

## PROJECT OF THE ROYAL DECREE OF THE EDUCATIONAL INSPECTION

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### **Abstract**

This article gathers the content of the presentation developed by its authors in the framework of the XXII National Meeting of Education Inspectors held at the end of September 2022 in Las Palmas de Gran Canaria under the title "The Education Inspectorate in the face of curriculum development and Vocational Training". Throughout the presentation, a review was made of the work carried out by the Union of Education Inspectors - USIE in relation to its participation in various meetings held with the Ministry of Education and Vocational Training and other professional bodies in order to make proposals for the formation of a working draft that was intended to serve as a basis for the publication of a basic Royal Decree that would regulate the access and professional career of the Corps of Education Inspectors.

### **Keywords**

Education inspection, royal decree, professional career, union action, inspection model, teaching profession, professional competencies, competitive examinations, mobility, training, evaluation, professional development, mobility, labor rights

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## 1.- Contextualization of USIE's trade union action

The fight to improve the working conditions of our group has been led decisively and unquestionably by the Trade Union of Inspectors of Education (USIE), which is recognized every day by more and more inspectors from each and every one of the autonomous communities of Spain. Thus, the trade union presentation that has been shown at each Meeting, uninterruptedly, has as its fundamental objective to make visible the aspects that concern the collective and that are worked on by the Union of Education Inspectors.

Therefore, this section began in 2016, at the Meeting held in Córdoba, where a series of aspects were presented, such as some proposals for the improvement of educational inspection, the text of the USIE union program, the organization and operation of different services educational inspection, as well as various aspects of the profession, such as remuneration, access, visits, headquarters, etc. (Jordan Lopez, 2017).

After that, in Alcalá de Henares, at the 2017 Meeting, questions were raised about the provisional rate situation, about calls for competitions, about the organization and operation of services, related to the regulation of action plans, accident coverage, the payment of mileage in the hearings carried out by inspectors and the consolidation of the complement of directors, which was then a battle that was being waged.

In Salamanca, back in 2018, a complete study on remuneration in the educational inspection was presented (González Fernández, 2019), working on

remuneration concepts, detailing the remuneration of the inspections of the different autonomous communities, contrasting these so the variations between the autonomous communities could be observed, as well as an approach to the low salary progression that exists.

In 2019, in Seville, the contents of the action plans of various communities were discussed, defining the concepts of those action plans, making a comparison between the autonomous communities that would provide a differential vision of tasks actually carried out between different regions (Martín Martín & Manzano Rodrigo, 2020).

In the difficult year 2020, with the outbreak of the well-known health crisis derived from the Covid-19 virus, USIE held the meeting virtually, launching the first Virtual Meeting of Education Inspectors, in which issues such as the legal framework on access, the opposition phase of access to the body of educational inspectors, the differences between autonomous communities in regard to the aforementioned aspects, the composition of the opposition courts in the autonomous communities, the ways of characterizing the tests, the materials used in the tests in the autonomous communities, an analysis of practice phases, as well as the accidental performance of the inspection function (González Fernández & Gutiérrez Martínez, 2021).

Last year 2021, in Zaragoza, the discussion was about the contributions of the educational inspection to different perspectives of equity in the face of the challenges of the LOMLOE, which had just been approved (Carballo Herrera, García Rodríguez & Martínez Ruiz, 2022).

Thus, with this journey, the present year 2022 is reached, in which the union presentation has been in charge of capturing the importance of substantiating and seeking data and evidence that guide decision-making in the role of the

legislator, as well as the negotiation of a Royal Decree specific to inspection, the result of the commitment and tireless work of the Trade Union of Inspectors of Education.

## 2.- Sources of information and research

There is no doubt that, if something is missing when legal reforms are initiated in the field of education, it is to take into account the opinions of professionals who are in the day to day, at the classroom, in support tasks for the school, in the management of the centers, in advisory work, in short, working side by side and facing the real problems of the centers, students, teachers, etc. With regard to the normative regulation of the educational inspection, it goes without saying that the opinion of the inspection itself, that is, of the professionals that make it up, is vital for what affects it directly and also, in a hint. For this reason, collecting the voice of the inspection professionals is not an easy task and it is that the bodies in which the education inspectors are found - the body of education inspectors and still some of the body of inspectors at the service of the educational administration - they are state bodies, with their professionals distributed in the autonomous communities, each one different from the rest and with its own peculiar characteristics. However, despite this difficulty, trying to take into account the state of the matter when it comes to making a change should be an inviolable principle that all scientific disciplines point to.

In this way, although it is difficult to carry out specific field studies for each issue that the administrations consider modifying, it is interesting to collect the opinion of the inspectors on aspects that directly affect them (just as it would be good to collect the opinion of all groups which is going to be affected by a regulatory variation) or in general aspects, so that this information constitutes a

basic informative body that guides the modifications that are proposed and also, the actions of the administrations.

That said, it is also very true that in the field of educational inspection there are not many studies (perhaps few dare to evaluate the evaluators) but to alleviate this lack, some steps are being taken that constitute small advances. And related to this situation, already outlined, it is worth mentioning the recent doctoral thesis of one of the two authors of this article, whose title is " Analysis of the profession of education inspector and the inspection model " (González Fernández, Analysis of the profession of education inspector and the inspection model, 2022) that was already advanced in a poster at the Seville meeting in 2019.

In it, certain functional aspects of interest for the profession are analyzed, as well as its situation in the different autonomous communities of Spain. Additionally, the thesis focuses on a first study that rests on the dimensioning of the vision of the active professionals of the educational inspection (aspects of supervision, regulatory control, information and advice, evaluation and coordination and collaboration). A second investigation explores the vision of important personalities and experts in the educational inspection sector, so that both can be contrasted. Finally, a series of reflections and conclusions about the profession are proposed, which may be useful for professionals, researchers, educational administrations and society in general.

With studies such as the one indicated, it is intended to provide information about what the educational inspectors think, something of vital importance and that should be taken into account by the people responsible at the time of the legal design that concerns the educational system in general and of course, to the educational inspection in particular. And it is evident that the educational administrations of the autonomous communities, and also the Ministry of

Education and Vocational Training itself, have to carry out an exercise of listening to the inspectors and take into account their vision on the state of the profession, to be oriented towards improvement, whenever this truly concerns them. Without the opinion of the educational inspection, any change will be an unsuccessful attempt to move forward. Thus, we are at a key moment, in the process of designing the Project of the Royal Decree of the Educational Inspection that the Ministry of Education and Vocational Training has on the table.

### 3.- Negotiation and role of USIE in the project of the new inspection RD

In this section, we proceed to detail the origin of the project to reform the Royal Decree that affects access and entry, as well as the result of the negotiations carried out.

#### 3.1.- Génesis del proyecto de trabajo. La reforma del Real Decreto 2193/1995, de 28 de diciembre.

The origin of the proposal dates back to January 2022 as a direct consequence of the publication of two documents:

- Document for the debate "24 reform proposals for the improvement of the teaching profession".

The inspection of education can be considered throughout this document the great forgotten, since none of the proposals made refers to the educational inspection. However, we consider this document to be the driving force behind the proposal for a new Royal Decree, as it finds its basis in several of the proposals included in it and which are based on the basis that emanates from the very title of the document, "...the improvement of the teaching profession.

Thus, in article 16.1 of Royal Legislative Decree 5/2015, of October 30, which approves the consolidated text of the Law of the Basic Statute of Public Employees (EBEP), it is recognized that: "The civil servants of career will have the right to professional promotion", indicating below in its third section that: "The Public Function laws that are issued in development of this Statute will regulate the professional career applicable in each area that may consist, among others, in the application isolated or simultaneous of any or some of the following modalities:

- a) Horizontal run (...).
- b) Vertical race (...).
- c) Vertical internal promotion (...).
- d) Horizontal internal promotion (...)"

Submitting the improvement of the teaching profession to debate is a direct consequence of the development of the Seventh Additional Provision of Organic Law 3/2020, of December 29, which modifies Organic Law 2/2006, of May 3, of Education, which states that: "in order for the education system to better meet the new challenges demanded by society and promote the development of the teaching profession, the Government, after consulting the autonomous communities and representatives of the teaching staff, will present, within one year from the entry into force of this Law, a regulatory proposal that regulates, among other aspects, initial and permanent training, access and professional development of teachers."

Starting from this idea, we can interrelate the work carried out for the proposal of a project of the Royal Decree of the Educational Inspection in the following reform proposals that are included in the document:



- ✓ Reform proposal 1. Agree on a Framework of Professional Teaching Competencies.
  - ✓ Reform proposal 3. Modify access to the Master's Degree in Teacher Training.
  - ✓ Reform proposal 5. Review the offer of the Master's Degree in Teacher Training.
  - ✓ Proposal for reform 9. Use the Framework of professional teaching competencies as a reference in permanent training.
  - ✓ Reform proposal 11. Guarantee the permanent training of teachers.
  - ✓ Reform proposal 14. Reformulate the selection processes for the teaching public function.
  - ✓ Reform proposal 16. Update and adapt the examination syllabi to the new access model.
  - ✓ Reform proposal 18. Link the specialty of the Master to the teaching specialty.
- 
- Document "Annual regulatory plan of the General State Administration for the year 2022"

The Section 8 of this document, referring specifically to the annual regulatory plan of the General State Administration, includes in its point XI what refers to Education, Vocational Training and Universities, dividing its proposal into the enactment of Organic Laws and Royal Decrees. In this last section, the regulation of the access procedure to the Body of Educational Inspectors is foreseen through the publication of a Royal Decree.

It is considered necessary to publish a Royal Decree that repeals Royal Decree 2193/1995, of December 28, which establishes the basic rules for access and

the provision of jobs in the Corps of Education Inspectors and the integration in the same of the current Inspectors, whose last modifications were those introduced by Royal Decree 334/2004, of February 27, which approves the Regulation of admission, access and acquisition of new specialties in the teaching bodies that impart the school teachings of the educational system and in the Body of Educational Inspectors, adapting with this publication the access system to a system in which the framework of professional teaching competencies of the educational inspection is taken as a reference.

Finally, it is relevant to indicate that in the report of the State School Council on the Spanish Educational System of the year 2013, it was recommended: "The establishment of a regulatory framework, within the future Teaching Statute, that regulates the most specific aspects of the inspection function ", in addition to: "That the Ministry of Education, Culture and Sports promote or carry out, as the case may be, the necessary legislative changes to promote educational inspection, so that it is the guarantor of equal rights and obligations on the part of all those involved in the educational system, as well as to grant autonomy and independence with respect to the Administrations that must also be directly inspected".

### 3.2.- Result of the negotiations

The draft Royal Decree of the Educational Inspection, presented to the Ministry of Education and Vocational Training, gathers the demand of the Trade Union of Inspectors of Education - USIE, to provide the Educational Inspection with its own Royal Decree that includes the professional career of this Corps and set fundamental bases that come to mitigate the dispersion of approaches in the tasks of the Educational Inspection among the Autonomous Communities, starting from the idea that the Corps of Inspectors is a single State Body.

The active participation of USIE in the meetings with the MEFP, together with other associations, has made it possible to highlight the union character of this Organization, basing its proposals on the fundamental lines contained in its union action program, all of which are included in the document "Trade union proposals for the improvement of the Educational Inspection" approved in the General Assembly held in Malaga in 2019, which succinctly are the following:

1. The Corps of Education Inspectors, created in 1995, as a single state-wide body, must have its own professional career.
2. The Title VI of Organic Law 2/2006, on Education, LOE, must be developed by means of a Royal Decree or Statute that regulates certain aspects of organization and operation of the Inspection: dependency, functions, attributions, remuneration, transfers, access, participation bodies, service commissions, High Inspection, etc.
3. The Educational Administrations must establish a regulation of the Education Inspection with the highest administrative rank.
4. The Educational Inspectorate must be an autonomous administrative unit dependent on the body immediately subordinate to the head of the Ministry of Education.
5. In no case should it depend on provincial bodies, neither organically nor functionally, to avoid interference of a political nature.
6. Remuneration must be in accordance with the functions and responsibility of each task and, in any case, higher than the highest complement established in the corresponding educational Administration for any teaching official, in line with a true professional teaching career. The officials of the body of Education Inspectors and CISAE must correspond to level 28.
7. Among the remuneration of the inspectors, those complements resulting from their career and professional performance that correspond to them

such as six-year terms, consolidation of complements for the performance of the managerial function, etc. must be recognized by the educational administrations.

8. Access to the body of inspectors must be governed by the principles of equality, merit and capacity, and be carried out through public competition-opposition procedures.
9. The vacant positions must be filled by CIE officials and by provisional Inspectors on commission of services.
10. The provisional rate must not exceed 15%. When this percentage is exceeded, a selective process must be called for access to the CIE, including all existing vacancies in the Public Employment Offer.
11. The Education Inspectors must be able to exercise their right of transfer. To this end, the educational administrations must annually announce job supply competitions, with the offer of all available vacancies. In the aforementioned contests, the performance of the different responsibilities existing within the inspection services must be assessed: headquarters, coordination, etc.
12. At the head of the Education Inspectorate there must be an Inspector General or Head of Inspection, a career official from the CIE or CISAE
13. All management positions in the Education Inspectorate (provincial, regional or general inspectors) must be filled by merit competition, with a limited duration in time and the possibility of renewal, completely eliminating the character of free appointment.
14. The High Inspection must be directed by an Education Inspector who is a career official from the CIE or CISAE.
15. We demand the inclusion of education inspectors in calls for technical advice and teaching abroad called by the Ministry of Education.

16. Urge the competent public administrations to order and regulate the inspection in university matters.
17. Educational Administrations must annually publish the Education Inspection Action Plan in the general interest of citizens and as an exercise in transparency, and prior to the start of the school year.
18. At the end of each school year, the Education Inspectorate will prepare a report or memory of its actions in the education system, which will be sent to the head of the Ministry of Education and the regional Parliament, for the information of the different political groups and, if proceed, debate on it.
19. All evaluation procedures and bodies in the education system must have the participation of the Education Inspectorate.
20. The Educational Inspectorate must be represented, in a differentiated way, in the Autonomous School Councils.
21. Compensation for travel must be in accordance with the expense incurred and its amount must be updated periodically. Likewise, it is necessary to regulate accident insurance that covers trips in the act of service.
22. A common initial training program must be designed for all inspectors, regardless of their administrative affiliation, comparable to a university master's degree. A specific continuing training plan for education inspectors in the field of each educational administration is also essential.
23. Permanent internal and external evaluation of inspection services is an unavoidable necessity and a right to improve the quality of public services.
24. The salaries and retirement of the provisional inspectors, coming from the body of teachers (A2) must have a similar treatment to the other inspectors.

25. The extension of retirement is a right, so we demand the maintenance of the voluntary extension upon reaching 65 years of age in all the autonomous communities.

As a result of this work, a working draft was presented to the MEFP in June, in which USIE's demands have been made clear, and which is open and in the development phase, having been raised throughout the presentation of the paper the need to materialize the implementation of the processes of publication of the Royal Decree, understanding this fact as a key point to continue with the negotiations with the MEFP. Of special importance is the fact that, at the closing of the Meeting, the Deputy Director General of Centers, Inspection and Programs of the MEFP announced the first of the launch of this process.

This fact materialized on October 7 on the MEFP website, where the prior public consultation process is published in relation to the Royal Decree project that regulates educational inspection.

This procedure is prior and essential, and after its completion, on October 28, within a few months, the draft of the Royal Decree will be published, to which the USIE will make the pertinent allegations in coherence with the professional proposals that have been pointed.

It is understood that this result means a very important step in the professional improvement of the inspection, in which the contribution of USIE has been fundamental.

#### 4.- The Project of the Royal Decree of the Educational Inspection

##### 4.1.- Structure of the working document

As it has been pointed out, in the work carried out for the project of the Royal Decree it was considered essential that this not only include aspects related to access and professional career of the Educational Inspection, but also that it had the pretension of being the basic regulation of reference.

For this, a structure proposal has been made in six chapters:

1. General provisions
2. Unit structure, organization and operation
3. Access to the Corps of Inspectors and Inspectors of Education and provision of jobs
4. Formation of the Education Inspectorate
5. Evaluation of the Education Inspectorate
6. Professional Development

Final provisions.

In the proposed structure it can be verified that it includes the aim of developing the union proposals of USIE indicated in section 3.2.

##### 4.2.- Main aspects collected in each of the chapters

###### 4.2.1.- Chapter I: General provisions

This chapter is in the phase of collecting proposals and debate regarding the subsections referring to the purpose and scope of application of the Royal Decree, its purposes, functions and powers and the exercise of the Education Inspectorate: the visit, the reports and the requirements.

In relation to professional skills, professional ethics and principles that inform the performance of the inspector, the work has been based on the premise pointed out in proposal 1 of the document for the debate "24 reform proposals for the improvement of the teaching profession", agree on a professional teaching competence framework.

It has been proposed to give special relevance to the principle of transparency, which would be based on the publication of all the institutional and administrative documentation generated by the educational inspection (action plans, strategic plans, reports, legislative initiatives, innovation projects, good practices, etc.) in the different means of publication available (Bulletins or Official Journals of the Autonomous Communities, electronic access points, web pages, among others). Likewise, the publication of the conclusions of the external evaluations of educational inspection services, in order to promote transparency and contribute everything that, from the experience acquired by the educational inspection through professional development, can contribute to the improvement and quality of the educational system and, in turn, of the services themselves and inspection areas of the different territorial areas.

#### 4.2.2.- Chapter II: Unit structure, organization and operation

The text of this chapter, like that of the previous one, is in the development and debate phase, encountering difficulties in its proposal due to the confluence in it of the competences developed in this regard by the Autonomous Communities.

#### 4.2.3.- Chapter III: Access to the Corps of Inspectors of Education and provision of jobs



The development of proposals in this Chapter has been the central core of the work, motivating this circumstance in the proposal contained in the Document "Annual Regulatory Plan of the General State Administration" already cited, and in which the need to publish a Royal Decree regulating access to the Corps of Education Inspectors.

As main proposals in relation to the topics pointed out, the following have been collected:

- Announcement:

It is understood that 15% must not be exceeded in jobs held on a temporary basis by teaching officials. The fact of exceeding with this proposal the 8% recommended by the European Union, responds to the existing reality in the different inspection services and areas in that several of the vacant positions occur as a result of the occupation of different positions by professionals with a permanent destination who at some point may return to their post, which is why these positions are filled out of necessity on a provisional basis.

Based on this circumstance and to this end, the proposal that is made is that the Educational Administrations proceed to call a competition-opposition, to fill vacant places in the Corps of Education Inspectors, within a maximum period of three years from the last call.

On the other hand, it is considered opportune to immediately call the competition-opposition in case of exceeding certain percentages, which will have to take into account the particularities of the templates in the different Autonomous Communities, the percentage established for communities not having the same repercussion that have small templates, than those that have numerous templates. Thus, it is proposed that the immediate call be made in case of exceeding the following percentages:

- ✓ In staff with fewer than 15 places, when the number of vacant places exceeds 30%.
- ✓ In staff between 16 and 40 places, when the number of vacant places exceeds 20%.
- ✓ In staff with more than 40 places, when the number of vacant places exceeds 15%.

- Requirements:

They will be those included in Sections 5 of the tenth additional provision of Organic Law 2/2006, of May 3, on Education in the wording given by Organic Law 3/2020, of December 29, which modifies the Organic Law 2/2006, of May 3, on Education (LOMLOE), Requirements for access to the Corps of professors and inspectors: "To access the Corps of Education Inspectors, it will be necessary to belong to one of the bodies that make up the function teaching public with at least eight years of experience in the same and be in possession of the title of Doctorate, Master's Degree, Bachelor's Degree, Engineering, Architecture or equivalent title and pass the corresponding selective process, as well as, where appropriate, accredit the knowledge of the co-official language of the Autonomous Community of destination, in accordance with its regulations." and 4 of the Twelfth Additional Provision of the same Law, Income and internal promotion: "Access to the body of Education Inspectors will be carried out through competitive examination. Applicants must have a minimum seniority of eight years in one of the bodies that make up the teaching public function and a teaching experience of equal duration". To the latter, it has been added that, of these, at least three will be direct teaching or provided in student guidance services.

At the time of making this proposal, it is positively understood that, in addition to the access requirements contemplated in the tenth additional provision, "Requirements for access to the bodies of professors and inspectors" of the LOMLOE, it is required, based on the reform proposals 3, 5 and 18 included in the Document for the debate "24 reform proposals for the improvement of the teaching profession", referring to the modification of access to the Teacher Training Master and its offer, in addition to its union with a certain specialty, that a specific qualifying Master may be required for the exercise of Educational Inspection.

Emphasis is placed on the disappearance of the possibility of providing a bachelor's degree or equivalent as a qualification requirement, leaving only those of Doctor, Master's Degree, Graduate, Engineer, Architect or equivalent title at level 3 of the Spanish Qualifications Framework for Higher Education (MECES).

- Selection bodies:

As main proposals regarding the composition of the courts of the process of access to the Corps of Education Inspectors, it has been included in the proposal of the Royal Decree that they all belong to the Corps of Education Inspectors and have a minimum experience of five years, being all chosen by lottery, including its president. In the event of not having a sufficient number of Inspectors on the staff of any Autonomous Community, inter-territorial cooperation has been proposed with the participation as members of the tribunals of career civil servants from the Corps of Education Inspectors stationed in another Autonomous Community.

- Opposition phase:

It has been proposed that the opposition phase have a structure of three eliminatory tests, the order of the first two being alterable according to the criteria of each Autonomous Community, and both counting with an anonymous guarantee. The proposed tests are the following:

- Multiple choice test on part A of the agenda that will consist of 50 topics, with a weight of 30% of the final value of the grade.
- Proof of resolution of a practical case in which it is guaranteed to be able to consult regulations in electronic format. This test will be corrected by the court through a system of escrows and will have a weight of 40% in the final grade.
- Oral test in which a topic from part B of the agenda will be presented, which will consist of 20 topics that may be extended by 10 by the Autonomous Communities. It will have a weight of 30% in the final grade.
- Contest phase:

It is proposed that this phase have a scale structured in four blocks, in which a total of more than 10 points cannot be obtained. They are the following:

- Career path. 3 points
  - Exercise as Accidental Inspector. 4 points.
  - Exercise of managerial positions and didactic coordination. 3 points
  - Scientific and didactic preparation. 2 points.
- 
- Practice phase:

It is proposed to give the practice phase a special relevance that has weight in the final grade. It will have a duration of one school year, limiting the condition of civil servant in practices to the phase of realization of these.

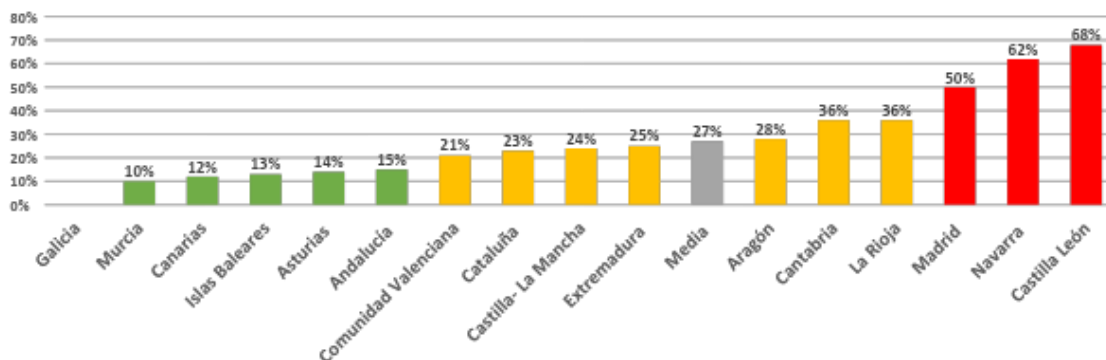
Likewise, it is proposed that the evaluation of this phase, which will be carried out by a commission constituted for this purpose, have effects on the final priority of the contest-opposition.

Regarding the provision of jobs, accidentally, it should be noted that the Consolidated Text of the Basic Statute of Public Employees, Royal Decree Law 5/2015, establishes in its article 1 that the principles of equality, merit and capacity in access and professional promotion, which is directly applicable to teaching officials who are going to access functional performance as accidental inspectors.

However, the regulation of this access to posts of provisional inspectors is still very different according to the educational administrations, since most of them have lists derived from selective processes (there are exceptions such as La Rioja) and once these are exhausted, they are complemented by various forms, such as a specific test (Aragón, Cantabria, Madrid), a merit contest (Balearic Islands, Asturias, Extremadura) or other solutions, such as the constitution of provincial pools (Castilla y León) or undesirable direct designations (Navarra ). The Galician case, which lacks provisional staff, deserves special mention.

For its part, the situation of the provisional staff rate in the different autonomous communities is very uneven, so that the average does not reach 27%, but there are some communities that exceed half of the workforce covered by accidental inspectors. The panorama by region can be seen in the following graph (the absence of the Basque Country is due to lack of data):

### **Figure 1. Percentage of Provisional Staff**



As a summary, the following aspects to which we aspire are indicated:

- The call for competitions should be called more frequently and regularly.
- The provisional rate must be as low as possible and in any case less than 15%.

The elaboration of pools of provisional inspectors must observe the principle of equality, merit and capacity, so it is highly desirable that these aspects be articulated in the very bases of the calls for access to the body of inspectors. When the need to cover vacant positions is imperative and there is no list of provisional inspectors, any process of setting up a job bank must contemplate the completion of at least one test (never with a mere interview that leaves it to the discretion of the court or commission the selection of accidental), based on aspects that allow knowing the performance of the candidate for the position of provisional inspector, preferably a practical case.

It must be taken into account that, for a transparent operation and independent inspection, it is essential to emphasize that intentional control of its components is not possible. When this control already occurs in access to management positions in educational centers, which later ends up being extended to control the selection of provisional inspectors and that these, with a good scoring squad for the competition phase, have many more access

options to the body of inspectors, the aforementioned and necessary independence of the inspection, is complicated. This is to be avoided with all energy. Therefore, in addition to what has already been mentioned, it would be desirable:

- That there is a system of escrows for the correction of the written exercise and the practical assumption, if any, in the examination for access to the educational inspection.
- That the experience as an accidental inspector is valued only if it has been accessed as a result of a list drawn up in a selective procedure or at least, in a procedure in which a test has been carried out based on a practical assumption (never through of a mere interview).
- Maintain the exemption from the internship phase in all the autonomous communities and that this commitment appears reflected in the Royal Inspection Decree (until now this was decided by each of the autonomous communities) for those who have worked as casualties for a period of at least 2 years.
- • For the preparation of provisional staff lists, take into account the results of the last two selection procedures for the body of education inspectors, as is already being done in other teaching bodies.

#### 4.2.4.- Chapter IV: Formation of the Education Inspection

Regarding the training of inspectors, it is pertinent to point out that in all the autonomous communities it is indicated that training is a right and a duty (the community of the Principality of Asturias is an exception to what has been said, which only makes a mere mention of the task coordination of the management area entrusting him with the training and improvement of the educational inspection service). Despite this, support for the training of inspectors is far from

being a true reality on the part of most of the educational administrations of the autonomous communities.

One wonders what the regulations of the autonomous communities currently say in this regard. Well, the majority of the communities indicate that they will provide the inspector staff with training actions, as well as their training and attendance at them (Islas Baleares, La Rioja and Murcia) or their intention to promote activities in this sense (Navarra), while others link it to a necessary continuous improvement of the service (Castilla y León). In some communities, specific training plans for education inspectors are even established (Castilla-La Mancha, Catalonia and the Valencian Community), while others conceive it included within the action plan itself (Extremadura and Madrid). Specific mention deserves the reference made by the Basque Country regarding the compulsory nature of attendance at the training activities contained in the training plan. There are also mentions regarding other possibilities related to the training of inspectors, such as exchanges with other inspections (Basque Country).

Unfortunately, all of the above is pure theory, dead paper, in most cases. In any case, it is at least insufficient. It seems necessary to support more and in a better way the training of inspectors. As proof of this, when asked about how many of the attendees at the meeting of the Trade Union of Inspectors of Education had received help for this congressional training, only a small group of inspectors, no more than four or five, could point out that had received it, in a capacity of two hundred.

As if the above were not enough, one of the most unfavorable situations for the support of the training of its inspectors, is that of the Ministry of Education and Vocational Training, where a rule is applied that implies that to receive training that does not promote the The Ministry of Education and Vocational Training



itself, the inspector must request a permit by which assets will be deducted, with the exception of basic remuneration, that is, the base salary and three-year periods. Thus, far from supporting its officials with hours of training, it penalizes them, since the inspectors themselves, in addition to having to cover all the expenses associated with their training –registration, lodging, transportation–, must give up part of their salary. The situation is very serious.

Of course, specific training plans in the inspection of the autonomous communities are very necessary, since not all of them have one. The ideal, which is what is pursued, is that there are both national training plans (with the possibility of carrying out stays and exchanges between different provinces and autonomous communities) and those of the autonomous communities themselves. Of course, the training carried out, whether state or community, must have effects throughout the national territory. These aspirations are what are intended to be included in the new Royal Decree.

#### 4.2.5.- Chapter V: Evaluation of the Education Inspection

The evaluation of the educational inspection is, without a doubt, a pending subject of the educational inspection. It would be of great interest if the new Royal Decree reflected the advisability of the educational inspection being subject to the evaluation of its professional performance, for which educational inspection evaluation plans were drawn up, in order to establish common evaluation mechanisms. and improvement of educational quality.

Among the proposals on this aspect, the one referring to the indicators and the procedure of said evaluation stands out, which should be object of objective formulation with prior knowledge of the personnel subject to the evaluation. It would be interesting if the positive evaluation were valued as a merit in the calls for transfers –which should be annual to avoid maneuvers by the autonomous communities– or in the performance of positions of responsibility,

among others. On the other hand, another aspect that should be included is that the educational administrations include in their studies on the state of the educational system information referring to the inspection of education.

At this point, it is worth asking about the current status of the evaluation of the educational inspection in the regulations of the autonomous communities. Although it is true that it appears regulated in all the educational administrations of the communities, it does so, normally, in an undecided, generalist way, without depth. In other words, it does so superficially, but without risking not committing itself, usually to deep, let alone external, evaluation.

The evaluation of educational inspection services is conceived and designed in different but similar ways. Some communities establish specific evaluation plans for the educational inspection service, as is the case of:

- Andalusia, which does so to assess compliance with inspection functions.
- Cantabria, which indicates that this evaluation must be carried out -it is established in its own education law- and the result is recorded in the annual report.
- Castilla y León, indicates the possibility of carrying them out, with the corresponding distribution of responsibilities.
- Catalonia, which is aimed at improving the quality of the service provided.
- Ceuta and Melilla, with the aim of assessing the functions entrusted to them.
- Extremadura, which only indicates the possibility of carrying out the evaluation, to assess the service and propose improvements to it, expressly mentioning certain indicators for carrying out the evaluation.

- La Rioja, which only indicates the mere possibility of evaluation through specific evaluation plans for that purpose.
- Madrid, with the indication that external evaluation plans could be carried out.
- Murcia, which also establishes in terms of possibility the inspection of both the inspection service itself and the task of the education inspectors themselves.
- Basque Country, with an imposition of execution of internal evaluation and a possibility of execution of external evaluation, as well as the reference to the evaluation of the inspection function.
- Valencian Community, which establishes a service evaluation plan in compliance with the objectives set therein.

Other communities hardly establish anything in this regard, as is the case of Asturias, which only indicates that the action plan will be monitored (it does not really establish an evaluation as such), Navarra (without a very exhaustive regulation, it indicates a monitoring system for educational inspection in relation to its objectives) and Galicia (which does not indicate anything regarding the evaluation as such of the educational inspection).

At the opposite extreme, more determined, there are communities that have established the mandatory nature of the specific evaluation of the inspection, as is the case of the Canary Islands, Castilla-La Mancha (which both do so both internally and externally) and Catalonia (which indicates that there will be a commission for this purpose evaluating the inspection).

#### 4.2.6.- Chapter VI: Professional Development

For the proposal made in this Chapter, it has been decided to structure it in four sections:

- ✓ First section: Rights and duties
- ✓ Second section: Professional development
- ✓ Third section: Mobility
- ✓ Fourth section: Working day. Permissions and licenses

- First Section: Rights and duties.

This section includes, apart from the principles that inform the actions of the Education Inspector and that are determined in article 153 bis of Law 3/2020, of December 29, 3, which modifies Organic Law 2/2006, of 3 of May, on Education, others such as guaranteeing the rights of citizens in educational matters, prioritizing the collective interest over the individual, always contributing to the improvement of the educational system and always acting with the best interests of the minor as a reference.

Regarding the rights, a proposal has been made that distinguishes these between individuals and groups, being the individual, in addition to those established in the Consolidated Text of the Basic Statute of the Public Employee, TREBEP (article 14) and in the legislation of the function public, the following:

- ✓ Receive initial training at the time of incorporation.
- ✓ Have assistance and legal defense for the correct exercise of functions.
- ✓ Possibility of access to teleworking.
- ✓ Tutoring of internship periods or of teachers who perform the inspection function on a temporary basis.
- ✓ Resume teaching activity in classrooms with maintenance of salaries.

- ✓ The proposal for the collective rights section includes the following:
- ✓ Use of Administration vehicles or, failing that, accident insurance and payment of all expenses generated.
- ✓ Participation as speakers in training activities.
- ✓ Participation within the inspection services or departments of each educational Administration through collegiate consultation bodies.
- ✓ Creation of an "Inspection Table" in which the Educational Inspection is represented through its professional entities and in which issues that affect and interest this group are debated and dealt with.
- ✓ Specific representation within the Autonomous and State School Councils.
- ✓ Provision of permits for representatives of professional entities to carry out their functions under equal conditions to those of other teaching bodies.

The proposals for this section are closed with the duties of the educational inspection, collecting among them:

- ✓ Those included in the aforementioned TREBEP (art 52,53,54) and in the legislation of the public function of the Administration in which he performs his functions.
- ✓ Participate in ongoing training activities.
- ✓ Participate in the evaluation of their own job performance.
- Second Section: Professional development.

The first group of proposals made in this section refers to remuneration rights, being understood that at least those indicated below must be included.

Specific remuneration level 28, according to the special circumstances present in the development of the inspection function in that it has differentiated access

and different functions and attributions to the rest of the teaching staff, collected in article 91 of the LOMLOE. Furthermore, this circumstance would materialize the vertical professional career within the teaching bodies, counting the Teachers Corps (level 21), the Secondary Education Teachers Corps (24), the Professors Corps (26) and the Education Inspectors Corps ( 28).

On the other hand, the maintenance of the same complements as the rest of the teaching bodies and the regulation of the consolidation of complements corresponding to the exercise of coordination and service leadership functions have been proposed.

In a second group of proposals, those referring to the performance of responsibilities within the inspection services and areas have been grouped, proposing the establishment of thematic areas or specialties such as educational inclusion, professional training, special regime teachings, teaching staff and non-teaching and school organization.

Likewise, the regulation of preferential access through a merit-based competition to the responsibilities in the existing coordination positions within the inspection is proposed.

The third and last group of proposals in the section includes those referring to compensation for the use of the private vehicle, understanding a right the provision to education inspectors by the Educational Administrations of the necessary means to carry out the visiting functions to the centers, and if not, the compensation of the expenses generated by these, which will have to contemplate both the use of the private vehicle, as well as the corresponding accident insurance.

- Third Section: Mobility.

This section contains proposals related to the mobility of education inspectors, among which are the call for transfer competitions under equal conditions to the other teaching bodies, in which the scale of government positions is taken into account and participation exercised.

On the other hand, the public call for jobs is contemplated for their provision through service commissions similar to the other teaching bodies, in addition to the old claim of USIE to include advisory positions in the annual call of the Ministry responsible for education. technicians abroad for provision by education inspectors. In this sense, the publication, thanks to the action of USIE Extremadura, of the Resolution of April 26, 2022, of the General Secretariat of Education, which establishes the procedure for the granting of commissions of service to career civil servants of the body of inspectors and of the Body of Inspectors at the Service of the Educational Administration (CISAE) during the 2022/2023 school year.

Lastly, similar rights to the rest of the teaching bodies are collected in this section in terms of mobility for health reasons through secondment of services or mobility due to gender violence, closing it with the possibility of regulating assumptions, requirements and procedures. in which two officials of the Corps of Education Inspectors can exchange the jobs to which they are assigned definitively with state character.

- Section Four: Working hours, permits and licenses.

The proposals of this chapter are closed with those grouped in this fourth section related to working hours, permits and licenses, carrying out the following:

- ✓ Establishment of a working day assimilated to that of the rest of the teaching bodies, with 30 hours in territorial headquarters, centers,

services and programs, and carrying out the rest of the timetable through participation in training activities and preparation for the development of functions. This circumstance is already reflected in some Autonomous Communities such as Extremadura, as can be seen in the ORDER of July 9, 2019, which regulates the organization and operation of the Extremadura education inspection.

- ✓ Permits to attend Congresses, Conferences or Courses, applying the system generally established for officials in Royal Decree Law 5/2005, for a minimum of six days a year, not counting in these those necessary for the participation in European or similar international programs.
- ✓ Permits for performances in universities, facilitating the participation of education inspectors in the delivery of courses, presentations and other cooperation activities in the Universities.
- ✓ Study licenses that allow the participation of education inspectors in calls for study licenses aimed at civil servant teachers of non-university education to carry out studies and other activities of interest to the education system.
- ✓ Exchanges between positions of different Administrations with a training nature.
- ✓ Establishment of grants for attending training activities, with education inspectors being able to participate in those convened for the rest of the teaching bodies.

#### 4.2.7.- Final provisions

It is proposed in this section that, among the final provisions that are deemed appropriate in the development of the Royal Decree that regulates access and the professional career of the body of educational inspectors, an additional



provision referring to jobs in the functional areas of the High Inspection that includes the provision of jobs in the High Inspection for their occupation by officials of the Corps of Inspectors.

#### 5.- Conclusions and results of the participation survey

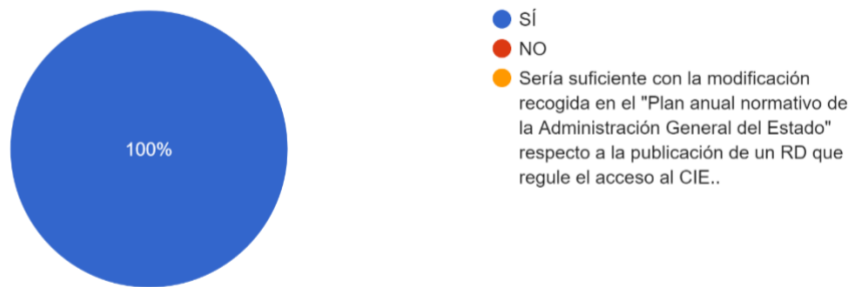
Throughout the paper that is the object of this article, a revision was made through the process of preparing the project for the Royal Decree of the Educational Inspection in which, as has been made clear, USIE has had a relevant role through which it has been made possible the inclusion of practically all of its trade union proposals for the improvement of educational inspection in the text of the proposal.

Thus, we can conclude that the proposal for the Royal Decree of the Educational Inspection and the beginning of its processing announced at the closing of the XII National Meeting of Education Inspectors organized by USIE and held in Las Palmas de Gran Canaria by the Deputy Director General of Centers, Inspection and Programs of the MEFP, materialized days later, represents a before and after in the basic conception of educational inspection as a state body that eliminates the increasingly pronounced differences between the different Autonomous Communities. A rule with a basic character that will collect aspects as fundamental as those proposed throughout the six chapters that make up the proposal of the Royal Decree that will come to unify the basic approaches of what the educational inspection must be within the educational system of our country.

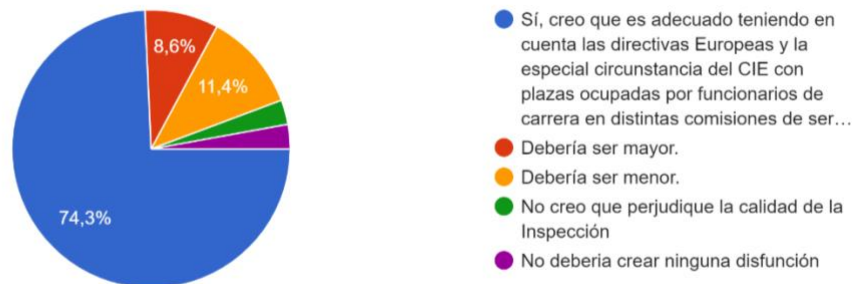
As a conclusion to this article, the results of the participatory survey carried out during the course of the presentation are presented, whose main interest has been the participation of the attendees in the formulation of proposals for trade union action that will be the support of the base in the development of trade

union activities of USIE. The participatory survey consisted of the formulation of ten questions on the theme of the presentation itself, the last of which was open to the contribution of proposals that, in the opinion of the participants, are of interest in USIE's trade union action. The results have been the following:

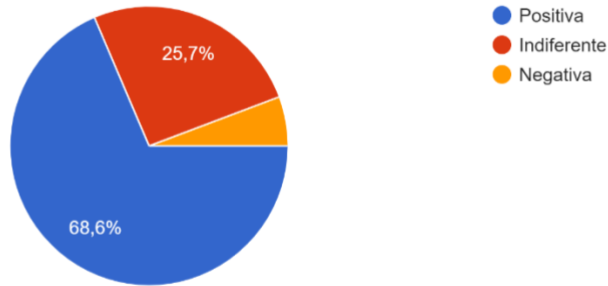
1. Do you consider positive the demand for the publication of a specific Royal Decree of the Educational Inspection that includes, in addition to the modification of the CIE access RD, the development of a professional career for Education Inspectors?



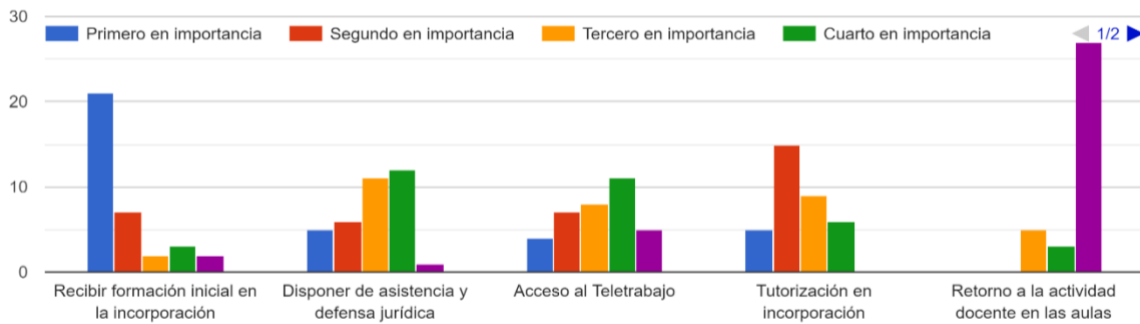
2. Do you consider the establishment of a maximum of 15% of the posts on the staff to be filled on a temporary basis sufficient?



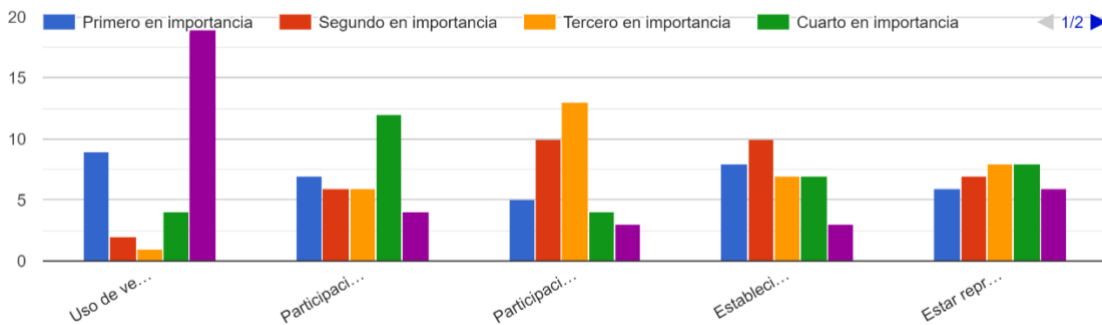
3. In the opposition phase of access to the Inspectorate, how do you consider the guarantee of anonymity in the first two tests?



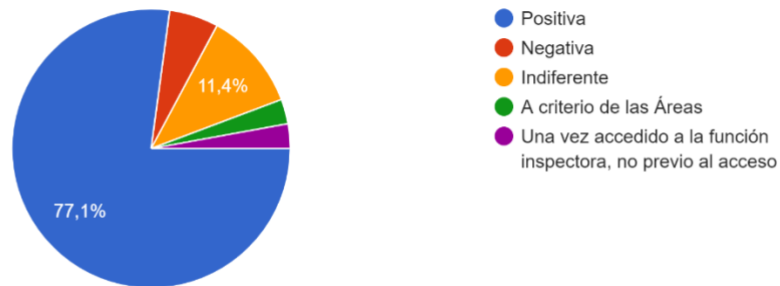
4. Prioritize the importance and relevance of the following individual rights of Education Inspectors.



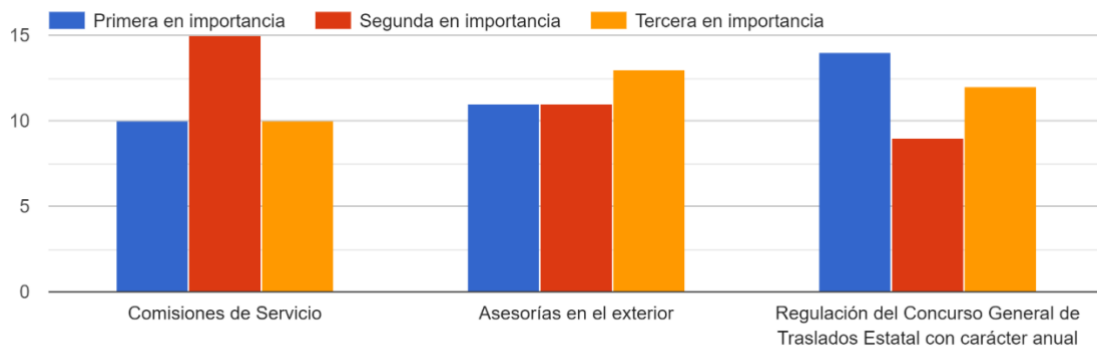
5. Prioritizes the importance and relevance of the following collective rights of Education Inspectors.



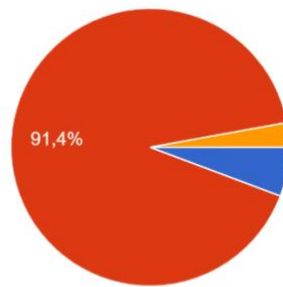
6. How do you consider the implementation of the organization in thematic specialties in the performance of responsibilities within the educational inspection?



7. Prioritize the importance of regulating issues related to mobility.

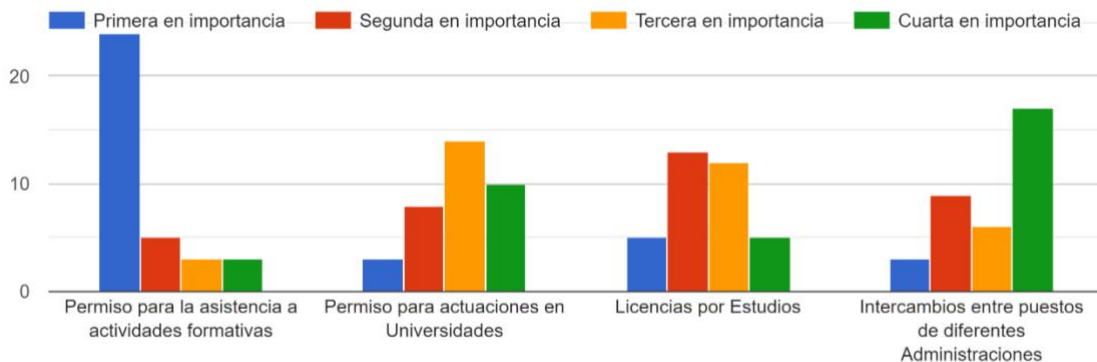


8. What working day model do you consider responds more appropriately to the better development of the functions of the educational inspection?



- Jornada de 37,5 horas semanales a desarrollar en sede territorial, centros educativos, programas y servicios
- Jornada ajustada a los dispuesto para el resto de cuerpos docentes: 30 horas semanales en sede territorial, centros educativos, programas y servicios y 7,5 horas para la preparación del desarrollo de funciones y formación
- Considero insuficiente el horario de preparación de material y estudio.

9. Prioritize the importance of regulating these permits and licenses.



In question 10, the attendees were asked to openly contribute what demands or topics of trade union action they considered to be of greatest interest for their next development. The answers were the following:

- Homogenize wages throughout the territory
- Number 1: level 28.
- Level rise within the Administration.
- Access to the body.
- Day and working hours.
- Equal pay in all the Autonomous Communities.

- The importance of inspection in teacher training would be very interesting.
- Carrying out reports for knowledge of matters that supposedly do not comply with the regulations autonomously.
- European programs. civil servant level.
- Consultancies/collaboration abroad.
- I consider that the SMI for this body is insufficient, it should be increased or equalized in all the communities.
- Salary supplements should be increased.
- Provision of mobile phones provided by the administration.
- That vacancies are filled.
- Improvement of working conditions and updating of compensation for displacement, insurance and official vehicles (not having the obligation to have your own car).
- Consultancies abroad.
- Improve initial training for access to the body.
- Updating of the specific training for the performance of the inspection function.
- Recognition of the exercise as an accidental inspector as an A1 corps exercise for the purposes of transfer and retirement competition.
- Acquire Level 28.
- CGT of inspection, that remove the real squares.
- Level 28.
- You have incorporated them all.
- Participation of the inspectors in the election of the teams that direct it: general inspector, territorial chiefs, etc.
- Access to the cie, specific training and regulation of labor exchanges.

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