

PART 2: APPENDIX 2.12 - GTCS CODE OF PRACTICE ON TEACHER COMPETENCE

The General Teaching Council for Scotland (“the Council”) was set up under the Teaching Council (Scotland) Act 1965. It was the first such body for teachers in the United Kingdom and, indeed, one of the first teaching councils in the world. One of the fundamental principles underlying the work of the Council is that of professional self-government.

The public interest is represented on the Council. Its membership of 50 consists of 26 elected registered teacher members; 18 appointed members representing local authorities, directors of education, directors of social work, further and higher education institutions, the churches and the Scottish Council of Independent Schools; and 6 members nominated by Scottish Ministers.

The Council is an advisory non-departmental public body (NDPB), but differs from other NDPBs in that it is funded from the annual registration fees paid by registered teachers and not from the public purse. With regard to the public interest, policy statements and general advice issued by the Council are made available to the public and Minutes of meetings of the Council are made available to the press and on the Internet, subject to confidentiality in the Council’s case work.

The Standards in Scotland’s Schools etc Act 2000 made a number of important changes to the functions of the Council. In the light of these changes this Code of Practice on Teacher Competence is intended to illustrate how the Council defines teacher competence and the proposed procedures for dealing with cases of under-performance.

The principal aims of the General Teaching Council for Scotland are:

- To contribute to improving the quality of teaching and learning;
- To maintain and to enhance professional standards in schools and colleges in collaboration with partners including teachers, employing authorities, teacher education institutions, parents and the Scottish Executive Education Department;
- To be recognised as a voice and advocate for the teaching profession;
- To contribute to the development of a world-class educational system in Scotland.

The Council’s key functions are:

- To maintain and enhance the quality of teaching in Scotland;
- To maintain standards of professional conduct and competence in teaching;

- To provide advice on the entry requirements for initial teacher education and the supply of teachers;
- To enhance the status and standing of teaching and the teaching profession;
- To develop the strengths of Council staff;
- To run an effective and cost-efficient organisation.

1 Introduction

The Code of Practice on Teacher Competence provides the definition of competence in terms of the Standard for Full Registration (SFR) and explains the steps in the process for dealing with cases of short-lived under-performance and long-running under-performance. This Code is part of the Council's procedures for maintaining standards of professional conduct and competence in teaching.

It is important to note that this Code will be kept under continuous review and will be updated regularly.

It should be noted that where the alleged under-performance relates to administrative/managerial duties of a promoted teacher, similar procedures may be applied, but in the knowledge that the power of the Council, at the end of the day, to remove the name of a teacher from the register for long-running under-performance relates to teaching competence not administrative/managerial competence.

2 Definition of Teacher Competence

Teacher competence is described in terms of the SFR and applies to teachers who have gained full registration with the General Teaching Council for Scotland.

The Standard describes the:

- professional knowledge and understanding
- professional skills and abilities
- professional values and personal commitment

which all fully registered teachers should be able to demonstrate in their professional activities.

Professional Knowledge and Understanding

Registered teachers:

- (a) have detailed knowledge and understanding of the relevant areas of the pre-school, primary or secondary school curriculum;
- (b) have sufficient knowledge and understanding to fulfil their responsibilities for literacy and numeracy; personal, social and health education; and ICT. (As appropriate to the sector and stage of development.);
- (c) understand the nature of the curriculum and its development;
- (d) have sufficient knowledge and understanding to meet their responsibilities to teach cross-curricular aspects;
- (e) have a broad, critical understanding of the principal features of the education system, educational policy and practice, and of their part in it;
- (f) have detailed working knowledge of their sector, of the school(s) in which they teach, and of their professional responsibilities within them;
- (g) can articulate their professional values and practices and relate them to theoretical principles and perspectives;
- (h) have research-based knowledge relating to learning and teaching and a critical appreciation of the contribution of research to education in general.

Professional Skills and Abilities

Registered teachers:

- (a) are able to plan coherent and progressive teaching programmes which match their pupils' needs and abilities, and they can justify what they teach;
- (b) communicate clearly, making skilful use of a variety of media, and interact productively with pupils, individually and collectively;
- (c) use a range of teaching strategies and resources which they can evaluate and justify in terms of curriculum requirements and of the needs and abilities of their pupils;
- (d) set and maintain expectations and pace of work for all pupils;
- (e) work co-operatively with other professionals and adults;
- (f) organise and manage classes and resources to achieve safe, orderly and purposeful activity;

(g) manage pupil behaviour and classroom incidents fairly, sensitively and consistently, making sensible use of rewards and sanctions, and seeking and using the advice of colleagues when necessary;

(h) understand and apply the principles of assessment, recording and reporting;

(i) use the results of assessment to evaluate and improve their teaching, and the learning and attainment of the children they teach.

Professional Values and Personal Commitment

Registered teachers:

(a) learn from their experience of practice and from critical evaluation of relevant literature in their professional development;

(b) convey an understanding of practice and general educational matters in their professional dialogue and communication;

(c) reflect on and act to improve their own professional practice, contribute to their own professional development, and engage in the process of curriculum development;

(d) should show in their day-to-day practice a commitment to social justice and inclusion;

(e) take responsibility for their professional learning and development;

(f) value, respect and are active partners in the communities in which they work.

3 Procedures for Dealing with Under-Performance

The procedures assume that the teacher has been performing at a competent level up to the point at which temporary under-performance is first identified.

Short-lived under-performance may be caused by many different factors such as illness, personal circumstances, lack of understanding of current methodology, loss of confidence or external factors beyond the control of the teacher. In stages 1 and 2 of the following procedures it is assumed that the teacher's problem is one of short-lived under-performance.

Long-running under-performance is the term used to describe the problem when stage 3 of the procedures is implemented. By this stage, although support and guidance and professional development opportunities have been offered to the teacher, this has not resulted in the teacher maintaining the level defined in the Standard for Full Registration.

(Note: This advice is in line with relevant provisions of the ACAS Code of Practice on Disciplinary and Grievance Procedures as revised in September 2000, ref: para 8, para 22.)

There are four stages in the procedures:

Stage 1 : Informal

- (a) The informal stage does not form part of the employer's formal disciplinary procedures.
- (b) It is assumed, at this stage, that the problem is one of short-lived under-performance.
- (c) Teachers are encouraged to invite a colleague or a representative from their Professional Association to accompany them to any meetings.
- (d) Informal discussions should be held between the teacher and senior colleagues to discuss identified areas of under-performance. During these informal discussions the teacher should be encouraged to participate fully in identifying the causes of the under-performance and suggesting possible remedies. Advice and guidance should be offered from senior colleagues to support improvement.
- (e) At the conclusion of the first informal discussion a date should be agreed by the teacher and senior colleagues to review performance. Depending on the context of the situation a reasonable length of time should be given for the teacher to reach the required standard.
- (f) At the conclusion of the meeting to review performance, ie whether or not the required standard has been achieved, an oral report should be given to the teacher indicating the outcome. Two outcomes are possible:

Outcome 1:

Where improvements have been made to the required standard, no further action will be taken. The teacher should be informed of this decision in writing.

Outcome 2:

Where improvements have not been achieved to the required standard, the teacher should be informed that the matter will be referred to the headteacher who will consider whether the second stage of the procedures should be implemented. The teacher will be informed of the headteacher's decision and the underpinning reasons in writing.

Stage 2 : Support

(a) The support stage does not form part of the employer's formal disciplinary procedures.

(b) It is assumed, at this stage, that the problem is still one of short-lived under-performance.

(c) Teachers are encouraged to invite a colleague or a representative from their Professional Association to accompany them to any meetings.

(d) The teacher should be informed by the headteacher of:

- the specific aspects of the SFR which are to be addressed;
- the proposed mechanisms which will be put in place to support the teacher;
- appropriate professional development opportunities which can be accessed.

(e) Discussions should be held between the teacher and headteacher to agree the way ahead. During these discussions the teacher should be encouraged to address the issues openly in order to:

- clarify the areas of under-performance;
- suggest forms of support which he/she would find helpful;
- agree appropriate professional development opportunities.

Sympathetic consideration should be given to all reasonable requests made by the teacher.

At the conclusion of these discussions the headteacher should give a broad indication of the support mechanisms and professional development opportunities which will be made available. Dates for an Interim Review meeting and a Final Review meeting will be confirmed.

As soon as possible after the discussion the headteacher should confirm in writing:

- the improvements to be made;
- the support mechanisms and professional development package to be provided;
- confirmation of the review dates.

Depending on the context of the situation a reasonable length of time should be given for the teacher to reach the required standard.

(f) At the conclusion of the Final Review meeting the teacher should be informed of the outcome.

Two outcomes are possible:

Outcome 1:

Where improvements have been achieved to the required standard, no further action will be taken. The proceedings will be deemed to be complete. The teacher should be informed of this discussion in writing.

Outcome 2:

Where improvements have not been achieved to the required standard, the teacher should be informed that formal disciplinary procedures will be implemented. This decision and the underpinning reasons should be communicated to the teacher in writing.

The teacher should be advised of their statutory and contractual rights to be accompanied at stages 3 and 4.

Stage 3 : Disciplinary

- (a) This stage comprises the employer's formal disciplinary procedures.
- (b) The problem is now considered to be one of long-running under-performance.
- (c) The teacher should be advised of their statutory and contractual rights to be accompanied.
- (d) A comprehensive statement should be produced by the headteacher indicating:
 - details of the teacher's alleged failure to maintain the standards described in the SFR with clear identification of which aspects are alleged not to be of the required standard;
 - details of the support mechanisms and professional development opportunities offered to the teacher;
 - the duration of stages 1 and 2;
 - the teacher's performance at the start of the support stage;
 - the teacher's performance at the end of the support stage.
- (e) The above information will be considered:
 - at subsequent stages in the employer's formal disciplinary proceedings;
 - if the case is referred to GTC Scotland.

Stage 4 : Referral to the General Teaching Council for Scotland

(a) A case is referred to the Council under the terms of Section 9B of the Teaching Council (Scotland) Act 1965 as amended, ie where a case culminates in:

- the dismissal of the teacher;
- the resignation of the teacher in the context of a possible dismissal.

(b) Relevant information from the Disciplinary stage will be sent to the Council.

(c) Information relating to the Council's procedures for dealing with such cases can be found in the Council's Code of Practice on the Exercise of its Disciplinary Functions and in the Conduct, Competence and Disciplinary Rules.

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