

**REPORT TO: EDUCATION COMMITTEE - 1 JULY 2009**

**REPORT ON: CONSULTATION ON THE FUTURE STATUS OF GTCS**

**REPORT BY: DIRECTOR OF EDUCATION**

**REPORT NO: 360-2009**

## **1.0 PURPOSE OF REPORT**

- 1.1 This report is a response to the current consultation on the future status of the General Teaching Council for Scotland. The consultation seeks views on a range of options relating to the functions of the GTCS and the way in which these functions should be undertaken.

## **2.0 RECOMMENDATIONS**

- 2.1 The Education Committee is recommended to:
- i. note the contents of this report
  - ii. approve the Education Department's response to the consultation (Appendix 1)
  - iii. instruct the Education Department to submit the response on behalf of the Education Committee

## **3.0 FINANCIAL IMPLICATIONS**

- 3.1 None.

## **4.0 MAIN TEXT**

- 4.1 The GTCS was established 44 years ago with the core function of regulating the Scottish teaching profession. In the ensuing years, through its accreditation of courses, its role in the development and maintenance of teaching standards and its influence on all areas of educational development, it has become a significant professional body in Scotland. Currently, the GTCS is classed as an advisory Non-Departmental Public Body (NDPB). This means that while it is not a Government Department, it is still part of the structure of Government in Scotland and is sponsored by the Schools Directorate. In January 2008, the First Minister announced that the GTCS would be established as a "self-regulating, profession-led body, along the lines of the General Medical Council".
- 4.2 The move away from being an advisory NDPB to a fully independent body provides an opportunity to consider the responsibilities of the GTCS and the way in which these responsibilities are delivered. The move to independence gives an opportunity to examine the precise role of the GTCS and the way in which it carries out its business. The consultation exercise therefore considers possible changes to the responsibilities of the GTCS alongside possible changes to its organisational structure.

- 4.3 Despite the possible changes to the status of the GTCS, the move to independence should not result in a significant change to the core functions of the organisation. The over-arching responsibility, through strong regulation, will continue to remain central to all of the activities that the GTCS is involved in. In short, the core responsibilities of the GTCS are likely to remain broadly the same in an era of independence as they are now.
- 4.4 The consultation focuses on the principles that will underpin a newly independent GTCS. The power to make these changes will be included in the Public Service Reform Bill, due to be introduced to the Scottish Parliament in Spring 2009. The powers introduced in the Bill and any secondary legislation made using the powers, will be subject to scrutiny of the Scottish Parliament.
- 4.5 The Scottish Government view is that, as an independent body, the GTCS should have a large degree of flexibility in terms of being able to set its own structure. Currently, if the GTCS wanted to amend some aspects of its organisational structure, it would be necessary for Government to either take forward primary or secondary legislation. The Scottish Government intends giving the independent GTCS broad powers allowing the organisation to determine its own internal structures, without recourse to legislation.

## **5.0 POLICY IMPLICATIONS**

- 5.1 This report has been screened for any implications in respect of Sustainability, Strategic Environment Assessment, Anti-Poverty, Equality Impact Assessment and Risk Management.
- 5.2 There are no major issues.

## **6.0 CONSULTATIONS**

- 6.1 This report has been subject to consultation with the Chief Executive, Depute Chief Executive (Finance), Depute Chief Executive (Support Services) and Head of Finance.

## **7.0 BACKGROUND PAPERS**

- 7.1 The Education Department's response to the consultation exercise on the future status of the GTCS.

Jim Collins  
Director of Education

5 June 2009  
JC/MW/DD

## **Appendix 1**

### **Response to GTCS Consultation Exercise**

#### **Section 2.2 - Responsibility for the Teaching Standards**

Q1: Would it be appropriate for the GTCS to be given a more explicit responsibility in relation to the standards?

Yes.

The proposal that GTCS could take on responsibility as 'guardian' of the current suite of standards is a reasonable one provided that there is ongoing engagement with key players and stakeholders such as Scottish Government, teachers' employers and universities to develop and review each set of standards. In addition, there needs to be appropriate representation from registered teachers since the standards impact directly on their work. A clear advantage would be an increase in the ability of the GTCS to drive forward developments with greater speed than is possible at present given the current layers of bureaucracy in the system.

#### **Section 2.3 - Entry Requirements to and Approval of Courses of Initial Teacher Education**

Q2: Should the GTCS assume responsibility for setting entry requirements to Courses of Initial Teacher Education?

No.

The current mechanisms ensure that a number of key groups and agencies are involved in the process of setting entry standards. This allows for professional discussion and reflection across a range of professional groups. The decision to assign GTCS full responsibility in relation to entry requirements has the potential to narrow the scope for extended discussion and informed decision making. Given the significant changes taking place at school level through CfE and the impact this is likely to have on subject teaching at secondary level, the issue of entry standards will require to be reviewed on an ongoing basis.

Q3: Should the GTCS assume responsibility for the approval of initial teacher education courses?

No.

The current system works and ensures that there is scope for further discussion between Scottish Government and GTCS should there be concerns over course accreditation.

Although this happens rarely, a change to the status quo would remove the opportunity for professional discussion in relation to the content and structure of initial teacher education courses. It would also imply that GTCS personnel have the overall capacity in terms of professional knowledge and experience to make informed decisions about all aspects of ITE courses.

## **Section 2.4 - Continuing Professional Development**

Q4: Do you think the GTCS should expand its role to into CPD? If so, what do you think this role should consist of?

Yes.

Although there is a wide variety of expertise in relation to CPD provision at establishment, council and national level, a relevant role of the GTCS would be to coordinate and validate specific courses and programmes. This would ensure consistency of quality and ensure that courses placed an appropriate focus on helping teachers to develop the actual skills required for effective teaching.

The proposal to consult on a system of professional re-accreditation requires to be developed in much greater detail before full and informed consideration can be given.

## **Chapter 3: Governance of an independent General Teaching Council for**

### **Section 3.2 - Size of Council**

Q5: What do you think is the most appropriate size for an independent Council?

The status quo is unwieldy in terms of composition. The rationale was appropriate for the original launch of the GTC and the organisational structure has evolved to provide a range of committees. A core strategy group of 12 key individuals would ensure representation across all sectors and GTCS functions could then be assigned to a variety of relevant sub-groups. The model of co-opting or appointing non-Council members to short term positions would have the advantage of ensuring that groups and committees could carry out their duties with a full complement of members. Consideration may also have to be given to clarifying the time demands and commitments for those who serve on the GTCS. The use of statutory committees for key areas of legislation would ensure transparency and take account of public interest.

### **Section 3.3 - Composition of Council**

Q6: How best can we ensure that the public interest is well represented on an independent Council? In answering this question stakeholders may wish to consider factors such as the composition, appointments process and definition of lay member which could all play a role in ensuring the public interest is well represented.

There requires to be representation at all levels of education and beyond. The active involvement of partner agencies and stakeholders (professional and non-professional) is essential. The current arrangement is too heavily weighted towards professional and secular personnel. The increased role of parents, lay members, employers and young people would add a more considered view from those who are current users of the education system. This could be achieved by co-opting members as the need arises or by seconding individuals for short life tasks.

Q7: In terms of models the independent Council could adopt, do you prefer Model 1 or Model 2, a variant of either model, the status quo, or something completely different?

A variant of Model 1 and Model 2 would ensure a balanced approach to the composition of the Council and enable interested individuals to put themselves forward through the election route. The strength of Model 1 lies in the fact that it is an openly transparent and democratic process. The use of Model 2 would give the GTCS the flexibility to respond quickly to changing circumstances such as members leaving office or the need to introduce a short life working group.

Q8: In considering the composition of the current Council, do you think that there are groups missing from whose input the Council would benefit?

The current model encompasses a wide range of professionals from across Scotland. The facts provided are that 37 out of 48 members in the current Council are registered teachers and that of 12 out of 24 of the appointed or nominated members are registered teachers. It would be helpful to have had a breakdown of the non-registered teachers to establish the range of experience and expertise they bring to the GTCS. Without this information, it is difficult to answer this question.

### **Section 3.4 - Other relevant issues**

Q9: Do you have any comments relating to the issues raised in this section?

The GTCS will continue to be directly accountable to the Scottish Government regardless of the future direction it takes. The statement is made that an independent GTCS would be required to submit its annual report, Strategic Plan and Diversity Action Plan to the Scottish Government. This is acceptable but it is not made clear if this is for approval or simply information. There must be an opportunity for challenge if there are issues arising.

Q10: Do you believe the length of time individuals should be allowed to serve on Council should be capped?

Yes.  
To ensure that the GTCS is fully representative then it is proper that the length of service should be capped to provide opportunities for interested individuals to become members. As indicated, this is in keeping with accepted practice elsewhere in the system such as the GMC.

### **Space for additional comments**

Space for any additional comments that respondents would like to make about the future status of the GTCS.

The direct challenge for the GTCS is to continue to evolve to reflect ongoing developments across all sectors of education. Representation in the Council should reflect a wide range of professional and non-professional members who have their own unique contribution to make to improving Scottish education.