DRIVING FORWARD PROFESSIONAL
STANDARDS FOR TEACHERS

The General Teaching Council for Scotland Registration and Standards Rules

These Rules are available in alternative formats on request

Table of Contents

1 General 1

1.1 Introduction 1
1.2 Interpretation 1
1.3 Application 3

2 Application for Registration

2.1 General Application Requirements 3
2.2 Provisional Registration 4
2.3 Full Registration 5
2.4 Additional Support Needs (ASN) 5
2.5 Fitness to Teach and Appeals Rules 6

3 Probationary Service 7

4 Repeat Registration Applications 7

5 The European Communities (Recognition of Professional Qualifications) Regulations 7

5.1 Full and Provisional Registration 7
5.2 Temporary Registration 8

6 Professional Update 8

7 Professional Standards and Awards 8

7.1 Standard for Headship 8
7.2 Professional Recognition 9

8 Notice of Decisions 10

9 Right of Review 10

10 Right of Appeal 10

11 Certificates 11

12 The Register 11

12.1 The Form of the Register 11
12.2 Access to the Register 11
12.3 The Keeping of the Register 11
12.4 Removal from the Register and Reinstatement 11

13 Fees 12

13.1 Application Processing Fee 12
13.2 Registration Fee 12
13.3 Other Fees 13
13.4 Waiver of Fees 13

1 General

1.1 Introduction

1.1.1 These Rules may be referred to as the General Teaching Council for Scotland Registration and Standards Rules 2014 (the Rules) and will come into force on 1 January 2016.

1.1.2 These Rules are made by the General Teaching Council for Scotland (GTCS) in accordance with The Public Services Reform (General Teaching Council for Scotland) Order 2011 and its statutory function to establish and keep a register (the Register) of those persons registered with it (the Registrants) and its statutory duty to maintain and develop the professional standards of its Registrants.

1.1.3 The General Teaching Council for Scotland Registration and Standards Rules 2014 and Statement of Principles and Practice – Applicants Qualified Outside Scotland 2014 are revoked by these Rules.

1.2 Interpretation

1.2.1 In these Rules, unless the context otherwise requires:

- "Appeals Board" has the same meaning as in the Fitness to Teach and Appeals Rules.
- "application" means an application for registration with GTCS and "applicant" will be construed accordingly.
- "Convener" means a convener of a panel.
- "days" means calendar days.
- "educational establishment" has the same meaning as in the Order.
- "Fitness to Teach Panel" has the same meaning as in the Fitness to Teach and Appeals Rules.
- "Guidelines for Initial Teacher Education Programmes in Scotland" means the GTCS guidelines setting out its policy on the content, nature and duration of programmes leading to teaching qualifications for the primary and secondary sectors in Scotland.
- "impairment of fitness to teach" (and any similar or related expression) has the same meaning as in the Fitness to Teach and Appeals Rules.
- "Investigating Panel" has the same meaning as in the Fitness to Teach and Appeals Rules.
- "Legal Assessor" means a legal assessor appointed by GTCS to advise a panel on any questions of law that may arise in proceedings.
- "Memorandum on Entry Requirements for Courses of Initial Teacher Education in Scotland" means the document published by GTCS that sets out minimum entry requirements for courses of initial teacher education programmes in Scotland that lead to a recognised teaching qualification in the primary or secondary sector of registration.
- "Order" means The Public Services Reform (General Teaching Council for Scotland) Order 2011.
- "panel" means the Panel that is delegated to adjudicate the particular case or matter in terms of the GTCS Standing Order and Committee Scheme. A panel will be comprised of members that have had no previous involvement in the case or matter to be adjudicated.
- "parties" means GTCS (or any person acting for it, or on its behalf) and the Respondent (as well as any appointed representative).

- “Provisional Registration and Probationary Service Policy” means the GTCS document setting out its policy on the content, nature, duration and requirements more generally applicable to, the probationary service required of provisional registrants.

- “Professional Standards for Lecturers in Scotland’s Colleges” means the standards prescribed and published to set out the professional competences that a further education teacher must demonstrate and maintain in order to become registered.

- “Professional Update” means the system of ongoing professional learning and professional review and development required of Registrants in terms of Rule 6.

- “Professional Update Guidance” means the GTCS guidance notes on Professional Update for Registrants.

- “recognised teaching qualification” means a teaching qualification awarded following successful completion of an initial teacher education programme in Scotland;

- “Registered Address” means the postal, electronic mail or other address provided by the Respondent or Appellant for entry in the Register.

- “Relevant Standard for Full Registration” means the Standard for Full Registration for the primary and secondary sectors of registration and the relevant parts of the Professional Standards for Lecturers in Scotland’s Colleges for the further education sector of registration.

- “Relevant Standard for Provisional Registration” means the Standard for Provisional Registration for the primary and secondary sectors of registration and the relevant parts of the Professional Standards for Lecturers in Scotland’s Colleges for the further education sector of registration.

- “Relevant Standard for Registration” means, as the context requires, the Relevant Standard for Provisional Registration or the Relevant Standard for Full Registration.

- “Respondent” means the Applicant or Registrant responding in the particular case.

- “SCQF” means the Scottish Credit and Qualifications Framework (as prescribed and published by the Scottish Credit and Qualifications Framework Partnership).

- “Servicing Officer” means the individual responsible for servicing the panel. The Servicing Officer has no role in a panel’s decision making process.

- “Standard for Headship” means the relevant sections of GTCS’s Standards for Leadership and Management that set the professional requirements that an applicant must demonstrate and maintain in order to gain the professional award of the Standard for Headship.

- “Standard for Full Registration” means the standard prescribed and published by GTCS that sets the professional competences that a teacher must demonstrate and maintain in order to become fully registered in a primary or secondary school sector of registration.

- “Standard for Provisional Registration” means the standard prescribed and published by GTCS that sets the professional competences that a teacher must demonstrate in order to become provisionally registered in the primary or secondary school sector of registration.

- “subsequent registration application” means an application made by an applicant subsequent to a Fitness to Teach Panel (or its historic equivalent) having directed either that (i) his/her name be removed from the Register; or (ii) an application made by him/her be refused.

- “UK NARIC” means the United Kingdom National Academic Recognition Information Centre.

- “unfit to teach” has the same meaning as in the Order.

- "witness" means an individual who provides a panel with evidence.

- Any reference to legislation, rules, standards, processes, publications, policies, schemes, panels, or committees (or similar) will be construed as a reference to such legislation, rule, standard, process, publication, policy, scheme, panel, or committee (or similar) as it may be supplemented, amended, substituted, re-named or replaced from time to time.

- Any reference to (a) a numbered rule or Part refers to the rule or Part bearing that number in these Rules; (b) a numbered schedule refers to a schedule bearing that number in these Rules, and (c) a numbered paragraph refers to the paragraph bearing that number in these Rules.

- Any reference to a committee, sub-committee or set of rules means the relevant GTCS committee, sub-committee or set of rules.

- Headings set out in these Rules will not affect the interpretation of the Rules themselves.

1.2.2 These Rules will be construed and applied in accordance with the Order and GTCS's obligations under the Human Rights Act 1998, the Data Protection Act 1998 and the Equality Act 2010 together with any other relevant legislation that may be enacted from time to time.

1.3 Application

1.3.1 These Rules will apply to any application or case initiated or still awaiting determination after the coming into force of these Rules.

1.3.2 Rules 2.1, 2.2, 2.3, 2.4 and 4 do not apply to any person from a relevant European state who is entitled to rely upon the provisions set out in The European Communities (Recognition of Professional Qualifications) Regulations 2007 to gain admission to the Register as is provided for in rule 5.

1.3.3 GTCS or any of its appropriate committees or panels may relieve any party from the consequences of a failure to comply with a provision in these Rules where there is just cause to do so (for example, where it is shown to be due to a mistake or oversight) on such conditions, if any, as GTCS thinks fit. In no event will this, or any delay or neglect in GTCS enforcing (in whole or in part) any provision of these Rules, be or be deemed to be a waiver of that (or any other) provision.

1.3.4 For the avoidance of doubt, any determination that an applicant to the Register is to be refused registration or to be made subject to a conditional registration order on the ground that he/she is unfit to teach or that his/her fitness to teach is impaired, will be made in accordance with the Fitness to Teach and Appeals Rules.

2 Application for Registration

2.1 General Application Requirements

2.1.1 The Register is divided into parts according to the subject and sector taught. Registration will be granted only in the part or parts of the Register in which GTCS currently offers registration and to which (in accordance with the requirements below) the applicant's teacher education, academic education and teaching service relate. The part or parts of the Register in which GTCS currently offers registration are prescribed and published by GTCS separately.

2.1.2 An application for registration must be made in the form and manner prescribed by GTCS at that time for the particular application type and must be accompanied by the application processing fee.

2.1.3 As part of an application for registration, the applicant must provide, to the satisfaction of GTCS and in such form as it may specify:

(a) reference(s) as to good character in terms of his/her fitness to teach;

(b) details of any criminal conviction (whether in the United Kingdom or another jurisdiction) which is a not a protected conviction in terms of any relevant disclosure or vetting legislation and details of any pending investigation or investigations that may lead to such a conviction;

(c) details of any disciplinary action taken (or pending) against the applicant by any employer or any other professional regulatory body of relevance to his/her fitness to teach and/or any reports that may have been made by such bodies (or any others) as part of any applicable disclosure or vetting scheme;

(d) certificates of qualifications, documents or other information as may be required by GTCS to evidence the qualification(s) on which reliance is being placed in order to seek registration;

(e) references, reports, portfolios or other information as may be required by GTCS to evidence teaching service and/or that the Relevant Standard for Registration has been met; and

(f) any other documents, information or evidence as GTCS may reasonably require for the purposes of determining the application.

2.1.4 In order to determine the application, GTCS may also ask the applicant to attend a professional interview which will be held in accordance with the relevant GTCS guidance published by GTCS separately.

2.1.5 GTCS may, for the purposes of determining the application, and acting reasonably, seek information additional to that provided by the applicant from any other person or source.

2.2 Provisional Registration

Subject to rules 2.4 (for registration in additional support needs categories of registration) and 2.5, GTCS will grant provisional registration in a part of the Register provided that it is satisfied:

(a) as to the applicant's good character and conduct in terms of his/her fitness to teach;

(b) that the applicant is a member of, or is approved in terms of, such disclosure or vetting scheme as may be in place in Scotland in order to protect children and vulnerable groups;

(c) that the applicant meets the Relevant Standard for Provisional Registration and has, in addition, met one of the following parts:

(i) obtained a recognised teaching qualification.

(ii) previously held provisional registration with GTCS in a part of the Register.

(iii) achieved the Standard for Full Registration in the primary or secondary sector of the Register, has full and current registration with GTCS for that part and the application relates to registration in an additional part of the Register;

been recommended for registration in the additional part of the Register by a headteacher, principal or other GTCS approved individual; and

met the requirements (academic or otherwise) published in the Memorandum on Entry Requirements for Courses of Initial Teacher Education in Scotland relevant to the additional part of the Register or, for any secondary school subject that is not covered by that Memorandum:

- have obtained a minimum of 80 SCQF points in that subject at SCQF level 7 (or above) and with no fewer than 40 of such points being at SCQF Level 8 (or above); and
- for registration in the English as a Modern Foreign Language or English as an Additional Language registration categories, at least 40 of the SCQF credit points required in terms of the above must relate to study of the English language.

(iv) met the criteria set out in Schedule 2 for applicants that have qualified as teachers outside Scotland.

(d) that it has received payment of the registration fee set by GTCS.

Where an applicant meets the Relevant Standard for Provisional Registration but does not meet another part of the criteria stated at paragraph (c) above, GTCS may grant him/her provisional (conditional) registration. This means that his/her registration is subject to specified condition(s) which must be met within the stated period of time. Should the condition(s) not be met, his/her registration will be removed in accordance with Rule 12.4.3 and he/she will not be permitted to re-register until the condition(s) has/have been met.

2.3 Full Registration

Subject to rules 2.4 (for registration in the additional support needs category of registration) and 2.5, GTCS will grant full registration provided that it is satisfied that:

(a) the requirements listed at rules 2.2(a), (b) and (d) above are met;

(b) where the applicant holds provisional (conditional) registration, the condition(s) applicable has (or have) been discharged;

(c) the applicant has met one of the following parts:

(i) successfully completed the period of probationary service required by GTCS;

been recommended for full registration in accordance with GTCS's Provisional Registration and Probationary Service Policy; and

achieved the Relevant Standard for Full Registration.

(ii) previously held full registration with GTCS and GTCS is satisfied that he/she continues to meet the Relevant Standard for Full Registration;

(iii) met the criteria set out in Schedule 2 for applicants that have qualified as teachers outside Scotland; and

met and maintained the Relevant Standard for Full Registration. This will be determined with reference to the teaching service that the applicant has completed as well as GTCS's Probationary Service and Provisional Registration Policy.

(iv) met section 2.2(c)(iii) above as well as have:

in accordance with GTCS's Probationary Service and Provisional Registration Policy, been recommended for full registration in the additional part of the Register by a headteacher, principal or other GTCS approved individual on the basis that he/she is satisfied that the applicant meets the Standard for Full Registration in that part of the Register ; <u>and</u>

achieved the Relevant Standard for Full Registration with reference to the additional part of the Register.

2.4 Additional Support Needs (ASN)

Provisional Registration

Subject to rule 2.5, GTCS will grant provisional registration in the ASN category provided that it is satisfied that:

(a) the requirements listed at rule 2.2 above are met; and

(b) the applicant meets the Relevant Standard for Provisional Registration and has, in addition, met one of the following parts:

(i) previously held provisional registration with GTCS in the ASN category of registration;

(ii) completed teacher education related to teaching pupils with additional support needs at a Scottish teacher education institution that has borne a minimum of 60 SCQF credit points at SCQF level 9 (or above) and that GTCS is satisfied includes professional and pedagogic studies with a sufficiently broad and general content to cover pupils with a range of additional support needs; or

(iii) met the criteria for provisional registration for ASN registration set out in Schedule 2 for applicants that have qualified as teachers outside Scotland.

Where an applicant meets the Relevant Standard for Provisional Registration but does not meet another part of the criteria stated at paragraph (b) above, GTCS may grant him/her provisional (conditional) registration. This means that his/her registration is subject to specified condition(s) which must be met within the stated period of time. Should the condition(s) not be met, his/her registration will be removed in accordance with Rule 12.4.3 and he/she will not be permitted to re-register until the condition(s) has/have been met.

Full Registration

Subject to rule 2.5, GTCS will grant full registration in the ASN category provided that it is satisfied that:

(a) the requirements listed at rule 2.2 above are met; and

(b) the applicant has either:

(i) successfully completed the period of probationary service required by GTCS;

been recommended for full registration in accordance with GTCS's Probationary Service and Provisional Registration Policy; and

achieved the Relevant Standard for Full Registration;

(ii) met the criteria for full registration in the ASN category set out in set out in Schedule 2 for applicants that have qualified as teachers outside Scotland; and

met and maintained the Standard for Full Registration in respect of the ASN category of registration. This will be determined with reference to the teaching service that the applicant has completed as well as GTCS's Probationary Service and Provisional Registration Policy; or

(iii) previously held full registration with GTCS in the ASN category.

2.5 Fitness to Teach and Appeals Rules

Any subsequent registration application, or any application made by a person who has been removed from the Register at any time in the circumstances described in rule 12.4.3(c) or (d), will be considered and determined in accordance with the appropriate subsequent registration application provisions set out in the Fitness to Teach and Appeals Rules.

3 Probationary Service

3.1 Where provisional registration or provisional (conditional) registration is granted, the Registrant will remain provisionally registered until he/she is either (i) granted full registration in accordance with rule 2.3; or (ii) removed from the Register in terms of rule 12.4.

3.2 Provisional Registrants must complete successfully a period of probationary service in accordance with GTCS's Probationary Service and Provisional Registration Policy in order to be considered for full registration in terms of rule 2.3.

3.3 The period of probationary service that must be completed will be determined in accordance with GTCS's Probationary Service and Provisional Registration Policy and may subsequently be extended by GTCS for a further period determined in accordance with that same policy.

4 Repeat Registration Applications

Where an applicant has made an unsuccessful application for registration, GTCS will not consider any further applications from that applicant until the expiry of a minimum of two years from the date of that unsuccessful application unless, in the opinion of GTCS, acting reasonably, there has been a material change in circumstances or a Fitness to Teach Panel has prescribed otherwise for the applicant concerned.

5 The European Communities (Recognition of Professional Qualifications) Regulations

5.1 Full and Provisional Registration

5.1.1 Subject to rule 2.5, GTCS will grant full registration in the appropriate part or parts of the Register to any person from a relevant European state who is entitled to rely upon the provisions set out in The European Communities (Recognition of Professional Qualifications) Regulations 2007 (the Regulations) provided that a declaration in the form and manner prescribed by GTCS at that time has been provided by such a person and it is satisfied that:

(a) the person's nationality or legal establishment entitle them to be so admitted in terms of the Regulations;

(b) the person is legally established as a teacher in a relevant European state and is not prohibited from practising as a teacher (even temporarily) in that state;

(c) attestations of competence or evidence of formal professional teaching qualifications have been received that:

(i) are issued by a competent authority (as defined by the Regulations); and

(ii) attest that the person has been prepared for the pursuit of the teaching profession;

(d) the person is of good character and conduct in terms of his/her fitness to teach and has disclosed:

(i) details of any criminal conviction, caution, penalty order or determination made against them as well as details of any pending investigation or investigations that may lead to such a conviction, caution, penalty, order or determination; and

(ii) details of any disciplinary action taken (or pending) against them by any employer or any other professional regulatory body;

(e) the person is a member of, or is approved in terms of, such disclosure or vetting scheme as may be in place in Scotland in order to protect children and vulnerable groups; and

(f) the person does not require to complete an adaptation period.

5.1.2 Where GTCS determines that all but the last of the above requirements have been satisfied, GTCS will grant provisional registration in the appropriate part or parts of the Register. The adaptation period that requires to be completed will be administered by GTCS in the same way as a period of probationary service and will be subject to rule 3.

5.2 Temporary Registration

5.2.1 Subject to rule 2.5, GTCS will grant temporary registration in the appropriate part or parts of the Register to any temporary service provider from a relevant European state who is entitled to rely upon the provisions set out in the Regulations provided that a declaration in the form and manner prescribed by GTCS at that time has been provided by such a person and it is satisfied that:

(a) the person's nationality or legal establishment entitle them to be so admitted in terms of the Regulations;

(b) the person is legally established as a teacher in a European member state and is not prohibited from practising as a teacher (even temporarily) in that member state;

(c) attestations of competence or evidence of formal professional teaching qualifications have been received that:

(i) are issued by a competent authority (as defined by the Regulations); and

(ii) attest that the person has been prepared for the pursuit of the teaching profession;

(d) the person is of good character and conduct and has disclosed:

(i) details of any criminal conviction, caution, penalty order or determination made against them as well as details of any pending investigation or investigations that may lead to such a conviction, caution, penalty, order or determination; and

(ii) details of any disciplinary action taken (or pending) against them by any employer or any other professional regulatory body; and

(e) the person is a member of, and/or is approved in terms of, such disclosure or vetting scheme as may be in place in Scotland in order to protect children and vulnerable groups.

5.2.2 The duration of any such temporary registration will be not more than 12 months but may be renewed on application.

6 Professional Update

A Registrant must participate in a system of ongoing professional learning and professional review and development in accordance with the terms of GTCS's Guidance on Professional Update.

7 Professional Standards and Awards

7.1 Standard for Headship

7.1.1 An application for the professional award of the Standard for Headship must be made in the form and manner prescribed by GTCS at that time.

7.1.2 As part of such an application, and where GTCS so requires, the applicant must provide, to GTCS's satisfaction:

(a) a certificate of award (or similar) in order to evidence achievement of the Scottish Qualification for Headship; and

(b) any other documents, information or evidence as GTCS may reasonably require for the purposes of determining the application.

7.1.3 GTCS will grant the professional award of the Standard for Headship provided that:

(a) the applicant holds full and current registration with it;

(b) it has received payment of any award fee, as it may have set;

(c) the applicant has not been subject to an order of a Fitness to Teach Panel that is still current and there are no unresolved (or pending) complaints relating to the applicant that are (or will likely be) subject to GTCS's fitness to teach procedures;

(d) it is satisfied that the applicant is a member of, or is approved in terms of, such disclosure or vetting scheme as may be in place in Scotland in order to protect children and vulnerable groups;

(e) it is satisfied that either the applicant:

- has successfully completed the Scottish Qualification for Headship or the Into Headship Programme with a GTCS accredited institution and has therefore achieved the Standard for Headship; or

- in accordance with any relevant GTCS guidance material,

  - has evidenced appropriate professional learning and development, has been recommended for the Standard for Headship by a person (or organisation) approved by GTCS; and

  - has successfully completed GTCS's Standard for Headship professional interview which has determined that the Standard for Headship has been achieved.

7.2 Professional Recognition

7.2.1 An application for a professional recognition award must be made in the form and manner prescribed by GTCS at that time.

7.2.2 As part of such an application, the applicant must provide, to GTCS's satisfaction, any documents, information or evidence as GTCS may reasonably require for the purposes of determining the application.

7.2.3 GTCS may, for the purposes of determining the application, and acting reasonably, seek information additional to that provided by the applicant from any other person or source.

7.2.4 GTCS will grant a professional recognition award provided that:

(a) the applicant holds full and current registration with it;

(b) the applicant has been recommended for the award of professional recognition in accordance with GTCS's Framework for Professional Recognition;

(c) it is satisfied that the applicant has demonstrated the knowledge and experience to merit the award of professional recognition in accordance with GTCS's Framework for Professional Recognition;

(d) it has received payment of any award fee it may have set;

(e) the applicant has not been subject to an order of a Fitness to Teach Panel that is still current and there are no unresolved (or pending) complaints relating to the applicant that are (or will likely be) subject to GTCS's fitness to teach procedures;

(f) it is satisfied that the applicant is a member of such disclosure or vetting scheme as may be in place in Scotland in order to protect children and/or vulnerable groups.

7.2.5 Five years from the date that any professional recognition award has been granted (and at the end of each five year renewal period that may fall after that), GTCS will consider whether the Registrant has maintained his/her knowledge and expertise in order to continue to merit the award of professional recognition in terms of GTCS's Framework for Professional Recognition. Should GTCS decide that the Registrant has not so maintained his/her knowledge and expertise, the award of professional recognition will be cancelled and notice will be provided to the Registrant accordingly. The notice will set out reasons for the decision made.

8 Notice of Decisions

GTCS registration and standards related decisions will be provided by written notice. Where the decision is to refuse the registration sought (whether in whole or in part) or to refuse to award a standard, the notice will set out reasons for the refusal decision as well as any right of review or appeal in terms of these Rules.

9 Right of Review

9.1 Where GTCS has:

(a) removed an individual from the Register in terms of rule 12.4.3;

(b) refused to make an award of Professional Recognition or cancelled any such award in terms of rule 7;

(c) granted an application for registration but not to the extent wished; or

(d) refused to award the Standard for Headship in terms of rule 7.

the applicant or Registrant may, within 28 days from the date of service of notice of any such decision, send to GTCS a written request (in such form as GTCS may reasonably prescribe) for that decision to be reviewed by a panel in accordance with the procedures set out in Schedule 3.

9.2 Any request for review may only be made, and will only be considered, where there are grounds for the decision to be reviewed (which are properly specified in the request) in terms of GTCS having either:

(a) failed to act in accordance with these Rules; or

(b) made an error,

that has had a significant impact on the decision made.

If no such request is made, the decision will stand and be considered final.

10 Right of Appeal

In accordance with Article 24 of the Order, a Respondent has the right to appeal to the Court of Session where a decision has been made to refuse an application for registration and not enter his/her name on the Register. Any such appeal must be made within 28 days of the date of service of the notice of the decision.

11 Certificates

11.1 GTCS may issue, in a form and manner determined by it, certificate(s) of registration and a certificate of the award of any standard to a Registrant. Upon request, duplicates of such certificate(s) may also be issued to a Registrant. GTCS will prescribe separately any fee that must be paid in connection with the issuance of any such certificate or duplicate.

11.2 Any certificate issued will remain the property of GTCS and will be returned to GTCS if a Registrant's name is removed from the Register or if the certificate no longer accurately reflects a Registrant's entry on the Register.

12 The Register

12.1 The Form of the Register

12.1.1 The Register will contain the information set out in Schedule 1 in respect of each Registrant and any other information which GTCS considers material to his/her registration.

12.1.2 A Registrant will be entered on the Register in order to reflect the registration that he/she holds.

12.1.3 Register entries may be organised into such categories or parts as GTCS reasonably sees fit.

12.2 Access to the Register

12.2.1 The information contained in the Register that is set out in Part A of Schedule 1 may be accessed by the public and will be published on GTCS's website.

12.2.2 Access to the information contained in the Register that is set out in Part B of Schedule 1 will be restricted and access will only be provided in accordance with the requirements of the Data Protection Act 1998.

12.3 The Keeping of the Register

12.3.1 The Register will be kept securely and in a manner which guards against falsification.

12.3.2 The Registrant must notify GTCS of any change in name or contact address as soon as possible and at least within 3 months of that change. A Registrant must notify GTCS as soon as reasonably possible on identifying any other changes to, or errors in, the Schedule 1 registration information held in relation to him/her. GTCS may make further enquiries or require further evidence in respect of any such notified change as appears appropriate.

12.3.3 The Register will be amended to reflect any information which requires an amendment to be made in order to maintain the Register's accuracy. This will include giving effect to any order made by an Investigating Panel, a Fitness to Teach Panel or the Appeals Board.

12.4 Removal from the Register and Reinstatement

12.4.1 A Registrant will remain on the Register unless and until GTCS either receives notice of his/her death or he/she is removed in terms of rules 12.4.2, 12.4.3, 12.4.4 or 12.4.5 below.

12.4.2 Provided that GTCS is satisfied that there are no unresolved (or pending) matters relating to the Registrant that are (or will likely be) subject to its fitness to teach procedures, where a Registrant

has requested in writing that they be removed from the Register in such form as GTCS may specify, GTCS will so remove them as soon as reasonably practicable.

Where there is an unresolved (or pending) matter relating to the Registrant that is (or will likely be) subject to GTCS's fitness to teach procedures, the Registrant may be retained on the Register to the extent required for that process to be concluded.

12.4.3 Provided that GTCS is satisfied that there are no unresolved (or pending) matters relating to the Registrant that are (or will likely be) subject to its fitness to teach procedures, a Registrant's name may be removed from the Register by GTCS at such time as it sees fit where he/she:

(a) has failed to pay any registration fee due to GTCS;

(b) has failed to notify GTCS within 3 months of any change in their name or contact address without just cause;

(c) fails, when requested by GTCS so to do, to evidence to GTCS's satisfaction that he/she is (as required by rule 6) participating in a system of ongoing professional learning and professional review and development in accordance with the terms of GTCS's Guidance on Professional Update; or

(d) holds provisional or provisional (conditional) registration and has not gained full registration and/or met the condition(s) specified on or before expiry of the time limit prescribed by GTCS for doing so.

Where there is an unresolved (or pending) matter relating to the Registrant that is (or will likely be) subject to GTCS's fitness to teach procedures, the Registrant may be retained on the Register to the extent required for that process to be concluded.

12.4.4 A Registrant's name will immediately be removed from the Register on GTCS receiving notice that the Registrant is barred from regulated work with children in terms of the Protection of Vulnerable Groups (Scotland) Act 2007 (and any related legislation).

12.4.5 A Registrant's name may be removed from the Register by order of a Fitness to Teach Panel in accordance with the Fitness to Teach and Appeals Rules (or the relevant historic equivalents).

Where such an order is made, a note will be made on the Register to disclose the removal and the reasons for that removal.

12.4.6 Where a complaint that relates to a person's activities while they were included on the Register enters GTCS's fitness to teach process within 2 years of his/her removal from the Register in terms of this rule 12.4, GTCS may reinstate that person to the Register in order (and to the extent) that the complaint may be duly processed in accordance with the Fitness to Teach and Appeals Rules in the public interest.

12.4.7 Where a Registrant is removed from the Register, and is known by GTCS to be employed in an educational establishment, GTCS will notify the relevant employer of the removal.

13 Fees

13.1 Application Processing Fee

The application processing fee will be prescribed and published by GTCS separately. This fee is non-refundable, even where the application is ultimately refused.

13.2 Registration Fee

13.2.1 The registration fee to be paid by an applicant in order to be entered on the Register and then annually thereafter in order to be retained on the Register, will be prescribed and published by

GTCS separately. Where the Registrant is registered in more than one part of the Register, the registration fee will be payable in respect of one part only.

13.2.2 The annual registration fee payment date will be prescribed and published by GTCS separately. Once paid, the registration fee is non-refundable.

13.2.3 GTCS will prescribe and publish separately when, and in what circumstances, employers must deduct amounts in respect of registration fees from a registrant's salary payment and remit those amounts to GTCS.

13.3 Other Fees

GTCS may charge other fees in connection with the award of standards, certificates or other matters as it reasonably sees fit. Any such fees will be prescribed and published by GTCS separately.

13.4 Waiver of Fees

GTCS may choose to waive any fees to be charged to a Registrant where that Registrant has been prevented from having his/her name removed from the Register (or has been reinstated to the Register) because there is an unresolved complaint relating to them that is subject to GTCS's fitness to teach procedures.

Schedule 1

The Register - Registration Information

Note: information is only held where it is relevant and applicable to the Registrant

PART A

1	Full name
2	Gender
3	If employed as a teacher and notified, current employer details
4	GTCS Council election voting category
5	Registration status (including whether or not he/she holds Temporary Registration as a "Temporary Service Provider" in terms of The European Communities (Recognition of Professional Qualifications) Regulations 2007)
6	Registration subject(s) and/or sector(s)
7	Details of any order/measure imposed by a Fitness to Teach Panel
8	Details in relation to the achievement of any standards or the provision of any GTCS awards (including Professional Recognition, Standard for Chartered Teacher and Standard for Headship)

PART B

1	Any former name(s)
2	Registration number
3	Contact address
4	Contact telephone number
5	Date of birth
6	Contact electronic mail address
7	Date(s) of registration
8	Qualification(s) which have led to registration and, in relation to any initial or subsequent modern foreign languages teaching qualification, the period of residency completed (where applicable)

9	Registration fee payment status
10	Where notified, ability to teach in the Gaelic-medium
11	Where notified, denominational teaching status
12	Where notified, details of the school/establishment at which employed
13	Details of progress and outcomes in relation to any period of probationary service and any related time limits
14	Details of participation in a system of ongoing professional learning, review and development.
14	In relation to provisional (conditional) registration, the conditions applying and any time limits
15	Fitness to teach/conviction information (or similar) and any disclosure/vetting information obtained in addition to that set out in Part A above. Details of any restriction, disciplinary order or reprimand for the time being in force in relation to the teacher as a result of disciplinary action taken by a similar or equivalent regulatory body.

Schedule 2

Qualified Outside Scotland Applicants

1. Primary

1.1 Teacher Education Requirements

For registration in the primary school sector, an applicant must have either:

- completed primary teacher education equivalent to one academic year of full-time study (with any part-time study normally being extended over a period of not more than 3 years); or
- if academic and teacher education have been undertaken concurrently (for example, a Bachelor of Education), have completed a course of not less than 3 years in duration (with any part-time study normally being extended over a period of not more than seven years).

The teacher education must have been undertaken at an institution that is recognised by UK NARIC and must have borne the equivalent of SCQF credit points at SCQF level 9 (or above).

The organisation and content of the teacher education undertaken must be broadly comparable to the Scottish pattern. This will be evaluated with reference to the Guidelines for Initial Teacher Education Programmes in Scotland. Primary teacher education should:

- relate to the 3 to 12 year pupil age range;
- include professional and pedagogic studies;
- include subject studies that reflect the Scottish primary school curriculum; and
- include school-based teaching experience.

1.2 Academic Education Requirements

There is a separate academic education requirement for registration in the primary school sector of registration only where an applicant has not undertaken a combined academic and teacher education programme in accordance with paragraph 1.1 above. Where such a combined academic and teacher education programme has **not** been undertaken, the academic education requirement is as set out below.

An applicant must hold a United Kingdom degree or an academic qualification which is equivalent to a United Kingdom degree. An academic qualification will be regarded as equivalent to a United Kingdom degree if it has been undertaken at an institution that is recognised by UK NARIC and either:

(i) is recognised as equivalent to a United Kingdom degree by UK NARIC; or
(ii) has borne the equivalent of 120 credit points at SCQF level 7 (or above), 120 credit points at SCQF level 8 (or above) and 120 credit points at SCQF level 9 (or above) and if evidence is produced to GTCS to satisfy it as such.

2. Secondary

2.1 Teacher Education Requirements

For registration in the secondary school sector, an applicant must have either:

- completed teacher education equivalent to one academic year of full-time study (with any part-time study normally being extended over a period of not more than 3 years); or
- if academic and teacher education has been undertaken concurrently (for example, a Bachelor of Education), have completed a teacher education course of not less than 3 years in duration (with any part-time study normally being extended over a period of not more than 7 years).

The teacher education must have been undertaken at an institution that is recognised by UK NARIC and must have borne the equivalent of SCQF credit points at SCQF level 9 (or above).

The teacher education completed must be subject specific and correlate to the subject (or subjects) in which academic education has been completed in terms of paragraph 2.2 below.

The organisation and content of the teacher education undertaken must be broadly comparable to the Scottish pattern. This will be evaluated with reference to the Guidelines for Initial Teacher Education Programmes in Scotland. Secondary teacher education should:

- relate to the 12 to 18 year pupil age range;
- include professional and pedagogic studies;
- include appropriate subject studies; and
- include school-based teaching experience.

2.2 Academic Education Requirements

The academic education requirements for registration in the secondary school sector are set out below.

(a) An applicant must hold a United Kingdom degree or an academic qualification which is equivalent to a United Kingdom degree. An academic qualification will be regarded as equivalent to a United Kingdom degree if it has been undertaken at an institution that is recognised by UK NARIC and either:

(i) is recognised as such by UK NARIC; or
(ii) has borne the equivalent of 120 credit points at SCQF level 7 (or above), 120 credit points at SCQF level 8 (or above) and 120 credit points at SCQF level 9 (or above) and if evidence is produced to GTCS by the applicant to satisfy it as such.

(b) An applicant must have a minimum of the equivalent of 80 SCQF credit points at SCQF level 7 (or above) relative to the subject for which the applicant's teacher education is held, the equivalent of 40 of which must be at SCQF level 8 (or above).

(c) Credit from a masters level degree or doctoral programme may be considered in terms of the above provided that evidence is produced to GTCS by the applicant to satisfy it that it is of direct relevance to the subject for which the applicant's teacher education is held.

(d) An applicant must meet any specific requirements (academic or otherwise) published in the Memorandum on Entry Requirements for Courses of Initial Teacher Education in Scotland relative to the subject for which the applicant's teacher education is held or, for any secondary school subject that is not covered by that Memorandum:

- have obtained a minimum of the equivalent of 80 SCQF points in that subject at SCQF level 7 (or above) and with no fewer than the equivalent of 40 of such points being at SCQF Level 8 (or above); and
- for registration in the English as a Modern Foreign Language or English as an Additional Language registration categories, at least the equivalent of 40 of the SCQF credit points required in terms of the above must relate to study of the English language.

3. Further Education

For registration in the further education sector, an applicant must have completed teacher education at an institution that is recognised by UK NARIC. The programme must have borne the equivalent of SCQF credit points at SCQF level 9 (or above).

The organisation and content of the teacher education undertaken must be broadly comparable to the Scottish pattern. This will be evaluated with reference to any guidance issued by the Scottish Government on programmes in Scotland that lead to a teaching qualification in the further education sector (and any other relevant or related guidance). The teacher education should, in particular:

- relate to the 16 year and above student age range;

- include professional and pedagogic studies; and
- include appropriate teaching experience.

4. Additional Support Needs (ASN)

For registration in the ASN registration category, an applicant must meet the teacher education requirements for registration in either the primary, secondary or further education sectors of registration (as set out above).

In addition, an applicant must have successfully completed ASN teacher education at an institution that is recognised by UK NARIC that has borne the equivalent of a minimum of 60 SCQF credit points at SCQF level 9 (or above).

GTCS must be satisfied that the ASN teacher education undertaken includes professional and pedagogic studies with a sufficiently broad and general content to cover pupils with a range of additional support needs.

Schedule 3

Panel Procedures

1 Objective

1.1 This Schedule 3 has the overriding objective of enabling panels to deal with cases fairly and justly.

1.2 Dealing with a case fairly and justly includes dealing with the case in ways which:

(a) are proportionate to the complexity of the issues;
(b) seek informality and flexibility in proceedings;
(c) seek to ensure that parties are able to participate fully in proceedings; and
(d) avoid delay, so far as compatible with the proper consideration of the issues.

1.3 Panels will give effect to this overriding objective when interpreting and applying this schedule.

2 Notice

2.1 Notice will be provided to the Respondent no fewer than 21 days before the date on which his/her case is to be considered. This notice period may be reduced if the Respondent consents.

2.2 The Notice will specify the date on which the case will be considered. If a hearing has been arranged in the case, the Notice will also inform the Respondent:

(a) of the time and venue of the hearing;
(b) that they have the right to attend the hearing and be represented;
(c) that they have the right to make representations at the hearing; and
(d) of the right of the panel to proceed in his/her absence.

2.3 Any Notice that requires to be served in terms of this schedule will be served either by:

(a) post in which delivery or receipt is recorded;
(b) hand delivery by or on behalf of GTCS; or
(c) electronic mail to the address held by GTCS for the Respondent.

Alternatively, if the Respondent is represented by a solicitor or trade union/defence organisation and has informed GTCS that they may be used as an address for communications, the notice may be served instead to that party using any of the methods outlined above.

2.4 Notice will be taken to have been served on the day after posting, on the day of hand delivery or on the day of electronic mailing.

2.5 The service of the Notice may be proved by:

(a) confirmation of posting issued by or on behalf of the Post Office (or other postal operator or delivery service);
(b) a signed statement from any person serving the notice by hand or by electronic mail; or
(c) confirmation of receipt by (or on behalf of) the Respondent.

2.6 Where, before a hearing begins or at any stage of a hearing, it appears that a Notice is defective the panel will, on cause shown, allow the Notice to be amended. If the panel considers that the nature of the amendment is such as to require that the amended Notice should be re-served on the Respondent, it will so direct and the hearing shall be postponed or adjourned accordingly.

2.7 A Respondent who appears at any hearing will not be entitled to state any objection to the regularity of the execution of service or intimation of the Notice on him or her, and his or her appearance will remedy any defect in such service, intimation or Notice.

3 Evidence

3.1 The Respondent must submit any information that he/she wishes the panel to consider no fewer than 14 days before the date on which his/her case is to be considered.

3.2 Copies of all of the information submitted to the panel that are to be considered by it as part of determining the case will be provided to the Respondent (and may also be provided to other parties concerned with the case) no fewer than 7 days before the date on which the case is to be considered.

3.3 The panel may admit and consider any information (oral, documentary or other) from any party that it considers relevant to its determination of the case. The panel may *itself* (acting through the Servicing Officer as is seen fit) ask any person to provide information that it considers relevant and may then admit and consider that information in determining the case.

3.4 The panel may admit and consider information where such information has not been disclosed in advance in accordance with the provisions set out above where either (i) the Respondent consents to this; or (ii) the panel is satisfied that the admission of the information is necessary to ensure the fairness of the proceedings and, where there is possible prejudice to the Respondent, that this is outweighed.

3.5 Where facts advanced in a case are in dispute, the burden of proving such facts rests with the party advancing those facts and the required standard of proof will be on the balance of probabilities.

4 Consideration of Cases by Written Submission or Hearing

4.1 Unless the panel determines that a hearing should be arranged in a particular case, it will consider cases by means of written submission.

Where a case is considered by written submission, a panel will conduct its proceedings as it sees fit.

4.2 Where a case does not fall to be considered by means of written submission in terms of the above, a hearing will be arranged and will be conducted in terms of paragraph 5 below.

5 Hearing Proceedings

5.1 Unless the Respondent requests that the hearing be held in public, the hearing will be conducted in private and no-one may be present save from the parties to proceedings, those involved in administering proceedings and those person(s) that have been asked or permitted to attend the hearing by the panel.

5.2 Where a hearing is held in public, the panel may, of its own volition or upon the application of any witness or party, determine that the public be excluded from all or part of the proceedings where they consider that this would cause no prejudice to the Respondent.

5.3 The panel may exclude from the whole or any part of a hearing, any person whose conduct, in the opinion of the panel, has disrupted (or is likely to disrupt) the hearing.

5.4 Where good cause is shown, the panel may adopt such measures as it considers necessary to enable the Respondent or his/her representative to appear at, and participate in, the hearing. These measures may include, but are not limited to, the use of video links; telephone conferencing; and the use of interpreters.

5.5 Where the Respondent is neither present nor represented at the hearing without any known good cause, the panel may proceed to determine the matter in his/her absence provided that it is satisfied that notice of the hearing has been duly served or that all reasonable efforts have been made to do so. Should the panel proceed in this way, it may conduct proceedings as it sees fit.

5.6 Unless the panel determines otherwise as the circumstances may require, following the general introduction to proceedings by the Convener, the order of hearing proceedings will be as follows:

(a) the Convener will ask the parties present, or their representatives, to identify themselves;

(b) the Convener or Servicing Officer of the panel will outline the case;

(c) the Respondent (or representative) will make his/her submission;

(d) the panel will be invited to question the Respondent;

(e) where the panel see fit, the panel will seek information from any other person and will question them accordingly;

(f) the Respondent (or representative) will be invited to provide any concluding remarks;

(g) any Legal Assessor participating in proceedings will be invited to provide the panel/committee with advice on any applicable law or procedure;

(h) the panel will make their decision; and

(i) the decision will be announced to those present.

5.7 Hearing proceedings may be adjourned, and the panel may consider matters in private, at any time.

5.8 In any such private session, only the Servicing Officer, any appointed Legal Assessor and members of the panel may be present. The Servicing Officer and Legal Assessor will not take part in any decision making. Any procedural (or other) advice provided by the Servicing Officer and/or Legal Assessor will be repeated in the resumed hearing session.

5.9 The panel may itself, or upon the application of any party, postpone a hearing provided that there is good cause for so doing.

5.10 The Respondent will be informed as soon as reasonably practicable when a hearing will be resumed or will be notified of a re-scheduled date.

5.11 Hearing proceedings will be recorded. An electronic copy of the recording will be made available to the Respondent on request.

6 Decision

6.1 Where appropriate in the particular case circumstances with reference to the relevant criteria set out elsewhere in these Rules, the panel may:

(a) Grant or renew professional recognition;

(b) Award the Standard for Headship;

(c) Cancel professional recognition;

(d) Refuse an application for professional recognition or the Standard for Headship; or

(e) Grant or refuse provisional or full registration in part or parts of the Register.

Where the panel:

(a) refuses an application for professional recognition;

(b) cancels professional recognition,

it may also direct that the person be prohibited from submitting a second or subsequent application within a specified period of time (which will be not less than one year from the date of the panel decision).

6.2 Notice of the decision of the panel (including reasons for that decision and confirmation of any right of appeal) will be sent in writing to the Respondent within 14 days of the date on which his/her case was considered.

GTC Scotland aims to promote equality and diversity in all its activities

GTC Scotland

Clerwood House, 96 Clermiston Road,
Edinburgh EH12 6UT
Tel: 0131 314 6000 Fax: 0131 314 6001
E-mail: gtcs@gtcs.org.uk

INVESTORS IN PEOPLE
Scotland

Direct weblinks

Main site:
www.gtcs.org.uk

Probation department:
www.gtcs.org.uk/probation

Probation site for teachers:
www.in2teaching.org.uk

Registration department:
www.gtcs.org.uk/registration

Professional Update:
www.gtcs.org.uk/professional-update

Professional recognition:
www.gtcs.org.uk/professional-recognition

Fitness to Teach:
www.gtcs.org.uk/fitness-to-teach

Research:
www.gtcs.org.uk/research