



Framework on Teacher Competence

Overview of Responses to the Consultation and GTC Scotland Response

The General Teaching Council for Scotland (GTC Scotland) received a total of 20 separate responses and one joint response to the consultation on the Framework on Teacher Competence (FTC). One response was from a private individual and the remainder were from organisations or establishments as follows:

- Aberdeen City Council
- ADES (Association of Directors of Education in Scotland) [joint response endorsed by the Convention of Scottish Local Authorities (CoSLA)]
- ADES (Personnel network)
- Angus Council (officer response)
- ATL (Association of Teachers and Lecturers) Scotland
- David Mitchell (parent)
- Dumfries and Galloway Council
- East Renfrewshire Council
- The Educational Institute of Scotland (EIS)
- Falkirk Council
- Her Majesty’s Inspectorate of Education (HMIE)
- Lockerbie Academy
- School Leaders Scotland (SLS)
- South Ayrshire Council
- South Lanarkshire Council
- Stow College
- The University of the Highlands and Islands (UHI)
- Voice the Union
- West Lothian College
- West Lothian Council.

Many of the areas for change suggested by respondents are outwith the remit of GTC Scotland, and fall within the employment arena and that of the SNCT/LNCT (Scottish Negotiating Committee for Teachers/Local Negotiating Committee for Teachers) agreements.

However, notwithstanding this, there was very positive support for the FTC. Our responses to the various comments made, and also our action points, are set out below:

Consultation Responses:	Our Response/Action:
Question 1 – General Comments on the FTC	
<p>There were a considerable number of responses suggesting that clear time limits should be stipulated in the FTC in regard to Stages 1 - 3. For example 60 days for Stage 1, 100 days for Stage 2 and so on.</p>	<p>The issue of the amount of time procedures take is important. However the FTC, as its very name states, is a framework and not a set of procedures prescribing this level of detail. There would also be difficulties in GTC Scotland bringing about such changes to employer processes which have not only been agreed by the SNCT at national level but have also been agreed at local (LNCT) level across the country.</p> <p>GTC Scotland will bring these issues to the attention of the SNCT, using our Memorandum of Understanding, with a view to the SNCT giving the matter consideration should it see fit.</p>

	<p>However, we have also strengthened the FTC in terms of emphasising adherence to reasonable time in all the circumstances. (For example, see “Purpose and Scope”, Stage 1(e) and Stage 2(e)).</p>
<p>Two responses raised concerns about the ‘weaker’ status of the ACAS (Advisory, Conciliation and Arbitration Service) Code within the FTC than was the case in the Code of Practice on Teacher Competence (CPTC).</p>	<p>The FTC now states clearly (under “Overview”) that “Employer procedures, operating in conjunction with the FTC procedures, must be in line with relevant provisions of the current ACAS Code of Practice on Disciplinary and Grievance Procedures”.</p>
<p>Several references were made in responses that the role of the Standard for Full Registration (SFR) was not sufficiently articulated, and neither was there a definition of the standard for competence.</p>	<p>The FTC now includes more references to the SFR and provides a greater degree of context. (For example, see “Purpose and Scope”, “Overview” and Stage 3(d)).</p>
<p>Only one response wished to have the SFR included as an integral part of the FTC; others welcomed the online approach.</p>	<p>We have proceeded with the proposal not to reproduce the SFR within the document, and in its place we have provided an online link/reference to the current version of SFR within the body of the FTC.</p>
<p>One response suggested that GTC Scotland might ‘flag’ registration records of teachers who resign at Stage 1 or 2, prior to a disciplinary hearing being called by an employer. This is with a view to regulating teachers moving from one employer to another.</p>	<p>We shall continue our ongoing communication with employers and other stakeholders, in particular concerning the updated provisions in the 2011 Order regarding competence referrals. It is our view that the ‘flagging’ of a teacher’s registration record in the way suggested, could lead to potential legal challenge.</p>
<p>One response suggested that “chronic” should be removed, as it pre-judges the nature of the alleged under performance. (See “Procedures for Dealing with Under-Performance”.)</p>	<p>We have removed “chronic” as suggested.</p>
<p>One response suggested that “short-lived” and “long-running”, (see “Procedures for Dealing with Under-Performance”) should be replaced with “under-performance” and “persistent under-performance”.</p>	<p>We have decided to make no change to the FTC in this regard at this time.</p>
<p>One response made the suggestion that the term disciplinary should be replaced by “capability” on the premise that some local authorities used this terminology.</p>	<p>We have maintained the proposed wording, as this is in line with the terminology used in the National Agreement to which the CPTC is, and the FTC will, be linked.</p>
<p>Question 2/...</p>	

Question 2 – General comments on the purpose scope and status of the FTC	Our Response/Action:
<p>The change of title was widely welcomed. One response wished to see more clarity in regard to how the FTC linked with employers and employer compliance.</p>	<p>The change of title to Framework on Teacher Competence has been made as proposed.</p> <p>In regard to the second point, we would emphasise that the FTC is an integral part of the SNCT Handbook at Part 2 Appendix 2.12. It is considered that this adequately clarifies the status of the FTC as part of the conditions of service, and an employer's role, within that context.</p>
<p>One response raised the practical issue of non-availability of a senior colleague in smaller schools (see Stage 1(d)).</p>	<p>The FTC has now been revised to include the wording "or appropriate colleague" in recognition of this issue.</p>
<p>In this section and elsewhere, responses suggested that the FTC should stipulate when and how evidence should be recorded.</p>	<p>These are considered to be operational matters for employers within their respective processes and in line with HR practice. However we have now included in the FTC several additional references to maintaining a good evidence base. (See Stage 2(e) and Stage 3(d)).</p>
Question 3 – Professional Update Link	Our Response/Action:
<p>There was a strong body of support for the proposal to include specific reference in the FTC to Professional Update. Some respondents wished to see more clarity, and one suggested that the wording "Stage 1" should replace "appropriate". (See "GTC Scotland Professional Update Arrangements").</p>	<p>This section has been expanded to reflect the reference made to teacher competence in GTC Scotland's Professional Update position paper.</p>
Question 4 – Renaming of "informal" as "preliminary"	Our Response/Action:
<p>This opened up a wider debate that included the renaming of Stages 2 and 3 as well. Some responses indicated that calling Stage 2 "Support" could imply that no (or little) support was given at Stages 1 and 3. However, all responses were positive about changing the title of Stage 1 as proposed.</p>	<p>The term "preliminary" has been adopted as proposed. However we decided that it was not appropriate to change the titles of Stages 2 and 3.</p>
<p>A couple of responses raised the issue of the documentation which GTC Scotland would require at Stage 4. One response suggested a more helpful list of documents at Stage 3(d).</p>	<p>More detail has been provided in Stage 3(d) and also in Stage 4(a) in order to provide a greater degree of clarity.</p>
Question 5/...	

Question 5 – Comments on Stage 2	Our Response/Action:
Some responses wished more clarification on being accompanied and the role of the person accompanying the teacher.	These are details which more properly sit within locally agreed employment procedures. The previous reference to ACAS Code compliance will also provide additional assurance. No change has therefore been made to the FTC on these points.
A number of responses made references to record retention and keeping competence matters 'on file' to build a cumulative competence picture.	We have made no change to the FTC in this respect, as employer retention and expunging of records are matters for locally agreed employment procedures, and are therefore not matters for GTC Scotland or the FTC.
Question 6 – Comments on Stage 3	Our Response/Action:
Responses were very supportive, with one suggestion to change Stage 3(d) with a view to providing more detail.	Please see above under Question 4 and the greater clarity provided in Stage 3(d) and Stage 4(a).
Question 7 – Referral to GTC Scotland under Stage 4	Our Response/Action:
One response sought to have the wording changed, some re-formatting and an explanation of how to make a referral to GTC Scotland.	<p>We have decided not to change the proposed wording as this has been deliberately taken directly from the 2011 Order for the sake of legal accuracy and completeness.</p> <p>In regard to the second point, further guidance is now provided at the end of Stage 4(a).</p>