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DRAFT SCOTTISH STATUTORY INSTRUMENTS

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**2011 No.**

**The Public Services Reform (General Teaching Council for Scotland) Order 2011**

**PART 2**

**THE GENERAL TEACHING COUNCIL FOR SCOTLAND**

**General Teaching Council for Scotland**

4.—(1) There is to continue to be a body corporate known as the General Teaching Council for Scotland (“the GTCS”).

(2) Schedule 2 makes provision about the membership of the GTCS.

(3) Schedule 3 makes further provision about the GTCS’s status, proceedings, staff and other matters.

**Principal aims**

5. The GTCS’s principal aims are—

- (a) to contribute to improving the quality of teaching and learning; and
- (b) to maintain and improve teachers’ professional standards.

**General functions**

6. The GTCS’s general functions are—

- (a) to keep the register;
- (b) to establish (and to review and change as necessary)—
  - (i) the standards of education and training appropriate to school teachers;
  - (ii) the standards of conduct and professional competence expected of a registered teacher;
- (c) to investigate the fitness to teach of individuals who are, or who are seeking to be, registered;
- (d) to keep itself informed of the education and training of individuals undertaking courses for the education and training of teachers;
- (e) to consider, and to make recommendations to the Scottish Ministers about, matters relating to—
  - (i) teachers’ education, training, career development and fitness to teach; and
  - (ii) the supply of teachers (except matters of remuneration or conditions of service); and
- (f) to keep such other registers of other individuals working in educational settings as it thinks fit.

### **Public interest**

7. The GTCS must have regard to the interests of the public when performing its functions.

### **Best regulatory practice**

8. The GTCS must perform its functions in a way which—
- (a) is proportionate, accountable, transparent and consistent;
  - (b) is targeted only where action is needed;
  - (c) encourages equal opportunities and in particular the observance of the requirements of the law for the time being relating to equal opportunities; and
  - (d) is consistent with any other principle which appears to it to represent best regulatory practice.

### **General powers**

9.—(1) The GTCS may do anything which appears to it to be appropriate for the purposes of, or in connection with, the performance of its functions.

- (2) The GTCS may, in particular—
- (a) acquire and dispose of land and other property;
  - (b) enter into contracts;
  - (c) borrow money;
  - (d) charge fees for providing services.

### **Advice, research, publication and promotion**

10. The GTCS may (as it thinks fit)—
- (a) give to any person, or publish, any advice relating to its functions;
  - (b) carry out or commission research to inform its approach towards performing its functions;
  - (c) publish, or assist in publishing, any information or advice relating to its functions;
  - (d) publicise, or assist in publicising, any matter relating to its functions.

### **Recommendations to the Scottish Ministers**

11. The Scottish Ministers must, when performing functions relating to education, have regard to any relevant recommendations made by the GTCS.

### **Co-operation with other teaching councils**

- 12.—(1) The GTCS must—
- (a) provide the other UK teaching councils with such information as the GTCS considers necessary or desirable for those councils to have for the purposes of performing their statutory functions; and
  - (b) so far as consistent with the proper performance of its functions, otherwise seek to secure co-operation between it and the other UK teaching councils.
- (2) The other UK teaching councils are—
- (a) the General Teaching Council for England;
  - (b) the General Teaching Council for Wales;

- (c) the General Teaching Council for Northern Ireland; and
- (d) any successor body or person which takes over all or any of the functions of the councils listed in sub-paragraphs (a) to (c).

**Employers' duty to provide information about teachers**

**13.** A person who employs a registered teacher to work in an educational establishment must provide the GTCS with—

- (a) the name of the individual so employed; and
- (b) such other information about that individual as the GTCS may reasonably require in connection with the performance of its functions.