



General Teaching Council for Scotland
Response to Scottish Government Consultation
Empowering Schools: A consultation on the provisions of the Education
(Scotland) Bill

Executive Summary

The Council of the General Teaching Council for Scotland (GTCS) is fully supportive of the Scottish Government's aspiration to improve the education and life chances of all children and young people. The Council agrees wholeheartedly that the success of children and young people depends on high quality learning and teaching and leadership, and that these are linked directly to GTCS' role in ensuring high standards are set for those entering the teaching profession, maintaining high quality Professional Standards and promoting professional learning and leadership. Council is also firmly of the view that those best placed to drive improvement are teachers, practitioners and other professionals who are *directly* engaged in the learning and teaching process.

In recognition of this, the Council's response to the original Scottish Government consultation on *Empowering teachers, parents and communities to achieve Excellence and Equity in Education* suggested an extension to the existing role and functions of GTCS to take on board a wider range of education professionals. This was seen as a positive and exciting opportunity for improving the coherence of registration, regulation and professional development of those most *directly* involved in learning and teaching. Such a change, it was felt, would bring greater cohesion and consistency in areas such as Professional Standards and professional learning, and would allow pupils, parents and the public to see a clear pathway of regulation of education professionals. This change would also provide reassurance that standards were being upheld and public protection was being assured by a body independent of government and others. It is important to stress that GTCS' Council did not call for, or envisage, a completely new body being created with the consequent disappearance of GTCS or any other registration or regulatory body. GTCS' Council saw the Welsh EWC as an example of extending the scope of an already well-established registration and regulation body (GTCS) which also plays a key role in supporting professional learning and leadership development; it did not see it as a model for replication. It is worth noting that there have been considerable issues establishing an EWC in Wales not least because the recognised branding and reputation of the General Teaching Council for Wales (GTCW) was removed and replaced with different, and at times confusing, nomenclature

Since being granted independence by the Scottish Government in 2011, GTCS has shown its willingness and success in embracing and leading change for the benefit of the Scottish education system, its teaching professionals, its users and the Scottish public. Its Professional Standards are recognised and used as models for other Standards Councils around the world; it has evolved its registration processes and categories to meet changing demands; it has delivered on its enhanced role in supporting leadership and professional learning; and it has introduced new regulatory arrangements that align with best practice. GTCS is, therefore, a body that has shown itself able to evolve and develop creatively to address new and demanding challenges, and this has been recognised by a number of internationally respected experts not least the OECD. The existing GTCS is well placed to take on board and support the challenges set out in *Empowering Schools*, without the need to create a new Education Workforce Council Scotland (EWCS) body.

There is a clear and absolute need for an independent registration and regulatory body like GTCS in Scottish education which operates as the guardian of a set of world leading professional standards. These standards provide an example of professional expectations at their best and provide the way ahead for other education professionals. The development of a suite of professional standards across educational professionals has the potential to bring both a cohesion and streamlining across education in Scotland and provide opportunities for meaningful professional dialogue and professional learning, using shared language and values, with a shared focus on positive outcomes for children and families. The way to achieve this is not through the proposals to establish a new body called the Education Workforce Council for Scotland as set out in the *Empowering Schools* consultation document but by building on the considerable strengths of the existing GTCS and extending its functions, working in collaboration with the Community Learning Development and Standards Council (CLDSC) and other stakeholders.

Below we answer in full the other questions posed in the consultation; but first we outline our key messages on the proposed establishment of an EWCS.

Key Messages

- The Council of GTCS is strongly opposed to the establishment of an EWCS as set out by the Scottish Government in the *Empowering Schools* document. In particular, there is no evidence-based rationale for replacing GTCS, with its strong brand and highly-regarded national and international reputation, with a new body. It is our view that the proposal to establish an EWCS focuses too much on unnecessary and costly structural change which will only serve to distract and detract GTCS from continuing to make the progress it has made in recent years, rather than focusing on more meaningful, impactful changes. Council's view is that the expensive set-up and recurring costs in establishing an EWCS (set out in Appendix 2) would be much better used to support front-line services that deliver learning and teaching.
- GTCS is concerned that in proposing the establishment of an EWCS, Scottish Government's own internal policy making principles of being outcome focused and engaging stakeholders are not being applied.
- It is felt by GTCS Council that the inclusion of some professionals who are only *indirectly* involved in learning and teaching, such as school librarians and home-school link workers, will not bring any direct benefits to teachers, children and young people and risks eroding the professional identity and status of teachers. The inclusion of other professionals, who are not *directly* influencing the learning and teaching environment, is at odds with the Scottish Government's stated objective of moving to a school and teacher-led system. In addition, the inclusion of such a wide range of other professionals being proposed detracts from one of the key drivers within the National Improvement Framework which is to support and enhance teacher professionalism and school leadership.
- The lack of clarity, and the existence of some confusion surrounding which other groups of education professionals are to be subject to registration is unhelpful. GTCS questions the extent to which some of the proposed groups of professionals *directly* influence learning and teaching and the proportionality of introducing mandatory registration for them. At the same time, professionals such as instrumental music instructors, sports coaches and active school coordinators, many of whom support *directly* the delivery of the curriculum and have a *direct* input to learning and teaching, have been missed from the list.
- GTCS' Council feels that the level and complexity of change being proposed in establishing a new body is unnecessary and will impact adversely on the ability of the current organisation, and potentially also those other bodies within scope of the proposal, to continue to deliver the high quality expected in its existing and developing operations.
- Leading on from the previous point, GTCS has significant concerns about the costs involved in setting up a new body of the type being proposed, the major legal and operational implications and the risks related to these. These are shown in Appendix 1 to this return in which GTCS has carefully analysed four options (A-D) for extending registration and regulation to a wider range of education professionals and changing GTCS's legal status. A notable concern that we have highlighted in this respect is that the impact arising from the proposal on GTCS's current charitable status is unclear and any change in this respect would have severe, as yet uncosted, financial implications. An associated financial paper (attached as Appendix 2), based on known costs, sets out the financial implications of implementing option A which reflects the proposal set out by the Scottish Government to create a new EWCS.
- These proposals come at a time when GTCS has already moved in the last few years in a constructive, well-considered and manageable way towards registering and regulating and enhancing the professional learning of a wider range of education professionals. We have worked hard with stakeholders to offer increased flexibility for potential registrants; we have helped to increase the number of pathways into the teaching profession; and we are well ahead in the process to register college lecturers thus widening our registration base. It should be noted that GTCS also currently registers a small number of early years teachers and offers registration to college lecturers on a voluntary basis.
- The proposed loss of GTCS as an independent body has the potential to do irreparable harm to the status and identity of teachers at a time when teachers' professionalism, grounded in professional standards, is increasingly recognised as being critical to delivering the Scottish Government's aspirations of bringing about improvement in outcomes for all and closing the attainment gap.

- The potential loss of GTCS as the professional body for teachers will impact adversely on the global reputation of the Scottish education system given that its work is often reported on positively by prominent national and international educators and in the 2015 OECD report, *Improving Schools in Scotland: An OECD Perspective (2015)*.
- The Council of GTCS is of the view that the most manageable way forward would be to make simple amendments to GTCS's existing legislation, thereby extending its current role and functions which already provide for the registration of other education professionals. This would allow GTCS to both register and regulate initially college lecturers, instrumental music instructors and early years practitioners. Scottish Government should also ask GTCS to work with a range of partners to consider the extent to which other appropriate professional groups might be registered and regulated in a phased manner and the timescale over which this might happen. In addition, and as any further groups of education professionals are made subject to registration and regulation, GTCS should be asked to review its governance arrangements to ensure they remain fit for purpose and aligned with best practice. GTCS believes strongly that this way forward could be achieved at a fraction of the cost of the full proposals set out in *Empowering Schools*, in a more efficient and pragmatic way, managing significantly the range of implications that we have identified and enabling a more realistic timeframe.

It is important to stress again that the Council of GTCS is fully supportive of the Scottish Government's aspiration to improve the education and life chances of all children and young people. We wish to continue to play a full part in helping make this aspiration a reality and we feel that an enhanced GTCS, rather than the creation of a completely new body, will ensure we can help to do this.

Question 1

The Headteachers' Charter will empower headteachers as the leaders of learning and teaching and as the lead decision maker in how the curriculum is designed and provided in their schools. What further improvements would you suggest to enable headteachers to fulfil this empowered role?

It is important to stress that GTCS recognises that many headteachers (HTs) currently see themselves as leaders of learning and teaching as well as curriculum design and provision. To further support and give recognition to this important role, GTCS suggests that the Professional Standards for Leadership and Management (currently being revised by GTCS in conjunction with stakeholders) need to play a more central role within the proposed HT Charter.

GTCS also notes a number of issues and potential unintended consequences that need to be considered in introducing the proposed HT Charter.

- There is a capacity issue in the ability of some HTs to take on additional duties. This will be most obvious in small schools where Deputy Head Teacher (DHT) support is minimal or non-existent and in schools with a shared HT. This capacity issue is currently being noted in some schools where HTs find themselves under additional pressure in disbursing their allocated PEF funding.
- In giving HTs greater curricular flexibility through the proposed HT Charter, and given current practices in some schools, there is scope for greater variation in curricula being offered. This could make it less likely that the basic principles of Curriculum for Excellence (CfE) are adhered to. Overall, there is a very real danger that the proposed Charter will result in an unhelpful "free for all" with less clarity as a result of reduced local authority oversight. This could undo the significant progress in curriculum design made in many schools and local authorities.
- There is the potential for loss of staff and reduced curriculum coverage if HTs take advantage of increased flexibility and decide to focus, or major on, particular aspects of the curriculum, for example as a specialist STEM or languages school.
- The proposed HT Charter will bring greater accountability to HTs, particularly from parents. This is likely to lead to increased scrutiny of HTs and greater challenge by parents and others. One unintended consequence could be that the perceptions of parents and others drive the creation of "magnet" or "hub" schools which will serve only to widen further the attainment gap, raising attainment only for some. Another unintended consequence could be that it creates greater competition between

schools for resources and reduces collaboration and, as a result, creates more gaps and raises attainment only for some.

- Empowering HTs through the proposed Charter will need to be reinforced through the provision of sufficient support and professional learning and development for HTs. Current routes into Headship would need to be quickly updated given the changing role of the HT. Training will also be needed for DHTs and aspiring HTs. Current promoted structures/job sizing mean most DHTs have a narrow remit and they need much more depth and breadth for the new, envisaged HT role.
- There is merit in considering the term “School Charter” rather than “HT Charter” as a means of empowering all staff and in recognition of the Scottish Government’s desire for a school and teacher-led profession.
- It will be necessary for GTCS to enhance its partnership working with local authorities to support them in using the revised Standards for Leadership and Management.

Question 2

The Headteachers’ Charter will empower headteachers to develop their school improvement plans collaboratively with their school community. What improvements could be made to this approach?

GTCS suggests that an improvement to the approach of developing school improvement plans collaboratively would be to set the expectation that such plans need not be annual but two/ three-year plans, or even rolling plans. Such an approach would give a school and its community greater flexibility than many feel they have just now, particularly in taking account of unplanned developments. It would be essential that national and local funding be set over a longer term than at present to accommodate any such changes to the planning schedule.

GTCS suggests that the following points also need to be taken into account in developing school improvement plans collaboratively.

- Greater clarity is needed on the process involved to ensure that any improvement plan is genuinely that of a working document for the school or the community but also reflective of the national, more strategic direction influenced by Scottish Government, local authorities, the Regional Improvement Collaborative (RIC) and Education Scotland.
- There remains uncertainty as to whether the improvement plan is to be submitted to the local authority (who has the resourcing to help enable the plan) or the regional collaborative. Also, there are questions as to who will employ the staff and provide the buildings/ infrastructure to support the plans, and the extent to which challenge to school plans comes from the RIC or the local authority, or both.
- There needs to be recognition that collaborative engagement is a time-consuming activity and that resource needs to be found to allow it to be meaningful.
- There are questions about the extent to which parents have the capacity to become engaged in a meaningful way. Also, the experience of some HTs points to middle-class parents benefitting most since they tend to be the most engaged, with the greatest capacity to be so. It is important to remember that in seeking to close the attainment gap and achieving excellence and equity, the Bill and the detail within it must give voice to those who least have it.
- There is a concern about the shared model of accountability being proposed. “Shared accountability” in practice can often mean no real accountability and unclear lines of decision-making.

Question 3

The Headteachers' Charter will set out the primacy of the school improvement plan. What are the advantages and disadvantages of this approach?

GTCS would point out that many HTs already see the school improvement plan as having the key role in driving improvement since it directs the work of the HT and teachers which, in turn, delivers the outcomes for the children and young people

It is difficult to offer advantages and disadvantages since there is a need for clarity as to what is meant by "primacy"; primacy amongst what? A number of questions flow from this such as: Does primacy mean democratising decision making and, if so, what is the expectation regarding the voices of teachers? If primacy means the school and local community setting the absolute direction for the school, what is the relationship between priorities in the school plan and those of the local authority and the regional collaborative? How will these plans be expected to relate to the plans of community planning partnerships? Will all stakeholders accept the primacy of the school improvement plan?

It is important that the current links between the school improvement plan, teachers' self-evaluation and professional learning and GTCS' Professional Standards are maintained since it is those connections that help bring about meaningful change and improvement.

Any school plan should represent the whole school community, not simply those with minority interests. As set out above, there is an issue arising under the proposals of who monitors the school improvement plan and who would intervene if there was a concern.

It should be recognised there is also the risk that schools become more politicised with HTs facing increased challenges from divergent political perspectives.

Question 4

The Headteachers' Charter will set out the freedoms which headteachers should have in relation to staffing decisions.

- a. What are the advantages and disadvantages of headteachers being able to have greater input into recruitment exercises and processes adopted by their local authority?**
- b. What are the advantages and disadvantages of headteachers' ability to choose their teams and decide on the promoted post structure within their schools?**

GTCS would suggest that there are many contentious issues and uncertainties that need to be resolved in respect of proposed HT "freedoms", not least of which is the potential for HTs to be exposed to even greater challenge than they are currently.

An important criterion that must be set out in any proposed HT Charter would be the requirement that HTs continue to recruit only those teachers who are appropriately registered by GTCS.

Similarly, we consider it imperative that conduct and professional competence issues continue to be properly and fairly addressed and that fitness to teach referrals continue to be made to GTCS in order to ensure public protection and the maintenance of teaching standards. Local authorities currently take a key role in this context and it is not clear if this would change as a result of the proposed HT freedoms, particularly regarding recruitment.

There is a need for absolute clarity about the roles of HTs and local authorities around recruitment and staffing decisions. This is particularly the case given that HTs may recruit and manage the teachers within an establishment(s) but local authorities will remain the employer of those same teachers. There is a question as to whether or not the role of the Parent Council will change. Absolute clarity is also needed in respect of the deployment of additional support teachers and how/if the current compulsory transfer arrangements would apply.

It needs to be recognised that the proposal to introduce greater "freedoms" for HTs comes at a time when cut-backs in local authority HR teams have resulted in the level of HR advice and support available to HTs being significantly reduced over that available in previous years.

Advantages of HTs having greater input into recruitment include the following:

- Potentially, greater emphasis on pedagogy and teacher impact than at present when recruiting staff.
- Potentially greater awareness and understanding of employment law by HTs.

Disadvantages of HTs having greater input into recruitment include the following:

- Greater potential for HTs to stray from best employment practice, with few or no peer professionals or elected members involved prioritising the interests of learners.
- Potential for current staff transfer arrangements that can provide the possibility of some teachers becoming unavailable to HTs.
- Potentially negative impact on students placements being made available and places for probationers should HTs give these elements reduced importance.
- There is the risk that schools in the most challenging areas will find it increasingly more difficult to attract teachers. This will result in attainment suffering and gaps widening for the groups of young people the Bill most needs to support.

Advantages of HTs having the ability to choose their teams and decide on promoted posts structure within their school include the following:

- Potential for HTs to have greater flexibility and ability to better address contextual needs.
- Potential for HTs to have greater influence in appointing staff.
- Greater opportunities for HT creativity being applied to local issues.

Disadvantages of HTs having the ability to choose their teams and decide on promoted posts structure within their school include the following:

- Potential to create an environment in which HTs “poach” staff from other schools creating instability in staffing.
- Greater potential for more variable, less consistent and potentially confusing arrangements within any one local authority and across local authorities. Establishing the degrees of freedom and flexibility within a framework may be a way forward in addressing this issue.
- Consideration needs to be given to SNCT and LNCT terms and conditions and the implications of proposed changes on these.
- If the proposal is that HTs could recruit Janitors, catering staff etc, it needs to be recognised that many of these services are not currently under the management of the HT. If they were to become so, there would be significant issues in respect of job sizing and management roles in schools.

In respect of HTs having greater “freedoms” around staffing decisions, there is the very real potential for them to be further distracted from their prime role as leaders of learning and teaching.

Question 5

Should headteachers be able to decide how the funding allocated to their schools for the delivery of school education is spent? If so, what is the best way of doing this?

Most HTs already have autonomy in deciding how funding allocated to their schools is spent. The recent exercise whereby PEF funding has been allocated to schools to be disbursed by HTs has identified the following issues that should be considered before extending the practice further.

- Some HTs claim that they do not have the time, or in some cases, the expertise to take on board increased financial responsibilities. This is particularly the case when they are being asked to take on an increased leadership role in improving learning and teaching and improving attainment.
- In many cases, there is limited quality assurance on the spending of PEF money. The mechanism for quality assurance needs to be clearer before any further direct funding to HTs is given to ensure good value for money.
- Accountability arrangements need to be clarified, particularly in respect of HTs and their relationships to their Parent Council, local authority and regional collaborative. For example, HTs currently are governed by financial regulations set by their employer; indeed, these regulations make clear that the employer will dismiss in cases of financial mismanagement. Given that funds will reach schools via the local authority, then the HT will continue to have to operate within these guidelines. The proposed Bill will either have to make this clear or set out clearly what any new arrangement will be.

Question 6**How could local authorities increase transparency and best involve headteachers and school communities in education spending decisions?**

It should be recognised that some local authorities currently involve HTs in spending decisions. Placing a greater emphasis on local authorities reporting on the impact of spending might increase transparency. However, the Scottish Government's proposals could increase the tension between schools and their local communities/community agencies if each party has different spending priorities. Transparency is likely to be more difficult to achieve as a result of the increased complexity of having a wider range of parties involved. It would certainly help if both core funding and planning were set on a longer-term cycle.

Question 7**What types of support and professional learning would be valuable to headteachers in preparing to take up the new powers and duties to be set out in the Headteachers' Charter?**

GTCS considers that the following areas for support and professional learning should be prioritised in preparing HTs for their significant new powers and duties.

- Support for meaningful Professional Review and Development (PRD) and Professional Update. This must be complemented by detailed knowledge of pedagogy, curriculum design and pupil welfare. With the introduction of RICs, clarity is needed on who would be involved in the Professional Update of HTs and the ongoing PRD process required alongside this.
- For some HTs, support in managing expectations, prioritisation, strategic and wider-systems thinking and vision/strategy/impact.
- Support for the health and wellbeing of HTs, especially as they transition to take on their new proposed powers and duties.
- It is felt that school business support managers, employed by local authorities, are essential to support HTs carry out their enhanced role and duties.

Specific professional learning opportunities would be valuable in:

- Financial management - Education and the law.
- Employment law.
- Best practice in recruitment and employment.
- Developing the range of other professional skills and knowledge that would be expected as a result of the new powers and duties, for example strategic planning and thinking.

Question 8**Are the broad areas for reform to the Scottish Schools (Parental Involvement) Act 2006 correct?**

GTCS Council members agree with the broad spirit of parental involvement in schools and recognise that some schools already take a mature and successful approach to involving parents. Council members are in agreement on the following points relating to the proposed reform:

- The areas of reform offer opportunities for the wider engagement of parents. However, recognition needs to be given to the very real difficulties many schools have in involving the wider parental body. Often, this is because parents do not have the time to engage or there are practical barriers (economic, language, accessibility, cultural) that prevent them from being engaged.
- There is a need for greater clarity around the meaning and scope of the anticipated "collaboration".

- It is felt that the overly strong focus on parental involvement could be to the detriment of wider community involvement in the life and work of the school and that this runs counter to the expectations set out in the drivers within the National Improvement Framework (NIF).

Some Council members feel that the proposed reform will ensure greater consistency across all schools, set clearer expectations, and will help to protect parents and schools in their ways of working together. However, others feel that the existing legislation is sufficient to give parents the opportunity to engage fully in the life and work of their school. Those members feel that the proposed reform to the legislation is an unhelpful and undesirable move closer to each school having its own Board of Governors, increasing the danger that they may act in isolation from the HT and in a less collaborative way. Also, it is felt that publishing case studies of good practice in parental involvement may be a better approach than the use of legislation.

Question 9

How should the Scottish Schools (Parental Involvement) Act 2006 be enhanced to ensure meaningful consultation by headteachers with parents on substantive matters of school policy, improvement planning and curriculum design?

GTCS' Council is of the view that what is required are broad principles on meaningful consultation. Each school and its community context are sufficiently different to mean that prescription on substantive matters will be difficult and potentially unhelpful.

The question would seem to imply it is for the HT to meaningfully engage with parents. Parental engagement is very important and should always be encouraged. The gap will not close and attainment will not rise when parents are disengaged. However, it is recognised that there can be difficulties for HTs in ensuring that this engagement takes place across any parent constituency. It is felt that most HTs would want the proposed Bill to give them and their parent/pupil councils something that helps to maximise parental involvement.

As a means of enhancing meaningful consultation, it is suggested that *How Good is Our School?* should be amended to take account of any reforms made to the 2006 Act.

Question 10

Should the duties and powers in relation to parental involvement apply to publicly funded early learning and childcare settings?

GTCS' Council feels that there should be broad consistency in parental expectations across the education system. This is one of the reasons why GTCS has argued for Professional Standards and the registration and regulation of a wider range of educational professionals who are *directly* involved in learning and teaching across the education system (although not to the extent envisaged in the Scottish Government's *Empowering Schools* proposals). The critical importance of high quality early childhood education in enhancing the life chances of children and young people is well recognised. Accordingly, GTCS would be in favour of the duties and powers in relation to parental involvement applying to publicly-funded early learning and childcare settings.

Question 11

Should the Bill include a requirement that all schools in Scotland pursue the principles of pupil participation set out in Chapter 3? Should this be included in the Headteachers' Charter?

The Council of GTCS is of the view that the principles of pupil participation are already enshrined in the UN Convention on the Rights of the Child. Schools already apply the principle that when a decision is being made about the well-being of its children and young people, their interests are taken into account before making a final decision. It should be recognised that schools also already involve their pupils in decision making through existing infrastructures such as Pupil Councils, Rights Respecting Schools Awards, and the ways in which such requirements are already embedded within teachers' Professional Standards. Therefore, there is a question about the need for it to be included in the proposed Bill. It is felt that including principles of pupil participation in the proposed Bill would not make any substantial difference to

existing practice and might actually add an unwelcome layer of additional bureaucracy and workload, and deflect teachers from the core function of learning and teaching.

The principles of pupil participation by HTs are already set out in the Charter, under the improvement agenda which *requires that headteachers will continue to involve their school community (pupils, parents and staff) in the life of the school and in key decisions which affect them.*

A pertinent question that is not asked is who will be responsible when pupil participation fails or is inauthentic?

Question 12

What are your thoughts on the proposal to create a general duty to support pupil participation, rather than specific duties to create Pupil Councils, committees etc...?

Given that the principles of pupil participation emanate from the UN Convention on the Rights of the Child, there is already an obligation on Ministers to provide support for children to exercise their rights. The view of GTCS Council is that there would be value in defining this obligation to ensure that sufficient funding is available to schools and local authorities to provide that support.

In summary, GTCS' Council affirms the principle of pupil participation but is not in favour of the proposal to create a general duty on schools to support pupil participation. This is because of the diversity that exists in the types of schools and communities they serve and the possibility that even a general duty would restrict a school's ability to apply solutions that best fit their unique context. It is also felt that a general duty could restrict creativity and that it runs counter to the principle of increased autonomy being given to HTs.

Question 13

Should the Bill include provisions requiring each local authority to collaborate with partner councils and with Education Scotland in a Regional Improvement Collaborative?

GTCS' Council believes that the need to answer this question has passed since RICs are already in place, with Lead Directors appointed.

It should also be recognised that collaboration among partner local authorities has already taken place for some time and that this has brought benefits to schools. In saying that, it should be recognised that it will take time and significant commitment for real benefits from this collaboration to be realised and sustained at classroom level.

There is no doubting the need for strong communication between Education Scotland and RICs under the new arrangements. However, it needs to be recognised that RIC to school communication is likely to become more complex than with existing local authority to school routes.

GTC Council members have concerns about the variation in the composition of RICs as they have been established across Scotland. It is felt that some contain too many local authorities, some are geographically large and some have a wide range of diversity of needs. There is a danger that the expansive nature of some will make it difficult to address issues that are local in context and make it difficult for them to have a genuine impact on learning and teaching.

There is also the very real question as to whether or not there will be capacity from within local authority officer teams to support the RICs and the extent to which that support will be expected to come from schools. It might be expected that sharing officer teams would free up more resource to schools but there is a danger that local authorities could take resources from schools to support the priorities of the RICs.

Now that RICs have been established, every opportunity must be taken to ensure impact in meaningful and pragmatic ways through appropriate resourcing and funding.

Question 14

Should the Bill require each Regional Improvement Collaborative to maintain and to publish annually its Regional Improvement Plan?

GTCS' Council is concerned at the possible confusion that is likely to arise, and the additional complexity created, with another layer of planning being introduced. This can only add to bureaucracy within the education system at a time when Scottish Government is committed to decluttering and streamlining processes, and reducing bureaucracy. Schools and local authorities already prepare improvement plans, both of which attempt as best as possible to take account of local contexts. Although there may be an expectation that RIC improvement plans would replace those of local authorities, the reality is that local authority plans would need to continue as a means of accountability. This additional element of planning could become a workload issue for staff in local authorities.

In addition, there is a danger that improvement plans for RICs would need to be set at such a high level that they would become relatively meaningless and decontextualized from supporting and improving learning and teaching in individual schools. If RIC improvement plans are to be created there would need to be clarity as to their relationship with existing school and local authority plans. This may prove to be incompatible with increased community involvement in school plans. It is suggested that if RIC plans are created, these should be set alongside the NIF to help inform school planning.

Given that the school should be accountable to its community and to the local authority, the local authority should collate themes and take these to the RIC. What is proposed asks schools to put plans to the RICs and for this to then come back to the local authorities, which we consider makes little sense.

Question 15

If we require Regional Improvement Collaboratives to report on their achievements (replacing individual local authority reports), should they be required to report annually? Would less frequent reporting (e.g. every two years) be a more practical and effective approach?

The Council of GTCS is of the view that annual or two-year reporting on the achievements of RICs would be impractical and undesirable, not least as it is felt that RICs would have difficulties in collecting information across hundreds of schools annually or every two years. It is recognised that RICs need to be held accountable but given the scale of their work, it would be more appropriate that their plans and evaluation of their impact are carried out over a three-year period. Given the size and scale of the areas covered by RICs, it is felt that reporting may need to focus only on selected priorities in any one year. Indeed, some members feel that there is merit in RICs setting out a longer-term, five-year plan. It is felt that this would be a more realistic period over which RICs might demonstrate genuine impact, rather than just progress.

There are some concerns that having an added layer of planning at the level of the RIC could lead to added bureaucracy for HTs, undermine their own school plans and reduce the flexibility and ability they will have to develop their school(s) in innovative and creative ways.

It is felt that there is a need to clarify the relationship between RIC improvement plans and school improvement plans in order to remove the potential for RIC plans to increase conflict rather than support collaboration. This very real risk could have a detrimental impact on the recruitment and retention of HTs and senior managers in schools.

It will be important that the RICs are transparent about what they are doing. Sharing practice, supporting innovation, professional learning etc. are work streams which need to add value to children and young people. Schools within each RIC need to know what the work streams are and how they are progressing in 'real time'. The formal cycles for NIF, RICs, local authorities and schools to formally plan and report should align in a SMART way.

Fundamentally, it should be remembered that most improvements for learners happen in schools.

Question 16

In making changes to the existing planning and reporting cycle, should we consider reducing the frequency of national improvement planning and the requirement on Ministers to review the National Improvement Framework?

GTCS' Council supports the proposal to reduce the frequency of national improvement planning and the requirement on Ministers to review the NIF. Reporting should be on a three-year to five-year cycle. Such cycles would allow time for new systems to become bedded in and would also acknowledge that the impact of change and improvement can rarely be shown on the basis of an annual cycle of reporting.

Question 17

Are the proposed purpose and aims of the Education Workforce Council for Scotland appropriate?

The proposed purpose and aims of the proposed EWCS align closely with those of the present GTCS, albeit extended to embrace a wider range of education professionals.

In proposing the establishment of an EWCS, GTCS welcomes the Scottish Government's recognition of the value of the work GTCS currently does in maintaining and enhancing standards of teaching and learning, promoting professionalism amongst educational professionals and maintaining public trust and confidence in the teaching profession. The Council is also pleased to note the recognition given to the importance of GTCS' role in professional learning and leadership in improving learner outcomes and reducing inequality.

However, GTCS' Council has the following concerns (also explained in the Executive Summary above) on the proposed *purpose and aims* for the proposed EWCS in Scotland.

- The rationale for establishing a new EWCS body is not well made. In seeking to *empower schools*, it is unclear how the registration and regulation of some of the proposed "wider education workforce", which constitutes a very diverse group of practitioners, will *directly* support this aspiration.
- There is little point in having a professional body that holds a register of professional practitioners without also giving that body the powers to also regulate those professionals. Fitness to Teach/ Practise is recognised by the Scottish Government as playing an important role in maintaining professional standards.
- There is no logic in setting an ambition that professionalism is enhanced across a wider group of education professionals and then requiring only voluntary registration for those professionals other than teachers. The inclusion of some professionals who are only *indirectly* involved in learning and teaching risks eroding the professional identity and status of teachers. As set out in the Council's original consultation response to *Empowering teachers, parents and communities to achieve Excellence and Equity in Education*, GTCS would support an extension of its existing role and functions but is unconvinced of the need to create a new body to achieve the Scottish Government's aspirations. GTCS' Council suggests that the "learner journey" of students and the registration of those professionals who are directly involved in supporting that journey, may be a useful concept on which to base decisions about which groups of professionals are subject to registration and regulation.
- There are significant financial, operational and legal implications, with associated risks, in the Scottish Government's proposal to establish an EWCS. These have been set out in detail in Appendix 1. A particular concern and risk is that those who are *indirectly* involved in learning and teaching come within the remit of the proposed new body. GTCS' Council is deeply concerned that these risks and implications do not appear to have been given adequate consideration by Scottish Government. For example, GTCS has identified significant legislative and legal aspects that require to be addressed to accommodate the Scottish Government's proposals. There is also the issue that some of the proposed professionals coming within the remit of the new body are already registered and regulated by other registration and regulatory bodies (i.e. SSSC). These risks and implications have all been shared with the Scottish Government.
- The present body (GTCS) does not have the capacity to meet the demands and the timescales set out in the consultation document. Significant additional financial resourcing would be needed for

EWCS set-up costs and to enable it to register and regulate a wider range of professionals. This funding would be important as it would ensure that the existing assets of GTCS (established via teacher registration fee income over 50 plus years) were not used to deliver new areas of Scottish Government policy.

Question 18

What other purpose and aims might you suggest for the proposed Education Workforce Council for Scotland?

GTCS' Council is open to considering the possibility of some professional educators that are *directly* involved in the learning and teaching process, coming under the umbrella of an enhanced GTCS. Indeed, GTCS has already begun to move in this direction in creating new registration categories for the wide range of teachers in the independent sector and in creating a form of affiliated GTCS membership for instrumental music instructors. However, this should not be at the expense of the primacy of teachers and their role, as acknowledged in the *Empowering Schools* document, as being the most important in-school factor that affects student learning and achievement.

Research clearly indicates that the quality of any education system cannot be outweighed by the quality of its teachers. The Scottish Government's aspirations to have a "school and teacher-led system" in which they "trust and invest in teachers" are commendable. GTCS' Council is not persuaded that introducing an EWCS, in the format proposed and scale, and which replaces the existing, successful GTCS, shows support for those aspirations. Importantly, the Scottish Government needs to recognise and learn from the problems created in England with the Westminster Government's decision several years ago to disband the former General Teaching Council for England (GTCE). A number of functions formerly carried out by GTCE had to be taken into government and the registration of teachers fell into abeyance. As a result of the latter, there was no public or employer access to a register, the definition of a "teacher" became blurred and there was no public protection of who was able to teach and who was barred from teaching.

The Council of GTCS agrees strongly with the phrase repeatedly used in the *Empowering Schools* document that Scottish education should become one that is a "school and teacher led system". At a time when the proposed Bill shows strong support for teachers (or as the Deputy First Minister says on page 1, a desire to "trust and invest in teachers") GTCS' view is that there is little logic in removing the independent body that registers and regulates teachers and that critically promotes and enhances their professional learning and leadership.

For every teacher in Scotland the day they gained full registration with GTCS was momentous and life changing. Unless registration with EWCS was to carry 'more value' than GTCS recognition then it is the view of GTCS' Council that teachers are right to question the need for the changes being proposed. We are aware that there has been significant opposition from teachers, including organised social media discussions in which the idea of removing the GTCS has been strongly opposed.

Question 19

Are the proposed functions of the Education Workforce Council for Scotland appropriate?

As an aspiration over the last two years, GTCS has been working with Scottish Government and other bodies to extend the range of education professionals within its scope, for example instrumental music instructors and teachers, HTs and senior staff in independent schools. Therefore, whilst GTCS' Council has questions about the range of education professionals who might come within the scope of the new EWCS (see our response to question 21 in this respect), the proposed functions in themselves are seen by GTCS' Council as being largely an extension of those currently carried out for the teaching profession by the existing GTCS.

Question 20**What other functions might you suggest for the proposed Education Workforce Council for Scotland?**

GTCS' Council is of the view that functions need to be clear and captured in legislation as a means of holding the body to account. Council suggests that the list of proposed functions largely mirror those functions already carried out by the existing GTCS.

We would, however, question the appropriateness of including the final listed function:

- Promote family/carer/community engagement in and with the education system

It appears to the GTCS Council that this would be better captured within the statutory aims, if it is necessary or appropriate to incorporate this into legislation for a professional regulatory body at all.

Question 21**Which education professionals should be subject to mandatory registration with the proposed Education Workforce Council for Scotland?**

What is clear from the experience of GTCS over the last two years in beginning to register wider educational professional groups is the complexity and cost of such an exercise. The level of additional financial resourcing required for any new body to incorporate the wider group of education professionals proposed in *Empowering Schools* cannot be underestimated and would be considerable. Detailed calculations carried out by GTCS, and set out in Appendix 2, show these initial set-up costs to be in the order of some £7 million with recurring annual costs of £741,000 in year one, rising to over £2.0 million in each of years 5 to 10. It is the view of GTCS' Council that implementing the proposals for an EWC in Scotland covering the range of professionals proposed also carries significant risks and potential upheaval at a time when the Scottish education system needs greater stability, clarity and certainty. It is also felt that this money could be spent more productively in resourcing front-line education services.

Taking account of this impact, the Council of GTCS is of the view that a clear definition of what constitutes an educational professional is needed prior to setting out those who should be subject to mandatory, and possibly voluntary, registration and regulation. It is the view of GTCS that there is no logic in seeking to register some groups without them also being subject to regulation. In addition, given the close relationship between being a professional and Professional Standards, any groups subject to registration should also engage in professional learning and have that professional learning incentivised and accredited. GTCS currently carries out these functions for teachers and other education professionals registered and regulated at present by GTCS. As well as teachers, GTCS registers some college lecturers on a voluntary basis. Some early years practitioners are registered as primary teachers. In addition, GTCS is actively engaged in preparations to register instrumental music instructors. These three groups of professionals would offer a useful starting point for building on the strengths, roles and functions of the existing GTCS to register and regulate wider groups of education professionals *directly* engaged in learning and teaching.

Council is also of the view that any mandatory registration should be targeted, proportionate, risk-based and be focused primarily on what is in the public interest. Taking account of these principles, GTCS feels that there is a strong case that it is those most *directly* involved in teaching and learning who should be subject to mandatory registration and regulation. Similarly, there is a strong argument that it is those professionals who are in employment, rather than those who volunteer, who should be subject to mandatory registration and regulation. For those who volunteer, or others who are not directly involved in teaching and learning but who are involved in 'regulated work', PVG Scheme membership as part of safe recruitment practice must be acknowledged as having a vital role to play in protecting the public. Having a restricted range of professionals for whom registration is mandatory does not preclude the registration of some groups on a voluntary basis. It is recognised that some volunteers, for example in CLD, already seek registration and accept all that goes with it. However, an important consideration must be the potential loss of volunteers should they be subject to mandatory registration and regulation.

Council is also of the view that the wide range, and potentially wider range, of "professions" proposed as being subject to registration runs the very real risk of diluting the teaching profession. This could be seen as being at odds with the Scottish Government's stated aspiration of having a Masters-level profession.

Moreover, there needs to be a realistic awareness of the complexity (time and costs) in bringing any new groups into a registration and regulation environment.

The Council of GTCS believes responsibility for deciding the extent to which registration and regulation should be extended to other groups should be given over to an enhanced GTCS working in conjunction with other professional groups and stakeholders. This would allow the work to be taken forward as a suitably staged process and GTCS believes strongly that this would be possible at a fraction of the cost of the full proposals set out in *Empowering Schools*. It would also allow the work to be progressed in a pragmatic way and within a more realistic timeframe. Council is also of the view that GTCS would be well placed to identify guiding principles for who should fall within the scope of any future registration and regulation, mindful of the need that these need to be future-proofed against possible future changes and recognising that job titles and naming conventions change over time.

As a final point we would note that in considering the registration of college lecturers, it should be recognised that there are some who teach across the college and university sectors. This presents an issue around the Professional Standards (FE or HEA) that should be applied to them and is an issue that would require to be resolved as part of the introduction of mandatory registration in this context.

Question 22

Should the Education Workforce Council for Scotland be required to consult on the fees it charges for registration?

From its experience as an existing independent registration and regulatory body, the Council of GTCS knows that the level of fees set for registrants is determined by the cost of it carrying out its statutory functions and any other functions that are deemed necessary or important. This will also be the case for any future body with a remit that extends beyond that of the current GTCS, assuming independence from Scottish Government is maintained and it is to operate in a self-sustaining way as GTCS does at present. Such costs can be readily calculated and the results of a costings exercise are summarised in Appendix 2.

Assuming an independent body and no Scottish Government contribution toward fees, there should be a basic assumption that everyone, including any volunteers, subject to registration and regulation should pay a fee of some level. Any consultation on whether or not a fee should be charged would be meaningless since the outcome would be obvious. GTCS knows from recent experience that very few professionals will actively support an increase in registration fees. It would certainly be appropriate to communicate in an open and transparent manner about the fee level/s once these have been set.

The issue however, is not one of whether or not possible fee levels are consulted on; rather the issue is the extent to which there should be consultation on a variation in fees being applicable to different professionals. On this basis, there is a case for consultation to take place on any proposal to levy differentiated fees.

Question 23

Which principles should be used in the design of the governance arrangements for the proposed Education Workforce Council for Scotland?

GTCS' governance arrangements have changed and developed over the years to meet changing needs and circumstances, the most recent being in 2011 when Council membership was reduced from 50 to the present 37 members. As part of GTCS taking on board any wider range of education professionals, there would be a need for the body to consider what, if any, changes are made to its governance arrangements. In carrying out this exercise, GTCS would work with other bodies and stakeholders to consider features such as the size and membership of such a governing body and the extent to which it was based on best regulatory and governance practice. The following principles should be used in the design of any revised governance arrangements.

- There should be independence from Scottish Government but with the facility for a Scottish Government observer(s) to attend any Council/ Board meetings.
- Board/ Council members should operate as strategic-level charitable trustees of the body and be bound by the principles that relate to this role.

- Membership of the Council/ Board should reflect the functions and intended outcomes of the body, and reflect the diversity found in its registrant base.

It is recognised that the proposed governance arrangements for an EWCS are highly contentious with differing views amongst Council members on some aspects. As part of any future review of the governance of GTCS, consideration might be given to the following:

- The extent to which registrants should make up the majority of the governing body in order to retain the important principle of having self-regulating professions.
- The extent to which registrants should be elected.
- The extent to which members should be appointed against a set of competencies.
- The extent to which some Board/ Council members should be nominated from key stakeholder bodies and some should be appointed as lay members in order to provide a breadth of perspectives from families, communities and beyond.

It should be noted that strong views were expressed by some Council members that registrants directly involved in teaching and learning should make up the majority of the governing body in order to retain the important principle of having a self-regulating profession, albeit within a potentially smaller Council.

The overarching principles of governance should be to ensure GTCS maintains a register of professionals, regulates the profession and upholds public confidence. It therefore needs to take cognisance of the views of the profession, the wider community it serves and the duties it has to discharge. A model of a small board with 'expert' sub groups may be worthy of consideration alongside a commitment to the principle of an independent self-regulating profession.

Question 24

By what name should the proposed Education Workforce Council for Scotland be known?

The Council of GTCS is of the strong view that the proposed name (Education Workforce Council for Scotland) is wholly inappropriate. The term does not reflect at all the professional status of teachers or other professional groups directly involved in teaching and learning. Lessons should be learned from the creation of the Education Workforce Council in Wales which is a name that we understand is highly unpopular.

The strong GTCS brand and its national and international reputation should not be ignored as it is seen by many as being one of the strengths of the Scottish Education system. GTCS' Council feel that if it is accepted that it is those professionals who are *directly* involved in teaching and learning that should fall into the scope of the body, the name General Teaching Council for Scotland remains an entirely appropriate name. This name embraces in a general sense all of those involved in and contributing *directly* to the teaching process.

At a time when there is a move to simplify the education landscape, GTCS is concerned that introducing another new "Council", with the proposed name Education Workforce Council for Scotland, could easily cause confusion with the recently established Scottish Education Council.

The General Teaching Council for Scotland 30 January 2018

Scottish Government Governance Review – Options

Option A			
Establishment of Education Workforce Council for Scotland as proposed in ‘Next Steps’ document. New body established under new name. Registration and regulation of CLD and full range of all other education professionals.			
Implications – Positive			
Operational	Financial	Legal	Other
<ul style="list-style-type: none"> • Provision of coherence across the system for all educational professionals to be registered and regulated with the same body, eg Standards, Ethics etc. • Potential streamlining of processes and resources. • Opportunity to review existing systems and processes. • Opportunity to take a fresh look at how professional educators are registered and regulated. • New challenges for staff wishing to take on new opportunities – staff development opportunities. • Opportunities for new staffing structure and new 21st century operating principles. • Greater clarity for all education professionals through a ‘one stop shop’. • Benefits to other professional bodies from the experience and rigour of GTCS. • Benefits in having a clearer alignment amongst all education professionals – creating the opportunity for intelligent links across child and adult (family) 	<ul style="list-style-type: none"> • Increased revenue from additional registration fees. • Significant Scottish Government funding (presumably). • Larger overall budget offering greater potential to effect positive change and support improved services. • Economies of scale (linking to point above). • Acts as a catalyst to differential fee structures for all of the professions. 	<ul style="list-style-type: none"> • New, coherent legislation in place (presumably) with mandatory registration of groups in place which would provide legal, operational and financial certainty. 	<ul style="list-style-type: none"> • Government able to make a very public show of change and challenge- streamlining and bringing apparent cohesion to the Education system. • There would be an opportunity to promote the new body in terms of child protection, representing the public interest and in enhancing the various professions associated with it. • Coordinated approach to courses of study for all educational professionals. • Potential to move to a different governance structure in line with PSA best practice.

<p>learning.</p> <ul style="list-style-type: none"> • Opportunity to create new professional standards for other education professionals where some do not currently exist and to ensure these are supportive and consistent with GIRFEC, CfE etc. and policy direction. • Opportunity for shared learning and experience from broader range of backgrounds. • Improved alignment with many LA Children's Services structures. • Opportunity to promote greater partnership working and professionalism across education settings. 			
Implications – Negative			
Operational	Financial	Legal	Other
<ul style="list-style-type: none"> • Integration of other educator will require time, space and strong communications to ensure a smooth transition – work flow would need to be drawn up, agreed and monitored. • This could be seen as purely registration and thus ignore the extensive work GTCS undertakes with and on behalf of the teaching profession. • Need to establish a similar system to PU for other educators. • Risk of removing the GTCS which has an international reputation and is considered one of the leading teaching councils in the world. This is very significant for Scotland and Scottish 	<ul style="list-style-type: none"> • Change over and set up costs. • Maintenance costs. • Potential need for alternative accommodation if the number of new employees exceeds the regulations of Clerwood House to facilitate increased staff numbers. • Larger number of employees needed. • May lead to increased pay claims from other educators who may think there should be parity between those regulated by the same professional body. • The politics involved in establishing fair fee structures 	<ul style="list-style-type: none"> • This means the abolition of GTCS which will cause a series of significant and potentially complex winding up implications – all of GTCS's existing contracts, assets and obligations (including regarding employees and pensions) would need to be transferred to the new body. • Major charitable status and related issues. If GTCS is wound up there is a requirement, in order to transfer the GTCS assets to demonstrate to OSCR that 	<ul style="list-style-type: none"> • Revised governance arrangements would need to be in place to accommodate the significant initial changes. • Bringing together organisations with immediate effect requires sensitive handling and time for joint working to be established – the proposed timeframe appears to be very short. • Negative connotations of proposed new name, based on experience in Wales. • Potential reputational damage if transition is not well planned or implemented. • Issues around possible coherence of salaries for all posts.

<p>Education's international reputation.</p> <ul style="list-style-type: none"> • Need to establish implications for current non-professionals, eg SFLA coming into a professional body. • ITE programmes are accredited by GTCS, - potential implications for programmes offered by other educators. • Potential for the professional body status to be diluted by including too wide a range of other educators. • Scheduling too wide a range of other professionals has complications for the number of complicated data cleansing and migration exercises. The larger the range of professionals the more complicated the work involved in bringing this into GTCS' ongoing Customer Relationship Management (CRM) project. • The larger the range of other education professionals, the more work will need to go into process development and mapping. • A significant re-branding exercise will be required, including stakeholder engagement plan – costly in terms of staff resource in addition to materials. This is a significant Business Initiative in itself. • The larger the range of other education professionals, the more work will need to go into customer engagement and information provision – e.g. development of current GTCS websites and managing the diverse expectations of our service provision. • The larger the range, the more new 	<p>related to profession and income. Further work on teacher fee structures related to post would then be required e.g. to reflect the difference between Probationer and Head Teacher pay. Income predictions to be re-calculated accordingly.</p> <ul style="list-style-type: none"> • Significant cost of rebranding any new body – even just change of name. Need to change all publications, add new publications, change website, logos, letterheads, business cards etc. • Potential backlash from registrants if their fees are used to fund transition to new body. • Recruitment of additional staff would increase salaries bill and associated employer costs. • Additional resources – IT, furniture etc. • Costs associated with collection of differential fees. • Costs associated with moving to variable fees/direct debit - potentially costly. • Impact on pensions. • Added costs of unpicking of digital services/extension of CRM. • Implications for GTCS reserves. • Added costs of transitional funding and revised operating 	<p>any assets left over are used for similar purposes to those of the new body. There is a risk that GTCS assets (e.g. financial reserves and Clerwood House) could not be used for the new body.</p> <ul style="list-style-type: none"> • Various licensing and contractual arrangements would need to be transferred – in the context of some (e.g. payment card industry compliance), there would be a need to apply and be approved again as the new body – there is no guarantee that it would be straightforward to transfer existing contractual arrangements. • Subject to the charitable status issues being resolved and transfer of assets being permitted, land/building transfers would be required – this will attract legal, registration and tax costs. • Employment law/staffing implications – job matching and need to transfer staff employment to new body – TUPE and redundancy implications potentially also. • The other legal implications mirror Option B with regard to the registration of other education professionals – the wider the range of groups 	<ul style="list-style-type: none"> • Demands of establishing reputation of new body will take years • Potential negative impact on staff – demotivation, disengagement low morale etc. • This option may further alienate the teaching profession as the action could be seen as a direct attack and a further erosion of their sense of professionalism. • Potential for the creation of an unwieldy bureaucracy? • Complex employment implications. • If registration does not come with regulation and professional standards, then it will be seen very negatively by those who register as just a tick box exercise. • Rationale must be developed for all education professionals registering with the new body with clearly mapped out benefits to registration and most importantly the impact on learning and teaching/learners. Failure to do this will risk creating a body that is seen as unnecessary and a waste of taxpayers' money. • Strong possibility that volunteers and low-paid workers, especially in CLD and possibly also PSAs, will decide to give up/leave their posts owing to cost and what they might see as additional burdens/accountability being placed upon them. • Significant upheaval at a time of already significant change for all parties likely to be involved in establishing the proposed new body.
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<p>relationship building will be required and therefore will need to be resourced.</p> <ul style="list-style-type: none"> • Significant amount of time required to scope and implement tasks required to register all other education professionals. • Plan required for transitional arrangements to new organisation. • Significant and potentially negative impact on all staff, current work and delivery of services currently provided. • Impact on Council to ensure all policies and governance reflect the wider remit of the new organisation. • Uncertainty for staff concerned and potential instability. • Training required for staff in new procedures and processes. • Increased levels and overhaul of IT infrastructure required. • Possible relocation required. • Need to extend number of phone lines and increase bandwidth. • Disaster recovery procedures will need updating as will the business continuity plan. • Implications for digital footprint – hosting, networks, support agreements, warranty of hardware, software compatibility across organisations. • Need to scope out the current applications that are in place across the bodies concerned, what is new, what is a duplicate and where there are gaps. • Need to align key infrastructure such as telecoms and broadband lines. • Need for training programmes to be put 	<p>costs.</p> <ul style="list-style-type: none"> • Need for current CAPEX and OPEX liabilities to be understood. • Need for the development and improvement roadmaps to be in place to give a consolidated view. • Costs associated with the winding up of organisations and TUPE, redundancy, etc. • Need to consider assets of the new body – property, vehicles, plant\tools, equipment, etc, when are these to be replaced and what is the maintenance schedule for these items for ongoing capital investment levels. • The impact on registration of other education professionals in terms of a support structure within schools needs further consideration. For example, school support staff are usually line managed by non-teaching staff. If professional standards are introduced for other categories of staff there is a much wider consideration needed on the professional learning and support for these individuals both within schools and in the Las. • Professionalisation of the wider workforce (e.g. PSAs) will require closer monitoring and support to be in place (linked to 	<p>then the bigger the risk of legal challenge and fitness to practise regulation costs.</p>	<ul style="list-style-type: none"> • Practical issues about winding down an independent charitable body such as GTCS which owns its own property and the transfer to what is proposed. • Uncertainty surrounding which staff would get which jobs in the new body and in particular what shape the leadership of the organisation would take. • There would be significant time and cost involved in winding up GTCS which could potentially delay the start date of a new body. • Potential problem if the new body is only a 'registration' body, as most respected professional learning bodies have strategic governance of the professional learning agenda. • Most likely option to bring conflict from Unions and teachers.
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<p>in place for knowledge sharing across new teams and functions.</p> <ul style="list-style-type: none"> • Need to consider health and safety implications • Need to consider data protection issues in using shared platforms and ensure appropriate security rules are in place for different user groups. • Potential for some employees leaving the organisation/s, especially where there is heavy reliance on single person knowledge. • Need for space planning and organisation design for new potential shape of the organisation. • Need for added work with the key suppliers and sub-contractors to maintain safe, stable working during transition to new body. • Need to assess the impact on employment terms for different organisations? • Change of name will lead to a loss of identity and a loss of reputation already established by the GTCS. • Strong rationale needed to determine who is within scope of new body so as not to lose commitment and trust of those currently in the system. For example, in the college sector there are instructors, learning and development tutors, student support staff who all contribute to the ongoing engagement and learning of students. • Risk of losing the focus on teacher professionalism which is in its infancy. • Significant increase in staffing required (EWC Wales required 25% uplift in 	<p>professional standards) which has funding implications.</p> <ul style="list-style-type: none"> • Need for additional funding (transitional and longer term) from SG to fund the necessary changes. • Need for SG to fund a project team whose sole focus would be to take forward this specific proposal as set out in <i>Next Steps</i>. • Possible requirement to exit from the Strathclyde Pension Fund, which is a hugely expensive thing to do and would likely result in GTCS being in a net liability position rather than having any assets left over. • If charitable status is lost, rates relief may be lost, increasing costs for the new body. • VAT status would need to be reconsidered. This is a complex area and would have wide implications both positive and negative. • There would be an obligation to pay a significant (six-figure) Land and Buildings Transaction tax if changes to accommodation are considered. • Need to establish staff terms and conditions for new body – in itself a significant task. • Significant additional costs arising from providing services 		
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<p>staffing to accommodate similar proposals).</p> <ul style="list-style-type: none"> • Transfer of staffing to new body will involve significant HR engagement. • Potential for significant disruption to service provision particularly if changes are pushed through at a pace that is not sustainable. • Need for transitional arrangements to the new body to be set out clearly and would likely require both the old and new models to be funded for a period of time – which would be expensive. • Existing systems would have to be re-developed to cater for such a wide range of users (ie, MyGTCS, MyPL, PU). • Content of all existing websites and systems would need completely reviewed and updated to reflect new name and user groups. • Scope of CRM/database requirements would be extensive and difficult to gather across such a wide and varied user base (ie, CLD practitioners currently have voluntary registration and CLD are unable to quantify the full extent and range of their user base). • Would have to change existing domain names for websites and systems. • Would have to review and re-arrange all existing licenses and contractual agreements with suppliers. • Working from feedback on the Welsh model, the EWC in Wales was not welcomed by teaching profession. • Loss of teacher voice and 'right' to represent the profession. 	<p>(including registration and regulation) to a much wider range of professionals.</p> <ul style="list-style-type: none"> • For some registrant groups, there may not be a sufficient economy of scale achieved – this could lead to fee complexity and challenge 		
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<ul style="list-style-type: none"> A good deal of time and energy would have to be devoted to bring this new organisation to life and to making it viable/respected. 			
Analysis	<p>There are undoubted advantages in bringing registration and regulation of the entire education workforce across Scotland within a single body. The issue is how wide the registrant body should be. If it ends up being as wide as set out in <i>Next Steps</i> this option is very high risk due to the considerable change required to deliver. A change programme team/consultancy resource would likely be required to deliver the new body. This would be significantly more expensive than other options presented here.</p> <p>The case for change to the new body envisaged in <i>Next Steps</i>, with the very wide range of registrants envisaged being registered and regulated by an entirely new body with a new name, has not been well made.</p> <p>This option has the highest level of risk for the profession and GTCS and would be the most difficult to manage in such tight timescales. This model has too many unanswered questions, the main one being – If GTCS is working so well and has the reputation for delivering a world-class service, why should it be changed beyond recognition and potentially set up for failure?</p> <p>There is the very real potential for such a body created under this option to be remote and disengaged from the work of very wide range of registrants</p> <p>A major risk in this option is that the extensive set-up time and costs will dilute the new body's ability to meet the political aspirations of the Scottish Government reducing inequality and narrowing the attainment gap.</p> <p>It will be important that Scottish Government takes serious account of organisations such as EWC Wales and the Health and Care Professions Council (HCPC) which have undergone such transformational change. Discussions with both, held by GTCS, would suggest that the proposed way forward is significantly more complex than might initially be thought.</p> <p>It will be important to carry out a cost/benefit analysis of such wide registration and regulation against the actual costs of operating systems to cater for such a wide range of groupings</p> <p>GTCS is a forward thinking organisation that shapes the professional agenda for teachers and, potentially other educators. In Option A, time and energy would have this 'standing still' over an extended time frame while the new organisation is created.</p> <p>This option would involve by far the greatest impact on systems and processes – operationally (in terms of the resources required to carry out all the tasks required), legally and financially</p>		
Associated Risks	<ul style="list-style-type: none"> Protracted legal problems disentangling GTCS from its current status and responsibilities and creating an entirely new body. Major financial risks in disentangling GTCS from its ownership of Clerwood House (valued at £3.1m – May 2017), dissolving GTCS as a 		

charity, stewardship of £2.5m of teachers' funds (reserves).

- Major financial risks in creating a new body i.e. costly rebrand; significant IT cost implications; significant contract penalties for ending of contracts etc.
- Reputational risk to Scottish Government and GTCS from a potentially protracted setting up of EWCS which could take up to 5-10 years before the range of registrant groups see benefits.
- Human Resource risk – maintaining employee morale was major issue for EWC in Wales during its transition.
- Capacity of existing bodies and others to deal with such significant large scale disruption and change at a pace and within the timescale proposed.
- Governance risk in establishing a new constitution and governance model for the new body.
- The need for significant Scottish Government funding being available to fully support the extension of registration groups.
- Potential disengagement of the existing teacher workforce in relation to the dilution of their professionalism at a time when teachers are seen as a primary contributor to the raising attainment agenda.
- Potential for protracted long-term disruption and system change impacting adversely on teachers and outcomes for children, young people and other perspective registrants.
- Potential for significant disengagement of those who have not been subject to registration requirements previously and the loss to the education system and the consequent negative impact on those young people and in particular those who are disadvantaged and vulnerable (for example CLD volunteers).
- Potential for disruption and significant change leading to a reduced ability for Scottish Government to achieve its policy objectives.

Option B

Establishment of Education Workforce Council for Scotland (or another named body) by merging GTCS into the new body under entirely new legislation. Restricted range of CLD and other education professionals subject to registration and regulation.

Implications - Positive

Operational	Financial	Legal	Other
<ul style="list-style-type: none"> • Restricted range would allow a focus on educators who have direct impact on the needs of children and young people. • The restricted range of education professionals would minimise the risk of overcomplicating the ongoing Customer Relationship Management (CRM) project by minimising the number of data cleansing and migration exercises. • The restricted range of education professionals reduces the work involved in managing diverse expectations and the facilitation required for the diverse information provision required for the different groups. • There would be a reduced demand on business process development and mapping. • Transition would be easier to manage than Option A but it would still require a new staffing structure, new operating principles, revised/new systems, additional communications, etc. • This option is slightly more manageable in terms of timescales. • Measure of control for existing GTCS. 	<ul style="list-style-type: none"> • Increased revenue from additional registration fees. • Reduces the politics involved in establishing differential fee structures in relation to profession and income, given fewer groups in scope. • Less need for so many additional staff given restricted range of other education professionals in scope. • Cost implications less but still significant. Potential for reduced set-up costs in comparison to option A. • Larger overall budget offering greater potential to effect positive change. 	<ul style="list-style-type: none"> • This would not constitute an abolition of GTCS – GTCS would effectively be absorbed into the new body under a new name and with revised statutory functions/powers. • The above means that all of the transfer (and charitable status issues) associated with Option A would not apply. • If registration was made mandatory for the reduced range of education professionals to be registered, this would still have the benefit of providing legal, operational and financial certainty as the registrant numbers would be known (in contrast to voluntary registration models). 	<ul style="list-style-type: none"> • More limited, revised governance arrangements would need to be in place to accommodate the significant initial changes. • Would need new Standards and Codes for CLD and other education professionals. • New body encompassing CLD and other education professionals would increase public protection and enhance the reputation of the education profession. • Need for rationales to be developed for each of the categories of education professionals registering with the new body with clearly mapped out benefits to registration and most importantly the perceived impact on learning and teaching/learners. • More restricted range of educational professionals involved in GTCS/new body will make the overall change programme more manageable.

<ul style="list-style-type: none">• Restricted range would ensure a more manageable expansion to include registration and regulation for increased number of registrants.• Could ensure a more 'joined up' approach across all registrants.• Employers would find it easier to have all registrants registered and regulated with the one body.• GTCS has already the solid foundations for registration of college lecturers and have already made preparations for this category.• Provides an opportunity to improve GTCS current operations in relation to providing new services to selected groups of education professionals.• Opportunity to create new professional standards for other education professionals where some do not currently exist and to ensure these are supportive and consistent with GIRFEC, CfE etc. and Scottish policy direction.• Potentially more manageable proposal but would require criteria established to determine which groups were included/excluded from the oversight of the new body.• Allows more of a possibility of building on existing GTCS processes and systems.			
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Implications – Negative			
Operational	Financial	Legal	Other
<ul style="list-style-type: none"> • Loss of high profile name and reputation of GTCS at national and international levels, changing the GTCS name will lose the brand loyalty that has been established over 50 years in Scotland. • Significant re-branding exercise required, including stakeholder engagement plan – costly in terms of staff resource in addition to materials. • Still significant impact on the work of GTCS but potentially a less bureaucratic process than Option A. • Uncertainty/ instability for all staff in bodies concerned. • Potential staffing changes/ retention issues. • New processes required. • New IT infrastructure required. • Additional staff required. • Significant rebrand needed, for example, new comms channels required for different groups, unpicking of digital systems. • There is a risk that some staff may be outwith the new remit and see this as suggesting they do not contribute to professional learning of teaching profession. This could result in disengaging groups of staff. • Issues about the transfer of staff to new body • Existing systems would have to be re-developed to cater for such a wide 	<ul style="list-style-type: none"> • Extension of role would require more staff to be employed. • Significant set up costs of name change and establishing the new identity. • Possible relocation or adaptation costs. • Costs associated with staffing, transfer of assets, set up of differentiated fees. • Costly rebranding of GTCS – need to change all publications, add new publications, change website, logos, letters etc. • Issue of what happens to GTCS reserves. • Still need to address issue of variable fees/direct debit being potentially costly. • Fees of new registrants will unlikely cover the costs of a new infrastructure (both people and systems and a name change). • Significant costs in respect of some systems/changes and extensions; branding of new body; new/revised websites etc, IT changes. • Costs of potential requirement to exit from the Strathclyde Pension Fund, which is a hugely expensive thing to do and would likely result in GTCS 	<ul style="list-style-type: none"> • New primary legislation required – Public Services Reform (GTCS) Order would be repealed. • All existing GTCS Rule frameworks and constitutional documents would need to be replaced from Day One of the implementation of the legislation and re-naming taking effect – the enabling work required (supported by enabling provisions in legislation) would take a minimum of one year so getting the re-named/reframed body up and running will not be possible until mid-2020 at the very earliest (this timeframe would be ambitious given the scale/scope of change required). • Some OSCR implications given re-naming and revision of legislation – less significant than Option A but whether charitable status would be affected is still uncertain (based on discussions with OSCR to date) – there is a potential that the change could still be treated as a 	<ul style="list-style-type: none"> • As for Option A. • What do we gain by changing the name surely it is the function that needs to be established? • Reputation loss in terms of identity and professionalism (for some). • Reputational risk to the good name of GTCS if subsumed into a new body. • What support would the new body receive from Scottish Government? How secure would the new body be under any change in Government administration? • Confused, piecemeal approach. • What impact will it have in practice? • How does this model impact GTCS staff in terms of job security? • Rationale must be developed for each of the categories of education professionals registering with the new body with clearly mapped out benefits to registration and most importantly the perceived impact on learning and teaching/learners. • Disjointed approach to educational professions in Scottish education. • Significant concern about reputational loss of GTCS and the implications that flow from that, eg perceived dilution of professionalism. • Staffing implications – would TUPE apply? If so this would potentially disrupt continuity and create stress for staff.

<p>range of users (ie, MyGTCS, MyPL, PU).</p> <ul style="list-style-type: none"> • Content of all existing websites and systems would need completely reviewed and updated to reflect new name and user groups including changes to existing domain names for websites and systems. • Scope of CRM/database requirements would remain large. • Would have to review and re-arrange all existing licenses and contractual agreements with suppliers. 	<p>being in a net liability position rather than having any assets left over.</p> <ul style="list-style-type: none"> • Increased likelihood of accommodation relocation and additional costs/disruption if staffing numbers increase. In addition the investment in CH would not prove to be a cost-effective one. • If charitable status is lost, rates relief may be lost, increasing costs for the new body. • VAT status would need to be reconsidered. This is a complex area and would have wide implications both positive and negative. • There would be an obligation to pay Land and Buildings Transaction tax if changes to accommodation are considered. • Need to establish and fund revised terms and conditions for staff in new body, in particular pensions, which is expensive under current arrangements? • Existing systems would have to be re-developed to cater for a wide range of users. • Additional staffing resources to deal with the resulting work and support of extended user base would be required. • Increased costs for IT services and support (ie, hardware, 	<p>winding up of GTCS with corresponding asset and other significant financial implications.</p> <ul style="list-style-type: none"> • Revised and replaced governing legislation would mean GTCS is changed in its entirety as a statutory body – this would have implications in terms of contractual and licensing arrangements (including, for example, bank accounts) but the impact is less extreme than in the context of Option A. • Employment law issues still applicable – potential redundancy and TUPE implications. • Regulating new groups will have cost implications and could be challenged – there must be a strong rationale to justify mandatory registration/regulation. • There will need to be clear Professional Standards (covering conduct and competence) across the new registrant groups. 	<ul style="list-style-type: none"> • Uncertainty surrounding which staff would get which jobs in the new body and in particular what shape the leadership of the organisation would take. Would there be a change of strategic direction with all the uncertainty this brings? If so again this would disrupt delivery of SG priorities. • There would be significant time and cost involved in winding up GTCS which would potentially delay the start date of a new body. • Would the new body be independent of SG? • Would members of the new body be independently appointed? If not, this body could not operate as a charity for example. • Unions and teachers would be against the loss of the identity of GTCS.
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	infrastructure, desktop support, licenses).		
Analysis	<p>This model would be slightly more favourable than the first model but would still have significant legal and financial implications. This option would have a significant impact on systems and processes – both operationally (in terms of the resources required to carry out all the tasks required) and financially – however, the more restricted registrant base would make this less challenging than Option A (eg, for registration, regulation, CRM/database, system access, PU provision etc).</p> <p>It is hard to see how this model could be put in place in tight timescales and it is likely that it would not be well received by the teaching profession.</p> <p>This option, like Option A, is a significant Business Initiative in itself.</p> <p>If adopted, what this model actually means in practice needs to be given over to the new body to set out, eg who is registered and regulated, and the timescale over which they are registered and regulated. Scottish Government should consider the possibility of giving GTCS/new body the responsibility to set the criteria for further groups being brought within the registration and regulation remit. In doing so, the operational practicalities could be better considered, alongside other factors.</p> <p>This model might be seen as being a “fudge” between GTCS and EWC Scotland. It is likely that it will not be well received in the education environment in Scotland.</p>		
Associated Risks	<ul style="list-style-type: none"> • Protracted legal problems disentangling GTCS from its current status and responsibilities and creating an entirely new body. • Major financial risks in disentangling GTCS from its ownership of Clerwood House (valued at £3.1m – May 2017), dissolving GTCS as a charity, stewardship of £2.5m of teachers’ funds (reserves). • Major financial risks in creating a new brand i.e. costly logos and publications rebrand; significant IT cost implications etc. • Reputational risk to Scottish Government and GTCS from a potentially protracted setting up of EWCS which could take up to 5-10 years before the range of registrant groups see benefits. • Human Resource risk – maintaining employee morale was major issue for EWC in Wales during its transition. • Governance risk in establishing a new constitution and governance model for the new body. • The need for significant Scottish Government funding being available to fully support the extension of registration groups. • Potential disengagement of the existing teacher workforce in relation to the dilution of their professionalism at a time when teachers are seen as a primary contributor to the raising attainment agenda. • Potential for protracted long-term disruption and system change impacting adversely on teachers and outcomes for children, young people and other perspective registrants. • Potential for significant disengagement of those who have not been subject to registration requirements previously and the loss to the education system and the consequent negative impact on those young people and in particular those who are disadvantaged and vulnerable (for example CLD volunteers). • Potential for disruption and significant change leading to a reduced ability for Scottish Government to achieve its policy objectives. 		

Option C

Extension of current role and functions of GTCS. Retention of GTCS name. Restricted range of other education professionals subject to registration and regulation

Implications – Positive

Operational	Financial	Legal	Other
<ul style="list-style-type: none"> • Restricted range would allow a focus on educators who have direct impact on the needs of children and young people. • Retention of the GTCS brand is crucial as the reputation of Scotland and Scottish education is built around this. • Registration and regulation would ensure that all educators are held to high standards of conduct and professional behaviours, alongside other attributes of a profession which are to comply with an ethical code, standards of expectation of delivery, and expectation to continually learn and keep abreast of new developments and to be regulated by peers and the professional body. • No significant re-branding exercise – particularly important in relation to the impact on costs, timescale and staff resource. • The restricted range of education professionals would minimise the risk of overcomplicating the ongoing Customer Relationship Management (CRM) project by minimising the number of data cleansing and migration exercises. 	<ul style="list-style-type: none"> • Saving on the significant cost of a re-branding exercise as retention of the GTCS name would reduce costs significantly. • Reduced need for additional staff immediately if new registrants are gradually introduced. • A gradual increase in the register would be more manageable. • Lower costs associated with this model as the approach would be building on what currently exists. • Increased predictability in funding consequences for the new body. • Greater stability and predictability in fee levels for registrants. • No issues on transferring pensions or assets between bodies allowing for a much greater focus on value-adding work and much less time on restructure activity. • Increased revenue from additional registration fees 	<ul style="list-style-type: none"> • Existing governing legislation retained and simply revised – this streamlines the work required. • No change of name and statutory basis means negligible contractual/licensing/OSCR implications. • The above would remove the threat of any transfer of assets and registrant fees could be better safeguarded in any change process. • Introduction of mandatory registration could be appropriately phased, consulted on and legislated separately. • If there was a phased approach to the registration of other groups, the work to change Rules (e.g. Fitness to Teach Rules to Fitness to Practise Rules) would be very manageable and there could even be scope to provide for a transitional arrangement as part of the legislative amendments. 	<ul style="list-style-type: none"> • Revised governance arrangements could be put in place more gradually than in Options A and B. • GTCS widely respected. Retention of name/identity of organisation should instil confidence in ability of GTCS to manage additional responsibilities. • Maintaining international reputation. • Most manageable proposition. • Can be delivered in the timescale. • More acceptable to teacher Professional Associations, parental bodies and the teaching profession who are far more likely to be supportive of this model. • Strong national and international reputation of GTCS maintained and enhanced. • This option offers the ability to get up and running much more quickly than other options. • Least risky option in terms of cost, delivery of service, protection of identity. • Continuity of staffing arrangements and leadership. • SG's Council of International Advisers most likely to support this approach. • In the sea change of other initiatives

<ul style="list-style-type: none"> • A reduced demand on business process development and mapping. • This option would be the easiest to manage and implement. • Positive impact on staff morale. • Provides greater stability and more controlled change. • GTCS could continue to work towards the registration of other educational professionals and ensure that it sets the pace for change in order to ensure that the necessary systems are in place. • Continuation of GTCS name and storied history. • Clear evolution and development of GTCS that staff and new registrants can understand and embrace. • Opportunity to develop GTCS in a measured, sensible way improving services and growing in the public interest. • No need for expensive rebrand. • Strong professional identity maintained. • Changes introduced at a more manageable pace which would result in less disruption in the day to day working of GTCS and other bodies. • GTCS has a current brand association that many teachers relate to teacher professionalism and GTCS professional standards. From both a branding and a marketing perspective keeping the name allows this already established brand to be built on and further enhanced. • Keeping the GTCS name reduces 	<ul style="list-style-type: none"> • Most cost effective and harnesses resources within GTCS to build new working practices without loss of time and energy in bringing together a new identity or organisation as in other options. 	<ul style="list-style-type: none"> • Can be built according to need and allows the strength of knowledge and legal expertise in GTCS to form the basis for future development. • Less complexity/staff uncertainty in terms of employment law – GTCS stays substantially as it is. 	<p>(Regional collaborative, Education Scotland, HT Charter etc) this provides clearer lines of communication and feedback to system to support the other change agendas.</p> <ul style="list-style-type: none"> • Ability to build on GTCS' respected communications strategies – web, magazine etc. • Ability to build on GTCS' expertise in professionalism, professional learning, registration and fitness to teach/practice.
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<p>the likelihood that teachers disengage with the professional body and the current teacher professionalism agenda.</p> <ul style="list-style-type: none"> • Greater opportunity for change to be managed in a realistic way. • Offers possibility of least disruption and greater stability. • Allows the policy changes to build on recognised strengths of existing GTCS staff, processes and experience. • Relatively seamless continuity of service provision. • Ability to consider registering other groups in a more sensible timeframe, rather than taking decisions on all of these groups as part of primary legislation. • More certainty for registrants and the wider education community in continuing to use familiar contacts/routes to resolve issues. • Less likely to need to move accommodation in the short-term. • Gives continuity for 74,000 teachers and reassurance to profession. • Clear strategic leadership and direction of travel from experienced lead team. • Expertise in GTCS to make this happen efficiently and effectively. • Allows for professionalism agenda to be integrated to registration/support model. • Positive attitude from future registrants – e.g. education psychologists. There are groups 			
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<ul style="list-style-type: none"> lining up to try and register with GTCS. Ability to more readily offer the current PU/PL buy in for teachers which can extend in natural ways to other professionals. 			
Implications – Negative			
Operational	Financial	Legal	Other
<ul style="list-style-type: none"> Still significant impact on the work of CMT, senior managers and teams but to a lesser degree than Options A and B. Would still need changes to internal operations and staffing. This model would see changes ongoing for several years and would bring with it a certain degree of uncertainty for all concerned. Still need to reshape GTCS comms and marketing to take account of new groups. Clear and concise rationale required for who is “in and out” at the risk of disengaging some categories who may still have a role in supporting learning and teaching and learners (risk of making some individuals feel de-professionalised by this exercise if they are left out). Reduced opportunities for staff development. Would require some changes to IT systems, procedures etc but would be on a more manageable scale than Options A and B. 	<ul style="list-style-type: none"> Change and maintenance costs still required but less so than with other options. There would be financial implications associated with subsuming CLD Standards Council and the registration of various other educational professionals. No initial rebranding required, but revisions needed to communications to reflect new groups registered with GTCS. Need to realign organisation financially – cannot use teacher-funded reserves for other groups? Potential impact on office space and resources mitigated by this model. Fees of new registrants will be unlikely to cover the costs of a new infrastructure (both people and systems and a name change). In order for existing body to create an accurate financial forecast or plan there is 	<ul style="list-style-type: none"> Rule frameworks would still require change – any change to legislation for a statutory body has legal implications. Associated resource implications with legislative changes required. New Rules, Codes, Standards required for other educational professionals – a phased approach to registration of other groups would help manage this impact. 	<ul style="list-style-type: none"> Will still require a lot of work on communicating change to the teaching profession, new bodies, members of the public, wider education sector and key stakeholders. Perceived status quo/protectionism. Having the word “Teacher” in the title could be less acceptable to other professionals. CLD may feel sidelined.

<ul style="list-style-type: none"> Existing systems would have to be re-developed to cater for a wider range of users (ie, MyGTCS, MyPL, PU). Content of all existing websites and systems would need reviewed and updated to reflect new members. Scope of CRM/database requirements might be difficult to gather across such a varied user base. 	<p>significant detail required in advance of who falls into each category of registration.</p> <ul style="list-style-type: none"> Existing systems would have to be re-developed to cater for a wider range of users. Additional staffing resources to deal with the resulting work and support of extended user base would be required. Increased costs for IT services and support (ie, hardware, infrastructure, desktop support, licenses) but this could be phased. 		
Analysis	<p>This option would allow GTCS the required time to implement the registration of various other educational professionals on a phased basis. Development of registration groups can be measured and planned with limited rebranding needed. This model would be the best option for Scottish Government.</p> <p>By far, this would be the least expensive option to implement overall as it allows for systems to continue as normal while developing a planned programme for new areas of registration/governance. This is the lowest cost option by a significant margin which is important during a time of constraint in Government funding. Although the least costly option, it would still involve financing of the transitional change period and longer-term operations</p> <p>The significance of the operational/financial impact of this option is notably less due to the retention of the name GTCS and the restricted registrant base. Keeping the name makes most sense financially, and restricting the registrant base provides more credibility in terms of retaining the 'professional' nature of GTCS and those who will be subject to registration and regulation within the new body.</p> <p>From an operational viewpoint, this option would present the least disruption for staff, processes and procedures. At a time of significant change in Scottish Education, GTCS and its Professional Standards provide stability for the teaching profession, particularly at a time when there is a focus on delivering all of the aspirations of the National Improvement Framework.</p> <p>While this option may be viewed as "more of the same" by some, it represents extending the role and functions of an already quality and well-respected body (as acknowledged in the SG's analysis of returns on the initial consultation). It will allow what would mean significant change in a managed way, reducing risk.</p> <p>Scottish Government should not underestimate the detailed planning that will be required for all of the three potential options, including Option C.</p>		

	<p>There may be merit in Scottish Government funding a bespoke Project Team to take forward the proposals finally arrived at after the consultation to ensure that developments are taken forward in a coherent and timely way.</p> <p>Continuity of the strong, well-recognised identity of GTCS, well regarded by parents and the community gives continued reassurance on the Professional Standards and public protection.</p>
Associated Risks	<ul style="list-style-type: none"> The need for adequate Scottish Government funding being available to fully support the extension of registration groups.

Option D

Status Quo – no changes made

Implications - Positive

Operational	Financial	Legal	Other
<ul style="list-style-type: none"> Restricted range would allow a focus on educators who have direct impact on the needs of children and young people. Retention of the GTCS brand is crucial as the reputation of Scotland and Scottish education is built around this. No significant re-branding exercise – particularly important in relation to the impact on costs, timescale and staff resource. The restricted range of education professionals would minimise the risk of overcomplicating the CRM project by minimising the number of data cleansing and migration exercises. A reduced demand on business process development and mapping. Positive impact on staff morale. 	<ul style="list-style-type: none"> Saving on the significant cost of a re-branding exercise as retention of the GTCS name would reduce costs significantly. Little if any costs associated with this model. Greater stability and predictability in fee levels for registrants. No issues on transferring pensions or assets between bodies allowing for a much greater focus on value-adding work. Most cost effective and harnesses resources within GTCS without loss of time and energy in bringing together a 	<ul style="list-style-type: none"> Existing governing legislation retained and simply revised – this streamlines the work required. No change of name and statutory basis means negligible contractual/licensing/OSCR implications. The above would remove the threat of any transfer of assets and registrant fees could be better safeguarded in any change process. Can be built according to need and allows the strength of knowledge and legal expertise in GTCS to form the basis for any required future 	<ul style="list-style-type: none"> Retention of teacher professional identity. GTCS widely respected. Retention of name/identity of organisation should instil confidence in ability of GTCS to manage teacher registration well into 21st century. Maintaining international reputation. Most manageable proposition. More acceptable to teacher Professional Associations, parental bodies and the teaching profession which will be supportive of this model. Strong national and international reputation of GTCS maintained and enhanced. Business as usual. Zero risk option in terms of cost,

<ul style="list-style-type: none"> • Provides greater stability and more controlled change if required in future. • Continuation of GTCS name and storied history. • Existing international reputation of GTCS maintained in a way that staff and new registrants can understand and embrace. • Opportunity to develop GTCS in a measured, sensible way improving services and growing in the public interest. • No need for expensive rebrand. • Strong professional identity maintained. • GTCS has a current brand association that many teachers relate to teacher professionalism and GTCS professional standards. From a both a branding and a marketing perspective keeping the name allows this already established brand to be built on and further enhanced. • Maintaining GTCS as is reduces the likelihood that teachers disengage with their professional body and the current teacher professionalism agenda. • Greater opportunity for any future change to be managed in a realistic way. • Offers greater stability. • Relatively seamless continuity of service provision. • More certainty for registrants and the wider education community in continuing to use familiar contacts/routes to resolve issues. • Less likely to need to move accommodation in the short-term. 	<p>new identity or organisation as in other options.</p>	<p>development.</p> <ul style="list-style-type: none"> • Less complexity/staff uncertainty in terms of employment law – GTCS stays as is. 	<p>delivery of service, protection of identity.</p> <ul style="list-style-type: none"> • Continuity of staffing arrangements and leadership. • SG's Council of International Advisers likely to support this approach. • In the sea change of other initiatives (Regional collaborative, Education Scotland, HT Charter etc.) this provides clearer lines of communication and feedback to system to support the other change agendas. • Maintaining GTCS' respected communications strategies – web, magazine etc. • Maintaining GTCS' expertise in professionalism, professional learning, registration and fitness to teach/practice.
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<ul style="list-style-type: none"> • Gives continuity for 74,000 teachers and reassurance to profession. • Clear strategic leadership and direction of travel from experienced lead team. • Allows for professionalism agenda to be integrated to registration/support model. • Ability to more readily offer the current PU/PL buy in for teachers which can extend in natural ways to other professionals if deemed appropriate in due course. 			
Implications – Negative			
Operational	Financial	Legal	Other
<ul style="list-style-type: none"> • Missed opportunity to provide coherence across the system for all educational professionals to be registered and regulated with the same body. • No streamlining of processes and resources. • Fewer opportunities to review existing systems and processes and to take a fresh look at how professional educators are registered and regulated. • Fewer staff development opportunities. • Less clarity for all education professionals through a 'one stop shop' EWCS model. • Fewer benefits to other professional bodies from being part of the experience and rigour of GTCS. • Missed opportunity to create new professional standards for other education professionals where some do 	<ul style="list-style-type: none"> • No increased revenue from additional registration fees. • No Scottish Govt. funding to manage transition to a larger organisation. • Missed opportunity to take advantage of economies of scale. 	<ul style="list-style-type: none"> • Existing legislation remains in place with no mandatory registration of groups which could have provided legal, operational and financial certainty. 	<ul style="list-style-type: none"> • Less opportunity for the Government to demonstrate managed change and challenge- streamlining and bringing apparent cohesion to the education system.

<p>not currently exist and to ensure these are supportive and consistent with GIRFEC, CfE etc. and policy direction.</p> <ul style="list-style-type: none"> • Missed opportunity to improve alignment with many LA Children's Services structures. • Less opportunity to promote greater partnership working and professionalism across education settings. 			
<p>Analysis</p>	<p>While this option maintains the existing GTCS structure (which is internationally respected and used as a model of good practice in many other European nations) it removes an opportunity to widen its remit and offer registration, regulation Professional Standards, and professional learning to a wider group of individuals involved in the education of children and young people. When considering this option, which might appear appealing at face value, the extension of registration based on the existing, well regarded model, (as outlined in Option C) looks an even stronger proposition.</p>		
<p>Associated Risks</p>	<ul style="list-style-type: none"> • Missed opportunity to reframe the legislative and governance frameworks that underpin GTCS. • Governance risk in establishing a new constitution and governance model for the new body. • The need for any Scottish Government funding being available to fully support the extension of registration groups. 		



Summary of Costings to Establish EWCS

The costings in this Appendix have been prepared on the basis that the General Teaching Council for Scotland (GTCS) will be the legal entity which takes forward the proposals to establish an Education Workforce Council for Scotland (EWCS). It assumes that all of the groups that have been identified within the consultation document will be registered and regulated by the proposed EWCS and that there will be no diminution of standards in regulation, registration, administration or staff accommodation. Therefore, the costings relate to the implementation of Option A in Appendix 1.

There is an underlying assumption that there will be no need for the new body to make staff pension arrangements which are different from those currently in place. The latest formal valuation of the pension fund show that if GTCS had to exit Strathclyde Pension Scheme at 31 March 2017 then the cost of so doing would have been **£6.4 million**. This figure would be additional to the following specific costs of establishing a new EWCS.

The main areas of cost in establishing the proposed EWCS are set out below.

1 Accommodation

The proposals set out in *Empowering Schools* envisage an increase of registrants from 74500 to 203750. To meet this increase, there would be a requirement for an increase in the current staffing complement of up to 27. These staff would require accommodation, services and support at the same level as the existing GTCS staff. GTCS would look first at optimising the use of the current GTCS property at Clerwood House taking account of the most efficient working practices. To take account of the increase in staff numbers required, it would be necessary to create new office space and extend the car parking facilities. An initial estimate, based on the value and standard of the existing accommodation, is that it would cost **£1.3m** to enable the proposed body to function efficiently.

2 Initial Set-up Costs for New Groups of Registrants

GTCS has conducted a detailed analysis of the costs of setting up structures to allow registration and regulation of college lecturers, as is proposed in the consultation document. This group was chosen as GTCS already registers some college lecturers on a voluntary basis and the total number of lecturers who would be affected and the costs involved are already known. The analysis covered areas of cost including additional staffing; travel; development and maintenance of Professional Standards; and the development of COPAC (Code of Professionalism and Conduct); registration rules and new systems for Professional Learning and Professional Update. The costs involved in registering and regulating college lecturers is calculated as being approximately £283699. Applying this cost to the entire range of proposed new groups (an additional 129255 registrants) gives an estimated cost of supporting new registrants and establishing new procedures, platforms and systems of **£2.561 million (£2,560,899)**. This is likely to be a minimum figure as sensitivity analysis indicates that some of the groups which are most different to school teachers may cost more.

3 IT and Related Costs

GTCS' IT department has analysed the costs of mirroring the existing GTCS functionality across all of the proposed new groups of registrants. These include the functionality, where appropriate, within MyGTCS, MyPL, Student Placement, the Teacher Induction Scheme, Flexible Route, Initial Teacher Education, Miller Database and Fitness to Teach; and, reporting tools including Business Objects, GTCS Intranet and the CRM (Customer Relationship Management) project. The costs also include the need to expand ICT resources such as servers, telecoms, IT equipment, storage and licenses. The extension of these requirements to all of the new groups proposed would cost **£3.1 million (£3058003)** over the course of the implementation period. These costs exclude potential development of "back-office" systems including HR, time recording, payroll and finance. The cost of upgrading these is likely to be minimal by comparison to the estimates for operational systems.

In summary, GTCS has identified major specific set-up costs totalling **£7.0 million (£6,958,000)** that would be required to establish a new EWCS (Accommodation £1.3m; set-up costs for new groups £2.6m; and IT related costs £3.1m). This cost excludes the potential for exit costs from Strathclyde Pension Scheme of £6.4 million. If GTCS was compelled to take this path, in the creation of a new body, the total initial cost would therefore be in the order of **£13.4 million**. There would be additional legal and other professional costs in creating a new body, not including in these estimates and it is assumed that any of these will not fall on GTCS.

To help inform the Scottish Government's proposals, GTCS has developed a financial model for the potential new body on the basis that all new groups of registrants join over a five-year period. The model is based on the assumption that there will be no diminution in standards of regulation and registration to those currently enjoyed by existing registrants of GTCS. It is recognised that the Scottish Government's proposals indicate that some registrants may not pay a fee although it is unclear the grouping/s to whom this would apply. Assuming new groups do not pay any fee and assuming a phasing of new registrants over a five-year period, the financial modelling shows additional costs of £741000 in year one, rising to over £2.0 million in each of years 5 to 10. Some of these costs would, of course, be reduced by introducing fees for some of the proposed groups.

In broad terms, looking over a ten-year period, there are significant costs in establishing and running the proposed new body (EWCS). It is essential that over any implementation phase, the cost of staffing, accommodation and administration is matched to the accounting period when new sources of income come on stream. GTCS would envisage that it will be necessary to have staff in position in advance of any proposed new groups joining in order to ensure efficient operation of any enlarged organisation.