

INSPIRING WORLD-CLASS
TEACHING PROFESSIONALISM



Consultation on Registration Rules

October 2021

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1 About this Consultation

We are consulting on proposed new Registration Rules to replace the current Registration and Standards Rules which were put in place in 2015.

The Registration Rules set out GTC Scotland's registration criteria, ongoing registration requirements and how the Register of Teachers operates. They cover initial registration (entry to the Register) as well as enhancements to registration (for example, the awards of Professional Standard for Headship and Professional Recognition).

The current Registration Rules are now over six years old and require to be reviewed. Over the last six years there have been many changes to Scottish education, teaching and GTC Scotland's own policy context, including the introduction of mandatory registration for teachers in the independent school sector (by 1 June 2021) and college lecturers (from September 2021) as well as a new requirement for headteachers in local authority and grant-aided schools to be awarded the Professional Standard for Headship. Brexit has also taken place, meaning the legal framework in relation to the recognition of professional qualifications between European member states is no longer in place.

Recognising all of these factors and following internal review and engagement with key stakeholders, we are now consulting on proposed new (and renamed) Registration Rules. This consultation is necessarily detailed in order to ensure transparency about proposed changes.

2 Who should read this?

This consultation raises important issues about who we register on our Register of Teachers and what registration with GTC Scotland means. The consultation is relevant not just to teachers and lecturers and employers of teachers and lecturers but also to learners and members of the public. We welcome all feedback.

Start date: 6 October 2021

End date: 5 January 2022.

This consultation will therefore run for 3 months to allow all participants time to consider and respond to the consultation. Please note, however, that GTC Scotland will be closed from 23 December until 5 January 2022 for the Christmas break. Any queries received during that time will be responded to upon our return.

After the consultation:

We will publish our response in Spring 2022.

Documents relating to this consultation:

- ❖ [Current Registration and Standards Rules 2015](#)
- ❖ [New Registration Rules](#)

3 How do I participate?

This consultation document sets out the amendments proposed by GTC Scotland, together with the rationale behind those proposals. The consultation is accompanied by a survey, which can be accessed by following this link: <https://forms.office.com/r/JqNR5uNeuU>

The consultation document below notes the statements, to which GTC Scotland is seeking your response, relevant to each section of the consultation and which correlate with the survey, to

assist you when completing the survey. For each statement you are asked to indicate the strength of your agreement or disagreement and invited to provide additional comments, should you wish.

4 Registration Rules in Context

GTC Scotland is the independent professional and regulatory body for teachers in Scotland.

GTC Scotland was established in 1965 after teachers themselves raised concerns about the increasing number of uncertified (or unqualified) teachers in Scotland's schools.

There was a strong view that establishing GTC Scotland was an important factor in enhancing the public status of the teaching profession by giving the teaching profession itself responsibility for its own standards.

In 2011, GTC Scotland was made independent meaning it was no longer to be a Non-Departmental Advisory Public Body associated with the Scottish Government. GTC Scotland's new governing legislation, the Public Services Reform (General Teaching Council for Scotland) Order 2011 (**the Order**), took effect in April 2011 and remains in place today. The Order sets out GTC Scotland's powers and functions.

The principal aims of GTC Scotland are set out in the Order and are to:

- ❖ maintain and improve teachers' professional standards; and
- ❖ contribute to improving the quality of learning and teaching.

The Order empowers GTC Scotland to hold and regulate one Register – a Register of Teachers. GTC Scotland does not have adequate legal powers at present to hold and regulate other Registers (for example a Register of Lecturers or Register of Instructors). GTC Scotland cannot open and regulate additional registers within its current legislative framework.

“Teacher” has a specific meaning legally. “Teacher” is defined in the Order as an individual who holds a recognised teaching qualification (this means a teaching qualification obtained within Scotland following an approved or accredited teacher education programme) or who has satisfied GTC Scotland that they have adequate education, training or experience to warrant registration (i.e. GTC Scotland assessed equivalence or comparability to a Scottish teaching qualification, as reflected in our registration criteria for teachers who have qualified outside Scotland).

A teaching qualification therefore underpins what a “Teacher” means legally and is the foundation for entry onto the Register of Teachers no matter what particular registration category a teacher is ultimately placed in.

The Register of Teachers is divided into registration categories to reflect the nature of the teaching qualification held. As explained further below, a teacher may only be employed legally in line with their GTC Scotland registration category.

A teaching qualification has been the foundation of what it means to enter and belong to the profession of teaching in Scotland since 1965. Indeed, it was the very significance of holding a teaching qualification that led to GTC Scotland's establishment with qualified teachers being identified as key to ensuring and enhancing quality in Scotland's education system.

Why has there always been this emphasis on qualification? Being a teacher in Scotland involves being part of a profession. This journey begins with a recognised teaching qualification focused on content and pedagogical knowledge as professional foundations. Shulman (2004) describes teaching as “perhaps the most complex, most challenging, and most demanding, subtle, nuanced, and frightening activity that our species has ever invented” while Labaree (2000) describes teaching as “an enormously difficult job that looks easy”.

Buchanan (2020) summarises the literature in relation to teaching being unrelentingly complex (Cochran-Smith, 2003; Mayer et al., 2017), acknowledging that teachers work amidst multiple layers of complexity, ambiguity and unpredictability. Buchanan states that “not everyone can

teach. That is, not everyone can do the work of a teacher. Teaching and learning are more demanding than most outsiders understand”. Buchanan goes on to explain that effective teachers need to be in command of at least two bodies of knowledge – subject matter, and pedagogy, or “pedagogical content knowledge” (Shulman, 1986) and that “this combination of content and pedagogical knowledge is arguably the preserve of teachers alone”.

A teaching qualification is fundamental to the foundations of this complex profession. A teacher education that explores educational theory, considers theory into practice and provides opportunity for supported teaching placement introduces individuals to the teaching profession. It is the specific knowledge gained through such a teaching qualification together with effective teaching experience that demonstrates teachers’ commitment to professional standards in the service of others and forms the basis of the social contract between the teaching profession and society.

4.1 Mandatory Registration of Teachers in Scottish Schools

GTC Scotland registration is a mandatory requirement for employment as a teacher in a Scottish local authority school under The Requirements for Teachers (Scotland) Regulations 2005 and for employment as a teacher in a Scottish independent school under The Registration of Independent Schools (Prescribed Persons)(Scotland) Regulations 2017. The requirement for local authority employed teachers to be registered with GTC Scotland was introduced in April 1968 and for the independent school sector the requirement was fully implemented in June 2021.

In 2021, the Court of Session confirmed that the above legislation means that an employer must only employ a teacher in line with their registration category. The court stated: “*The requirement to employ a registered teacher “whose particulars are recorded in the register” imports a need to employ teachers only in accordance with the particulars of their registration.*”¹ The Court further commented, “*Registration is and has always been intended as a safeguard for the quality of school education.*”²

In summary, teachers in all of Scotland’s schools must be in employment that matches their category of registration.

4.2 Mandatory requirement to hold the Professional Standard for Headship

In addition to holding GTC Scotland registration, holding the GTC Scotland Professional Standard for Headship became a mandatory requirement for teachers taking up their first permanent headteacher post at Scottish Local Authority and grant-aided schools from 1 August 2020 under The Head Teachers Education and Training Standards (Scotland) Regulations.

4.3 Registration Requirement for College Lecturers

In March 2018 Colleges Scotland Employers Association and the EIS - Further Education Lecturers’ Association (EIS-FELA) agreed that mandatory GTC Scotland registration was part of the outcome of national bargaining (NJNC Circular 03/18). Registration with GTC Scotland forms part of the agreed national terms and conditions of employment for all college lecturers under the harmonisation arrangements. Therefore, while registration for college lecturers is not a legislative requirement as it is for school teachers, it is an employment requirement. How and when the registration requirement is enforced is therefore an employment matter.

Under current Registration and Standards Rules GTC Scotland can and has registered lecturers as further education teachers who hold a recognised teaching qualification or the equivalent for those qualified outside Scotland. College lecturers who have a recognised teaching qualification

¹ [2021] CSIH 013 at [17]

² [2021] CSIH 013 at [15]

are being invited to register as further education teachers, as part of nationally agreed terms and conditions of employment, from 6 September 2021.

5 What are the Registration Rules?

Under the Order, GTC Scotland's functions include keeping the Register of Teachers. In line with this function, under the Order (Article 6) GTC Scotland must make and publish rules (the Rules):

- (i) setting out the procedure for inclusion in the register;
- (ii) setting out registration criteria; and
- (iii) otherwise governing the operation of the register.

GTC Scotland's Registration Rules are therefore very important. They set out:

- ❖ the criteria for registration for all applicants (and the related decision review processes);
- ❖ what information is held on the Register of Teachers and what information is made available to the public;
- ❖ the criteria for the award of any enhancement to registration (for example the Professional Standard for Headship and Professional Recognition) (and the related review processes);
- ❖ ongoing requirements on the part of Registrants relating to registration (e.g. to engage in the Professional Update process, maintain up to date contact details and pay an annual registration fee); and
- ❖ when a teacher may be removed from the Register (and related review processes).

The Registration Rules do not cover the investigation and determination of the fitness to teach of an applicant/Registrant. These matters are covered by separate Fitness to Teach Rules.

6 Why are the changes proposed?

The Registration and Standards Rules (as they are currently named) were updated in 2015 and they now need to be updated again for the reasons set out below.

Before making or varying the GTC Scotland Rules, the Order requires that GTC Scotland must consult, (i) teachers or their representatives; (ii) employers of teachers or their representatives; and (iii) such other persons appearing to it to have an interest; and have regard to any views expressed by those consulted.

6.1 Reflecting the education system and better serving those registered with GTC Scotland

GTC Scotland wants to ensure that its Rules and associated policies are in line with the current practice and needs of the Scottish education system. GTC Scotland has undertaken an internal review and engaged with key stakeholders to evaluate how well the current Registration and Standards Rules 2015 meet the needs of the system and meet the mission, aims and values of GTC Scotland.

As a result of this evaluation process, GTC Scotland has identified areas where the current Registration and Standards Rules could be refined and updated.

The revised Rules therefore aim to:

- ❖ provide a simplified registration framework that is easier to understand and has a clear evidence-based rationale;
- ❖ ensure that the categories and status of registration reflect the current needs of the education system;

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- ❖ ensure that registration with GTC Scotland aligns with GTC Scotland’s mission, aims and values; and
 - ❖ widen the means by which we enable and encourage registrants to continue to grow as professionals through a revised “Additional Registration” framework (replacing the current “Professional Registration” route) and new “Accredited Specialism” pathway.

6.2 To ensure the integrity and accuracy of the Register

The political landscape over the last few years has changed, particularly through major changes such as Brexit and new policies and priorities within the Scottish education system. In addition, the impact of the global pandemic has promoted reflection and prompted the need for change in many educational areas.

GTC Scotland has actively participated in the discussion of new legislation, including the Internal Market Bill (now the UK Internal Market Act 2020) and the Professional Qualifications Bill. GTC Scotland is strongly opposed to any proposal which could erode or dilute the integrity of the Register of Teachers through changes to qualification requirements or similar.

The recent changes to the political landscape and the legislative changes that have been implemented and proposed have encouraged GTC Scotland to consider how best it continues to ensure the integrity of the Register of Teachers.

7 What changes are proposed?

Part 1: Foundations of Registration

GTC Scotland was the first Teaching Council in the United Kingdom and one of the first Teaching Councils in the world. It was established by the Teaching Council (Scotland) Act 1965 (‘the 1965 Act’) following concerns about the fact that unqualified teachers were working in Scottish schools. A core function of GTC Scotland is therefore to ensure that teachers are appropriately qualified.

In performing its registration function, and in line with its legislation and reason for being explained above, GTC Scotland is committed to ensuring that the Register of Teachers is qualifications based, resting on two key foundations for registration:

- (i) a teaching qualification; and
- (ii) a degree or equivalent academic qualification or, in the case of registration in further education, the highest level of relevant subject or vocation qualifications available in line with those expected as part of agreed teaching qualification entry requirements.

Part 2: Registration Categories

GTC Scotland recognises the distinct and different contextual environments that apply between those registered to teach in primary and secondary education (in schools) as well as between registered school teachers and those registered to teach in further education (in colleges). GTC Scotland also seeks to ensure that its registration categories reflect the Scottish education system and the areas in which an individual can achieve a Teaching Qualification.

The following categories of registration are proposed in the Registration Rules:

- (i) Primary Education;
- (ii) Secondary Subject Education;
- (iii) Further Education.

Q: GTC Scotland propose that the Register of Teachers will consist of the following categories of registration: Primary Education; Secondary Subject Education and Further Education.

Q: The proposed changes to registration categories meet GTC Scotland's aim to ensure the Register of Teachers reflects the Scottish education system.

The categories of registration will no longer be described as relating to specific age ranges. Instead they will reflect the professional knowledge and understanding and skills and abilities that underpin the Teaching Qualification for each category. By this we mean:

Primary Education:

An individual registered in the category 'Primary Education' is qualified to teach the following:

- ❖ the entirety of the early learning and childcare and primary curriculum from early learning and childcare through to primary 7;
- ❖ literacy, numeracy and health and wellbeing across Broad General Education in other contexts in the interests of specific learners.

Secondary Subject Education:

An individual registered in the category 'Secondary subject education' is qualified to teach the following:

- ❖ their registered subject/s as part of the secondary curriculum across the entirety of the Broad General Education and Senior Phase;
- ❖ their registered subject/s in other contexts in the interests of specific learners;
- ❖ skills for learning, life and work, interdisciplinary learning and responsibilities for all as part of the secondary curriculum.

Further Education:

The teaching qualification for further education in Scotland is not subject (or vocation) related but entry to it is premised on subject (or vocation) specialism. An individual registered in the category 'Further Education' is qualified to teach the following:

- ❖ their subject or vocational specialism across the entirety of further education;
- ❖ skills for learning, life and work, interdisciplinary learning and responsibilities for all as part of further education;
- ❖ their subject or vocational specialism within the senior phase of the secondary education curriculum as part of agreed school and college partnership arrangements where the teacher of further education is contributing to a specific learning purpose and extending the curriculum offer in the interest of learners as part of learners' overall provision of school senior phase education and is supervised³ by the provider of school education.

Q: GTC Scotland propose that individuals registered in the category of Primary Education will be registered to teach:

- the entirety of the early learning and childcare and primary curriculum from early learning and childcare through to Primary 7;
- literacy, numeracy and health and wellbeing across Broad General Education in other contexts in the interests of specific learners.

³ Such a supervision requirement reflects the fact that those registered in further education are not qualified to cover the same range and depth as teachers of school education with respect to aspects such as meeting senior phase learners' needs and GIRFEC understanding. Where a college lecturer is not registered with GTC Scotland, direct supervision by a registered teacher of school education is required.

Q: GTC Scotland propose that individuals registered in the category of Secondary Subject Education will be registered to teach:

- their specific registered subject as part of the secondary curriculum across the entirety of the Broad General Education and Senior Phase;
- their specific registered subject in other contexts in the interests of specific learners;
- skills for learning, life and work, interdisciplinary learning and responsibilities for all as part of the secondary curriculum.

Q: GTC Scotland propose that individuals registered in the category of Further Education will be registered to teach:

- their subject or vocational specialism across the entirety of further education;
- skills for learning, life and work, interdisciplinary learning and responsibilities for all as part of further education;
- their subject or vocational specialism within the senior phase of the secondary education curriculum as part of agreed school and college partnership arrangements where the teacher of further education is contributing to a specific learning purpose and extending the curriculum offer in the interest of learners as part of learners' overall provision of school senior phase education and is supervised by the provider of school education.

Additional Support Needs

It is proposed that registration in Additional Support Needs is treated differently than is current practice. Additional Support Needs is not, in and of itself, a category within which an individual can currently achieve a teaching qualification in Scotland. It is recognised that all teachers teach learners with additional support needs but also that there is a distinct need for expert teachers in roles that focus specifically on learners with additional support needs. Teachers in such roles should demonstrate significant skill, knowledge and ability in understanding and supporting the needs of learners with additional support needs. They also support the professional learning of other teachers and staff in the area of meeting learners' needs.

The majority of teachers in Scotland employed in additional support needs roles do so as a registered teacher of primary or secondary subject education. Current Rules allow teachers with provisional registration in primary or secondary subject education to achieve full registration in additional support needs in circumstances where individuals have undertaken specific study in relation to additional support needs. There is no current provision to recognise the specialist skills and knowledge of teachers who undertake specific education to become teachers of learners who are deaf and/or have a visual impairment.

The proposed Rules require teachers to achieve full registration in primary, secondary or further education before potentially enhancing their registration through seeking an accredited specialism. It is anticipated that this process allows teachers who have undertaken further qualifications to seek an accredited specialism. Whilst it is proposed that this will provide a route for teachers with qualifications in additional support needs to have their expertise recognised, it is also proposed that this enhancement to registration can be offered in further areas. That is, seeking an accredited specialism provides a route for teachers to have their expert knowledge in a specific area recognised. This proposal complements existing arrangements for professional recognition which provides a route for teachers' sustained and reflective enquiry to be recognised.

For clarity, Additional Support Needs would cease to exist as a category of registration.

This recognises that there is no current direct route to registration from a qualification focused on additional support needs and the assessment that the current arrangement does not appear to meet the system's needs with most of teachers working in additional support needs roles not registered as such. The proposed Rules emphasise that firstly full registration is required to begin to build teaching expertise in specific areas and the proposal for the establishment of 'accredited

specialism’ allows individuals to clearly demonstrate their specific skill set to learners and employers, reinforced by the successful completion of formal qualifications. This allows for specific qualifications to be recognised – for instance an accredited specialism in autism or dyslexia may be valuable to a particular employer or an accredited specialism in coaching may be useful for individuals interested in supporting early career teachers.

Q: The proposed change is to cease the existing category of Additional Support Needs.

Q: Once on the Register of Teachers, GTC Scotland propose to recognise a teacher’s qualifications in additional support needs, and other specialist areas through a process of registration enhancement.

Part 3: Registration Status

Primary Education and Secondary Subject Education

GTC Scotland currently awards four registration status:

- (i) Provisional Registration
- (ii) Provisional (Conditional) Registration
- (iii) Full Registration (General)
- (iv) Full Registration (Associate)

In line with GTC Scotland’s aim to enhance the integrity of the registration process and make the Register more transparent, GTC Scotland is proposing to remove two of the current registration status; Provisional (Conditional) Registration, and Full Registration (Associate). Full Registration (General) would also simply be known as Full Registration (as it was in the past).

Removal of Provisional (Conditional) Registration

Provisional (Conditional) Registration is a registration status which was re-introduced in 2015 and utilised to provide additional flexibility for registration applicants qualified outside Scotland. This status has been used significantly in response to the introduction of mandatory registration for the independent school sector and has helped support registration of an existing workforce. The introduction of mandatory registration for the independent school sector was a key driving factor in re-introducing Provisional (Conditional) Registration.

Provisional (Conditional) Registration has applied to experienced teachers who have qualified outside Scotland and sought GTC Scotland registration. GTC Scotland has satisfied itself through the application process that the applicant teacher has met the Standard for Provisional Registration (and meets the definition of a “teacher” explained above) but has an identified shortfall in the teaching or academic qualification held. Provisional (Conditional) Registration has therefore been a means by which teachers who have qualified elsewhere could be registered subject to a measurable, realistic and practicable condition for them to top up their qualifications within a set period of time in order to meet the requirements for full registration.

However, following internal review and evaluation of the relatively low number of applications where Provisional (Conditional) Registration has been applied, the various amendments that the proposed Registration Rules would make as well as registration of the existing independent school teaching sector now being complete, the Provisional (Conditional) Registration status is no longer deemed necessary or appropriate for continued use. This would mean that applicants would require to complete any top-up requirements and meet the registration criteria in full at the point of application so that the integrity of GTC Scotland’s Register of Teachers is protected.

Q: GTC Scotland propose that in order to protect the integrity of the Register of Teachers, the status of Provisional (Conditional) registration should no longer be issued.

Removal of Full Registration (Associate)

As part of GTC Scotland's statutory functions set out in the Order, there requires to be a 're-accreditation scheme' for teachers (Article 31). Professional Update was developed in partnership with the profession to meet this requirement and commenced in 2014. It requires registered teachers to maintain their professional learning, reflecting on the impact of their own learning on themselves, their learners and their colleagues; and to participate in ongoing professional review and development.

Full Registration (Associate) status was introduced when Professional Update was launched. It has been used in the context of individuals who wish to remain on GTC Scotland's Register of Teachers but who are no longer teaching, either short or long term, in Scotland. This may be due to retirement, relocation, long-term leave or a career change into a non-teaching role. Associate status was created to allow an individual to remain associated with GTC Scotland and to retain full registration in these circumstances without requiring them to engage in Professional Update.

Full Registration (Associate) status has also been used in relation to individuals who had not completed, for various reasons, their Professional Update. These individuals have been moved from Full Registration (General) to the non-teaching status of Full Registration (Associate).

Following internal analysis and review of Associate status, it is proposed that this status is closed. As part of a review of how Professional Update operates practically, the intention is to ensure that Professional Update itself accommodates and recognises different circumstances, including where individuals are teaching outside Scotland, working in non-teaching roles or have a period of long-term leave from teaching for whatever reason, so that Associate status becomes unnecessary. We will involve partners and consult fully on this review of Professional Update in due course.

Q: GTC Scotland propose that the Full Registration (Associate) status is closed and that we review the practical operation of Professional Update to ensure it is fit for purpose.

There will therefore be two registration status available for those registered in the Primary Education or Secondary Subject ducation categories of registration:

- ❖ **Provisional Registration:** available to those who meet the Teaching Qualification and academic requirements for registration on the Register of Teachers and have achieved the Professional Standard for Provisional Registration but who have yet to meet the requirements for Full Registration.
- ❖ **Full Registration:** available to those who meet all aspects of the requirements outlined in the Registration Rules for Full Registration and, importantly, have achieved the Professional Standard for Full Registration.

Q: GTC Scotland propose that there are two registration status for the Primary Education and Secondary subject education categories of registration: Provisional Registration and Full Registration.

Further Education

GTC Scotland has registered college lecturers for many years as teachers of further education. Until recently, individuals employed as lecturers have voluntarily chosen to register with GTC Scotland. These arrangements are changing with the introduction of mandatory registration for college lecturers employed in Scotland's colleges. The compulsion for college lecturers to register with GTC Scotland – as a result of their employment contract – is distinct from the compulsion for school teachers to register, which is a legislative requirement.

GTC Scotland recognises the marked difference between the journey into teaching primary and secondary education compared with further education. Primary and secondary education teaching qualifications are completed pre-service whereas further education teaching qualifications are largely completed in-service. For this particular reason, GTC Scotland does not consider that the concept of provisional registration and probationary service is appropriate for registration in further education – individuals registering in this sector should meet the teaching service requirement at the point of entry to the Register as part of their teaching qualification.

It is important to understand that whilst GTC Scotland has complete and comprehensive powers to determine school-related teaching qualifications and requirements for registration, the position is not the same in the context of college lecturers and particularly in relation to determining the Scottish teaching qualification in further education (TQFE). Scottish Ministers have the power to determine a TQFE which means they retain the role to accredit teacher education programmes in Scotland that lead to the award of the TQFE. A TQFE usually follows after an individual has already been appointed as a lecturer based on their industry or career experience. As such, while school teachers take the route of qualification leading to registration leading to employment, the college lecturers' route is reversed; employment leads to qualification which leads to registration.

There are significant differences in the scope and level of teacher education between that expected of school teachers and that in place for teachers of further education. There is also a different framework of professional standards in place for each group with teachers of school education having an infrastructure of five professional standards, two of which outline the mandatory requirements for those becoming and being a teacher and college lecturers having one professional standard which includes expected and aspirational elements but is not a mandatory benchmark.

Differences between teachers and college lecturers therefore need to be understood in order to provide effective registration. However, as outlined in governing legislation, GTC Scotland has only one Register – a Register of Teachers – therefore anyone placed on the Register must be a teacher and fit within GTC Scotland's current legislation (the Order). It is important to recognise that the Order was designed principally for (and informed by) teachers in the school setting as that has been GTC Scotland's main operating context and focus since its inception in 1965. The proposed Registration Rules have therefore necessarily had to be framed for the registration of college lecturers as teachers of further education in line with that context until such time as GTC Scotland's governing legislation is reviewed and revised to enable a more customised registration treatment for college lecturers.

GTC Scotland propose, as part of its Rules refresh, to support the registration of teachers of further education by broadening the registration criteria out from the TQFE to include a range of comparable qualifications that GTC Scotland will assess in line with the criteria detailed in Schedule 2 to the proposed Rules. This approach builds upon a well-established route for assessing individuals qualified outside Scotland enabled under Article 17(b) of the Order. This assessment determines whether there is equivalency or comparability in terms of the required components of a teaching qualification in Scotland. GTC Scotland is eager to recognise the diverse routes for those becoming teachers of further education in Scotland and ensure that this route is open to those teachers of further education qualified in Scotland through different routes to a TQFE to mirror the approach for those qualified outside Scotland.

Q: GTC Scotland propose to broaden the scope of teaching qualifications that meet registration criteria in the category of further education.

At the same time we know and recognise that registration for teachers of further education is only just becoming mandatory and that transitional (generally known as grandparenting) arrangements are often appropriate for registering an existing workforce in the interests of fairness. Similar to the provisional (conditional) registration measure put in place to support teacher registration in the independent school sector, we are therefore proposing an interim registration category for teachers of further education who have not obtained a TQFE and who were employed as a lecturer on and prior to 1 April 2019. We have proposed that interim registration is available for this group of lecturers as there was no requirement for this group to ever achieve a teaching qualification whereas lecturers appointed after this date are contractually required to achieve a teaching qualification and will therefore at some point in the future meet the criteria for full registration, as set out in circular 03/18 and the National Working Practices Agreement (NWPA).

Q: GTC Scotland propose that a transitional/grandparenting arrangement is put in place for the onboarding onto the Register of Teachers of the lecturing workforce employed on and prior to 1 April 2019.

While GTC Scotland propose this grandparenting arrangement in support of the existing workforce, we are not proposing that this can be an ongoing arrangement for lecturers appointed after 1 April 2019. While an arrangement for an existing workforce can be put in place and justified as part of registration 'onboarding' for a new group of registrants, there is in GTC Scotland's view a considerable risk in taking this approach for newly appointed lecturers. Providing a route for individuals with no teaching qualification or teaching experience to enter the Register of Teachers as a teacher of further education cannot be an ongoing provision as this fundamentally changes the foundation of registration with GTC Scotland being based on a teaching qualification. This approach is also unlawful under current legislation and would have implications for the management of the entire Register of Teachers.

Q: GTC Scotland propose that any lecturer appointed on or after 1 April 2019 will require a recognised or validated teaching qualification for entry to the Register of Teachers as a teacher of further education.

It is therefore proposed that there will be two registration status available for the Further Education category of registration. These will be:

❖ **Interim Registration:** to support the existing workforce seeking registration, interim registration will be available for those who were employed as a college lecturer prior to 1 April 2019.

This transitional category will allow those college lecturers in this group to join the Register of Teachers as a teacher of further education. The interim registration category is a closed category to the lecturer workforce employed prior to 1 April 2019. GTC Scotland requires teachers of further education with interim registration to successfully complete a TQFE or equivalent to achieve full registration. The time limit for achieving full registration (a TQFE or comparable teaching qualification) will be set out in an Interim Registration Policy.

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- ❖ **Full Registration:** for individuals seeking registration in the further education category of the Register of Teachers and who meet all criteria for registration in further education, regardless of employment status or dates of employment.

Q: GTC Scotland propose that there are two registration status for the Further Education category of registration: Interim Registration and Full Registration.

GTC Scotland values the important contribution college education makes to Scotland's educational landscape and is actively seeking sustained engagement from partners to ensure a national commitment to the prioritisation and investment in lecturer learning and qualifications. In the current context GTC Scotland has no information that TQFE provision is being prioritised to address the backlog of college lecturers who wish to undertake a teaching qualification.

GTC Scotland believes that there are two solutions to this situation which we have recommended to the Scottish Government. Firstly, priority needs to be given to addressing systemic issues in relation to pathways, funding and provision of teaching qualifications in further education and secondly GTC Scotland's underpinning legislation, the 2011 Order requires to be reviewed and revised in order to allow GTC Scotland to establish different registration rules for specific groups and as such, provide a registration and regulation mechanism that meets specific needs of identified groups.

Part 4: Registration for individuals qualified outside Scotland

A key part of the role of GTC Scotland is to maintain a register of those who are eligible to teach in Scottish schools. We manage thousands of applications each year to join the Register of Teachers from individuals who have qualified as a teacher in Scotland and assess hundreds of applications from individuals who have qualified all over the world.

We have registration criteria that we apply to such applicants with a view to ensuring that the quality of teaching children and young people in Scotland receive is as high as possible regardless of where in the world individual teachers qualified. In Scotland we have a focus on increasing diversity in the teacher profession and GTC Scotland wishes to nurture that, further, while ensuring that the Rules continue to align with the foundations of registration.

Key changes GTC Scotland propose to the Rules for those qualified outside Scotland are:

- ❖ To clarify that what is required of applicants in this context is that they have completed teacher education that is comparable to what is required of a teacher who has qualified in Scotland. GTC Scotland does not require teachers to have completed exactly what is required of a teacher in Scotland but does require a level of comparability to ensure that the teacher meets the Standard for Provisional Registration (to be awarded provisional registration) or Standard for Full Registration (to be awarded full registration) and can teach within the context of the Scottish education system.
- ❖ To remove reference to age range and sector in relation to teaching qualification. In line with the foundations for registration noted above, registration will be determined based upon the content of the teaching qualification, assessed by a GTC Scotland case assessor in line with the requirements for registration and definitions for each category of registration set out in the Rules.
- ❖ As detailed further above, to remove provisional (conditional) registration from the Register of Teachers. GTC Scotland's Register of Teachers is a qualification-based register. It is an essential requirement for entry onto GTC Scotland's Register of Teachers and allows GTC Scotland to continue to ensure the quality of teachers entering the Register. Therefore, to ensure parity between those qualified inside and outside Scotland, it is proposed that those

seeking registration who have qualified outside Scotland must meet in full at the point of application the requirements set out in the relevant section of the Rules.

- Q:** To be registered on the Register of Teachers, GTC Scotland propose that individuals who qualified outside Scotland must hold a teaching qualification (meaning they have completed teacher education comparable to that required of a teacher qualified in Scotland) and have academic qualifications as outlined in Schedule 2 of the Rules.
- Q:** GTC Scotland then propose that, if the criteria above have been met, individuals who qualified outside Scotland will be placed on the register according to their qualifications in line with the requirements for registration and definitions for each category of registration set out in the Rules.

Part 5: Routes to additional and enhanced registration

As detailed above, GTC Scotland has identified areas where the current Registration and Standards Rules could be refined, amended and updated to better serve the teaching profession, better reflect the routes to teaching both inside Scotland and outside Scotland, ensure the integrity of the Register of Teachers and create wider routes to allow registered teachers to enhance their registration.

While GTC Scotland is proposing to refine and streamline registration, it seeks to enshrine in its practice and policies the importance of recognising the achievements, experience and additional qualifications of those on the Register of Teachers. GTC Scotland is therefore proposing routes to enhance an individual's registration, either through 'additional registration' or through an 'accredited specialism' in a particular area, through an accreditation process.

Additional Registration

The Framework for Additional Registration will replace the current system of Professional Registration. Professional Registration allows teachers who hold full registration to add additional categories to their current registration. The proposed Framework for Additional Registration will ensure greater clarity and guidance for individuals seeking additional registration and continue to encourage registered teachers to develop and expand their skills. The Framework will clearly outline the process and requirements for:

- ❖ fully registered teachers of primary education who are seeking additional registration as a registered secondary subject education teacher;
 - ❖ fully registered teachers of primary education who are seeking additional registration as a registered further education teacher;
 - ❖ fully registered teachers of secondary subject education who are seeking additional registration as a registered primary education teacher;
 - ❖ fully registered teachers of secondary subject education who are seeking additional registration in another secondary education subject;
 - ❖ fully registered teachers of secondary subject education who are seeking additional registration in further education;
 - ❖ fully registered teachers of further education who are seeking additional registration as a registered primary education teacher;
 - ❖ fully registered teachers of further education who are seeking additional registration as a registered secondary subject education teacher.
- Q:** GTC Scotland propose that there should be an Additional Registration Framework to allow a registered teacher to add another category to their registration. This framework should be clearer and more accessible than the current system for Professional Registration.

Accredited Specialism

GTC Scotland is proposing to introduce a new recognition of accredited specialism for fully registered teachers. The Accredited Specialism Framework would offer recognition to registered teachers with Full Registration who achieve additional qualifications and develop specialist knowledge during their careers. This recognition would be offered to teachers based on evidence of their commitment to enhancing their knowledge and understanding, skills and abilities through the successful completion of a formal qualification. It may also help employers to identify teachers with the necessary expertise and experience that they may require in particular specialist contexts.

Through the Accredited Specialism Framework, it is proposed that registered teachers would be able to apply for the recognition of an Accredited Specialism which would then appear against their entry on the Register.

The Accredited Specialism Framework will set out the application process for registered teachers to complete and be considered by GTC Scotland.

It is proposed that Accredited Specialism is a qualification-based route to enhancement of individual registration. This complements existing mechanisms to seek professional recognition which is an experience-based (enquiry) route to enhancement of individual registration. Some examples of how this framework could be applied are as follows:

- ❖ a fully registered teacher of primary education with a Postgraduate Diploma in Inclusive Education (Deaf Learners) would be searchable on the Register of Teachers as: Fully Registered Primary Education, Accredited Specialism: Inclusive education (Deaf Learners);
- ❖ a fully registered teacher of secondary biology education with a Masters in coaching would be searchable on the Register of Teachers as: Fully Registered Secondary Biology Education, Accredited Specialism: Coaching;
- ❖ a fully registered teacher of further education with a postgraduate certificate in Inclusive Education would be searchable on the Register of Teachers as: Fully Registered Further Education, Accredited Specialism: Inclusive Education.

Q: GTC Scotland propose the creation of a qualification-based Accredited Specialism Framework to allow a registered teacher to add area(s) of specialism to their registration.

Professional Standard for Headship

Holding the Professional Standard for Headship by completing a Headship Qualification is a prerequisite for teachers taking up their first permanent headteacher post in Local Authority and grant-aided schools in Scotland. This became a requirement on 1 August 2020, under Section 28 of the Education (Scotland) Act 2016.

There are two exemptions. The first applies to any permanent headteacher who has been appointed to a position in a school on, or prior to, 1 August 2020. The second exemption enables education authorities or the managers of grant-aided schools to appoint a person to a headteacher post, who has not attained the Standard for Headship, on a temporary basis for a period not exceeding 30 months after 1 August 2020.

The revised Rules have been amended to ensure they reflect current practice, routes and recognition of Professional Standard for Headship. The revised Rules have also been updated to include an additional Schedule 3 in order to provide equivalency criteria for those who have achieved headship qualifications outside of Scotland.

Q: GTC Scotland propose amendments relating to the Professional Standard for Headship, including an additional Schedule 3, to ensure the Rules reflect current practice, routes and recognition of Professional Standard for Headship.

Part 6: Maintaining registration

Registration on the GTC Scotland Register of Teachers is an essential part of being a teacher and requires ongoing engagement and responsibility from the registered teacher in order to maintain their registration.

A Registrant's responsibility to maintain their registration

GTC Scotland considers that the Registration Rules ought to provide greater clarity to registered teachers in relation to what they require to do to ensure they maintain their Registration with GTC Scotland. This includes participating in a system of ongoing professional learning, review and development (Professional Update); notifying GTC Scotland, without delay, that they have been charged with or found guilty of a criminal offence, that they are subject to disciplinary or fitness to practice processes with another professional or regulatory body, that they have changed employer, that they have changed name and/or address, and of any other changes or amendments required to their registration record.

A Registrant's obligations relating to their PVG Scheme membership

In addition, in line with GTC Scotland's general function to maintain the standards of conduct and professional competence expected of a registered teacher, GTC Scotland proposes to include a requirement for a registrant to maintain their PVG Scheme membership and to provide an updated PVG Scheme Record or a short scheme record at any time upon GTC Scotland's request.

The Disclosure Scotland PVG Scheme is a critically important national system which assists employers and regulators to ensure that an individual is suitable to work with children. GTC Scotland is committed to its role in public protection and safeguarding and the PVG scheme plays an important part in that. The role of the PVG scheme and the effective management of the system has recently been a central focus for the Scottish Child Abuse Inquiry, recognising the importance of information sharing and ongoing child safeguarding.

GTC Scotland therefore proposes to introduce an explicit obligation on a registrant to remain a member of the PVG scheme and to provide updates to GTC Scotland as requested. These requirements will ensure that where GTC Scotland has reason to believe it necessary to seek an updated PVG scheme record from a registrant as part of fulfilling its fitness to teach function in the interests of public protection, a registrant will be obliged to comply with such a request.

Integrity and accuracy of the Register of Teachers

GTC Scotland believes that it is important to continue to reinforce the fact that registration with GTC Scotland is an ongoing commitment and registrants have continuing obligations to ensure they maintain their registration. This is central to ensuring the continued accuracy and integrity of the GTC Scotland Register of Teachers.

Q: GTC Scotland proposes that the Registration Rules detail the obligations and requirements for registrants in maintaining their registration.

These obligations and requirements are:

- participating in a system of ongoing professional learning, review and development (Professional Update);
- notifying GTC Scotland, without delay, that they:

-
- have been charged with or found guilty of a criminal offence;
 - are subject to disciplinary or fitness to practice processes with another professional or regulatory body;
 - notifying GTC Scotland that they have changed employer, name and/or address and any other changes or amendments required to their registration record;
 - remaining a member of the PVG scheme and provide updates to GTC Scotland as requested.

Part 7: Registration Review Process

At present, the Registration and Standards Rules 2015 set out that where GTC Scotland has:

- (a) removed an individual from the Register in terms of rule 13.4.3;
- (b) refused to make an award of Professional Recognition or cancelled any such award in terms of rule 8;
- (c) granted an application for registration but not to the extent wished; or
- (d) refused to award the Standard for Headship in terms of rule 8,

the applicant may request that decision to be reviewed by a panel. The panel process is further set out in Schedule 3 of the Rules.

GTC Scotland propose to simplify and streamline the current registration review process to make it more efficient and proportionate. The basis upon which a request for review may be considered would remain the same, namely that GTC Scotland has either:

- (a) failed to act in accordance with the Rules; or
- (b) made an error, that has had a significant impact on the decision made,

it is proposed that a registration review is no longer referred to a panel process and instead a formal internal review process will be followed meaning the decision is reviewed by an individual who has had no involvement in the original decision-making. The Rules set out further detail about how this review process would operate.

Q: GTC Scotland propose that a registration review is no longer referred to the panel process and instead a formal internal review process will be followed as detailed in the Rules.

Part 8: Information contained on the Register of Teachers

GTC Scotland proposes to refine and modernise the information that is held on its register to help it better perform its functions.

It is proposed that current and previous employment information will be retained going forward - this links directly to the proposed new requirement for employment information to be provided as part of maintaining registration and is an important part of what has been identified as being necessary to enable effective performance of GTC Scotland's regulation function as well as to better support GTC Scotland Council election processes.

Q: GTC Scotland propose to refine and modernise the information that is held on its register retaining current and previous employment information to enable GTC Scotland's regulation function and better support election processes.

Part 9: Additional modernisation and update

A number of further, more administrative, amendments have been made to make the Rules as clear, streamlined and accessible as we can: none of these changes affect the underlying policy which remains the same. For example:

- ❖ The name of the Rules is proposed to be changed from the Registration and Standards Rules to the Registration Rules, as it is felt that this better reflects the purpose and function of these Rules;
- ❖ Definitions have been amended or removed to reflect current naming or relevance to the revised Rules;
- ❖ A fee strategy is to be introduced to provide clarity to the fee structure applied to registrants and to enhance transparency and context to when and why the GTC Scotland registration fee may be amended;
- ❖ Amended inclusion of seeking references, or GTC Scotland satisfying itself, in relation to an applicant's good character and conduct in terms of their fitness to teach. Reference is now made to GTC Scotland's obligations regarding Fitness to Teach;
- ❖ The Professional Standards and Awards sections of the Rules, including Standard for Headship and Professional Recognition, have been updated to reflect changes to practice within those areas and to better align these with the registration function;
- ❖ To allow GTC Scotland greater power to amend and correct the register where it sees fits, to ensure it retains the integrity and accuracy of the register and that only those who ought to be registered, and in each registration category, are so registered.

Q: GTC Scotland is committed to ensuring equality, diversity and inclusion in all its work. Please tell us if you consider that any of the proposals for the new Registration Rules, as set out in this consultation, will create any equality, diversity and inclusion impact(s) - positive or negative - on any individuals who may be affected by or utilise the rules.

Q: Please share any additional comments you may wish to provide GTC Scotland on the proposed amendments to the current Registration and Standards Rules 2015.

Q: GTC Scotland are committed to listening to views about our work. If you would wish to continue the conversation about the Rules, please leave an email address below, which we can use to contact you. It would be helpful if you could detail the area/s you are particularly interested in discussing.

8 When would the proposed changes take effect?

It is intended that the proposed changes will take effect from 4 April 2022.

From the date that the new Rules take effect, cases will be determined under the new Rules. So, for example, an application for registration received from 4 April 2022 would be considered under the new Rules.

9 Any questions?

If you would like to clarify any aspect of this consultation, please contact us gtcs@gtcs.org.uk using subject line Registration Rules Consultation.

Inspiring world-class teaching professionalism

GTC Scotland
Comhairle Choitcheann Teagaisg na h-Alba

The General Teaching Council for Scotland is the independent professional body which maintains and enhances teaching standards and promotes and regulates the teaching profession in Scotland. We strive to be a world leader in professional education issues.

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