



GTC Scotland

Registration and Standards Rules Consultation Responses

A Terminology

Two respondents provided comments on the terminology used within the drafts. The first suggested that the drafts needed to be better framed towards a worldwide (not just UK based) audience. The second, an individual and past applicant, was concerned that the requirements set out in the rules were too onerous and restrictive.

B Accessibility

One respondent, the individual and past applicant noted above, suggested that improvements could be made to the format and accessibility of the rules in terms of making the requirements less restrictive.

C Criteria for registration and re-registration

Five respondents provided comments on the criteria for registration and re-registration. These may be summarised as follows:

- There is a need to maintain a flexible approach in considering applications for registration from those qualifying as teachers outside Scotland.
- Applications from those qualifying as teachers in other parts of the United Kingdom should be welcomed, including from those qualifying via school-based training routes. The Statement of Principles should be broadened to provide for this.
- The criteria may be overtaken in future by more flexible routes being offered into the teaching profession.
- The criteria for those qualifying as teachers outside Scotland are too restrictive in terms of the documentation that is required.
- The relevance of the requirement for any employer disciplinary action to be disclosed as part of a registration application was questioned and clarification sought on the scope and proportionality of this.
- Concern was raised that Headteachers are often placed under pressure to recommend for registration poorer probationers due to the lack of funding for probationary extensions.

D Criteria for award of the Standard for Chartered Teacher, Standard for Headship and Professional Recognition

Two respondents provided comments on the criteria relating to the award of standards. One respondent suggested that the standards themselves (as opposed to the criteria set out in the rules) could be merged into a single framework. A further respondent stated that it is not clear why it is necessary to consider whether a Registrant has maintained his/her knowledge and expertise in order to merit the award of professional recognition and how evidence will be gathered for this.

E Panel procedures

One respondent, an individual and past applicant, considered that the panel procedures proposed were unfair as each application should be assessed individually with the manner of teaching qualification being overlooked in favour of a holistic, professional interview based approach.

F/...

F Privacy of hearings

One respondent was concerned that it may not be possible to show that hearings procedures were fair unless they were held openly and in public.

G Provisional registration restoration applications

Six respondents (including the two individual respondents) suggested that where a provisional registrant's registration is cancelled, the teacher should be prohibited from applying to have his/her provisional registration restored for a period of 2 years. Two respondents suggested that it should remain as it is currently, 3 years. One respondent expressed no view on the matter.

H Reinstatement

Four respondents (including one individual respondent) agreed with the provisions proposed regarding reinstating a teacher in the public interest where a complaint is raised regarding a teacher after he/she has lapsed from the Register. Two respondents disagreed with the proposal on the basis that GTCS should have the right, in any event, to investigate the conduct of a teacher where that conduct arose while he/she was included on the Register.

I Additional comments

One respondent suggested that the period in which a review of a decision may be requested should be extended from 28 to 60 days.

A further respondent questioned why, in terms of Schedule 1 to the Registration and Standards Rules, it was necessary to note within the Register that a teacher has retired on the grounds of ill health.

Summary and GTC Scotland Conclusions

The vast majority of consultation responses were supportive of the proposals put forward. Responses to the comments received are set out below.

A Terminology

We consider that the terminology used is in line with the legal nature of the document. We have tried to streamline the document further, and include headings, to make it easier to use. We will continue to publish additional guidance on our website, and offer assistance, to help all applicants understand our registration requirements and the process followed.

B Accessibility

See the responses provided above and below.

C Criteria for registration and re-registration

- We consider that the criteria for registration that has been set is appropriate. We will continue to review the requirements for those seeking registration where they have qualified outside Scotland in seeking to ensure that our procedures are fair and appropriate.
- We/...

- We have clarified within the criteria for registration that we are requesting the disclosure of employer related disciplinary action where it is of relevance to an individual's fitness to teach. We consider it important to seek disclosure of this information in order to ensure we have as full information as possible to enable us to determine that he/she is fit to teach. This is consistent with our legal responsibility set out in the Public Services Reform (General Teaching Council for Scotland) Order 2011 to investigate the fitness to teach of all applicants. Please be assured that where any information is disclosed as part of the application process that raises a question about an individual's fitness to teach, this will follow a full and fair process with the individual being given the opportunity to be heard throughout.
- We note the concern raised that Headteachers are placed under pressure to recommend for registration poorer probationers due to the lack of funding for probationary extensions and will keep this matter under review but it is not a concern that we share at the present time based on our experience of the probationary process.

D Criteria for award of the Standard for Chartered Teacher, Standard for Headship and Professional Recognition

The Standards themselves will be reviewed at a later date and will be subject to separate consultation at that time.

We consider it important to ensure that knowledge is maintained in continuing to be professionally recognised in a particular area. We have a framework laid down for this and a form for the review. We consider it a simple and rigorous process. We will continue to reflect on the process and ensure that it is appropriate.

E Panel procedures

We consider it important to ensure consistency across applicants, and a rationality of approach, that there is a set of core principles applied to everyone setting out the requirements that must be met for registration. We also consider that this manages the expectations of applicants appropriately and is appropriately pragmatic. We are not currently minded to overlook this in favour of a holistic, professional interview based approach for all applicants qualified as teachers outside Scotland.

F Privacy of hearings

We have provided that hearings may be held in public should this be requested. The procedures followed will be published so that they are open to scrutiny. We do not consider there to be sufficient public interest in the hearings being held in public and believe that the approach proposed strikes an appropriate and fair balance.

G Provisional registration restoration applications

We will be providing in our Fitness to Teach and Appeals Rules that where a provisional registrant's registration is cancelled, the teacher will be prohibited from applying to have his/her provisional registration restored for a period of 2 years.

H Reinstatement

We have decided to retain a provision to allow us to reinstate a teacher to the Register in the public interest where a complaint is raised regarding a teacher after he/she has lapsed from the Register. As we may only legally investigate complaints relating to those included on our Register (or those applying for registration), we consider this an important public protection.

I/...

I Additional comments

We do not consider it appropriate to extend the period in which a review of a decision may be requested from 28 to 60 days as we consider that this would unduly prolong the process to the detriment of all those involved. We consider that 28 days is a fair and standard period to prescribe in this context.

We agree that it should not be necessary to note within the Register that a teacher has retired on the grounds of ill health and have removed this within the updated version of the Rules.