
SCOTTISH STATUTORY INSTRUMENTS

2011 No. 215

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.