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East Dunbartonshire Council

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Procedure Manual No 2/28

PROCEDURES FOR IMPLEMENTING THE GENERAL TEACHING COUNCIL SCOTLAND: FRAMEWORK ON TEACHER COMPETENCE (FTC)

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Relevant Documentation and Sources

- Framework on Teacher Competence GTC Scotland March 2012
(Also contained within the SNCT Handbook of Conditions of Service, Appendix 2.12)
- Code of Professionalism and Conduct, GTC Scotland 2012
- SNCT Handbook of Conditions of Service: Part 2 Section 2: Main Duties
- The Standards for Registration, GTC Scotland 2012
(Includes Standard for Provisional Registration (SPR) and Standard For Full Registration (SFR))
- Fitness to Teach and Appeal Rules 2012
- Professional Guidance on the use of eComms and Social Media, GTC Scotland

www.snct.org.uk

www.gtcs.org.uk

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Procedure Manual No. 2/28(Revised)
Resource Planning

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1.0 INTRODUCTION

- 1.1 This Procedure Manual sets out the procedure to deal with short-lived and long-running under-performance of a teacher who has gained full registration with the General Teaching Council (GTC) Scotland.
- 1.2 It should be noted that there are different and separate provisions to manage under performance of a provisionally registered teacher.
- 1.3 Similarly, 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 always in the knowledge that GTC Scotland procedures and Fitness to Teach Panel outcomes can only relate to teaching competence and not to administrative/managerial competence.
- 1.4 As East Dunbartonshire Council strives to continuously improve the quality of education for all children and young people, it is essential that all teachers are supported to develop their knowledge and skills throughout their career. All members of staff should be aware of the duties of the job as outlined in Part 2 Section 2 of SNCT Handbook of Conditions of Service (see Appendix 1) and The GTC Scotland Standard for Full Registration (see Appendix 2) which is the standard of professional competence expected by GTC Scotland of fully registered teachers.
- 1.5 Measures for providing support to teaching staff and the role of the Education Quality Development Service (EQDS) are outlined in Appendix 3 – Providing Support for Teaching Staff.

2.0 DEFINITION OF TEACHER COMPETENCE

- 2.1 The Framework on Teacher Competence (FTC) (March 2012) provides the definition of teacher competence in terms of The Standard for Full Registration (SFR) (2012). The FTC should be read and used in conjunction with the SFR.
- 2.2 Teachers who are fully registered should be able to demonstrate in their professional activities the Standard in each of the following areas:
 - Professional Values and Personal Commitment
 - Professional Knowledge and Understanding
 - Professional skills and abilities

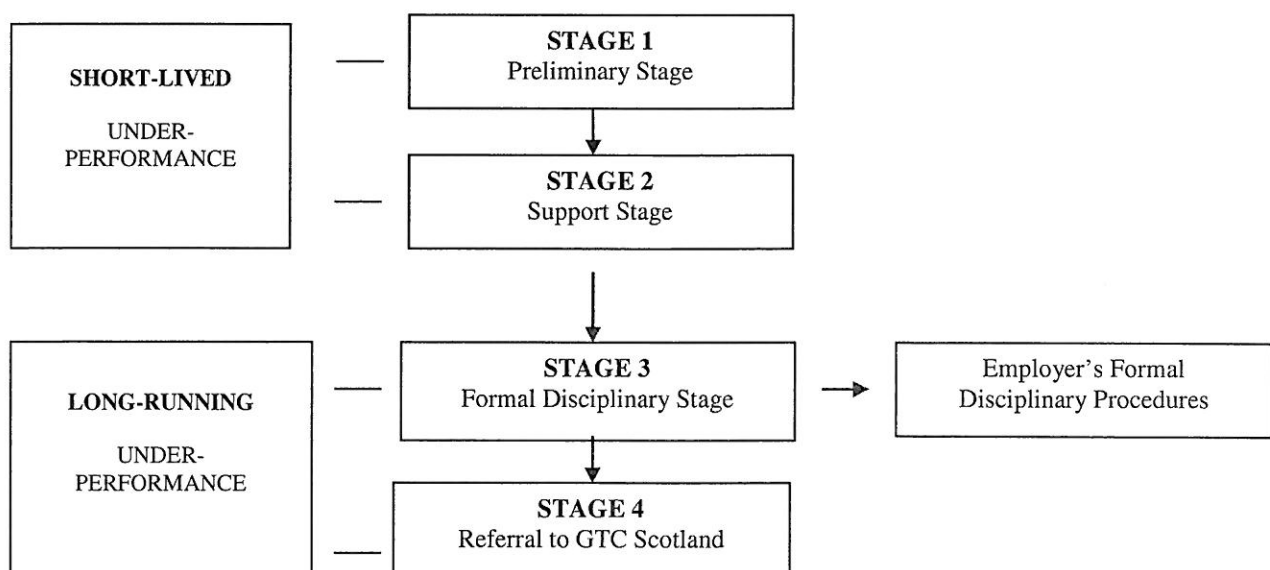
3.0 DEFINITION OF UNDER-PERFORMANCE

- 3.1 ‘Short-lived’ under-performances 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. It is expected that, with support and guidance, the problem will be overcome by the teacher within a short period of time.
- 3.2 Under-performance is termed ‘long- running’ when support, guidance and professional development opportunities have been offered to the teacher, but have not resulted in the teacher maintaining the level defined in the SFR.

4.0 PROCEDURES FOR DEALING WITH UNDER-PERFORMANCE

- 4.1 The procedures assume that the teacher has been performing at a competent level up to the point at which temporary under-performance enters Stage 1 of the FTC.
- 4.2 Professional Update does not measure teacher competence. Professional Update should focus on continuous improvement rather than on determining whether or not a teacher is, or has remained, competent.
- 4.3 There are four stages in the procedures. Stages 1 and 2 relate to specific instances of short-lived under-performance. Stages 3 and 4 will be invoked in cases of long-running under-performance (See diagram 1).
- 4.4 In all cases and throughout all stages there should be evidence of consistent and continuing reference to the SFR through the well structured and documented process set out in this Procedure Manual. This should ensure that:
- 4.4.1 there is recorded evidence of support and development provided and reasons for the decisions made at each Stage.
 - 4.4.2 the process is fair and reasonable with clear objectives linked to either the short lived or long running under-performance.
 - 4.4.3 the aim is to improve and not punish the individual teacher.
 - 4.4.4 the process is tailored to individual circumstances and complies with the terms of the Equality Act 2010.

Diagram 1: Four Stages in dealing with under-performance of teachers



5.0 **STAGE 1: PRELIMINARY SHORT LIVED UNDER -PERFORMANCE**

- 5.1 At this stage, it is assumed that the problem is one of short-lived under-performance. Although this stage does not form part of the Council's formal disciplinary procedures, the teacher should be made aware of the potential for matters to progress to formal procedures and that reliance may be placed upon evidence gathered at Stages 1 and 2.
- 5.2 The teacher is encouraged to invite a colleague or representative from his/her Professional Association to accompany him/her to any meetings.
- 5.3 Informal meetings should be held between the teacher and principal teacher/depute head teacher as appropriate to sector. The teacher should be encouraged to participate fully during these discussions in identifying the causes of underperformance and possible ways to improve, through professional self evaluation. Advice and guidance to improve performance should be offered by colleague(s) at the meeting.
- 5.4 The member of the management team with responsibility for monitoring teaching performance should, where appropriate, advise the teacher of the role of the employee welfare adviser.
- 5.5 At the end of the first informal discussion, a date should be agreed by the teacher and senior colleague for a meeting to review performance as soon as reasonably possible. The time agreed for the teacher to reach the required standard should reflect the nature of the competency or competencies under review.

COMPLETE FORM CP1a: Record of Initial Meeting

- 5.6 The Review Meeting should focus on the area(s) of under-performance already identified and consider whether sufficient improvement to the required standard has been achieved.

COMPLETE FORM CP1b: Record of Review Meeting

- 5.7 At the conclusion of this stage, i.e. after the meeting to review performance, whether or not the required standard has been achieved, an oral report, based on the Record of Review, should be given to the teacher indicating the outcome.
- 5.8 There are two possible outcomes:

Outcome 1

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

ISSUE LETTER CL1a: 'No further action' letter

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 Stage 2 of the procedures should be implemented.

ISSUE LETTER CL1b: Referral to Head Teacher

- 5.9 The Headteacher must advise the teacher of the role of the Employee Welfare Adviser at this stage. It should be recognised that short-lived under-performance may be caused by many different factors (see 3.1). The advice of the employee welfare adviser may be crucial in informing a decision at this point.
- 5.10 If it is brought to the attention of the Headteacher that the teacher is suffering from stress and/or anxiety as a result of this process, this must be reported to the authority. In this case an occupational health report and/or a medical report may be requested. This report should identify any reasonable adjustments that require to be considered through the process.
- 5.11 The teacher will be informed of the Headteacher's decision and the underpinning reasons in writing.

6.0 STAGE 2: SUPPORT SHORT LIVED UNDER - PERFORMANCE

- 6.1 The Support Stage still does not form part of the Council's formal disciplinary procedures and the problem is still deemed to be short-lived underperformance, but the teacher should be made aware of the potential for matters to progress to formal procedures and that reliance may be placed upon evidence gathered at Stages 1 and 2.
- 6.2 The teacher is encouraged to invite a colleague or representative from his/her Professional Association to accompany him/her to any meetings.
- 6.3 Discussions should be held between the teacher, the relevant Professional Association representative and the Headteacher to agree the way ahead. Issues should be openly addressed in order to:
1. clarify the specific aspects of the SFR which are to be addressed;
 2. suggest the proposed mechanisms which will be put in place to support the teacher; and
 3. agree the appropriate professional development opportunities which can be accessed.

COMPLETE FORM CP2a: Record of Initial Meeting

- 6.4 Sympathetic consideration will be given to all reasonable requests for support made by the teacher.
- 6.5 At the end of these discussions, the Headteacher should give a broad indication of support which will be provided.
- 6.6 Within 7 calendar days of the discussions referred to in 6.3, the Headteacher will confirm in writing:
1. the improvements to be made;
 2. the support mechanisms and professional development plan to be provided; and
 3. dates for an interim review and a final review.

ISSUE FORM CP2a: Record of Initial Meeting

- 6.7 A written timeframe outlining key milestones should be agreed for the teacher to reach the required standard. This should be reasonable and reflect the nature of the competency or competencies under review.

- 6.8 The Head teacher must advise the teacher of the role of the Employee Welfare Adviser at this stage.
- 6.9 The Review Meeting should focus on the area(s) of under-performance already identified and consider whether sufficient improvement to the required standard has been achieved.

COMPLETE FORM CP2b: Record of Review Meeting

- 6.10 At the conclusion of the final Review Meeting, the teacher will be informed of one of two possible outcomes:

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 will be informed of this decision, in writing.

ISSUE LETTER CL2a: 'No further action' letter

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 his/her statutory and contractual rights to be accompanied at Stage 3.

ISSUE LETTER CL2b: Proceed to Stage 3

7.0 STAGE 3 DISCIPLINARY LONG RUNNING UNDER - PERFORMANCE

- 7.1 This stage comprises the Council's formal disciplinary procedures and the problem is now considered to be one of long-running under-performance.
- 7.2 The teacher should be advised of his/her statutory and contractual right to be accompanied by a colleague or the secretary of their respective Professional Association.
- 7.3 A comprehensive overview report of the teacher's alleged failure to maintain the standards described in the SFR should be produced by the Headteacher indicating:
- the particular sections of the SFR in which the teacher is alleged to be underperforming.
 - how and why it is alleged that the teacher has fallen below the required standard of performance.
 - details of the support mechanisms and professional development opportunities offered to the teacher.
 - the process and documentation associated with Stages 1 and 2.
 - The performance milestones during the process.
- 7.4 All of the above information may be considered: at subsequent stages in the Council's formal disciplinary proceedings; and will be required if the case proceeds to Stage 4 and is referred to the GTC Scotland.

8.0 STAGE 4 REFERRAL TO THE GTC SCOTLAND
LONG RUNNING UNDER - PERFORMANCE

8.1 A case must be referred by the Council (or any former employer) to the GTC Scotland under the terms of Article 25 of the Public Services Reform (GTC Scotland) Order 2011 where a case culminates in:

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

Such referrals should be made to the Fitness to Teach Department at GTC Scotland

8.2 An explanation must be given to the GTC Scotland regarding the circumstances which caused the registered teacher to be dismissed or where a registered teacher might have been dismissed by the authority.

8.3 Information relating to the GTC Scotland procedures for dealing with such cases can be found in the Fitness to Teach and Appeals Rules 2012.

PART 2: SECTION 2 - MAIN DUTIES

- 2.1 The duties of staff covered by the SNCT are outlined in this section. This list is not intended to be prescriptive but should act as guidance for the development of specific duties and job remits. LNCTs are required to reach agreement on these.

Short Term Supply Teachers

- 2.2 Subject to the policies of the school and the Council, the duties of short term supply teachers are to perform such tasks* as the Headteacher shall direct. These should give reasonable regard to overall teacher workload associated with:
- a. teaching assigned classes
 - b. correction of work, as part of ongoing classwork
 - c. maintaining a record of work
 - d. promoting and safeguarding the health, welfare and safety of pupils
 - e. working in partnership with support staff and other professionals in class
 - f. contributing towards good order in the school

Such tasks should not routinely include those outlined in Appendix 2.6

Teachers/Chartered Teachers

- 2.3 Subject to the policies of the school and the council, the duties of teachers are to perform such tasks* as the headteacher shall direct. These should give reasonable regard to overall teacher workload associated with:
- (a) teaching assigned classes together with associated preparation and correction;
 - (b) developing the school curriculum;
 - (c) assessing, recording and reporting on the work of pupils;
 - (d) preparing pupils for examinations and assisting with their administration;
 - (e) providing advice and guidance to pupils on issues related to their education;
 - (f) promoting and safeguarding the health, welfare and safety of pupils;
 - (g) working in partnership with parents, support staff and other professionals;
 - (h) undertaking appropriate and agreed continuing professional development;
 - (i) participating in issues related to school planning, raising achievement and individual review;
and
 - (j) contributing towards good order and the wider needs of the school.

APPENDIX 2

GTCS Standard for Full Registration (SFR) (revised- effective from August 2013)

This is a summary of the SFR. The full document should be referred to when identifying areas of under-performance.

1.1 Professional Values and Personal Commitment

- Social Justice
- Integrity
- Trust and Respect
- Professional Commitment

2.1 Professional Knowledge and Understanding:

Fully Registered Teachers:

- 2.1.1 Have knowledge and understanding of the nature of the curriculum and its development.
- 2.1.2 Have knowledge and understanding of the relevant area(s) of pre-school, primary or secondary curriculum.
- 2.1.3 Have knowledge and understanding of planning coherent and progressive teaching programmes
- 2.1.4 Have knowledge and understanding of contexts for learning to fulfil their responsibilities in literacy, numeracy, health and well being and interdisciplinary learning
- 2.1.5 Have knowledge and understanding of the principles of assessment, recording and reporting
- 2.2.1 Have knowledge and understanding of the principal features of the education system, educational policy and practice
- 2.2.2 Have knowledge and understanding of the schools and learning communities in which they teach and their own professional responsibilities within them
- 2.3.1 Have knowledge and understanding of relevant educational principles and pedagogical theories to inform professional practices
- 2.3.2 Have knowledge and understanding of the importance of research and engagement in professional enquiry

3.1 Professional Skills and Abilities:

Fully Registered Teachers:

- 3.1.1 Plan coherent, progressive and stimulating teaching programmes which match learners' needs and abilities
- 3.1.2 Communicate effectively and interact productively with learners, individually and collectively
- 3.1.3 Employ a range of teaching strategies and resources to meet the needs and abilities of learners
- 3.1.4 Have high expectations of all learners

- 3.1.5 Work effectively in partnership in order to promote learning and wellbeing
- 3.2.1 Create a safe, caring and purposeful learning environment
- 3.2.2 Develop positive relationships and positive behaviour strategies
- 3.3.1 Use assessment, recording and reporting as an integral part of the teaching process to support and enhance learning
- 3.4.1 Read and critically engage with professional literature, educational research and policy
- 3.4.2 Engage in reflective practice to develop and advance career-long professional learning and expertise

APPENDIX 3

Providing Support for Teaching Staff

The **School Improvement Plan** details the priorities for the school but also identifies the related staff development needs. Each school will have in place policies and procedures for supporting the continuous development of teachers. A member of the management team will be nominated as **Continuing Professional Development** Coordinator who has responsibility for supporting the development needs of all teachers and determining how these can best be met within the resources available to the school for training and development purposes. **Professional Review and Development** of staff is an important way of teachers engaging in self evaluation and identifying their own professional development needs not only as they relate to the School Improvement Plan but also their own personal development needs.

The Education Quality Development Service (EQDS) provides support to schools and services to improve the quality of education. Each school has a link Quality Improvement Officer, who liaises with the head teacher and staff development coordinator, to provide support to implement the School Improvement Plan. Staff development activities are supported through central courses and also at school level through a variety of mechanisms for example, working groups, visits to other classes, cross sectoral visits, engaging in professional dialogue with colleagues, professional reading. Teacher Learning Communities have been a very successful way of teachers working collaboratively to reflect on and improve their practice. Quality Improvement Officers also have a strategic remit for particular areas and can provide advice and guidance to schools on these e.g. development of assessment and learning and teaching approaches. They can also facilitate links with other staff within the Education Service and partner agencies, who may provide support to the school or individual teachers. This can include identifying good practice in another school and organising visits for peer shadowing.

Where there are issues regarding teacher competence and the procedures in Procedure Manual 2/28 are enacted, the link Quality Improvement Officer can provide general advice and can facilitate the provision of suitable staff development activities to support the teacher and the school. Where appropriate, for example at a Stage 2 interim review, a Quality Improvement Officer should be involved to provide advice and support as an independent adviser. Their role would be to review the issues and advise on any further support that could be provided.

Stage 1 : Preliminary Short-lived under-performance

Record of Initial Meeting

Name of Teacher School

Department/Class Date of meeting

Present at meeting

Name	Designation	Name	Designation

Area(s) of under-performance	SFR Ref. if approp.	Exploration of reasons for under-performance/underlying problems	No further action	Identification of possible measures to address short-term under-performance if approp.	Criteria for improvement if appropriate

Have the following been explained/issued to the teacher?

Agreed date for meeting to review performance

Procedure Manual 2/28

GTCS Standard for Full Registration

The role of the Employee Welfare Adviser

Signed:

Teacher

Professional Association Representative

PT/DHT/HT (as appropriate)



Stage 1 : Preliminary Short-lived under-performance

Record of Review Meeting

Name of Teacher School
Department/Class Date of meeting
Present at meeting
Designation Name Designation

Area(s) of under-performance	SFR Ref. if approp.	Update on reasons for under-performance/underlying problems	What support measures (if any) were employed?	Has improvement to the required standard been achieved? Refer to Criteria for Improvement (see FormCP1a)
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Outcome of Review Meeting :
The standard(s) have been achieved. There will be no further action.
The standard(s) have not been achieved. The matter will be referred to the Head Teacher for consideration.
Have the following been explained/issued to the teacher?
Signed: Teacher
..... Professional Association Representative
..... PT/DHT/HT (as appropriate)

Education Procedure Manual 2/28

**Procedures for implementing the General Teaching Council Scotland :
Framework on Teacher Competence**

Letter CL1a or CL1b to be issued after the Stage 1: Performance Review meeting

Letter CL1a

Dear

I am pleased to inform you that the required standard(s), as discussed at the Stage 1 Performance Review meeting on _____ have been met.

Consequently I can now confirm that no further action will be taken at this time.

A copy of this letter has been sent to your Professional Association Representative.

Yours sincerely,

Letter CL1b

Dear

At the Stage 1 Performance Review meeting on _____ it was agreed that the required standard(s) had not been met.

Consequently the matter will now be referred to the Head Teacher for consideration and you will receive further details in due course.

As discussed at our meeting, the services of the Employee Welfare Adviser are available should you feel that you need some support at this time.

A copy of this letter has been sent to your Professional Association Representative.

Yours sincerely,

Stage 2 : Support Short-lived under-performance

Record of Initial Meeting

Name of Teacher School
 Department/Class Date of meeting

Present at meeting	Name	Designation	Name	Designation

Area(s) of under-performance	SFR Ref.	Update on reasons for under-performance/underlying problems	Details of support mechanisms	Criteria for improvement

Have the following been explained/issued to the teacher?

Agreed date for interim meeting to review performance

Procedure Manual 2/28

GTCS Standard for Full Registration

Agreed date for final meeting to review performance

The role of the Employee Welfare Adviser

Signed:

.....

Teacher

Professional Association Representative

.....

PT/DHT/HT (as appropriate)

.....

Stage 2 : Support Short-lived under-performance

Record of Interim and Review Meetings

Name of Teacher School

Department/Class Date of meeting

Present at meeting	Name	Designation	Name	Designation

Area(s) of under-performance	SFR Ref.	Details of support mechanisms employed	What progress has been made towards achievement of the required standard? (complete at Interim Review)	Has improvement to the required standard been achieved? (complete at Final Review)

Outcome of Final Review Meeting :

The standard(s) have been achieved. There will be no further action.

The standard(s) have not been achieved. Stage 3 : Formal Disciplinary Procedures will now be implemented.

Have the following been explained/issued to the teacher?

Procedure Manual 2/28
 GTCS Standard for Full Registration
 The role of the Employee Welfare Adviser

Signed:

Interim Meeting

Date

Final Review Meeting

Date

Teacher

Teacher Prof. Assoc. Rep.

PT/DHT/HT as appropriate

Education Procedure Manual 2/28

**Procedures for implementing the General Teaching Council Scotland :
Framework on Teacher Competence in East Dunbartonshire Council**

Letter CL2a or CL2b to be issued after the Stage 2 : Performance Review meeting

Letter CL2a

Dear

I am pleased to inform you that the required standard(s), as discussed at the Stage 2 Performance Review meeting on _____, have been met.

Consequently I can now confirm that no further action will be taken at this time.

A copy of this letter has been sent to your Professional Association Representative.

Yours sincerely,

Letter CL2b

Dear

At the Stage 2 Performance Review meeting on _____ it was agreed that the required standard(s) had not been met.

Consequently Stage 3 of the Framework on Teacher Competence will now be initiated. This stage comprises East Dunbartonshire Council's formal disciplinary procedures and your underperformance in the stated areas of the Standard for Full Registration is now considered to be one of long-running under-performance. A copy of the Council's Disciplinary Procedures for Teachers is enclosed.

You will receive further details in due course.

As discussed at our meeting, the services of the Employee Welfare Adviser are available should you feel that you need some support at this time.

A copy of this letter has been sent to your Professional Association Representative.

Yours sincerely,

