

## **THE EDUCATIONAL INSTITUTE OF SCOTLAND**

### **EIS Response to the Scottish Government Consultation on the Future Status of the General Teaching Council for Scotland**

#### **Introduction**

The EIS welcomes independent status for the GTCS and welcomes the consultation document. The EIS supports the work of the GTCS as a democratic, regulatory body for the teaching profession in Scotland. The GTCS must remain as a body which has a clear majority of teachers who are subject to election by the teaching profession as a whole. An initial position of the EIS in relation to independent status for the GTCS is set out in the EIS Paper, "Independent Status for the General Teaching Council for Scotland", March 2009 (attached).

In response to the consultation paper, the EIS will seek to answer questions 1 to 10 set out in the consultation. In addition, the EIS will indicate what we believe to be important areas which are not referred to in that paper.

#### **CHAPTER 2: FUNCTIONS OF AN INDEPENDENT GENERAL TEACHING COUNCIL FOR SCOTLAND**

##### **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?**

In general terms, the EIS believes that GTCS should be the lead body in relation to the maintenance of all existing standards (including the Standard for Headship) and the development of any future standards. This role should not be pursued in isolation but should be based on a partnership model involving appropriate stakeholders, including teacher unions.

##### **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?**

The EIS agrees that GTCS should assume lead responsibility for setting entry requirements to Courses of Initial Teacher Education. Again, the work of GTCS in this would be pursued on a partnership model led by GTCS and working with appropriate stakeholders.

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

The EIS believes that the GTCS should be the lead body for the approval of Initial Teacher Education Courses based on the same model as in our response to Question 2 above.

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

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

The EIS believes that an independent GTCS should have a key role in relation to teacher CPD. The EIS endorses the specific functions which are referred to in the consultation paper, ie the accreditation of modules leading to the award of the Standards; the operation of the Framework for Professional Recognition/Registration; and organisation of the Professional Interview Panel for the Flexible Routes to Headship programme. Any further development of the GTCS role in relation

to CPD should be a matter for consultation by an independent GTCS with all appropriate stakeholder bodies, including teacher unions. Any extension to the GTCS role in CPD has implications for GTCS structure, staffing and hence funding. These are issues which an independent GTCS would have to consider with care, for example, there would be considerable reluctance for registered teachers to incur a substantially increased membership subscription cost.

As regards Chartered Teacher programmes, the EIS supports the lead role played by Universities in developing courses leading to a Masters Degree as well as the Standard for Chartered Teacher, with such courses being accredited by GTCS. The EIS remains to be convinced that there is a need for development of any alternative route towards the Standard for Chartered Teacher.

The EIS has serious reservations about the introduction of a system of re-accreditation referred to in the consultation. In a climate where collegiality is scarcely a reality in many schools and where structures of development and support for teachers within schools remain frequently ill-developed, it is hard to see how a process of re-accreditation is likely to gain support from the profession. We recognise that this is likely to be on the agenda of an independent GTCS. However, before meaningful discussion can take place on this, significant improvements in PRD systems and collegiality would be required. Again, the involvement of all appropriate stakeholder bodies, including teacher unions, is of paramount importance in any future discussions in this area.

### **CHAPTER 3: GOVERNANCE OF AN INDEPENDENT GENERAL TEACHING COUNCIL FOR SCOTLAND**

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

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

The democratic principle within an independent GTCS is central. We note, for example, that the General Teaching Councils in England, Wales and Northern Ireland maintain the principles of election and professional majority. Such democratic accountability is one of the elements which ensures that the current GTCS is “trusted and well respected” in contrast to certain other regulatory bodies which suffer from a lack of public confidence.

At the same time, the future Council of an independent GTCS must be seen to be effective and this is used as an argument for a reduction in the current size of Council (50). However, a substantially reduced Council size would impinge on the democratic principle and a genuine accountability to the various constituent bodies, not least to the teaching profession. A Council which functions merely as an executive body or a board would run contrary to the democratic principle which the EIS believes to be central. Such a body or board would lead to major decisions on professionalism and teacher regulation being taken by a very small number of individuals and, even if the elected teacher majority were narrowly to be retained, there would be the risk that primary and secondary sectors would not be adequately represented and smaller education sectors would not be represented at all.

The establishment of a body or board with substantially reduced size would also affect the ability of the Council to carry out its core functions.

The issue of Council effectiveness should be a matter for further discussion, again involving appropriate stakeholder bodies, including teacher unions. There may be ways which a future Council may wish to examine to seek to ensure improved, effective working arrangements. These need not be set in legislation or prescribed by the Government in advance of establishing an independent GTCS.

The EIS recognises that there are issues around representation on committees associated, for example, with the competence and disciplinary work of GTCS. The smaller the Council, the harder

it would be to identify sufficient elected Council members to such committees. An independent GTCS will therefore be required to address such issues. Again any decision-making by a future Council on issues such as the co-option of additional members to serve on committees must be made with the involvement of key stakeholders.

### **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.**

The key objective of the EIS is retention of the elected teacher majority. In broad terms, the EIS supports the notion of retention of places for “organisations with a legitimate interest in teaching, and education in Scotland ..”. This would include Universities which provide teacher education courses and local authority Directors of Education. As regards Universities and Directors of Education, it is probably appropriate to continue to allow their representative bodies, i.e. STEC and ADES, to continue to appoint. Thereafter, remaining places could be filled by an open appointments process with a view to help “increase the diversity of backgrounds of Council members.”.

**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?**

The EIS supports a variation of model 1 as set out in the answer to Question 6 above. Whatever model emerges, the EIS believes that teachers should be elected by teachers to any additional group (eg satellite groups) which is established within the new structures.

**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 issue of “missing groups” should not apply if an “open appointments process” serves genuinely to “increase the diversity of backgrounds of Council members”. This is consistent with EIS policy on equality and seeking to ensure that public bodies are genuinely representative of society as a whole, reflecting diversity of gender, race, disability and sexuality. This process must not preclude teachers or people with a background in education emerging from this appointments process. This would mean that in advertisements for appointees to the Council, as well as the appointments process itself, regard should be had for the need to achieve this objective.

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

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

The EIS believes that the Council must be “open, transparent and publicly accountable” and supports the view that “as a public body it is also important that the GTCS continues to be accountable to Parliament.”. (Paragraph 65)

The EIS supports the proposal for an annual report to the Scottish Parliament. (Paragraph 66)

The EIS supports the view that the GTCS “as an independent, self-financing body should have control over its own finances”. (Paragraph 67)

The EIS supports the view that an independent GTCS should set up its own criteria for the removal of individuals from Council. (Paragraph 68)

The EIS supports the retention of a four year term for Council members. (Paragraph 69)

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

The EIS is not convinced that there is any benefit in capping the period of office of members elected to GTCS Council. The work of the Council is highly complex and it takes time for new Council members to build up the breadth and experience which leads to a full contribution to Council decision-making. It is healthy, therefore, for the Council to have a range of experience among its membership varying from those who have developed knowledge and experience from serving on the Council for many years to newer members bringing a fresh perspective to Council work.

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

The EIS believes that there are five important areas which are not covered by the consultation:

**1. Registration of Lecturers in Further Education**

The EIS believes that all lecturers in Further Education Colleges should, through time, be registered by GTCS. The EIS believes that the move towards independent status of GTCS affords the opportunity to realise this aim, particularly at a time of growing links between schools and the further education sector.

**2. Registration of Teachers in Independent Schools**

The EIS believes that all teachers working in schools in Scotland should be registered with GTCS. The requirement that currently applies to teachers working within local authority schools should be extended to teachers working within the independent sector. Again, the move towards independent status of GTCS affords the opportunity to clarify the position of teachers in the independent sector, a substantial proportion of whom are already registered with the GTCS.

**3. Registration of Other Categories of Teacher**

An independent GTCS could look at the possibility of registration of other categories of teacher. This could include Music Instructors who, in many cases, given the qualifications they have achieved, are currently eligible for registration as teachers. However, registration as teachers does not properly reflect their role in the school. Music Instructor registration could be covered by the introduction of a new category, e.g. Teachers of Instrumental Music.

**4. Categories for Election to the GTCS**

EIS policy is to support three categories for election to GTCS Council – viz Primary/Nursery, Secondary and Further Education. The intention of EIS policy in this area is to avoid fragmentation of representative groups within the Council.

We note for example that there were no appointments made to Category V (Pre-school other than Primary or Nursery Schools) in the election of the (Eleventh) GTCS Council 2005-2009. Similarly, there are no candidates under this category for election to the (Twelfth) GTCS Council 2009.

**CONCLUSION**

The EIS would welcome the opportunity to discuss the views in our response to the consultation document with representatives of Scottish Government.

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### **INDEPENDENT STATUS FOR THE GENERAL TEACHING COUNCIL FOR SCOTLAND**

The Government Consultation Paper on Independent Status for the GTCS is awaited. Thereafter, the full response from the EIS should be prepared by the Working Group for approval by the Executive Committee and Council. In the meantime, the EIS should make clear a number of broad principles concerning the Independent Status for GTCS.

1. The EIS welcomes independent status for the GTCS. The EIS supports the principle of a democratic, regulatory body for the teaching profession which has a clear majority of teachers who are subject to election by the teaching profession as a whole. The EIS recognises that there are important issues of clarification to be made in terms of the legislative process to set up the new body and the relationship of an independent GTCS to Government and other educational bodies.
2. An independent GTCS should be, as far as possible, a democratically elected body through all constituencies represented on it. This is a particularly important principle for the EIS as regards the election of teachers but it has implications for other constituencies, such as Universities, Education Directorates, Parents, etc. The democratic principle should include election from the membership of Council of the Convener and Vice-Convener of the Council, and, of the Conveners of the Committees of Council.
3. The democratic principle is central. At the same time, the future Council of an independent GTCS must be seen to be effective. A view has been expressed that this could imply a reduction in the number of members of Council which is currently 50 in total (26 elected teacher members; 18 appointed members and 6 nominated members reflecting public interest). There comes a point, however, at which a reduced Council size impinges on the democratic principle and a genuine accountability to the various constituent bodies, not least to the teaching profession. A reduced Council size would also affect the ability of Council to carry out its core functions. A Council which functions merely as an executive body or a board would run contrary to the democratic principle which the EIS believes to be central.
4. The EIS has been opposed to further breakdown of constituent bodies, i.e. headteachers / non-headteachers, pre-school / non-school teachers. The EIS would continue to support the position of election from the following distinctive categories: Primary/Nursery, Secondary/Special, Further Education and Relevant Institutions (TEIs), without further breakdown of these categories.
5. In preparing a response, the EIS should look at practices within other regulatory bodies, e.g. the General Medical Council (GMC), the Scottish Social Services Council (SSSC) and the General Teaching Councils in England, Wales and Northern Ireland. Practices elsewhere may not be desirable, especially on issues of democratic accountability, from

an EIS perspective. However, it is clear that Government and other interested parties will look to other models of regulatory bodies.

6. Central to the powers of an independent GTCS should be regulatory powers in relation to the teaching profession, including Further Education, in Scotland. In addition, the EIS would wish to see consolidation and expansion of the GTCS' role in relation to the continuing professional development of teachers. Specifically, the EIS would support GTCS owning all the Standards, including the Standard for Headship.

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