

DRIVING FORWARD PROFESSIONAL STANDARDS FOR TEACHERS



PUBLIC PETITION PE1391

Petition by Susan Calcuth-Russell on behalf of Renfrewshire Parent Council Forum on protecting the right of children to be taught by qualified teachers for 25 hours a week.

Response to Public Petition PE1391 by the General Teaching Council for Scotland

1. Background:

The General Teaching Council for Scotland (GTCS) is the independent professional body which maintains and enhances teaching standards and promotes and regulates the teaching profession in Scotland. Our function is to promote and maintain high standards of teacher professionalism and pupil learning in schools.

Part of this remit is ensuring the Fitness to Teach of those registered with the GTCS. Should any teacher fall short of the expected standards, whether due to misconduct, conviction or incompetence, we have the powers to remove that teacher from the register. This protects the integrity of the profession and helps to ensure that young people learn effectively in a safe environment.

2. GTCS discussions with Renfrewshire Council:

Throughout December 2010 and January 2011, the GTCS Chief Executive, Anthony Finn, was in regular contact with Renfrewshire's Director of Education. He expressed concern on professional grounds about Renfrewshire Council's proposal to replace teachers in primary schools with non-teaching staff for 2.5 hours a week, and stated that the GTCS could not support it. These concerns were then expressed more formally in a letter published at the beginning of February 2011. The views expressed in this letter are still relevant and, therefore, GTCS would support Petition **PE1391** in seeking to protect the right of children to be taught by qualified teachers for 25 hours a week.

3./...

3. Teacher employment and the Law:

Legal advice obtained by GTCS in February of this year suggests that although The Schools General (Scotland) Regulations 1975 (as amended) require schools under local authority management in Scotland to be open for 190 days per year, they do not specifically define the length of the school week for pupils. The *length* of the school week is therefore currently a matter for the discretion of local authorities.

Having said that, there is a widely accepted norm across Scotland that the length of the school week will be 25 hours and there is evidence that schools are also inspected on this basis. In order to deviate from this accepted norm, a local authority would obviously have to be satisfied that it was still meeting its legal obligation to provide “adequate and efficient provision of school education” in terms of Section 1 of the Education (Scotland) Act 1980 (as amended). This challenge would also apply if a local authority were to reduce the standard 25 hour pupil week by the equivalent of 10% and thus move out of step with a long established practice (see Section 6 below).

Finally, it is very important to note that The Requirements for Teachers (Scotland) Regulations 2005 and section 2.1 of the Standards in Scotland’s Schools Act 2001 clearly require local authorities only to employ teachers registered with GTCS. Consequently, it is inappropriate for authorities to grant the responsibility for educating pupils as part of a school week to non-teaching staff.

4. Application of the law to the issues covered by the petition.

GTCS would consider that any local authority which employed individuals other than registered teachers to deliver ***teaching*** time or the ***curriculum*** within the school day could be deemed to have breached the law. Our view is that this applies both generally (for the employment of a classroom teacher) and specifically, (the use of unqualified staff to deliver, for example, the PE curriculum or any part of the Art programme).

Our view is that only qualified teachers, with their knowledge of pedagogy, their understanding of expected standards and their appreciation of the coherence within and across the curriculum will be able to ensure the continuity of pupils’ learning and to promote the highest standards of attainment. This approach not only complies with the law but also meets the requirements of the Standard for Full Registration (SFR) which all teachers must attain to become fully registered with GTCS. The Appendix gives an extract from the SFR which shows key elements of the professional development of the teacher and stresses their interdependence.

5. Is there a role for other staff in the support of learning in schools?

It is the view of GTCS that others can, within professional parameters, contribute to the support of learning in schools; and there is already good evidence of the successful co-operation of visiting colleagues with classroom teachers to contextualise learning and to improve motivation. With the development of Curriculum for Excellence there may be scope for further consideration of inputs in specific areas of benefit to pupils, provided that the responsibility for the curriculum remains with the teacher. Indeed, GTCS is already considering whether there might be opportunities for the registration of some other professionals (e.g. Music Instructors) once the Council becomes independent in 2012.

It is possible to imagine that certain unqualified colleagues coming into a school to support learning may be able to evidence some aspects of the expertise required of a teacher by the Standard/...

Standard for Full Registration. However, they will not be able to show convincingly all of these aspects of professional development together, nor to apply them appropriately, in the same way as a fully trained and qualified teacher.

Other employees and visiting 'experts' can, and do, work well **with** qualified teachers to support pupils. Traditionally, too, other specialists have provided helpful opportunities for pupils after school and **outwith** normal curriculum and teaching time. Each of these contributions is valuable but none of them can, or should, replace the input of a qualified teacher. In summary, good learning requires the skilled input of appropriately qualified and registered teachers.

Consequently, GTCS could not support any extended use of non-registered staff in schools, since the delivery of a complex and coherent curriculum requires detailed knowledge of subject content, of learning, of assessment and of pedagogy. The Council takes the view that it would be both professionally inappropriate and potentially illegal, to devolve to other employees direct responsibility for the delivery of any aspect of the school curriculum.

6. Should the learning week be reduced below the current norm of 25 hours?

We recognise that it might be possible for a local authority to reduce the school week below 25 hours and/or to organise a 25 hour **pupil** week which comprised **teaching** time of 22.5 hours and 2.5 hours of other activities which did **not** include the transfer of responsibility for any elements of the curriculum. However, even if that objective could be achieved, a local authority would require to make a careful judgement about what pupils might gain from these activities and whether these perceived gains would outweigh the loss of 2.5 hours of teaching time from qualified, registered teachers with an understanding of pupil learning needs. As noted above, that local authority would also need to satisfy itself that such a loss did not result in it ceasing to meet the legal obligations laid down by the Education (Scotland) Act 1980.

7. Conclusion:

In conclusion, GTCS supports this petition and believes that protecting through law the right of children to be taught by qualified and registered teachers for 25 hours a week would be a sensible development that would send a powerful message of support for the professionalism of qualified teachers in Scotland's schools and help to enhance the education of pupils.

Anthony Finn
Chief Executive
General Teaching Council for Scotland

Thursday 18 August 2011

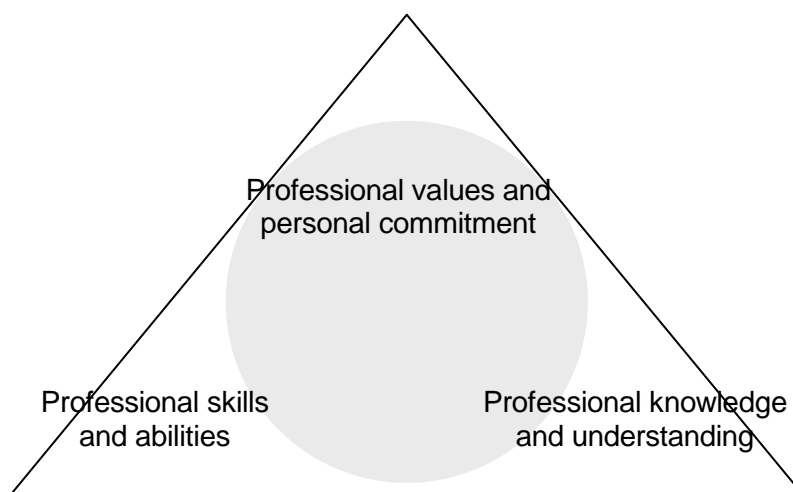
Appendix: The Standard for Full Registration////

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The Standard for Full Registration states (page 5, point 5 – Aspects of Professional Development) that:

“Programmes of Initial Teacher Education need to promote three main aspects of professional development:

- Professional knowledge and understanding;
- Professional skills and abilities;
- Professional values and personal commitment.



The significance of placing these aspects within a triangle is to emphasise that they are not simply lists of competences or outcomes. They are inherently linked to each other in the development of the teacher, and one aspect does not exist independently of the other two. It is this inter-relationship among all three which develops the professionalism of the teacher and leads to appropriate professional action.”