



COMHAIRLE NAN EILEAN SIAR

Education and Children's Services Department

Local Negotiating Committee Agreement

Title:	GUIDELINES ON THE IMPLEMENTATION OF THE GTC CODE OF PRACTICE ON TEACHER COMPETENCE
Date:	3 June 2010



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Department of Education

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GUIDELINES ON THE IMPLEMENTATION OF THE GTC CODE OF PRACTICE ON TEACHER COMPETENCE

1 INTRODUCTION

- 1.1 The GTC Code of Practice on Teacher Competence sets out the procedure which should be used to address under-performance. There is an obligation on the Comhairle to ensure that teachers and school managers are competent to deliver a high quality of education in its schools.
- 1.2 It is recognised that dealing with teachers who are under-performing can be a complex and difficult process. However, there are benefits for pupils, other teachers and the teacher concerned in doing so. These guidelines have been produced to assist managers in dealing with issues of under-performance and must be read in conjunction with the Code of Practice.

2 APPLICATION

- 2.1 The GTC Code of Practice and accompanying guidelines applies fully to registered teachers and other staff whose conditions of employment are linked to SNCT Guidelines.
- 2.2 A class teacher will be assessed against the Standard for Full Registration (SFR) and a Head Teacher against the Standard for Headship. All other postholders, for example Quality Improvement Officers, Educational Psychologists, etc will be assessed against their job description.
- 2.3 Please note that the term 'teacher' will be used generically throughout this policy to cover staff bound by the SNCT terms and conditions.

3 RESPONSIBILITIES

- 3.1 It is the responsibility of the Head Teacher to identify under-performance and to initiate the GTC Code of Practice on Teacher Competence. The Head Teacher should lead on the first two stages – Informal Stage and Support Stage. In larger schools, it may be appropriate for the Principal Teacher or Depute Head Teacher to undertake the support stage. The Head Teacher should be accompanied by a member of his/her management team or a representative from the Education Department.
- 3.2 Advice is available from the Quality Improvement Team and Human Resources. Human Resources can also assist with providing draft correspondence throughout the procedure.
- 3.3 The Disciplinary Stage will be conducted by the Directorate in the Education Department.
- 3.4 There may be circumstances where it is not appropriate for the Head Teacher to lead in the first two stages. In such a case a managerial level officer in the Education Department will lead the proceedings.

4 IDENTIFYING UNDER-PERFORMANCE

- 4.1 It is recognised that under-performance may occur for a number of reasons and the teacher should be openly encouraged to discuss the reasons for under-performance.
- 4.2 There may be specific circumstances in relation to the teacher's personal life or health issues and Managers need to be sensitive to these circumstances and consider ways of supporting both the member of staff and the young people with whom they work.
- 4.3 Under-performance will be identified through the School Quality Assurance procedures. For example, concerns may relate to one or more of these areas:
- Classroom observations carried out by management.
 - Monitoring of pupil work
 - Tracking of pupil progress
 - Analysis and discussion of attainment statistics
 - Poor relationships with pupils and colleagues.
- 4.4 Additionally, underperformance of some teachers may be highlighted through concerns raised by pupils, colleagues and/or parents. In this case, it would be the role of management to investigate the issues raised and take appropriate action, which includes discussing the issues with the teacher concerned.
- 4.5 Once it has been identified that a problem exists, it should be defined in relation to the SFR. It is acknowledged that this is a detailed document but the main areas to consider are:
- Planning
 - Communication
 - Differentiation
 - Safe and orderly classroom
 - Fair and consistent behaviour management
 - Assessment recording and reporting
 - Curriculum and subject knowledge
- 4.6 The following questions may assist:
- Is there an absence of planning?
 - Can the teacher justify what he/she is teaching?
 - Do pupils understand what they are required to do?
 - How does the teacher check pupils' understanding?
 - What differentiation is taking place in the class?
 - Is the teacher following school policies?
 - Is feedback given to pupils?

5 RECORD-KEEPING

- 5.1 It is vital that accurate and detailed records are kept of meetings, correspondence and any other evidence which is gathered. This is the case even at an informal stage.
- 5.2 The evidence should show that all decisions have a firm basis and are being made in as objective a manner as possible.

6 RIGHT TO REPRESENTATION

- 6.1 Teachers have the right to be represented by a Trade Union representative or colleague through all stages of the procedure. The presence of a Trade Union representative is beneficial to all parties and should be encouraged.

7 INFORMAL STAGE

- 7.1 Once under-performance has been identified, the teacher must be invited to a meeting to discuss the areas which are causing concern. The teacher **must** be advised that the meeting forms part of the Informal Stage of the GTC Code of Practice on Teacher Competence.

- 7.2 It is recognised that under-performance may occur for a number of reasons and the teacher should be openly encouraged to discuss the reasons for under-performance.

- 7.3 There may be specific circumstances in relation to the teacher's personal life or health issues and Managers need to be sensitive to these circumstances and consider ways of supporting both the member of staff and the young people with whom they work.

- 7.4 The purpose of the meeting is:

- To clarify the level of performance required.
- To identify the performance gap. This should be evidenced.
- To discuss identified areas of under-performance and the possible cause(s).
- To identify possible improvement strategies.
- To offer advice and guidance to support improvement.
- To determine a course of action designed to enable the teacher to reach the required standard.
- To agree the length of time within which it is reasonable to expect the required improvement to be met and set a date for a review meeting.

- 7.5 Following the discussion an action plan should be agreed which details:

1. The area(s) of concern.
2. The evidence to support this.
3. Support agreed.
4. How progress will be measured.
5. The expected outcome.

- 7.6 An exemplar is detailed at Appendix 1. Targets should be realistic and sufficient time and support should be provided to allow targets to be met. Examples of support which could be offered are:

- Classroom observations
- Observation of other teachers
- Team Teaching
- Input from subject specialist
- Clarification of policies and procedures
- CPD courses
- Additional resources

- 7.9 All outcomes should be communicated to the teacher in writing.

8 REVIEW MEETING

8.1 The review meeting will be held within the timescales agreed.

8.2 The purpose of the meeting is:

- To review progress since the initial meeting and discuss current performance
- To discuss any difficulties encountered in implementing the action plan.
- To determine whether the required improvements have been made.

8.3 There are two possible outcomes:

1. Where improvements have been achieved to the required standard, no further action will be taken. The proceedings will be deemed to be complete.
2. Where improvements have not been achieved to the required standard, the teacher should be informed that the matter will progress to the next stage of the procedure. The teacher will be informed of the decision and the underpinning reasons in writing.

8.4 It is important that all information is considered in detail and a decision made on the facts available. The decisions can have a major impact on the individual's life, so should not be taken lightly.

9 SUPPORT STAGE

9.1 The teacher must be invited to a meeting to discuss the areas which are still causing concern. The teacher **must** be advised that the meeting forms part of the Support Stage of the GTC Code of Practice on Teacher Competence.

9.2 The purpose of the meeting is to discuss the following:

1. Issues which have been raised at the informal stage.
2. Standards for full registration that are not being met.
3. To clarify areas of underperformance, and identify the performance gap.
4. To advise of the support mechanisms and professional development opportunities available.
5. For the teacher to suggest forms of support or professional development which they would find helpful.
6. To agree the way ahead, and the appropriate support/professional development opportunities to be provided.
7. To agree the length of time which it is reasonable to expect the required improvement to be made, and set dates for a final review meeting.
8. Any appropriate CPD

9.3 An action plan should be agreed as outlined in Section 7.5 above.

9.4 All outcomes should be communicated to the teacher in writing.

10 FINAL REVIEW MEETING

10.1 The purpose of the meeting is:

- To review progress since the initial meeting and discuss current performance.
- To discuss any difficulties encountered in implementing the action plan.
- To determine whether the required improvements have been made.

10.2 Two outcomes are possible.

1. Where improvements have been achieved to the required standard, no further action will be taken. The proceedings will be deemed to be complete.
2. Where the improvements have not been achieved to the required standard, the teacher should be informed that formal disciplinary procedures will be implemented. The decision and underpinning reasons should be communicated to the teacher in writing.

11 DISCIPLINARY PROCEDURE

11.1 The lead officer from the support stage will prepare a comprehensive statement as outlined in the Competence Procedure.

11.2 The Comhairle's Disciplinary Procedure for teaching staff will be followed. The first stage in this procedure is to appoint an Investigating Officer to undertake an initial investigation.

12 REFERRAL TO THE GENERAL TEACHING COUNCIL FOR SCOTLAND

12.1 Where the case culminates in dismissal of the teacher or the resignation of the teacher in the context of possible dismissal, all relevant information from the disciplinary procedure will be referred to the GTC.

Human Resources
March 2010

APPENDIX 1

ACTION PLAN

Name: _____ School: _____ Stage/Dept: _____

Area of Competence (from SFR)	Evidence of Underperformance	Support Agreed	Measure of Assessing Progress (How will it be measured?)	Outcome	Timescales

Agreed Review Date _____

Teacher agreed _____

Supporter agreed: _____

Date: _____

Date: _____