



## GTC Scotland Code of Professionalism and Conduct Consultation Responses

The Council received a total of 13 responses to the consultation on Code of Professionalism and Conduct). Seven of these were from individuals, the remaining six came from:-

- EIS
- Voice the Union
- ATL Scotland
- Strathclyde University
- GTC Wales
- SLS

We thank all respondents for taking the time to help inform, and improve, our proposed Code of Professionalism and Conduct.

### General

- 1 One respondent suggested that Part 3 and Part 2 should be merged.

#### **Response and reasons:**

Whilst understanding the desire to make a more compact document and that Professional responsibilities towards pupils and teacher competence are clearly linked, the latter falls to be handled differently within the Fitness to Teach (FtT) framework and is expressly measured against a discrete Standard of its own, (the SFR). Given also that incompetence can only emanate through employer referrals, it is for these reasons it has been decided that the existing separation should continue within the revised CoPAC.

- 2 One respondent suggested that the Code was too complex and lengthy and should be replaced by a shorter document which sign posts to other publications and articles in Teaching Scotland.

#### **Response and reasons:**

Our experience over the last 3 years with CoPAC has been very positive and this has been in part to materials being under one cover in a central document. GTCS has also issued supplementary guidance on particular issues (see point 11) and sees the value in this. However it is agreed that the status quo should continue in still keeping it as the central focus and supplementing it with ancillary information as and when appropriate.

- 3 One respondent suggested that CoPAC was and continues to be a 'deficit model' with a too much focus on the negative, ie what a teacher should not do.

#### **Response and reasons:**

Changes were made in 2008 with this in mind, however with many of the behaviours which need to be described in the Code it is very difficult to produce a 'non-deficit model' which provides the level of effective guidance to ensure trust in the profession and protect the public.

It was agreed therefore that no changes should be made.

4/...

- 4 One respondent made a case that an obligation to re-register should be included in CoPAC.

**Response and reasons:**

This obligation will sit within the Professional Update scheme currently being framed, in compliance with GTCS's legal obligations in this regard. Therefore it was considered that this sits elsewhere and not within CoPAC.

- 5 One respondent stated that CoPAC does not address teacher under performance.

**Response and reasons:**

It is considered that this is adequately addressed within Part 3 of CoPAC, by the Code of Practice on Teacher Competence/Framework on Teacher Competence and by individual employers.

- 6 In regard to the terminology used in regard to 'pupil' or 'learner', a majority of respondents was in favour of 'learner'.

**Response and reasons:**

After a lot of discussion, on balance it was agreed to retain the term 'pupil' but that a wider definition of the term pupil should be incorporated at the outset of the CoPAC and thus embrace the diversity of educational setting.

**Part 1 - Trust**

- 7 One respondent wished to see a definition of role model.

**Response and reasons:**

After careful consideration it was decided that such as inclusion would be overly prescriptive in a code of this nature, purpose and scope. It was felt that a common sense approach and CoPAC taken as a whole should define the expectations of a role model sufficiently.

- 8 One respondent suggested that the UN Convention on the Rights of the Child should be expressly included in CoPAC.

**Response and reasons:**

This has been included in the "Purpose" section and as an addition to Part 2 at 2.7. This will further enhance the focus on the child protection and equality and diversity elements already in CoPAC.

- 9 One respondent raised concerns that CoPAC impinged upon the teacher's right to a private life.

**Response and reasons:**

Whilst understanding this concern, on the one hand, this right has to be carefully and proportionally balanced against the public interest and in particular the protection of children. Each case is considered on its own merits and all factors are then put in the balance. Given the need to protect the public and the procedural checks and balances already in place, it is agreed that CoPAC should remain unchanged.

10/...

- 10 One respondent suggested that "you should not be under the influence of alcohol in a professional setting".

**Response and reasons.**

Whilst the intention here is fully understood there are dangers in making this too narrow. For example a "professional setting" could be viewed by some as having a glass of wine at a staff retiral event held on school premises. For these reasons we have decided to leave the status quo which requires the individual to exercise their own professional judgement and common sense within the given circumstances which, in itself, is within keeping with the Code.

- 11 There was very strong support for extra guidance in relation to social networking.

**Response and reasons:**

This was accepted and in response, the Council shall be bringing forward a new publication entitled "Professional Guidance on the Use of Electronic Communication and Social Media" early in 2012.

**Part 2**

- 12 One respondent stated that the Code did not go far enough to strike off teachers for bullying pupils and teachers abusing the system and absenteeism. Another wished to see an obligation upon to teachers to disclose child protection-type information given to them by pupils.

**Response and reasons:**

It was considered that the issue of bullying is adequately covered within CoPAC and the Fitness to Teach framework. Matters to do with absenteeism sit within conditions of service and within the scope of employers. This is also the case in regard to local child protection guidelines and procedures and it was felt that CoPAC addressed these issues adequately at 2.4, 2.5 and 2.6 in Part 2 of the Code.

- 13 One respondent felt that 2.10 - 2.6 did not adequately address additional support needs.

**Response and reasons:**

Whilst recognising the importance of additional support needs, it was felt that when taken as a whole, part 2 addressed this issue adequately.

**Part 3**

- 14 One respondent suggested that the Code should be linked with CPD funding and another that there should be an obligation to engage in CPD within CoPAC.

**Response and reasons**

CPD funding is not a matter for a professional Code. CoPAC applies to registered teachers, it cannot apply to third parties and therefore that matter falls within the scope of contractual arrangements as does attendance at CPD.

15/...

- 15 It was suggested one respondent that "where it might arise" 4.1 (part 4) should be deleted.

**Response and reasons**

This has been re-worded in light of this suggestion and also for the sake of greater clarity.

- 16 It was suggested that there should be an obligation within the Code to be mindful of Employer Codes of Conduct at all times.

**Response and reasons**

It was felt that these are matters for employers to enforce within the wider trust and confidence context of the contract of employment.

**Part 5**

- 17 One respondent suggested that there should be an obligation in CoPAC for teachers to report instances in the workplace.

**Response and reasons**

Whilst recognising the concern, it was felt that Part 5 was sufficient in its promotion of equality and diversity and therefore any aspect requiring such disclosures should be left to employers within the context of their codes and procedures which govern their places of work.

- 18 One respondent stated concern that there was no commentary to Part 5.

**Response and reasons**

It is felt that given the wording of the introductory paragraph and the whole section, it was sufficiently clear as it currently stands.

**General matters**

- 19 In regard to distribution/format, only one respondent opted for paper copies with the majority supporting electronic format, provided CoPAC was easily accessible and well publicised.

**Response and reasons:**

It was agreed that CoPAC should only be published in pdf version on the grounds of cost and the increasing and very effective use of electronic communication. We intend to launch the revised Code in consultation with employers to ensure its wide distribution via email and employer Intranets.

As stated above, the revised Code of Professionalism and Conduct and the new Student Teacher Code are by intention less legalistic and technical documents. Therefore it is thought that a glossary of terms is unnecessary and would indeed detract from the intention and character of CoPAC.

**Next steps**

It is hoped that CoPAC will be published in early 2012 and publicised/distributed in line with point 14 (above). All successful applicants for registration and re-registration will be pointed to CoPAC from within their welcome to registration pack.