



Review of the Council Election Process Response to the Consultation

Background

On 15 December 2016, we published a consultation on proposed revisions to the GTCS Council election process as outlined in the GTCS Election Scheme, last reviewed in June 2014. Our consultation was publicised on our website, through our social media channels and was also highlighted to our key stakeholders by email. The consultation closed on 2 February 2017.

The GTCS Election Scheme (the Scheme) outlines the process to be followed in the election of registered teachers to the Council membership. The 2015-2016 GTCS Council Election was trialled as the first-ever solely online election. Feedback on the online process was largely positive and as a result, we have decided that all future elections will be conducted in this way. We want to maintain confidence in GTCS as continuously looking at ways in which we can improve the way we do things. Our aim is to see a simplified nomination process which will make elections more accessible for all.

This response document summarises the key points arising from the consultation and the changes being made to the Scheme. The updated version of the Scheme is now available on our website and will be used in the 2017-2018 GTCS Council Election.

Overview of Respondents

The proposed changes to the Council Election process and the Scheme were fairly minimal and as expected, the response rate was low yet balanced. A total of 9 full responses were received with a further response received by email which simply requested that GTCS's elections were accessible and inclusive. Full responses were received from 2 Professional Associations, Council members or those involved with our Fitness to Teach and Registration Panels and GTCS registrants with interest or experience in our current election process. Although not all respondents wished to have their names published, they were all happy for their responses to be made available. A list of those who agreed to be named publicly is attached as an Appendix.

We would like to thank all those who responded for taking the time to help inform the decisions reached in updating our election processes. All responses have been considered and taken into account.

Overview of Responses

The summary set out below is structured in terms of the questions we posed in the consultation information. The consultation responses for which consent was provided for publication are available on request.

Improving Awareness and Understanding of Voting (as opposed to registration) Categories

8 people responded to this question. 3 people stated that they did not consider that any more was required to improve awareness and understanding of voting categories (one noting that the changes made the position very clear). Another stated that they had no comment to make in this area.

One respondent suggested that guidance should be provided to explain how the different registration and voting categories applied to those teachers working in additional support needs, on supply or on a seconded basis. Another person suggested that greater use should be made of social media channels and online resources such as MYGTCS, MyPL and Professional Update systems to raise awareness among registrants.

Another participant suggested that GTCS should clarify why as an independent body, it allowed professional associations to sponsor candidates for election. In addition, they felt that many teachers were of the opinion that election to the GTCS Council was simply an extension of their trade union activities. They added that

GTCS should do more to show that it was not influenced by trade unions sponsoring individuals to sit on its various bodies.

Attracting More Interest in Our Election Process

8 responses were received to this question. A summary of the comments provided is set out below.

- Many teachers are unclear of the role of GTCS, its functions, Council and committees. It was suggested that there should be better communication with registrants in a variety of ways so as to stimulate higher levels of interest and participation in GTCS and its election process. This theme was repeated across a few responses with another suggesting that a media campaign highlighting the role and positive impact of GTCS might generate more interest in standing for election.
- GTCS should do more to demonstrate its independence, ensuring that no one group was allowed to spend vast sums of money sponsoring candidates. GTCS should do more so ensure that those elected do not use local authority trade union facility time to attend GTCS meetings.
- The number of elected registered teacher seats on Council should be substantially increased so as to outweigh the number of unelected, unrepresentative Council members.
- GTCS needs to gather equality data so it is better equipped to make intelligence-led adaptations or additions to communicate and implement engagement practices that might be more inclusive or targeted at certain groups of registrants.
- GTCS should use email to notify registrants of elections.
- That the electoral system should be changed (no indication was given as to how).

Simplification of the Nomination Process

9 responses were received. There was unanimous support for the proposed simplification of the nomination process which would see nominations requiring to be proposed and seconded from anyone currently registered with GTCS. One person expressed particular support for the proposal pointing out that, in the past, nominees have been ruled out as a result of having been proposed, seconded or supported by a teacher in the wrong voting category.

2 people suggested that proposers and seconders should be currently employed in the teaching profession and should not be retired or employed by COSLA or local authorities in another capacity. One person suggested that while the removal of 5 supporters might make the nomination process less onerous, it might lead to nominations which are less representative. One person suggested that more might be done by GTCS to ensure that nominees, proposers and seconders were made fully aware of the role and commitment associated with membership of GTCS Council.

Online Nominations

When asked if they were in support of online nominations, 8 people indicated that they were and one said “not entirely”. Specific expressions of support for the proposal included the following:

- It will make the process easier to administer (providing there are no potential system “loopholes”).
- It is an instant and simple solution.
- It is a very reasonable and clear proposal.
- It would bring about a faster, more efficient turnaround and would allow for better use of staff time.

One person suggested that moving online could be less inclusive, particularly for those living in areas with poor internet access or limited IT literacy. With this in mind, they suggested running both online and paper based nominations. Another person urged caution, stating that data should be kept secure within the limitations of the Data Protection Act to ensure that elections reflected the will of GTCS members (teachers). They added that the process should be restricted by only allowing nominations from those actively teaching.

Do you think that any of the changes we are proposing will have an impact on any group of people in terms of the protected characteristics (i.e. age, disability, gender reassignment, pregnancy/maternity, race, religion or belief, sex, sexual orientation and marriage/civil partnership)?

One response suggested that it would be good practice to conduct an equality impact assessment on the proposed changes on those sharing the protected characteristics. They went on to suggest that GTCS should

gather equality monitoring information so as to analyse the level of engagement from those in protected characteristic groups. They added that GTCS should be aware of the potential implications of the digital divide as it relates to age. They closed by saying that GTCS should ensure robust collection, monitoring and analysis of equality data relating to the elections in the interests of promoting genuine equality, justice and fairness within its procedures.

Another commented that under the newly named "Access and Inclusion Strategies", everyone should be treated equally and with adjustments made as required. If this was done, there should be no adverse impact on those in the protected category groups. They added that there should be no difficulties with the proposed changes if they had already been impact assessed prior to the consultation.

Another person commented that the election process was fair and transparent and open to registrants who may be in any of the protected characteristic categories.

One response suggested that GTCS should move away from the first past the post method to a Single Transferable Voting system as this would achieve better representation of minorities. They added that use of STV methods were widely used in the higher education system and in Scottish Local Authority elections.

Summary and GTCS Conclusions

A summary of our response to the comments received (as summarised above) is set out below.

Improving Awareness and Understanding of Voting (as opposed to registration) Categories

GTCS will continue to welcome nominations from anyone who meets the eligibility criteria set out in the Election Scheme. We already provide some guidance on the different election categories and we will build on this to provide clarification of how these link to those working in the additional support needs, supply or other (varied) contexts. Although we have already used social media channels and our e-mailed registrant newsletters to promote our elections, we will explore whether we can use MyGTCS and other channels more in future to raise awareness.

Attracting More Interest in Our Election Process

As noted above, we will explore whether there are additional ways of promoting more awareness of Council elections to registrants.

We work on raising awareness of our role on an ongoing basis as part of our communications strategy and will continue to do so.

In the lead up to all elections we explain the Council's structure; drawing attention to the different committees and how their work ties into that of Council as a whole. We highlight the role (competences required), remit and time commitment of Council members in our promotional information in seeking to ensure appropriate levels of member attendance and competence.

GTCS does not influence how the professional associations contribute to its Council elections but we will consider whether we can do more to promote awareness that elected registered teachers on Council are not professional association delegates or affiliates.

The composition of Council is laid down in GTCS's governing legislation and has therefore been determined by the Scottish Parliament (it is not something that GTCS itself controls). Elected registered teachers make up 19 of the 37 seats. As such, this group is in the majority.

Simplification of the Nomination Process

Responses received in the consultation provide overwhelming support for the proposed simplification of the nomination process so we will proceed with the changes proposed as we think it will make it more inclusive.

We would emphasise that nominees will still require to be currently registered and in the category in which they are seeking election. Nominees will also have to meet the employment criteria as outlined in the scheme. The key change is that although proposers and seconders must be currently registered, they can now be from

any registration category. There is no longer a need for nominations to have 5 supporters. Together with the move to online nominations, we think this will remove a level of bureaucracy and make the election process more accessible.

We have decided it would not be appropriate to introduce a required for a supporter to meet the employment criterion that we apply to nominees. There has never been such a requirement and we consider that it would be disproportionate to introduce one. We also think it would undermine the steps we have taken to simplify the nomination process and make it more accessible were an additional criterion like this to be introduced.

Online Nominations

The vast majority of respondents were in favour of the move to an online nomination process and we will proceed with this change.

As with the 2015-2016 GTCS Council election, every effort will be made to offer assistance to those who are not IT literate or who do not have access to appropriate IT facilities. GTCS will continue to operate robust verification processes and ensure that elections meet the criteria set out in the election scheme: our use of an independent scrutineer as part of the election process is an important safeguard in that respect.

Do you think that any of the changes we are proposing will have an impact on any group of people in terms of the protected characteristics (i.e. age, disability, gender reassignment, pregnancy/maternity, race, religion or belief, sex, sexual orientation and marriage/civil partnership)?

GTCS operates its Council elections under the first past the post method as set out in the Election Scheme. We notify all our registrants of elections. Nominations are welcomed from all those who meet the eligibility criteria. By this, we mean that a nominee must be currently registered in the relevant voting category and must meet the related employment criteria. GTCS will continue to work towards raising awareness and generating interest in the elections across all sectors of the teaching profession in the ways suggested above.

GTCS invites nominees and voters to complete equality monitoring forms. As with any process, completion of equality monitoring forms is not mandatory and the form is therefore not always completed. GTCS records equality monitoring information on (age, disability, ethnic origin, gender, religion and sexual orientation) for all candidates in Council elections. Statistical analysis is carried out and provided as part of the Returning Officer's report following the conclusion of the election. Likewise, the independent scrutineer also carries out equality monitoring among voters. The findings are reported at the conclusion of the election process. GTCS could consider making this information more widely available online as part of its reporting process. There is currently no requirement for registrants to provide GTCS with equality monitoring information. This means that there is little to benchmark election information against in order to determine how diverse the Council membership is in comparison with the wider teaching profession.



List of Respondents

- 1 Educational Institute of Scotland (EIS)
- 2 I Macmillan
- 3 Alison Chambers
- 4 Edith Swinley
- 5 Association of Heads and Deputes in Scotland (AHDS)
- 6 David Brew