession ²³.

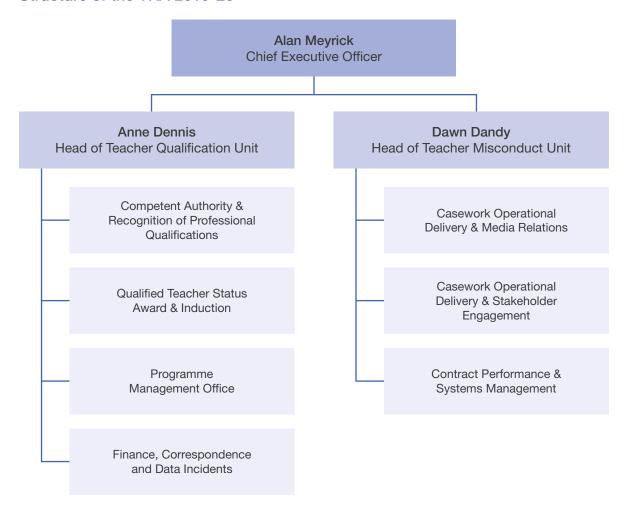
The Agency is formed of two operational units: the Teacher Qualification Unit (TQU) and the Teacher Misconduct Unit (TMU).

¹ https://www.gov.uk/government/publications/teaching-regulation-agency-corporate-plan

² http://www.legislation.gov.uk/uksi/2012/560/contents/made

³ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/776859/Disciplinary_procedures_for_the_teaching__profession.pdf

Structure of the TRA 2019-20



COVID-19

The Agency is working with the unprecedented challenges of the COVID-19 global pandemic.

The Department took the decision on 16 March to close all offices, and staff were required to work from home, this was made possible by to the Department's IT refresh two years ago. Agency staff have adapted positively to this change and have continued to perform their duties.

The Teacher Misconduct hearing suite is located in the Department's Coventry office. Due to the Department closing its offices, as mentioned above, all planned misconduct hearings were postponed until further notice. Misconduct casework continues to be progressed up to the point of hearing, and Interim Prohibition Orders (IPOs) continue to be issued as required. The TRA are also looking at whether PCPs could be held remotely during this pandemic and are developing plans to deliver PCPs at our Coventry office, complying with social distancing guidelines.

To support the wider Government response staff were asked to volunteer to work across Government. From April 2020 several staff have been loaned to other teams within the Department, with one member of staff on loan to another Government Department. Other staff were asked to support the business as required.

Along with the rest of Government, the Agency has adopted Procurement Policy Note 02/20 and is maintaining payments to suppliers in order to support the economy.

The Agency continues to work with Government to support the wider response to COVID-19.

Key issues and risks faced by the Agency

The Agency faced strategic risks that could cause operational delivery to differ from the desired outcomes. The table below shows four strategic risks taken from the Strategic Risk Register, along with a summary of how we managed these in 2019-20.

Risk	Area	Mitigation
There is a risk that the TRA's regulatory process, including its ability to make decisions on behalf of the Secretary of State, is discredited due to a successful challenge in either the High Court, by judicial review or by an individual's actions.	TMU	Risks for individual cases are identified and discussed with a nominated Senior Responsible Officer (SRO). Close working relationships with the Department's Legal Advisors Office and policy colleagues to ensure potential issues are considered at an early stage to support a robust legal position.
This would impact on the ability of the Teacher Misconduct Unit to operate, with cases potentially being put on hold until a review of current procedures and/ or regulations is carried out. If cases are halted, this could cause additional stress to teachers currently going through an investigation, and potentially prolong suspensions imposed by schools which could impact the teacher's future career opportunities. It could also lead to adverse press and media scrutiny and reputational damage to the TRA and the Department.		The TRA work closely with the Department's Press Office team to manage communications that arise from the reporting of hearings. The TRA made significant progress in reviewing its published procedures consulting with relevant stakeholders. The updated procedures were published on https://www.gov.uk/ on 20 May 2020. 4
There is a risk that the TRA's interpretation and application of the General Data Protection Regulation (GDPR) is insufficient and may be successfully challenged by a data subject. This could have both a financial and reputational impact on the TRA and the Department.	TRA	The TRA has specified staff in TMU and TQU leading on GDPR and they have undertaken training to help them to understand the requirements of GDPR and the potential impact on the TRA. The TRA has worked closely with the Privacy and Information Rights Advisory Service within the Department to ensure common understanding of the requirements. All privacy notices have been rewritten to comply with GDPR requirements and communications plans developed to ensure that relevant data subjects are informed of their rights. The TRA has followed advice from the Information Commissioner's Office (ICO) to further develop plans to ensure it is compliant with GDPR.
There is a risk of a data breach involving sensitive material being misplaced, misused, or inadvertently viewed. The impact being that sensitive data including personal details of those involved in a misconduct investigation is shared with those who should not have access to it. This could raise safeguarding issues and, concerns from individuals around data handling. Furthermore, information being incorrectly shared could impact on the integrity of the case management and administration of the case. It could also damage the reputation of both the TRA and the Department and result in a fine due to the data breach.	TRA	All TRA staff have received awareness training on data protection. All staff complete mandatory information security training annually. Panel members on TRA's PCPs received guidance on handling sensitive information in 2019-20. All case papers are given a protective marking and transferred by secure courier. Documents transferred electronically are password protected or transferred via a secure platform. TRA data breach reporting and near miss regular reporting is in place. The TRA routinely embed lessons learnt from near misses and previous data incidents. Contracts with firms performing services on behalf of the TRA include strict data security instructions.

⁴ https://www.gov.uk/government/publications/teacher-misconduct-disciplinary-procedures

Risk	Area	Mitigation
There is a risk that the TRA are not able to manage the volumes of casework required due to having a high number of vacancies at any one point in the year. This could lead to cases not progressing as quickly as expected through assessment, investigation, and hearing. For TQU, a high number of staff vacancies could lead to delays with regard to award / decline decisions for recognition of teachers from overseas, and not responding to helpdesk queries quickly enough. This risk could also lead to reputational damage for the TRA and DfE.	TRA	Over recruitment agreed with Senior Sponsor in 2019-20 to mitigate against staff churn. The TRA have monthly all staff meetings where learning and development is a key item on the agenda. During 2019-20, there have been sessions on bullying and harassment, wellbeing, and inclusion and fair treatment. Supporting staff with their wellbeing and providing learning and development opportunities should mitigate against them wanting to leave the TRA. In March 2020 in response to COVID-19, staff were required to work from home. The TRA set up a Microsoft Teams channel that actively provides support for the wellbeing of staff. In addition to this we also put in place confidential routes for raising any issues arising from working at home, and for checking in with vulnerable colleagues on a regular basis.

There are robust governance arrangements in place for our programmes of work to ensure the timely resolution of these challenges as well as the delivery of routine work (see page 34).

Performance Summary

The TRA's work is split between two operational units, they are:

- TMU: responsible for considering all referrals of teacher misconduct; progressing cases that fall within TRA's jurisdiction and its threshold for serious misconduct, with allegations that if proven have the potential to result in a prohibition order being imposed.
- TQU: acts on behalf of the Secretary of State as the competent authority for teaching in England and ensures the delivery of EU Directive 2005/36/EC; awards Qualified Teacher Status (QTS) to teachers in England and the recognition of overseas trained teachers (OTTs) for QTS in England ⁵.

During 2019-20 the TMU has:

- received 900 (2018-19: 985) referrals of teacher misconduct
- imposed 56 (2018-19: 51) IPOs and 63 prohibition orders (2018-19: 91)
- managed four High Court appeals (2018-19: four) and one Judicial Review (2018-19: one)

During 2019-20 the TQU have:



Awarded QTS to 31,752 (2018-19: 30,806) individuals who have completed a course of initial teacher training (ITT) in England, and awarded Early Years Teacher Status (EYTS) to 400 individuals (2018-19: 534)



Awarded QTS to **3,868** (2018-19: 4,633) OTTs who applied for recognition in England



Delivered QTS and induction certificates to **55,691** (2018-19: 72,476) teachers through the teacher self-service portal (TSS)



Recorded **28,411** (2018-19: 27,285) newly qualified teacher (NQT) induction passes onto the DQT



Supported **467,084** (2018-19: 344,578) pre-employment checks through the online employer access service



Issued **38,077** (2018-19: 37,449) teacher reference numbers (TRN) to trainee and qualified teachers



answered **33,116** (2018-19: 31,043) telephone calls and responded to **45,485** (2018-19: 44,272) email helpdesk queries

Performance analysis

Key organisational performance measures

The TRA has 10 key performance indicators (KPIs) against which we measure our deliverables. These indicators are at the centre of a performance framework used to monitor our performance. The outcomes against our performance indicators are set out below.

Performance indicator	Outcome 2019-20	Status	Notes
TQU will process all QTS recommendations from ITT providers and make the outcomes available on the DQT within two working days of receipt.	100%	Met	
TQU will process all induction results submitted by appropriate bodies and make the outcomes available on the DQT within two working days of receipt.	100%	Met	
DQT: will be available to users for 98% of the reporting year.	99.8%	Met	
Initial Assessment: 100% of European Economic Area (EEA) and Switzerland applications initially assessed within the 20 working days service level agreement.	82%	Not Met	TQU faced a higher turnover of staff during 2019-20 which resulted in this KPI not being met, this has now been addressed.
Award/Decline decision: 100% of applications completed within 90 working days for EEA, and 20 working days for OTT as specified in service level agreements.	99.4%	Not Met	TQU faced a higher turnover of staff during 2019-20 which resulted in this KPI not being met, this has now been addressed.
Teacher Qualification Helpdesk: 100% of helpdesk emails responded to within five working days of receipt.	100%	Met	
Teacher Qualification Helpdesk: abandonment rate for helpdesk telephone enquiries to be less than 5%.	1.4%	Met	
Initial Assessment: 95% of teacher misconduct referrals are screened and sifted within 72 hours of receipt.	90%	Not Met	Whilst we have not achieved this target for the whole year, it has been met or exceeded every month since August 2019.
Investigation: 95% of teacher misconduct cases are concluded or referred to a hearing within 20 weeks ⁱ .	85%	Not Met	The TMU faced a number of challenges during 2019 including a high number of staff vacancies and delays getting information from third parties which impacted on the ability to start investigations.
			New processes and staffing structure have been introduced to address these challenges.
			The TMU reviewed its KPIs and recommended that the investigation KPI was changed to a median bringing it in line with the hearing KPI (see note below). This came into effect from 1 April 2020, and it was agreed that this KPI would commence once all the information was received to start the investigation.
Hearing: teacher misconduct cases that are considered at the hearing stage are concluded within 52 weeks (median) from the date of receipt of referral.	45.14 weeks	Met	

i. This KPI measures how long it takes for a case to be investigated, which determines whether the case should conclude or be referred to hearing. This KPI commences after the initial referral stage, and as part of the investigation the TRA can be waiting for third party information to complete the investigation (approximately 20% of investigations require this), which impacts on this KPI. The TRA shadow-ran the revised metric up to March 2020, this KPI will measure how long it takes for a case to conclude or be referred to a hearing once all the information required for the investigation is received.

Objectives and purpose of the Agency

The Department's overall vision is to provide world class education and care that allows every child and young person to reach their potential. One of the Department's goals is that every child and young person can access high-quality provision, being able to achieve to the best of their ability regardless of location, prior attainment and background. The TRA vision supports this.

We will strive to achieve excellence in all that we do, delivering a high-quality, fair and consistent regulatory system for the teaching profession on behalf of the Secretary of State. We will assess applications for recognition of professional status fairly and efficiently. We will support the teaching profession by ensuring that we promote high standards of conduct through fair, rigorous and timely teacher misconduct investigations that, where appropriate, prohibit teachers found guilty of serious misconduct. We will work to assist schools in maintaining the standards required of the teaching profession, allowing every child access to high-quality education.

The purpose and activities of the Agency are listed on page 7.

During 2019-20, the TRA:

- introduced a new stakeholder feedback system to proactively collect and analyse stakeholder feedback to identify opportunities for improvements to service delivery
- responded to all correspondence, including freedom of information (FOI) and subject access requests as described on page 32
- had its first Tailored Review conducted by the DfE Arm's Length Body Tailored Review team, and developed a response to the recommendations provided. The Review identified a clear need for the functions of the TRA to remain at arm's length from the core of the Department as an Executive Agency

During 2019-20, the TQU:

- acted on behalf of the Secretary of State as the competent authority for teaching in England
- awarded QTS to teachers trained in England and appropriately qualified teachers from Northern Ireland, Scotland, Wales and overseas where legislation allowed
- supported ministers and wider Department policy teams by providing timely and accurate QTS and induction data, to help make well informed decisions
- collected the 2019/20 cohort registration data for all new trainee teachers commencing a course of ITT in England in autumn 2019, used the data to establish trainee records on the DQT and issued unique TRNs by November 2019
- by 31 August 2019, collected the 2018/19 cohort result data for trainee teachers who completed either a course of ITT or early years ITT in England during the academic year, ensuring that all ITT providers returned cohort results
- collected and recorded the 2018/19 autumn start cohort outcomes for all NQTs who completed the mandatory induction year by October 2019
- utilised the online TSS solution to deliver new certificates to all teachers who achieved QTS or EYTS, passed their NQT induction year, or completed a national professional qualification in leadership (NPQ) in England
- maintained accurate list of prohibitions, decisions and restrictions relating to teachers, ensuring relevant data was collected from other regulatory authorities and processed within agreed service level agreements
- maintained a central record of NPQs and mandatory qualifications, ensuring relevant and accurate data was collected from partner stakeholders and processed within agreed service level agreements

- enabled employers of teachers to undertake mandatory pre-employment checks by providing secure online access to the list of qualified teachers and the list of teachers prohibited from teaching or holding a sanction from the Secretary of State.
- supported the policy development for recognition of OTT on exit of the EU
- maintained a telephone and email helpdesk for teachers, employers of teachers, schools and appropriate bodies
- developed online surveys to measure customer satisfaction and opinion towards the email and telephone helpdesk.

During 2019-20, the TMU:

- completed an initial assessment of all referrals made to determine whether a case falls within the TRA's jurisdiction and its threshold for serious misconduct, that if proven has the potential to result in a prohibition order
- considered for all cases whether an IPO should be imposed to prevent the person teaching until the case was concluded
- undertook an initial investigation and decided whether there was a case to answer, and where there was a case to answer the TMU:
 - prepared the case for hearing, working with an external legal firm to present the case at a PCP
 - engaged in a timely manner with the teacher, teacher's representative and referrer as required throughout the lifetime of the case
 - organised and administered the PCP proceedings, scheduling cases at the earliest opportunity available, and provided administrative support where required
 - engaged with independent panellists to ensure the constitution of the panel met regulations and guidelines
 - responded to all teacher misconduct case gueries

- appointed an appropriate SRO for all cases to take decisions on behalf of the Secretary of State. The SRO determined whether a prohibition order was appropriate, and if so decided whether a teacher may apply for a review of the order
- considered cases where an NQT wished to appeal failure of, or an extension to, their induction period
- considered and made a decision on behalf of the Secretary of State for cases where a teacher applied for the prohibition order to be set aside, including General Teaching Council for England legacy cases
- on receipt of High Court appeal notifications, worked with the Government Legal Department to prepare cases to present on behalf of the Secretary of State
- worked with Department colleagues to ensure all online teacher misconduct guidance reflected current teacher disciplinary regulations
- continued to ensure robust contract management of legal firms engaged in TRA work, ensuring value for money
- reprocured legal services for Presenting Officer and Legal Adviser services ensuring that contracts awarded represented best value in terms of quality and cost

- reviewed and updated Witness Guidance following consultation with key stakeholders⁶
- delivered an annual panellist engagement day which, following feedback from panel members, was focused on learning and development to support them in their role
- undertook annual appraisals of panel members to ensure that panellists consistently demonstrated and maintained the behaviours, standards and competencies required for the panellist role, and met the standards set out in the Cabinet Office Governance Code for Public Appointments⁷
- worked with stakeholders, including developing regular panellist newsletters and holding bi-annual meetings with trade unions, to deliver key messages and receive feedback.

Performance

The following section sets out our performance during 2019-20.

Teacher Qualification Unit

Qualified Teacher Status

Teachers must have QTS in order to take up a teaching post in England in a maintained primary, secondary, or special school or a non-maintained special school.

We continued to make QTS awards to individuals who successfully completed an accredited ITT course in England and Wales, and to trained teachers from the EEA, Switzerland, Scotland, Northern Ireland or overseas countries where there is agreed recognition of qualified status.

During 2019-20, we awarded QTS to 31,752 teachers and EYTS to 400 individuals who completed an ITT course in England. We also awarded QTS to 1,432 teachers who completed the Assessment Only Route.

Additionally we awarded QTS in England to 1,043 teachers trained in Wales and 383 qualified teachers from Scotland and Northern Ireland who applied for recognition.

⁶ https://www.gov.uk/guidance/teacher-misconduct-information-for-witnesses

⁷ https://www.gov.uk/government/publications/governance-code-for-public-appointments

Recognition of Professional Qualifications

Professional recognition and the award of QTS, is considered for two groups of OTTs:

- those fully qualified in the EEA or Switzerland and.
- since 2012, those fully qualified in Australia, Canada, New Zealand and the United States

Nationals from the EEA or Switzerland can apply for QTS if they are fully recognised as a qualified school teacher in an EEA member state or Switzerland.

Teachers from Australia, Canada, New Zealand and the United States must be fully qualified and eligible to teach permanently in the country they are from. This must be documented from the recognised authority in that state. There is further information on the award of QTS on our webpage ⁸.

Outside of these groups, experienced teachers from overseas are granted a four year grace period in which they can teach unqualified in maintained schools whilst they achieve QTS by another recognised route ⁹.

Obtaining QTS does not necessarily mean that qualified teachers who have their QTS recognised in England are currently teaching in England.

EEA and Switzerland

On 31 January 2020, the United Kingdom ceased to be a member of the European Union. Teachers from the EEA and Switzerland continue to be eligible to apply for professional recognition in England under the existing arrangements until the end of the transition period.

The EEA provides for the free movement of persons, goods, services and capital within the internal market of the EU between its 27 member states, as well as three of the four member states of the European Free Trade Association: Iceland, Liechtenstein and Norway. Switzerland is also included in the free movement directive for professional recognition.

There were **2,458** QTS awards made to qualified teachers from the EEA and Switzerland in 2019-20. This represents a **21% decrease** from 2018-19, where the number of QTS awards was **3,103**.

The EEA countries of origin with 10% or more of the total number of QTS awards made to EEA countries in 2019-20 were:

• Spain: 1,150

• Greece: 368

The number of fully qualified teachers from each EEA country awarded QTS is available in Annex 1.

⁸ https://www.gov.uk/guidance/qualified-teacher-status-gts

⁹ https://getintoteaching.education.gov.uk/

Other countries outside the EEA

The number of QTS awards made to teachers from outside the EEA (Australia, Canada, New Zealand and the USA) was **1,410** in 2019-20. This is an **8% decrease** from 2018-19, where the number of QTS awards was **1,530**.

These QTS awards are distributed as follows:

- Australia 443
- Canada 304
- New Zealand 190
- USA 473

Further details can be found at Annex 1.

Recognition of Special Educational Needs Teachers from the EEA

From 19 December 2016, teachers who are recognised in the EEA but who are only qualified to teach pupils with special educational needs and disabilities (SEND) can apply for partial QTS in England. A teacher with partial QTS can be appointed to a qualified teacher post in a special school, or to teach pupils in a specialist unit in mainstream schools. Partial QTS also exempts a teacher from the requirement to serve a statutory induction period in England. This change was due to an amendment to Council Directive 2005/36/EC. EU member states must recognise qualifications when they entitle a professional to work in specific areas of a regulated profession.

During 2019-20, 57 awards of partial QTS were made to SEND teachers from the EEA. Further details can be found at Annex 1 on page 70.

Teacher Self-Service Portal (TSS)

The TSS portal provides teachers with access to their records held on the DQT. The DQT is maintained by the TRA on behalf of the Department, who for the purpose of data protection legislation, are the data controller for data held and processed within the DQT.

Access to this portal enables teachers to:

- · view their teacher record
- obtain electronic copies of their QTS, EYTS and/or induction certificates
- obtain electronic copies of relevant leadership qualification certificates
- update personal details
- download a letter confirming teacher qualifications
- input employment details

55,691

During 2019-20, we delivered new online certificates to 55,691 teachers (2018-19: 72,476) through the TSS portal.

Online employer access service

Teacher Services is a free service for schools, sixth form colleges, local authorities and teacher supply agencies in England to check the record of a teacher they employ or are considering employing. It should be used before appointment to check for:

- the award of QTS
- completion of teacher induction
- prohibitions, sanctions and restrictions that might prevent the individual from taking part in certain activities or working in specific positions

Further guidance is available on gov.uk 10.

During 2019-20, we supported 467,084 pre-employment checks through this service.

Newly Qualified Teacher Induction

All qualified teachers who are employed in a relevant school in England must by law have completed an induction period satisfactorily, subject to specified exemptions.

Statutory induction is the bridge between ITT and a career in teaching. It combines a personalised programme of development, support and professional dialogue with monitoring and an assessment of performance against the relevant standards⁸. The programme should support the NQT in demonstrating that their performance against the relevant standards is satisfactory by the end of the period and equip them with the tools to be an effective and successful teacher.

The Teachers' Standards will be used to assess an NQT's performance at the end of their induction period. The decision about whether an NQT's performance against the relevant standards is satisfactory upon completion of induction should take into account the NQT's work context and must be made on the basis of what can be reasonably expected of an NQT by the end of their induction period, within the framework set out by the standards. Judgements should reflect the expectation that NQTs have effectively consolidated their ITT and demonstrated their ability to meet the relevant standards consistently over a sustained period in their practice.

The full guidance is available from gov.uk ¹¹. The total number of induction passes registered for 2019-20 was 28,411.

Teacher Reference Numbers (TRN)

A TRN is a unique seven-digit reference number allocated to teachers (qualified or trainee teachers). This reference number is a key identifier for their record.

A TRN can be generated in the following ways:

- the number is allocated by the TRA when details of a trainee teacher are entered by an ITT provider onto the Secure Access system via the ITT portal which creates a trainee's record on the DQT
- when overseas qualified teachers apply for QTS through the recognition route and are awarded QTS, they are added to the DQT and a new record is created for them
- The Teachers' Pension Scheme (England and Wales) use the DQT when they are administering their service. If a teacher does not have a record, they create a new record for the teacher which generates a TRN.

During 2019-20, 38,077 TRNs were issued.

¹¹ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/696428/Statutory_ Induction_Guidance_2018.pdf

Teacher Misconduct Unit

From 1 April 2012, the Education Act 2011 gives responsibility, to the Secretary of State to regulate the teaching profession in England, and to hold a list of teachers who have been prohibited from teaching. The TRA operates these on behalf of the Secretary of State.

Regulatory framework

The Teachers' Disciplinary (England) Regulations 2012 (the Regulations) as amended by The Teachers' Disciplinary (Amendment) (England) Regulations 2014 provides information about the arrangements ^{12 13}. We investigate cases of serious teacher misconduct and decide whether to refer a case to a PCP which then investigates whether a prohibition order should be issued.

These regulations apply to all people carrying out teaching work in England, covering:

- all schools
- sixth form colleges
- children's homes
- relevant youth accommodation

They cover cases of serious misconduct. This is when a teacher's behaviour:

- is fundamentally incompatible with being a teacher
- could lead to them being prohibited from teaching

The regulations do not cover the cases of less serious misconduct, incompetence or underperformance. A teacher's employer should deal with these cases.

Teacher misconduct referrals and investigation

During 2019-20, the Agency received 900 teacher misconduct referrals. All referrals received are initially assessed to determine if the TRA should formally investigate the referral. The TRA took no further action on 263 cases due to the referrals not falling within the TRA's jurisdiction and/or not meeting the threshold of serious misconduct.

During the same period 488 cases of alleged serious misconduct were investigated, after which the TRA decided either that there was no case to answer, or that there was a case to answer and decided to refer the matter to a PCP.

85% of cases were concluded or progressed to a PCP within 20 weeks (target 95%). Referrals that are investigated by the TRA may not conclude in the same year they are referred to the TRA.

¹² http://www.legislation.gov.uk/uksi/2012/560/contents/made

¹³ http://www.legislation.gov.uk/uksi/2014/1685/contents/made

PCPs

Panel members are recruited through a public appointments process. A panel consists of three members, and will include: a teacher (or someone who has been a teacher in the previous five years) and a layperson (specifically not from the teaching profession). The third panel member may be a person who has taught previously, but does not currently meet the 'teacher panellist' criteria and will be referred to as a 'former teacher panellist'. All panellists are independent of the TRA and Department.

We will appoint one of the three panellists to act as chair. A list of current panel members is available online ¹⁴.

An independent legal adviser is present to advise the panel on the legal process. They cannot be a member of the Department and will take no part in the decision-making process.

The teacher accused of misconduct will be able to submit relevant evidence and will be given the opportunity to comment on all the evidence that the TRA is considering related to their case. For more detailed information, please visit gov.uk ¹⁵.

The panel will consider all the evidence and decide whether there has been:

- unacceptable professional conduct
- conduct that may bring the profession into disrepute
- a conviction, at any time, of a relevant criminal offence

If the panel decides that there has been any of the above, it will make a recommendation to the Secretary of State. The decision maker at the TRA considers the recommendation, and makes the decision on behalf of the Secretary of State on whether a prohibition order would be appropriate. The TRA referred 298 cases of alleged serious misconduct to an independent PCP to decide whether facts are proven and, if so, whether those facts amount to one of the categories listed above. A Prohibition Order aims to protect pupils and maintain public confidence in the profession.

During 2019-20, the Agency held 96 PCPs resulting in:

- 63 teachers being prohibited from teaching
- 18 hearings where unprofessional conduct was found but did not result in a prohibition
- 9 hearings where facts were found but there was no finding of unprofessional conduct, and
- 6 PCPs found no finding of fact

The median time to conclude teacher misconduct cases referred to an independent PCP was 45.14 weeks which was well within the target of 52 weeks.

Hearing outcomes

We will normally notify the teacher of the decision made on behalf of the Secretary of State within two working days. Where this decision is a finding of unprofessional conduct we publish this on our website, usually within two weeks.

A list of published decisions is available here 16.

¹⁴ https://www.gov.uk/government/publications/teacher-misconduct-professional-conduct-panel-members

¹⁵ https://www.gov.uk/guidance/teacher-misconduct-regulating-the-teaching-profession

¹⁶ https://www.gov.uk/search/all?parent=&keywords=panel+outcome+misconduct&level_one_taxon=&manual=&organisations%5B%5D=teaching-regulation-agency&organisations%5B%5D=national-college-for-teaching-and-leadership&public_timestamp%5Bfrom%5D=&public_timestamp%5Bto%5D=&order=updated-newest

Prohibition orders

A prohibition order means that the individual cannot undertake unsupervised teaching work in any school, sixth form college, children's home or youth accommodation in England.

The primary purposes of a prohibition order is to:

- protect pupils
- maintain public confidence in the teaching profession
- support schools in upholding proper standards of conduct

In exceptional cases, we may decide that an allegation is sufficiently serious to mean that the teacher should not teach while the case is being investigated and concluded. We may then decide to impose an IPO.

When the Secretary of State decides that a prohibition order is appropriate the teacher's details will appear on the prohibited list. However, the decision maker on behalf of the Secretary of State may allow a teacher to apply for the prohibition order to be set aside after a period of no less than two years, and in line with strict criteria outlined in 'Teacher Misconduct: the Prohibition of Teachers' 17.

Teacher Misconduct appeals

A teacher may appeal against a prohibition order within 28 days of the date a prohibition notice is served. To do so, the teacher needs to apply to the Queen's Bench Division of the High Court under Part 52 of the Civil Procedure Rules. In 2019-20, there have been four appeals to the High Court from teachers who were prohibited. The TRA successfully defended two appeals and two are still waiting to be heard. There was one judicial review which is still pending. Judicial reviews are a challenge to the way in which a decision has been made, rather than the rights and wrongs of the conclusion reached.

There have been 10 applications by teachers to have their prohibition order set aside, of which eight were set aside. An application must be made in writing to the TRA and must specify the grounds upon which it is made.

Where a person makes an application to the TRA for a determination that a prohibition order should be reviewed, with a view to it being set aside, the TRA will normally appoint a panel consisting of persons who were not members of the original panel which recommended the prohibition order. There may be circumstances where the TRA will set aside a prohibition order without the need to refer to a panel. This may be, for example, where the conviction of a relevant offence has been quashed.

Continuous Improvement

The TMU has made a number of improvements to strengthen its processes and handling of cases. Improvements made during 2019-20 include:

- development and introduction of improved stakeholder feedback and engagement processes, which are now available online
- reviewed online witness guidance and introduced detailed TRA Witness Guidance
- improved how legal contracts are managed through introducing standardised contact management practices. Monthly contract review meetings take place with each legal firm, these meetings address contractual performance, and the supplier is required to submit a monthly performance report. There are standard agendas, formal minutes and a risks, actions, issues and decisions log
- reviewed the Teacher Misconduct: Disciplinary Procedures for the teaching profession document published in May 2020 18
- development of an online panellist portal allowing panellists to notify TMU of their availability for panels, view information on cases and access case related documents, upload documents, and access content on the portal i.e. web page content and blogs
- introduced a learning and development proforma for all TMU staff (covering end-toend delivery and customer focus)

¹⁷ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/752668/Teacher_misconduct-the_prohibition_of_teachers_.pdf

¹⁸ https://www.gov.uk/government/publications/teacher-misconduct-disciplinary-procedures

Finance

Statement of Comprehensive Net Expenditure

The Agency paid staff costs of £2.9 million (2018-19: £2.4 million). There were several factors which led to the increase including the pay award, increased employers pension contributions, staff promotion and an increase in total staff employed from 60 to 75. As explained further in the key risks above, the TRA agreed with the Senior Sponsor to over-recruit to mitigate against the risk of underperformance as a result of staff churn.

Other expenditure: £4.6 million (2018-19: £5.9 million). This decrease is mainly due to a reduction in IT development costs as the new Teacher Misconduct System, implemented in 2018-19, became embedded.

Shared services costs of £1.3 million (2018-19: £1.8 million). This reduction is due to a one off reduction in the premises related costs in 2019-20. Shared service costs are a notional recharge from the Department to the Agency, for which no budget allocation is made, it is an allocation of central group costs made to enable disclosure of the full cost of the Agency.

In 2018-19 there was a transfer of function to the Department which amounted to a one-off loss of $\mathfrak{L}16.1$ million.

Statement of Financial Position

The Agency's assets consist of working capital, receivables and payables. All other assets are part of the Departmental estate for which the Agency pays a shared service fee.

In 2019-20 the Agency did not operate its own bank account, funds are held and disbursed from Departmental group bank accounts. Consequently, no cash at bank balance is presented.

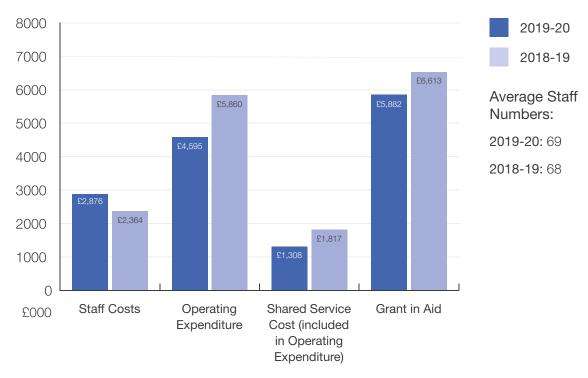
The receivables balance in 2019-20 has reduced as staff balances were repaid and secondment charges settled.

The trade payables balance for 2019-20 increased due to a number of invoices received at the end of the year which missed the deadline to be processed for payment.

Long-term expenditure trends

The Department agreed a settlement with HM Treasury (HMT) for the next four financial years in November 2015, as part of the 2015 Spending Review ¹⁹. Following this settlement, the Department's Single Departmental Plan was updated in June 2019 ²⁰. The figures for the Agency are included within the Departmental spending plans.

The following table shows the expenditure and grant in aid for the Agency in respect of the last two financial years. The National College for Teaching and Leadership was repurposed in 2018 to the Teaching Regulation Agency and therefore comparative data is not available before this date.



Performance on other matters

The Agency is aligned with the Department in respect to the following matters.

Sustainability

The Agency utilises office accommodation and services provided by the Department. Therefore we adopt DfE's policies on sustainability, and aim to manage our business in an environmentally sustainable way. Data is collated at a Departmental level and is shown in the Departmental group Annual Report and Accounts (ARA). ²¹.

Social matters

The Agency adopts Departmental policies relating to social matters, which are published in their annual report and accounts.

¹⁹ https://www.gov.uk/government/publications/spending-review-and-autumn-statement-2015-documents

²⁰ https://www.gov.uk/government/publications/Department-for-education-single-Departmental-plan

²¹ https://www.gov.uk/government/collections/dfe-annual-reports

The Diversity and Inclusion Strategy focuses on creating an environment where everyone is able to bring their whole self to work and where honesty, challenge and innovation are encouraged and valued. The Department's five year strategy which was launched in 2018 builds on the Civil Service Diversity and Inclusion Strategy, released in October 2017.

There are 12 active diversity and inclusion employee networks involved in the delivery of the strategy, which all employees are encouraged to join.

The Special Leave policy actively promotes volunteering. Employees are encouraged to volunteer to support a range of social causes at both a local and national level.

Respect for human rights

Under the Equality Act 2006, the Department encourages and supports the development of society in which:

- people's ability to achieve their potential is not limited by prejudice or discrimination
- there is respect for and protection of each individual's human rights
- there is respect for the dignity and worth of each individual
- each individual has an equal opportunity to participate in society
- there is mutual respect between groups, which is based on understanding and valuing diversity, and on shared respect for equality and human rights.

Anti-corruption and anti-bribery matters

The Agency, as part of DfE, is committed to conducting its affairs in an ethical and honest manner. It enforces systems that ensure bribery is prevented. The Department has zero tolerance for bribery and corrupt activities. In all its business dealings and relationships, it is committed to acting:

- professionally
- fairly
- with integrity

We will constantly uphold all laws relating to anti-bribery and anti-corruption in all the jurisdictions in which it operates. The Department is bound by the laws of the UK, including the Bribery Act 2010.

This year, staff were required to complete mandatory training on their responsibility to recognise and prevent fraud and bribery. DfE's standards of behaviour policy sets out its expectations from staff in relation to theft and fraud.

Alan Meyrick
1 July 2020
Chief Executive and Accounting Officer



Accountability Report

Corporate governance report

This report includes details of the Agency's practices and processes by which it is directed and controlled.

The Directors' report

The Agency's Senior Management Team who served during the year are:



Alan Meyrick
Chief Executive and Accounting Officer

Overall responsibility for the Teaching Regulation Agency



Dawn Dandy
Head of Teacher Misconduct Unit

Overall responsibility for the TMU

To ensure the processes and procedures applied within the TMU are in line with legislation and published guidance and that all cases are handled in a timely, fair and just manner. Responsibility for Stakeholder Engagement.



Anne Dennis

Head of Teacher Qualification Unit

Overall responsibility for the TQU and the TRA's programme management office functions



Supports the Accounting Officer to ensure the TRA is compliant with its legal responsibilities as an executive agency of the Department and acts on behalf of the Secretary of State as the Competent Authority for teachers in England. Responsibility for the integrity of the data held within the DQT and the processes and procedures used to maintain the central record.

Progress

There has been no change in governance of the TRA throughout the year. There have been no potential conflicts of interest.

In line with Cabinet Office policy for the tailored reviews of public bodies, the TRA underwent its first tailored review during the summer/autumn of 2019. The report will be published on gov.uk later in 2020. The TRA will be reviewed again in line with Cabinet Office policy for the tailored reviews of public bodies at least once every three years. This will cover both the existing tailored review programme and any future programme that supersedes it.

Additionally, the TRA's Corporate Plan and Framework Document covering how the Agency is governed have been updated and will be published on gov.uk later in 2020 ²².

Declaration of interest

There were no transactions with bodies in which the Chief Executive and Accounting Officer and the Heads of the TMU and TQU held an interest during 2019-20. Any future conflicts would be managed by undertaking appropriate risk assessments and by Senior Managers removing themselves from decision-making in line with Departmental guidance.

The Agency maintains a register of interests that contains details of company directorships and other significant interests held by both executive and Non-Executive Board members. Anyone wishing to view the register can contact the Department ²³.

Report on personal data security

All departments are required to report personal data related incidents that have occurred during the financial year in accordance with the standard disclosure format issued by the Cabinet Office.

A 'personal data related incident' is defined as a loss, unauthorised disclosure or insecure disposal of protected personal data. 'Protected personal data' is data which the Agency or its delivery partners

hold whose release or loss could cause harm or distress to individuals, including as a minimum:

- information that links one or more identifiable living person with information about them whose release would put them at significant risk of harm or distress
- any source of information about 1,000 or more identifiable individuals, other than information sourced from the public domain

TRA had no protected personal data related incidents which were judged significant enough to be formally notified to the Information Commissioner's Office in 2019-20 (2018-19: nil). See page 40.

Complaints to the Parliamentary Ombudsman

The Parliamentary and Health Service Ombudsman (PSHO) can investigate complaints against the administrative actions of a wide range of government departments and other public bodies; or the actions of organisations acting on their behalf. In 2019-20 there were no complaints raised to the PHSO (2018-19: one).

Complaints to the ICO

In 2019-20, there were two TRA related complaints raised to the ICO that resulted in an investigation (2018-19: nil). The ICO did not uphold the concerns raised by those who raised these complaints.

The TRA adhere to the Department's complaints process which commits to responding to any complaint within 15 working days. We monitor monthly the number of Freedom of Information requests, Subject Access Requests, Parliamentary Questions, Private Office and Treat Official correspondence. In 2019-20, the Agency responded to 587 of 702 items within deadline, a response rate of 86% (2018-19: 92%). During 2019-20 the Agency commenced the Correspondence Improvement Project focusing on how they can improve both the quality and timeliness of correspondence received.

²² https://www.gov.uk/government/publications/teaching-regulation-agency-corporate-plan

²³ https://www.education.gov.uk/contactus/dfe

Statement of Accounting Officer's responsibilities

Under the Government Resources and Accounts Act 2000, HM Treasury has directed the Agency to prepare for each financial year a statement of accounts in the form and on the basis set out in the Accounts Direction. The accounts are prepared on an accruals basis and must give a true and fair view of the state of affairs of the Agency and of its income and expenditure, Statement of Financial Position and cash flows for the financial year.

In preparing the accounts, the Accounting Officer is required to comply with the requirements of the Government Financial Reporting Manual (FReM) and in particular to:

- observe the Accounts Direction issued by HM Treasury, including the relevant accounting and disclosure requirements, and apply suitable accounting policies on a consistent basis
- make judgements and estimates on a reasonable basis
- state whether applicable accounting standards as set out in the FReM have been followed, and disclose and explain any material departures in the accounts
- prepare the accounts on a going concern basis
- confirm that the ARA as a whole is fair, balanced and understandable and take personal responsibility for the ARA and the judgements required for determining that it is fair, balanced and understandable.

The Permanent Secretary as Principal Accounting Officer of the Department has designated me as the Accounting Officer of the Agency. The responsibilities of an Accounting Officer, including responsibility for the propriety and regularity of the public finances for which the Accounting Officer is answerable, for keeping proper records and for safeguarding the Agency's assets, are set out in Managing Public Money published by HM Treasury.

As the Accounting Officer, I have taken all the steps that I ought to have taken to make myself aware of any relevant audit information and to establish that the Agency's auditors are aware of that information. So far as I am aware, there is no relevant audit information of which the auditors are unaware.

Governance statement

Scope of responsibility

As Accounting Officer, I have personal responsibility for maintaining a sound system of governance, internal control and risk management to support the achievement of the Agency's policies, aims and objectives, whilst safeguarding public funds and Departmental assets.

Governance, internal control and risk management

The system of governance, internal control and risk management is designed to manage risk to a reasonable level, rather than to attempt to eliminate all risk completely, in order to achieve policies, aims and objectives. It can therefore only provide high and not absolute assurance of effectiveness.

I confirm that I have reviewed the effectiveness of governance, internal control and risk management arrangements in operation within my area of responsibility and consider that they are fit for purpose. My conclusion is informed by the assessment of my Senior Management Team who have responsibility for the development and maintenance of these arrangements and by the findings of my Executive Board.

As a Senior Civil Servant (SCS) in the Agency I am required to complete an Assurance Framework Record to detail our compliance with the Departmental arrangements regarding risk, control systems, use of resources and to detail any issues. I am therefore able to provide the Department's Leadership Team and ministers with assurance that we have managed our agenda well and will continue to do so while delivering efficiencies. We maintain financial information on the delivery of all areas of work corporately and, where relevant, at programme level.

I am confident that I have in place the necessary arrangements for good corporate governance and that the effectiveness of these arrangements is reviewed regularly to ensure compliance with Corporate governance code for central government departments (the Code) where relevant to the Agency and its remit. I have not identified any departures from the Code ²⁴.

Governance at Departmental level

As Accounting Officer, I am accountable to the Secretary of State for the performance, leadership and day-to-day management of the Agency, reporting to senior sponsor of the Agency who is the Director, for Early Years, Childcare and School Strategy (EYSG). My objectives are agreed by the senior sponsor and aligned with Departmental objectives, the Agency's Corporate Plan and the requirements for managing public money. I use them to set objectives for my senior management team, which are agreed and monitored throughout the year ²⁵.

The TRA's performance is reported to the DfE Performance team in Strategic Finance on a quarterly basis. This report forms part of a consolidated view of DfE performance to the DfE board and its committees.

²⁴ https://www.gov.uk/government/publications/corporate-governance-code-for-central-government-departments-2017

²⁵ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/696833/teaching-regulation-agency-corporate-plan.pdf

Strategic performance review

As stated in the Agency's Framework Document, the Agency is required to hold Strategic Performance Reviews (SPRs) quarterly ²⁶. The meetings were chaired by the senior sponsor to review and challenge progress against our objectives and performance measures, financial management and the management of risks. All SPRs included an attendee independent from the directorate with expertise in the sector.

SPR meetings took place during 2019-20 on 26 June and 26 September 2019, and 16 January 2020. We had planned to hold the final SPR in March 2020 but had to postpone this for operational reasons until April 2020.

Governance at Agency level

The Agency has an Executive Board and work is organised into two distinct work areas: Teacher Qualification and Teacher Misconduct through which all Agency related activity reports through the 'Balanced Scorecard'.

I have monthly bilaterals with the senior sponsor to review progress across the Agency.

I provide oversight in my role as Accounting Officer through the monthly Executive Board meetings, ensuring progress using programme and risk management arrangements. Programme leads submit updates via the Balanced Scorecard monthly for advice, scrutiny and challenge. The Agency's Programme Management Office (PMO) uses this report as a status report for the quarterly SPR with the senior sponsor and independent attendees. Additionally, the Executive Board reviews the strategic priorities and direction of the work.

I am content with the effectiveness of the Executive Board and their ability to manage the delivery challenges of the Agency.

The Executive Board

The Executive Board provides me with the opportunity to hold my senior management team and their areas of work to account. The Executive Board is responsible for developing and monitoring the strategic planning of the Agency. It oversees corporate performance, the use of financial and human resources, provides oversight of risk and issues management, and ensures maintenance of a sound system of internal control, which includes adequate sources of assurance that internal controls and risk management processes are working effectively. The Executive Board is additionally responsible for ensuring the Agency is compliant with all policies and corporate business planning.

I chair the Executive Board, as Chief Executive and Accounting Officer, and membership comprises of my senior management team. Wider Departmental representation and advice is provided by the Department's Finance Business Partnering team in an advisory capacity. Members of the Agency's Senior Management Team attend to report on teacher misconduct, teacher qualification, delivery progress, risk and issue management as required.

The Executive Board continually monitored the quality of the information supplied to ensure that it was of the right quality to enable decisions to be based on evidence.

During 2019-20, the Executive Board met 11 times. The table below sets out the attendance of the Chief Executive and Heads of TMU and TQU during the year.

Agency management meetings		
Number of meetings in a year		11
Board Member	Position	Attendance
Alan Meyrick	Chief Executive & Accounting Officer	11
Dawn Dandy	Head of Teacher Misconduct	9
Anne Dennis	Head of Teacher Qualification	9

Topics discussed at the Executive Board meetings included: strategic risks and issues; Agency governance and performance against key performance indicators; review of current KPIs; internal audit reports conducted by Government Internal Audit Agency (GIAA); tailored review report including recommendations; progression of the draft 2019-20 annual report & accounts; Brexit and impact on recognition of professional qualifications; retendering of the legal contracts; transformational aims; correspondence and staff development.

Audit and Risk

The Agency receives oversight from the Department's Audit and Risk Committee (ARC) and the Performance and Risk Committee (PRC), which are both sub-committees of the Department's Board and chaired by Non-Executive Board members.

ARC's primary role is to scrutinise the Department's ARA, the Agency's ARA and key risk areas. ARC makes recommendations to me (as Accounting Officer), the Permanent Secretary (as Principal Accounting Officer) and the board on the Department's and the Agency's risk management.

ARC advises the Permanent Secretary (as Principal Accounting Officer) and the Department's Board on the adequacy and effectiveness of governance, risk management and internal controls, and on the reliability and integrity of assurances used to inform the Governance Statement. The ARC also advises the Permanent Secretary on the structure and presentation of the Department's annual accounts.

The PRC provides scrutiny of major projects, Departmental performance and the Department's top tier risks. It offers strategic guidance and advice on significant risks and performance issues across the Department including Arm's Lengths Bodies. It decides what issues or risks require further investigation or assurances, and decides what requires escalation to the Leadership Team. Membership of and attendance at ARC, the PRC and other committees of the Department are disclosed in the Department's ARA ²⁷.

The TRA is scrutinised and challenged about its governance and control by the quarterly SPR, and through bilateral meetings between the senior sponsor and me. The ARC makes recommendations to me as Accounting Officer and the Department's Board on the Agency's risk management and its ARA. The Agency's risk register is reviewed every six months by the Department's Central Risk team who report on our key risks at the PRC.

The senior sponsor and I attended the PRC in October 2019 to report on the governance of the TRA.

External Audit

The Agency was audited by the National Audit Office (NAO) during 2019-20, the certificate from the Comptroller and Auditor General is on page 53. The recommendations from the 2018-19 NAO audit have been considered and, where appropriate, implemented.

Internal Audit

The Agency receives internal audit and assurance services from GIAA. GIAA provides independent and objective assurance to me on the adequacy and effectiveness of the Agency's framework of governance, risk management and control by measuring and evaluating the Agency's effectiveness in achieving its agreed objectives. A full audit plan for the Department as a whole was produced and delivered for 2019-20. All planned Agency reports have been completed and published and, in addition, the Agency has utilised Internal Audit to obtain assurance on process and control arrangements as appropriate.

The Agency is included in any cross-Departmental compliance and themed audits where relevant. In 2019-20 the Agency were included in DfE audits regarding key financial control e.g. payments testing, and contract management. No TRA specific issues were highlighted as a result of this cross-Department audit work.

There has been one Agency specific audit during the reporting period. This related to the TRA general ledger and financial/accruals processes at year end. A Substantial assurance rating was given with only minor areas of improvement identified, all of which are being addressed.

All agreed actions arising from the audit are monitored at the Executive Board. Progress in implementing them is reported regularly to the SPR. At the time of writing, all actions have been delivered. The Group Chief Internal Auditor has provided moderate assurance to the Accounting Officer for the Department, and to me as Accounting Officer for the Agency. This reflects her opinion that some improvements are required to enhance the adequacy and effectiveness of the Department's framework of governance, risk management and control.

Risk management mechanisms

The Agency adopted the Department's Risk Management Framework which sets out the principles, roles and responsibilities of staff and processes and procedures for how risks are managed in the Department.

Each workstream maintains risk registers as a key mechanism to manage risk within the Agency, and these were used to record both operational and strategic risks. The Agency has a defined risk appetite that would determine whether any risks needed to be escalated to the Executive Board. Generally, the TRA does not tolerate risks with high residual impact and high residual likelihood, however the Executive Board could decide to tolerate these risks on an exceptional basis. It is agreed by each workstream to tolerate risks at the appropriate level or escalate through the agreed route. Following agreement by the Executive Board, these are then added to the Agency's strategic risk and issues register which contains all strategic risks relating to delivery, stakeholder engagement, staffing and funding. Each risk has an agreed review date for the Executive Board to review in detail its mitigations and contingency plans. All risks have a designated risk owner who is responsible for managing and reporting the risk. The Executive Board considers any further actions to manage any residual risks remaining after mitigating action has been implemented.

Strategic risks are reviewed at monthly bilateral meetings with the senior sponsor and at the quarterly SPR. The Agency's PMO reviews the strategic risks monthly, providing feedback and challenge to risk owners in advance of the Executive Board meetings.

Shared services

The Department and its agencies have an outsourced shared service arrangement for provision of:

- certain areas of its internal finance
- human resources
- transactional processes

This arrangement has been in place since 2013. Given the combination of service and control challenges, the Department will be replacing its transactional service arrangements to ensure it operates processes that are fit for purpose, flexible, and offer the best possible support to the Department and its agencies.

Business continuity

We had responsibility for managing our business continuity requirements and plans, aligning with the Department's wider arrangements. We have worked with the Department's business continuity team to review and update our processes during 2019-20.

Operational policy development and delivery

We worked in partnership with the relevant Department Policy team to embed clear protocols which facilitate effective joint working in order to expedite the development of policy. Stakeholder consultation practice reflected strong skills and working relationships in this area.

I am content that the arrangements for governance, internal control and risk management of our programmes provides me with assurance that these are adequate to ensure policies meet ministerial intent. The Department aims to develop and appraise policies using the best available evidence analysed using sound methodologies, in conjunction with stakeholders and partners. The Department subjects policies to robust deliverability testing. I am content that the Departmental policies which the Agency implements provide good guidance and direction to those delivering services to children, young people and parents, and that the policies link clearly to our core values and objectives.

Programme and project management

I have a PMO which leads on performance reporting, risk and governance at the Agency, working with the senior sponsor and Arm's Length Body Partnership team.

A programme/project management approach is used to provide governance across all of our work and is applied appropriately to the scale and complexity of the particular task. Programme/project management is linked through to the wider management processes, such as risk management and planning.

Both project progress and financial status is effectively monitored through monthly reviews and progress properly documented in the Agency's Balanced Scorecard. The purpose of this is to be able to verify that we are implementing strong internal controls/processes for our work.

Financial management

I am confident that we have clear lines of accountability in place for all programme and administrative expenditure with support from finance business partners. We put in place a number of systems to ensure adherence to Departmental processes, controls, risk management and fraud prevention so that propriety, regularity and value for money are achieved. As members of the Executive Board, the Heads of the TMU, TQU and I have planned monthly meetings with the finance business partner (to identify risks early and to flag concerns) and receive high-level monthly budget reports. All have performance management objectives including a financial management objective and target which was reported upon during the performance year. This enables me to monitor and challenge financial activity across the divisions. The finance business partner attends the monthly Executive Board meetings and quarterly SPRs.

We continue to place greater emphasis on financial forecasting. This is particularly relevant for our demand-led budgets where improved financial modelling is required as well as regular review windows with budget holders, finance business partners, and Department finance leads to ensure any variance can be identified and corrected, if necessary, as soon as possible.

Greater emphasis has been placed on budget holders to clarify their understanding/responsibility for the day-to-day maintenance of budget lines, effective profiling of budgets and anticipating funding pressures/underspends.

Period end accounts are reconciled and reviewed with Corporate Finance to ensure that spend is in the correct account code and cost centre.

The Department continues to work with the Cabinet Office and across government to leverage the experience and strength of other government expertise and reduce fraud within the public sector. The Department and its bodies take a risk-based approach in this area, to ensure that available resources and time are focused on the highest risk areas. Fraud Risk Assessments have taken place in each business area this year and training has been provided to all staff on fraud by the Department's Central Fraud team.

In accordance with Departmental processes, the TRA maintains a fraud risk register which is reviewed and updated throughout the year. During 2019-20, we identified no cases of fraud.

We are unable to identify our share of the underlying assets and liabilities of the Principal Civil Service Pension Scheme (PCSPS). Details are available in the resource accounts of the Cabinet Office; Civil Superannuation ²⁸.

Information: ICT management and data safeguarding

The Agency received shared service IT support from the Department. IT systems were developed in accordance with Government Digital Standards and the needs of the user and business. The Agency's IT projects require approval from the Department's Technology Group and once approved we worked with Digital, Data and Technology – the Department's IT function - to prioritise and develop these systems.

To ensure that staff are aware of the need for secure information management, all staff;

- undertake mandatory information assurance training annually
- have been trained in data protection this year as part of an all staff training event, and there is a clear process in reporting data incidents for TRA which staff are aware of and adhere to

TRA had no protected personal data related incidents which were judged significant enough to be formally notified to the ICO in 2019-20. (2018-19: one).

TRA had no protected personal data related incidents reported in 2019-20 which did not fall within the criteria for reporting to the ICO, but which were significant enough to be recorded centrally at Department level. Smaller, localised incidents are not included.

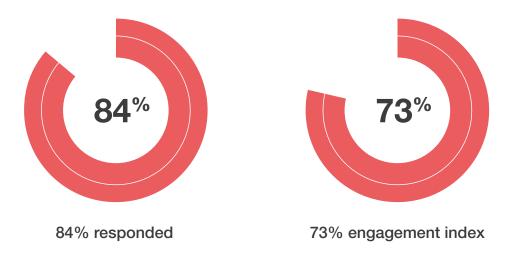
Information risk management

Arrangements are in place, to ensure that the Agency complies with the requirements of both HM Government and Cabinet Office policy and guidance in addressing risks to information and information systems. The Department's Chief Information Security Officer is the designated Senior Information Risk Owner with overall responsibility for the management of information security in the agencies.

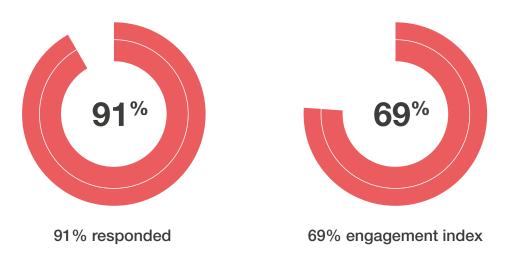
The Agency has information assets which are essential to the effective and efficient operation of the organisation and the delivery of its strategic aims and objectives. Information Asset Owners (IAOs) have responsibility for protecting the information assets that are assigned to them. The TRA IAO completes a statement twice-yearly, which confirms that they have complied with their responsibilities.

People management

84% of staff responded to the 2019 Department people survey with an overall engagement index of 73%.



This compares to the Departmental response rate of 91% and engagement index of 69%.



We aim to ensure that we attract, retain, build the capability of, and motivate our people to enable them to deliver outstanding performance.

The Agency's People Survey Action Group (PSAG) oversaw this work and includes representatives from across the Agency, meeting monthly. The purpose of the Group is to look at how to improve both the working practices and the culture within the TRA and how staff can be developed and empowered in their work.

PSAG is responsible for developing an action plan based on improving selected key themes from the People Survey, including resources and workload, learning and development and inclusion and fair treatment. They are also responsible for identifying improvements to the working practices based on these themes.

They have responsibility for ensuring that there is visibility of people-related issues across the Agency, identifying potential future scenarios, people related risks or opportunities, and providing direction on how to avoid or achieve those. The Group works with others to add value and provides a tailored approach to improve the skills and capability of the Agency.

The workforce plan is reviewed on a monthly basis; allowing us to meet our workforce targets.

The Agency adheres to the Departmental policies for performance management, underperformance, attendance and disciplinary issues. These are reported in line with other executive agencies and policy families within EYSG.

The Agency adopts the Department's policy and process for whistleblowing. I am satisfied with this collaborative approach and the effectiveness of this arrangement.

Overall assessment

As Accounting Officer, I am satisfied that the Agency's internal control, risk management and governance arrangements are working effectively. The Agency continues to deliver successfully across a broad range of delivery areas.

Remuneration and staff report

Overview

The remuneration and staff report sets out the Agency's remuneration policy for directors, reports on how that policy has been implemented and sets out the amounts awarded to directors and where relevant the link between performance and remuneration.

In addition, the report provides details on remuneration and staff that Parliament and other users see as key to accountability.

Remuneration

Part A: Unaudited

Accounting Officer remuneration policy

The Accounting Officer is a member of the SCS whose pay is decided by the SCS Pay Committee, chaired by the Permanent Secretary, and comprising members of the Management Committee and a Non-Executive Director.

The SCS Pay Committee makes decisions within the limits and delegated authorities set by the government in response to the annual report of the Senior Salaries Review Body²⁹.

As staff employed by an executive agency of the Department, the Senior Management Team's performance management and contractual terms are as described in the Department's ARA. As such, the Department manages performance management and non-consolidated performance award for members of the SCS within the framework set by the Cabinet Office.

The contractual terms of the Senior Management Team also comply with requirements set centrally by the Cabinet Office. More on the Cabinet Office's framework and standards can be found on the civil service website 30.

Unless otherwise stated below, the officials covered by this report hold appointments which are open-ended. Early termination, other than for misconduct, would result in the individual receiving compensation as set out in the Civil Service Compensation Scheme. Readers can find further information about the work of the Civil Service Commission on their website ³¹.

Service contracts

The Constitutional Reform and Governance Act 2010 requires Civil Service appointments to be made on merit on the basis of fair and open competition. The Recruitment Principles published by the Civil Service Commission specify the circumstances when appointments may be made otherwise.

²⁹ https://www.gov.uk/government/publications/senior-salaries-review-body-report-2019

³⁰ https://www.gov.uk/government/organisations/civil-service

³¹ http://www.civilservicecommission.org.uk/

Part B: Unaudited

Remuneration (salary, bonuses and pensions)

	Sal	ary	Вог	านร	Benef kir		Pen ben		To	otal
	2019-20	2018-19	2019-20	2018-19	2019-20	2018-19	2019-20	2018-19	2019-20	2018-19
	£000	£000	£000	£000	£000	£000	£000	£000	£000	£000
Deputy Director and Accounting Officer										
Mr Alan Meyrick	85-90	85-90	5-10	0-5	-	-	13	11	110-115	100-105
Non-SCS Senior Managers										
Dawn Dandy	60-65	55-60	0-5	0-5	-	-	26	54	85-90	110-115
Anne Dennis	65-70	65-70	0-5	0-5	-	-	30	29	95-100	95-100

Salary

Salary includes:

- gross salary
- overtime
- reserved rights to London weighting or London allowances
- · recruitment and retention allowances
- private office allowances
- any other allowance to the extent that it is subject to UK taxation

This report is based on accrued payments made by the Agency and thus recorded in this ARA.

Benefits-in-kind

The monetary value of benefits-in-kind covers any benefits provided by the Agency and treated by HM Revenue and Customs as taxable emolument. No Board members have received benefits-in-kind in 2019-20 (2018-19: nil).

Bonuses

Bonuses are based on performance levels attained and are made as part of the appraisal process. Bonuses relate to the performance in the year in which they become payable to the individual. The bonuses reported in 2019-20 relate to performance in 2019-20 and the comparative bonuses reported for 2018-19 relate to the performance in 2018-19.

Accrued pension benefits

The value of pension benefits accrued during the year is calculated as the real increase in pension multiplied by 20 plus the real increase in any lump sum less the contributions made by the individual. The real increase excludes increases due to inflation or any increase or decrease due to a transfer of pension rights.

Pay multiples

Reporting bodies are required to disclose the relationship between the remuneration of the highest paid director in their organisation and the median remuneration of the organisation's workforce.

The banded remuneration of the highest-paid director in the Agency in the financial year 2019-20 was \$95,000-100,000\$ (2018-19, <math>\$90,000-95,000\$). This was 3.5 times (2018-19, 3.2) the median remuneration of the workforce, which was \$28,000\$ (2018-19, \$29,000\$).

The Hutton fair pay disclosure for the Agency is as follows:

	2019-20	2018-19
Band of highest paid director's remuneration (£000)	95-100	90-95
Median (£'000)	28	29
Range (£000)	19-100	19-95
Remuneration ratio	3.5	3.2

The difference in the remuneration ratio is due to an increase in the total remuneration received by the highest paid director.

In 2019-20, no employees (2018-19 nil) received remuneration in excess of the highest-paid director. Remuneration ranged from £19,000 to £100,000 (2018-19: £19,000 to £95,000).

Total remuneration includes salary, non-consolidated performance-related pay and benefits-in-kind. It does not include severance payments, employer pension contributions and the cash equivalent transfer value of pensions.

Pension benefits

Civil service pensions

As an executive agency of the Department, the Agency's staff are members of the PCSPS and Civil Servants and Other Pension Scheme (CSOPS) that provides pension benefits. Readers can find details on the scheme at the civil service pensions' website 32.

Officials

		Real increase in pension and related lump sum at pension age		CETV at 31 March 2019	Real increase in CETV	Employer contribution to partnership pension account
	£000	£000	2000	2000	2000	Nearest £000
Director and Accou	ınting Officer					
Mr Alan Meyrick	35-40 (110-115)	0-2.5 (2.5-5)	842	790	13	-
Non-SCS Senior Ma	anagers					
Dawn Dandy	20-25 (55-60)	0-2.5 (0-2.5)	424	390	14	-
Anne Dennis	40-45	0-2.5	733	677	23	-

In the table above lump sum payments are presented in brackets.

Civil service pensions

Pension benefits are provided through the Civil Service pension arrangements. From 1 April 2015, a new pension scheme for civil servants was introduced - the Civil Servants and Others Pension Scheme or alpha, which provides benefits on a career average basis with a normal pension age equal to the member's State Pension Age (or 65 if higher). From that date all newly appointed civil servants and the majority of those already in service joined alpha. Prior to that date, civil servants participated in the PCSPS. The PCSPS has four sections: three providing benefits on a final salary basis (classic, premium or classic plus) with a normal pension age of 60; and one providing benefits on a whole career basis (nuvos) with a normal pension age of 65.

These statutory arrangements are unfunded with the cost of benefits met by monies voted by Parliament each year. Pensions payable under classic, premium, classic plus, nuvos and alpha are increased annually in line with Pensions Increase legislation. Existing members of the PCSPS who were within 10 years of their normal pension age on 1 April 2012 remained in the PCSPS after 1 April 2015. Those who were between 10 years and 13 years and 5 months from their normal pension age on 1 April 2012 will switch into alpha sometime between 1 June 2015 and 1 February 2022.

All members who switch to alpha have their PCSPS benefits 'banked', with those with earlier benefits in one of the final salary sections of the PCSPS having those benefits based on their final salary when they leave alpha. (The pension figures quoted for officials show pension earned in PCSPS or alpha – as appropriate. Where the official has benefits in both the PCSPS and alpha the figure quoted is the combined value of their benefits in the two schemes.) Members joining from October 2002 may opt for either the appropriate defined benefit arrangement or a 'money purchase' stakeholder pension with an employer contribution (partnership pension account).

Employee contributions are salary-related and range between 4.6% and 8.05% for members of classic, premium, classic plus, nuvos and alpha. Benefits in classic accrue at the rate of 1/80th of final pensionable earnings for each year of service. In addition, a lump sum equivalent to three years initial pension is payable on retirement. For premium, benefits accrue at the rate of 1/60th of final pensionable earnings for each year of service. Unlike classic, there is no automatic lump sum. Classic plus is essentially a hybrid with benefits for service before 1 October 2002 calculated broadly as per classic and benefits for service from October 2002 worked out as in premium. In nuvos a member builds up a pension based on his pensionable earnings during their period of scheme membership. At the end of the scheme year (31 March) the member's earned pension account is credited with 2.3% of their pensionable earnings in that scheme year and the accrued pension is uprated in line with Pensions Increase legislation. Benefits in alpha build up in a similar way to nuvos, except that the accrual rate in 2.32%. In all cases members may opt to give up (commute) pension for a lump sum up to the limits set by the Finance Act 2004.

Partnership pension

The partnership pension account is a stakeholder pension arrangement. The employer makes a basic contribution of between 8% and 14.75% (depending on the age of the member) into a stakeholder pension product chosen by the employee from the appointed provider - Legal & General. The employee does not have to contribute, but where they do make contributions, the employer will match these up to a limit of 3% of pensionable salary (in addition to the employer's basic contribution). Employers also contribute a further 0.5% of pensionable salary to cover the cost of centrally provided risk benefit cover (death in service and ill health retirement).

The accrued pension quoted is the pension the member is entitled to receive when they reach pension age, or immediately on ceasing to be an active member of the scheme if they are already at or over pension age. Pension age is 60 for members of classic, premium and classic plus, 65 for members of nuvos, and the higher of 65 or State Pension Age for members of alpha. (The pension figures quoted for officials show pension earned in PCSPS or alpha – as appropriate. Where the official has benefits in both the PCSPS and alpha the figure quoted is the combined value of their benefits in the two schemes but note that part of that pension may be payable from different ages.)

Further details about the Civil Service pension arrangements can be found at the website ³³.

Cash equivalent transfer values

A Cash Equivalent Transfer Value (CETV) is the actuarially assessed capitalised value of the pension scheme benefits accrued by a member at a particular point in time.

The benefits valued are the member's accrued benefits and any contingent spouse's pension payable from the scheme. A CETV is a payment made by a pension scheme or arrangement to secure pension benefits in another pension scheme or arrangement when the member leaves a scheme and chooses to transfer the benefits accrued in their former scheme.

The pension figures shown relate to the benefits that the individual has accrued as a consequence of their total membership of the pension scheme, not just their service in a senior capacity to which disclosure applies.

The figures include the value of any pension benefit in another scheme or arrangement which the member has transferred to the Civil Service pension arrangements. They also include any additional pension benefit accrued to the member as a result of their buying additional pension benefits at their own cost. CETVs are worked out in accordance with The Occupational Pension Schemes (Transfer Values) (Amendment) Regulations 2008 and do not take account of any actual or potential reduction to benefits resulting from Lifetime Allowance Tax which may be due when pension benefits are taken.

Real increase in CETV

This reflects the increase in CETV that is funded by the employer. It does not include the increase in accrued pension due to inflation, contributions paid by the employee (including the value of any benefits transferred from another pension scheme or arrangement) and uses common market valuation factors for the start and end of the period.

Compensation for loss of office

The Agency had paid no compensation for loss of office in 2019-20 (2018-19: nil).

Staff report Part A: Audited

The staff costs for the Agency were £2.9 million (2018-19: £2.4 million) and the average number of full-time equivalent staff employed during the year was 69 (2018-19: 68).

			2019-20	2018-19
	Permanently employed staff £000	Others £000	Total £000	Total £000
Wages and salaries Social security costs Pension costs	2,076 211 522	165 - -	2,241 211 522	1,811 182 371
Less recoveries in respect of outward secondments	2,809 (98)	165	2,974 (98)	2,364
	2,711	165	2,876	2,364

The Agency pays a flat fee for agency staff, which includes social security, holiday pay, pension costs etc. This note discloses the total sum as wages and salaries.

Civil service pensions

The PCSPS and CSOPS - known as "alpha" are unfunded multi-employer defined benefit schemes but TRA is unable to identify its share of the underlying assets and liabilities. The scheme actuary valued the scheme as at 31 March 2016. You can find details in the resource accounts of the Cabinet Office: Civil Superannuation here ³⁴.

For 2019-20, employers' contributions of £0.52million were payable to the PCSPS and CSOPS (2018-19 £0.37million) at one of four rates in the range 26.6% to 30.3% of pensionable earnings, based on salary bands. The Scheme Actuary reviews employer contributions usually every four years following a full scheme valuation. The contribution rates are set to meet the cost of the benefits accruing during 2019-20 to be paid when the member retires and not the benefits paid during this period to existing pensioners.

Partnership pension accounts

Employees can opt to open a partnership pension account, a stakeholder pension with an employer contribution. In 2019-20 Employers' contributions of £7,237 were paid to the appointed stakeholder pension provider (2018-19 £5,975).

Employer contributions are age-related and range from 3% to 12.5% of pensionable earnings up to 30 September 2015 and from 8% to 14.75% of pensionable earning from 1 October 2015. Employers also match employee contributions up to 3% of pensionable earnings. In addition, employer contributions of £277 (2018-19 £239), 0.8% of pensionable pay up to 30 September 2015 and 0.5% of pensionable pay from 1 October 2015, were payable to the PCSPS and CSOPS to cover the cost of the future provision of lump sum benefits on death in service or ill health retirement of these employees.

Contributions due to the partnership pension providers at the balance sheet date were £221 (2018-19 £697). Contributions prepaid at that date were nil (2018-19: nil).

III-health retirement

No individuals retired early on ill-health grounds (2018-19 nil); there were no additional accrued pension liabilities (2018-19 nil).

Reporting of Civil Service and other compensation schemes

The Agency had no compulsory redundancies or other agreed departures in 2019-20 (2018-19: nil)

Average number of persons employed

The average number of whole-time equivalent persons employed during the year was as follows:

			2019-20	2018-19
	Permanently employed staff Number	Others Number	Total Number	Total Number
Directly employed	64	5	69	68
Other	-	-	-	-
Staff engaged on capital projects	-	-	-	-
	64	5	69	68

Part B: Unaudited

Staff by grade and gender

Our staff are a mix of civil servants and contractors. Our civil servants are employed by the Department on its terms and conditions. Responsibility has been delegated to me as Accounting Officer for the recruitment of staff within the parameters provided by the Department's policies and procedures. The following table shows the headcount for permanent staff employed as at 31 March 2020 is as follows:

			2020			2019
Grade	Male	Female	Total	Male	Female	Total
Deputy Director	1	-	1	1	-	1
Grade 6	-	2	2	-	2	2
Grade 7	3	2	5	3	2	5
Senior Executive Officer	4	7	11	3	4	7
Higher Executive Officer	6	12	18	6	10	16
Executive Officer	10	17	27	8	11	19
Executive Assistant	4	7	11	3	7	10
	28	47	75	24	36	60

Review of tax arrangements of public sector appointees

As part of the Review of Tax Arrangements of Public Sector Appointees published by the Chief Secretary to the Treasury on 23 May 2012, departments were directed to publish information pertaining to the number of off-payroll engagements, at a cost of over £58,200 per annum, that were in place on, or after, 31 January 2012 and any off-payroll engagements of board members, and/or senior officials with significant financial responsibility between 1 March 2019 and 31 March 2020. The tables below set out this information.

Off-payroll engagements as of 31 March 2020, greater than £245 per day and that last longer than six months.

	Number
Number of Existing engagements as of 31 March 2020	-
Of which the number that have existed for:	
Less than one year at time of reporting	-
Between one and two years at time of reporting	-
Between two and three years at time of reporting	-
Between three and four years at time of reporting	-
Four or more years at time of reporting	-
	-

All existing off-payroll engagements, outlined above, have at some point been subject to a risk based assessment as to whether assurance is required that the individual is paying the right amount of tax, and where necessary, that assurance has been sought.

New off-payroll engagements, or those that reached six months in duration, between 1 April 2019 and 31 March 2020, for more than £245 per day and which last for longer than six months.

	Number
No. of new engagements, or those that reached six months in duration, between 1 April 2019 and 31 March 2020	-
No. of the above which include contractual clauses giving the Department the right to request assurance in relation to income tax and National Insurance obligations	-
No. for whom assurance has been requested	-
Of which:	
No. for whom assurance has been received	-
No. for whom assurance has not been received	-
No. that have been terminated as a result of assurance not being received	-
	-

Off-payroll engagements of board members, and/or, senior officials with significant financial responsibility, between 1 April 2019 and 31 March 2020.

	Number
No. of off-payroll engagements of board members, and/or, senior officials with significant financial responsibility, during the financial year	-
No. of individuals that have been deemed "board members, and/or, senior officials with significant financial responsibility", during the financial year. This figure should include both off-payroll and on-payroll engagements.	3

Expenditure on consultancy

We employ contractors who are professionally qualified and are employed on short-term contracts. The cost of these contractors in 2019-20 was £1,000 (2018-19: £nil). It is the responsibility of the hiring managers to ensure that all contractors comply with their tax obligations. The framework contracts for contingent workers that the Agency has placed, or draws upon as part of the Department, include provision for workers supplied by these companies to meet their obligations. The cost of contingent labour in 2019-20 was £170,000 (2018-19: £nil).

Sickness absence

	2019-20	2018-19
Total days lost	575.5	289.0
Sickness absence days per FTE	8.7	5.0

The figure above is above average when compared with figures from across the Civil Service, which were 3.9 average working days lost per FTE in the year ending 31 March 2019 (31 March 2018: 6.9 average workings days). 35

Sickness data for 2019-20 shows that the highest rate of absences occurs in the EA (AO), EO and HEO grade bands. The key reasons for sickness include 'mental health' and 'respiratory' over the winter period. In response to this we have held mental health and resilience training for all staff and have promoted both the role of the mental health first aider and the Employee Assistance Programme at all staff team meetings. We have also requested line managers have a monthly check-in with staff regarding their mental wellbeing.

Analysis of staff policies and statistics

Our people

Recruitment practice

The Agency has a duty to ensure it is fully compliant with the Civil Service Commissioners' recruitment principles. The Agency's approach to recruitment reflects its commitment to equal and fair opportunity for all. All recruitment processes comply with the Equality Act 2010.

Staff policies for disabled persons

The Department gained Disability Confident Leader Level 3 status in 2017, which extends to the Agency. This means that it is seen as a champion for disability confidence, with a role in supporting other employers to become disability confident.

The Agency offers disability leave which is to enable employees with a disability to be able take reasonable time off from work to go for occupational rehabilitation, assessment or treatment to help them to return to work, or whilst they are waiting for a reasonable adjustment to be put in place. In its recruitment policies, it guarantees an interview to any disabled candidate who demonstrates that they meet the minimum standard required for the role.

Commitment to improving diversity

The Agency adopts the Department's diversity and inclusion strategy, launched in January 2018. It sets out action the Department will take in five areas

- leadership
- recruitment and attraction
- talent and progression
- · collection, sharing and use of data
- inclusive culture and behaviours

The strategy is underpinned by four key principles:

- everyone has a role to play in creating an inclusive culture and making the Department a truly great place to work
- we are all able to 'be ourselves' at work to be different from each other in many ways and feel supported, empowered, valued, respected and fairly treated
- all of us are able to build successful careers and achieve our potential
- we put openness, honesty, challenge and innovation at the core of what we do

The Agency makes use of the Department's active diversity networks, including a BAME network, a LGBT+ network, a disability group and a neurodivergence network. It also takes advantage of the mental health first aiders providing first line support.

Unconscious bias training is mandatory for all staff, whilst other diversity and inclusion training includes leading inclusive teams' workshops and disability confident line manager focus groups.

Addressing under-representation

The Department's diversity and inclusion strategy includes specific targets which have been agreed by Cabinet Office. The Agency is working to support representation of BAME and disabled staff at all levels.

People management

Our people strategy aims to ensure that we attract, retain, build the capability of and motivate our people to enable them to deliver outstanding performance. In order to achieve this, we have:

- continued to offer five days learning and development a year for all staff
- introduced talent management programmes, including a staff development programme for all staff
- set corporate objectives for all staff for each reporting year
- required staff to produce challenging work objectives for the year, that are moderated by senior management team to ensure consistency.
- along with the rest of DfE, introduced a monthly performance management system for all staff with in-year awards determined throughout the performance year

Health and safety at work

The Agency is committed to ensuring the health, safety and wellbeing of staff, contractors and all others who could be affected by its activities. It fully accepts its responsibilities under the Health and Safety at Work Act 1974.

We recognise that effective management of health and safety makes a significant contribution to our overall business performance and strategic aims, as well as a positive impact on the wellbeing of staff. The Agency acknowledges that positive, proportionate health and safety risk management prevents harm and enables efficient delivery of services across the Agency.

Trade Union facility time

The Trade Union (Facility Time Publication Requirements) Regulations 2017 requires relevant public sector organisations to report on trade union facility time in their organisations. The Departmental ARA reports on this information for both the Department and executive agencies.

Parliamentary accountability and audit report

Overview

This report includes details of the Agency's losses, special payments, contingent and remote contingent liabilities.

Parliamentary accountability disclosures

Losses and special payments: audited

The Agency's losses and special payments do not exceed the Managing Public Money reporting threshold (2018: did not exceed the Managing Public Money reporting threshold).

Contingent and remote contingent liabilities: audited

There were no contingent or remote contingent liabilities in the year 31 March 2019 (2018: £nil).

Alan Meyrick 01 July 2020 Accounting Officer

The Certificate of the Comptroller & Auditor General to the House of Commons

Opinion on financial statements

I certify that I have audited the financial statements of the Teaching Regulation Agency for the year ended 31 March 2020 under the Government Resources and Accounts Act 2000. The financial statements comprise: the Statements of Comprehensive Net Expenditure, Financial Position, Cash Flows, and Changes in Taxpayers' Equity; and the related notes, including the significant accounting policies. These financial statements have been prepared under the accounting policies set out within them. I have also audited the information in the Accountability Report that is described in that report as having been audited.

In my opinion:

- the financial statements give a true and fair view of the state of Teaching Regulation Agency's affairs as at 31 March 2020 and of the net operating expenditure for the year then ended; and
- the financial statements have been properly prepared in accordance with the Government Resources and Accounts Act 2000 and HM Treasury directions issued thereunder.

Opinion on regularity

In my opinion, in all material respects the income and expenditure recorded in the financial statements have been applied to the purposes intended by Parliament and the financial transactions recorded in the financial statements conform to the authorities which govern them.

Basis of opinions

I conducted my audit in accordance with International Standards on Auditing (ISAs) (UK) and Practice Note 10 'Audit of Financial Statements of Public Sector Entities in the United Kingdom'. My responsibilities under those standards are further described in the Auditor's responsibilities for the audit of the financial statements section of my certificate. Those standards require me and my staff to comply with

the Financial Reporting Council's Revised Ethical Standard 2016. I am independent of the Teaching Regulation Agency in accordance with the ethical requirements that are relevant to my audit and the financial statements in the UK. My staff and I have fulfilled our other ethical responsibilities in accordance with these requirements. I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.

Conclusions relating to going concern

I have nothing to report in respect of the following matters in relation to which the ISAs (UK) require me to report to you where:

- the Teaching Regulation Agency's use of the going concern basis of accounting in the preparation of the financial statements is not appropriate; or
- the Teaching Regulation Agency have not disclosed in the financial statements any identified material uncertainties that may cast significant doubt about the Teaching Regulation Agency's ability to continue to adopt the going concern basis of accounting for a period of at least twelve months from the date when the financial statements are authorised for issue.

Responsibilities of the Accounting Officer for the financial statements

As explained more fully in the Statement of Accounting Officer's Responsibilities, the Chief Executive as Accounting Officer is responsible for the preparation of the financial statements and for being satisfied that they give a true and fair view.

Auditor's responsibilities for the audit of the financial statements

My responsibility is to audit, certify and report on the financial statements in accordance with the Government Resources and Accounts Act 2000.

An audit involves obtaining evidence about the amounts and disclosures in the financial statements sufficient to give reasonable assurance that the financial statements are free from material misstatement, whether caused by fraud or error. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with ISAs (UK)

will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

As part of an audit in accordance with ISAs (UK), I exercise professional judgment and maintain professional scepticism throughout the audit. I also:

- identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for my opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Teaching Regulation Agency's internal control.
- evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.
- evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the consolidated financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

Conclude on the appropriateness of the Teaching Regulation Agency's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Teaching Regulation Agency (or where relevant, the group's) ability to continue as a going concern. If I conclude that a material uncertainty exists, I am required to draw attention in my report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify my opinion. My conclusions are based on the audit evidence obtained up to the date of my report. However, future events or conditions may cause Teaching Regulation Agency (or where relevant, the group) to cease to continue as a going concern.

I communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that I identify during my audit.

I am required to obtain evidence sufficient to give reasonable assurance that the expenditure and income recorded in the financial statements have been applied to the purposes intended by Parliament and the financial transactions recorded in the financial statements conform to the authorities which govern them.

Other Information

The Chief Executive as Accounting Officer is responsible for the other information. The other information comprises information included in the annual report, but does not include the parts of the Accountability Report described in that report as having been audited, the financial statements and my auditor's report thereon. My opinion on the financial statements does not cover the other information and I do not express any form of assurance conclusion thereon. In connection with my audit of the financial statements, my responsibility is to read the other information and, in doing so, consider whether the other information is materially inconsistent with the financial statements or my knowledge obtained in the audit or otherwise appears to be materially misstated. If, based on the work I have performed, I conclude that there is a material misstatement of this other information. I am required to report that fact. I have nothing to report in this regard.

Opinion on other matters

In my opinion:

- the parts of the Accountability Report to be audited have been properly prepared in accordance with HM Treasury directions made under the Government Resources and Accounts Act 2000;
- in the light of the knowledge and understanding of the entity and its environment obtained in the course of the audit, I have not identified any material misstatements in the Performance Report and Accountability Report; and
- the information given in the Performance Report and Accountability Report for the financial year for which the financial statements are prepared is consistent with the financial statements and have been prepared in accordance with the applicable legal requirements.

Matters on which I report by exception

I have nothing to report in respect of the following matters which I report to you if, in my opinion:

- adequate accounting records have not been kept or returns adequate for my audit have not been received from branches not visited by my staff; or
- the financial statements and the parts of the Accountability Report to be audited are not in agreement with the accounting records and returns; or
- I have not received all the information and explanations I require for my audit; or
- the Governance Statement does not reflect compliance with HM Treasury's guidance.

Report

I have no observations to make on these financial statements.

Gareth Davies 3 July 2020 Comptroller and Auditor General

National Audit Office 157-197 Buckingham Palace Road Victoria London SW1W 9SP



Financial Statements

Financial Statements

Statement of Comprehensive Net Expenditure

For the year ended 31 March 2020

		2019-20	2018-19
	Note	Total £000	Total £000
Operating costs			
Staff costs	3	2,876	2,364
Other expenditure	4	4,595	5,860
Total operating expenditure		7,471	8,224
Net operating expenditure		7,471	8,224
Non-operating expenditure			
Net (gain)/loss on:			
Transfer of function	2	-	16,060
Comprehensive net expenditure for the year	<u> </u>	7,471	24,284

All income and expenditure reported in the Statement of Comprehensive Net Expenditure is derived from continuing operations

The notes on 62 to 67 form part of these Accounts.

Statement of Financial Position

As at 31 March 2020

		2020	2019
	Note	Total	Total
	Note	£000	£000
Current assets			
Receivables	5	29	49
Total current assets		29	48
Total assets		29	48
Current liabilities			
Payables	6	(1,009)	(792)
Total current liabilities		(1,009)	(792)
Total assets less current liabilities		(980)	(744)
Total non-current liabilities		-	-
Total assets less total liabilities		(980)	(744)
Taxpayers' equity			
General fund		(980)	(744)
Total taxpayers' equity		(980)	(744)

The notes on 62 to 67 form part of these Accounts.

Alan Meyrick 01 July 2020 Accounting Officer

Statement of Cash Flows

For the year ended 31 March 2020

		2019-20	2018-19
	Note	£million	£million
Cash flows from operating activities			
Net operating cost		(7,471)	(8,224)
Adjustments for non-cash transactions	4	1,353	1,870
Decrease / (increase) in receivables	5	19	36
Increase / (decrease) in payables	6	217	(295)
Less movements in payables: items not passing through net operating costs	6	-	4
Net cash outflow from operating activities		(5,882)	(6,609)
Cash flows from investing activities			
Purchase of intangible assets		-	-
Net cash outflow from investing activities		-	-
Cash flows from financing activities			
Drawdown of supply from the sponsoring Department Transfer of Function	2	5,882	6,609 16,060
Receivables and payables movement disposed through Transfer of Function		-	(16,060)
Net cash inflow from financing activities		5,882	6,609
Net (decrease) / increase in cash and cash equivalents in the period		-	-
Cash and cash equivalents at the beginning of the year		-	-
Cash and cash equivalents at the end of the year		-	-

Cash payments and receipts are processed on behalf of the Agency by the Department. The Agency therefore does not operate its own bank account and has no cash or cash equivalents.

The notes on pages 62 to 67 form part of these Accounts.

Statement of Changes in Taxpayers' Equity

For year ended 31 March 2020

		General Fund
	Note	20003
Balance at 1 April 2018		(17,063)
Net Parliamentary Funding		6,613
Comprehensive net expenditure for the year		(8,224)
Department non-cash adjustments		
Notional shared service recharges	4	1,817
Auditor's remuneration	4	53
Movement in Reserves		
Transfer of function 1 April 2018	2	16,060
Other General Fund Movement		-
Balance at 31 March 2019		(744)
Net Parliamentary Funding		5,882
Comprehensive net expenditure for the year		(7,471)
DfE non-cash adjustments		
Notional shared service recharges	4	1,308
Auditor's remuneration	4	45
Balance at 31 March 2020		(980)

The General Fund represents the total assets less liabilities, to the extent that the total is not represented by reserves and financing items.

The notes on pages 62 to 67 form part of these Accounts.

Notes to the Accounts

1. Statement of accounting policies

These accounts have been prepared in accordance with the 2019-20 government FReM issued by HM Treasury. This is set out in a statutory Accounts Direction issued pursuant to section 5(2) of the Government Resources and Accounts Act 2000 (Estimates and Accounts) (Amendment) Order 2019.

The accounting policies contained in the FReM apply International Financial Reporting Standards (IFRSs) as adapted or interpreted for the public sector context. Where the FReM permits a choice of accounting policy, the accounting policy which is judged to be most appropriate to the particular circumstances of the Agency for the purpose of giving a true and fair view has been selected.

The particular policies adopted by the Agency for 2019-20 are described below. They have been applied consistently in dealing with items considered material in relation to the accounts.

These accounts have been prepared under the historical cost convention.

1.1 Going concern

The Departmental Estimate and forward plans include provision for the Agency's continuation. Whilst a number of hearings were postposed in March 2020 due to COVID-19 the Agency are working with the Department to ensure that future hearings are planned as soon as allowed. It is therefore appropriate to prepare the Agency's accounts as a going concern.

Whilst the Agency is in a negative equity position at the year end, this is due to supply funding being provided as cash is required, the Agency carries a number of accruals in respect of transactions outstanding at the year-end which will be met in the following year to enable the Agency to continue its operations.

1.2 Critical accounting judgements and key sources of estimation uncertainty

The preparation of these accounts requires management to make judgements, estimates and assumptions that affect the application of policies and reported values of assets and liabilities, income and expenditure. These are based on historic and other factors that are believed to be reasonable, the results of which form the basis for making judgements. The estimates and underlying assumptions are reviewed on an ongoing basis.

1.3 Adoption of FReM amendments

There have been no significant amendments to FReM for 2019-20.

1.4 Early adoption

The Agency has not early adopted any accounting standards in 2019-20.

1.5 IFRSs in issue but not yet effective

In order to comply with the requirements of *IAS* 8 Accounting Policies, Changes in Accounting Estimates and Errors, the Agency must disclose where it has not applied a new IFRS that has been issued but is not yet effective. There are two standards in issue but not effective:

- IFRS16 Leases, Annual periods beginning on or after 1 January 2021, 2021-22 (Subject to EU adoption and consultation)
- IFRS17 Insurance Contracts, Annual periods beginning on or after 1 January 2023, FReM application unknown

The Agency has carried out a review of the above IFRSs, to assess their impact on its accounting policies and treatment. The full impact of these IFRSs has been assessed as not material to the accounts.

1.6 Segmental reporting

In accordance with IFRS 8: Operating Segments, the Agency has considered the need to analyse its income and expenditure relating to operating segments. The Agency has assessed that all lines of operation fall within the same geographical location and regulatory environment as envisaged by IFRS 8. Since segmental information for total assets and liabilities is not regularly reported to the chief operating decision-maker and in compliance with the FReM, it has not been produced in the accounts.

See Note 2 for operational disclosures.

1.7 Draw down of Supply from sponsoring Department

The Agency has recorded all draw down of Supply by the Department as financing, as the Agency regards draw down of Supply as contributions from the Agency's controlling party giving rise to a financial interest. The Agency records draw down of Supply as financing in the Statement of Cash Flows and draw down of Supply to the General Reserve.

1.8 Pensions

The Agency has adopted IAS 19 Employee Benefits (IAS 19) to account for its pension schemes.

Where the Agency makes contributions to defined contribution pension schemes (which do not have underlying assets and liabilities) and unfunded multi-employer defined benefit pension schemes (where the Agency is unable to identify its share of underlying assets and liabilities), the Agency recognises contributions payable in the SoCNE.

Further details of the pension schemes are available in the remuneration report.

1.9 Financial instruments

As the cash requirements of the Agency are met through the Estimate process, financial instruments play a more limited role in creating and managing risk than would apply to a non-public sector body. The majority of financial instruments relate to contracts to buy non-financial items in line with the Agency's expected purchase and usage requirements and the Agency is therefore exposed to little credit, liquidity or market risk.

1.9.1 Financial assets

Financial assets include trade and other receivables. The Agency determines the classification of its financial assets at initial recognition. Financial assets are recognised initially at fair value, normally being the transaction price. The Agency does not hold derivative financial instruments. The Agency classifies financial assets where appropriate as trade and other receivables.

Trade and other receivables have fixed or determinable payments that are not quoted on an active market. Trade and other receivables do not carry any interest and the Agency recognises them initially at their face value then subsequently measured at amortised cost using the effective interest method. The Agency recognises appropriate allowances (provisions or write-offs) for estimated irrecoverable sums in the Statement of Comprehensive Net Expenditure when there is objective evidence that the asset is impaired. The Agency measures the allowance recognised as the difference between the assets' carrying value and the estimated future recoverable value.

1.9.2 Financial liabilities

Financial liabilities are measured at amortised cost. Financial liabilities include trade and other payables. The TRA does not currently have financial liabilities measured at fair value through profit or loss and neither does it have derivative financial instruments. The TRA determines the classification of its financial liabilities at initial recognition.

Trade and other payables, excluding accruals, are generally not interest bearing and are stated at their face value on initial recognition. Subsequently, they are measured at amortised cost using the effective interest method.

1.10 Value added tax

Most of the activities of the Agency are outside the scope of VAT. In general output tax does not apply, or where it does, input tax on purchases is not recoverable. Irrecoverable VAT is charged to the relevant expenditure category or included in the capitalised purchase cost of property and equipment and intangible assets. Where output tax is charged or input tax is recoverable, the amounts are stated net of VAT.

1.11 Shared services

The Department provides a number of corporate functions as a shared service reflecting the Department's operating model as follows:

- human resources
- · estates and facilities management
- communications
- legal services
- information, communication and technology services
- corporate finance and procurement

The accounts include a notional recharge from the Department to the Agency to reflect the costs of these shared services. The Department makes direct charges in relation to these services that can be directly apportioned to the Agency whilst the remainder of the Department's recharge to the Agency is an apportionment of costs. The Department calculates the apportionment as a cost per full time equivalent employee within the Department multiplied by the number of the Agency's full time equivalent employees.

2. Statement of Operating Costs by Operating Segment

				2019-20
	TMU £000	TQU £000	Admin £000	Total £000
Gross expenditure	4,550	1,427	141	6,118
Loss on transfer of function	-	-	-	-
Budget net expenditure	4,550	1,427	141	6,118
Shared service Recharge	-	-	1,308	1,308
Auditor's Remuneration	-	-	45	45
Total notional recharges	-	-	1,353	1,353
Net expenditure	4,550	1,427	1,494	7,471

				2018-19
	TMU £000	TQU £000	Admin £000	Total £000
Gross expenditure	5,775	403	176	6,355
Loss on transfer of function	-	-	16,060	-
Budget net expenditure	5,775	403	16,236	22,414
Shared service Recharge	-	-	1,817	1,817
Auditor's Remuneration	-	-	53	53
Total notional recharges	-	-	1,870	1,870
Net expenditure	5,775	403	18,106	24,284

3. Staff numbers and related costs

Disclosures relating to staff numbers and costs are detailed within the Remuneration and Staff Report (page 46).

4. Other expenditure

	2019-20	2018-19
	£000	£000
Contract programme expenditure	46	219
Professional services	2,673	2,662
Other expenditure	523	1,109
	3,242	3,990
Non-cash items		
Shared services recharge	1,308	1,817
Auditor's remuneration	45	53
	4,595	5,860

5. Receivables

	2020	2019
	£000	£000
Trade receivables	3	36
Deposits and other receivables	13	12
Prepayments and accrued income	13	-
	29	48

Receivables relate to staff debts, and secondments which reduce staff costs.

6. Payables

	2020	2019
	£000	£000
Other taxation and social security	57	44
Trade payables	201	42
Other payables	60	39
Accruals and deferred income	691	667
	1,009	792

7. Related party transactions

As well as the disclosures in the Remuneration and Staff Report, the following relationships are also considered as related parties and have therefore been disclosed in line with IAS 24. Transactions are classified as related party transactions if they occurred during the period the board member named held office.

The Agency regards the Department as a related party. During the year, the Agency had a number of material transactions with the Department and with other entities for which the Department is the parent Department.

In addition, the Agency has had a number of transactions with other government Departments and central bodies. Most of these transactions have been with HMRC, PCSPS and CSOPS.

The Agency had no other transactions with bodies which would be considered as related parties in 2019-20.

8. Events after the reporting period

8.1 COVID-19 response

We are working to support the government's response to COVID-19 and as such all hearings have been postponed until further notice.

8.2 Authorisation

These accounts were authorised for issue by the Accounting Officer on the date they were certified by the Comptroller and Auditor General. With the exception of the above, there have not been any other significant post year end events that have required disclosure in the accounts



Annexes

Qualified Teacher Status awards to Overseas Trained Teachers

QTS awards made to qualified teachers from the EEA under European Directive 2005/36/EC

Country	2018-19	2019-20
Austria	6	2
Belgium	33	18
Bulgaria	100	94
Croatia 36	16	22
Cyprus	6	6
Czech Republic	16	17
Denmark	13	4
Estonia	4	2
Finland	12	10
France	46	19
Germany	24	20
Greece	478	368
Hungary	88	56
Iceland	2	1
Italy	28	28
Latvia	15	9
Liechtenstein	0	0
Lithuania	30	20
Luxembourg	0	0
Malta	0	5
Netherlands	36	26
Norway	11	2
Poland	289	221
Portugal	41	37
Republic of Ireland	138	71
Romania	259	216
Slovakia	16	13
Slovenia	4	2
Spain	1,365	1,150
Sweden	21	12
Switzerland	6	7
Total	3,103	2,458

³⁶ Croatia joined EU in July 2013.

QTS awards in England for OTTs (excluding EEA)

Country	2018-19	2019-20
Australia	467	443
Canada	346	304
New Zealand	222	190
USA	495	473
Total	1,530	1,410

Partial QTS awards in England for SEND teachers from the EEA

Country	2018-19	2019-20
Austria	0	0
Belgium	0	0
Bulgaria	2	1
Croatia ³⁴	1	1
Cyprus	1	0
Czech Republic	1	1
Denmark	0	0
Estonia	0	0
Finland	0	0
France	0	0
Germany	0	0
Greece	7	6
Hungary	8	10
Iceland	0	1
Italy	0	0
Latvia	1	0
Liechtenstein	0	0
Lithuania	2	5
Luxembourg	0	0
Malta	0	0
Netherlands	0	0
Norway	0	0
Poland	13	16
Portugal	0	1
Republic of Ireland	1	0
Romania	5	8
Slovakia	1	0
Slovenia	0	1
Spain	0	6
Sweden	0	0
Switzerland	0	0
Total	43	57

Glossary of key terms

Abbreviation or term	Description
ARA	Annual report and accounts
ARC	Audit and Risk Committee
BEIS	Department for Business and Industrial Strategy
CETV	Cash Equivalent Transfer Value
CSOPS	Civil Servant Other Pension Scheme
DfE	Department for Education
DQT	Database of Qualified Teachers
EEA	European Economic Area
EYTS	Early Years Teacher Status
FTE	Full Time Equivalent
FReM	Financial Reporting Manual
GDPR	General Data Protection Regulations
GIAA	Government Internal Audit Agency
HMT	HM Treasury
IAO	Information Asset Owner
ICO	Information Commissioner's Office
IPO	Interim Prohibition Order
ПТ	Initial Teacher Training
NAO	National Audit Office
NCTL	National College for Teaching and Leadership
NQT	Newly Qualified Teacher
OTT	Overseas Trained Teacher
PCP	Professional Conduct Panel
PCSPS	Principal Civil Service Pension Scheme
PRC	Performance and Risk Committee
QTS	Qualified Teacher Status
SCS	Senior Civil Servants
SEND	Special Educational Needs and Disabilities
SPR	Strategic Performance Review
SRO	Senior Responsible Owner
TMU	Teacher Misconduct Unit
TQU	Teacher Qualification Unit
TSS	Teacher Self-Service
TRA	Teaching Regulation Agency
TRN	Teacher Reference Number
2017-18 & 2018-19	Financial years, ending on 31 March
2017/18 & 2018/19	Academic years, ending on 31 August

Annexes

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Reference: CCS0720825872 ISBN: 978-1-5286-2069-7