



# Standards in Scotland's Schools etc. Act 2000

2000 asp 6

## *The General Teaching Council*

### **46 Constitution of the Council**

- (1) Part I of Schedule 1 to the 1965 Act (which relates to the constitution of the Council) shall be amended in accordance with the following subsections.
- (2) In paragraph 1—
- (a) in sub-paragraph (1)—
- (i) in head (a), for the word “30” there shall be substituted “twenty-six”;
  - (ii) in head (b), for the word “15” there shall be substituted “eighteen” and for sub-heads (iv) to (viii) there shall be substituted—
    - “(iv) one by the boards of management of colleges of further education;
    - (v) one by the Scottish Council of Independent Schools;
    - (vi) four by the governing bodies of relevant institutions;
    - (vii) three by the universities of Scotland and by the governing bodies of other institutions in the higher education sector (other than relevant institutions);
    - (viii) one by the Education Committee of the General Assembly of the Church of Scotland;
    - (ix) one by the Scottish Hierarchy of the Roman Catholic Church; and
    - (x) one by the Association of Directors of Social Work in Scotland;”;
  - (iii) for head (c) there shall be substituted—

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- “(c) six persons (in this Schedule referred to as “nominated members”) nominated by the Scottish Ministers.”;
- (b) for sub-paragraph (2) there shall be substituted—
- “(2) The twenty-six elected members shall be registered teachers and shall comprise—
- (a) four employed as headteachers in primary schools or nursery schools;
  - (b) seven employed in primary schools or nursery schools other than as headteachers;
  - (c) three employed as headteachers in secondary schools;
  - (d) eight employed in secondary schools other than as headteachers;
  - (e) one employed as a teacher of pre-school children elsewhere than in a primary school or nursery school (“pre-school children” having the meaning given by section 58(1) of the Standards in Scotland’s Schools etc. Act 2000 (asp 6));
  - (f) two employed in further education centres; and
  - (g) one employed in a relevant institution.”;
- (c) in sub-paragraph (3)—
- (i) for the words “the central institutions” there shall be substituted “relevant institutions”; and
  - (ii) for head (a) there shall be substituted—
- “(a) a reference to a person “employed” is to a person who, as at such date as may be prescribed by the Council in the scheme made under sub-paragraph (6) below, is employed full-time in the position in question or who, in the period of twelve months which ends with that date, has been employed in that position for not less than one-fifth of the hours which would have fallen to be worked had the employment been full-time.”;
- (d) sub-paragraph (4) is repealed;
- (e) in sub-paragraph (5)—
- (i) the words “other than principals of relevant institutions” are repealed; and
  - (ii) for the words “the next following sub-paragraph” there shall be substituted “this paragraph”;
- (f) in sub-paragraph (6), in head (b), after the words “making up” there shall be inserted “, subject to sub-paragraph (6A) below.”;
- (g) after sub-paragraph (6) there shall be inserted—
- “(6A) The roll of electors made up as provided for in a scheme made under this paragraph shall show that, in respect of the category of elected members which comprises persons employed as is mentioned in—
- (a) head (a) of sub-paragraph (2) above, only persons so employed;

- (b) head (c) of that sub-paragraph, only persons so employed, are entitled to vote.”;
  - (h) in sub-paragraph (7), for the words “the last foregoing sub-paragraph” and “that sub-paragraph” there shall in each case be substituted “this paragraph”; and
  - (i) for sub-paragraph (9) there shall be substituted—
    - “(9) In nominating members of the Council under sub-paragraph (1)(c) above, the Scottish Ministers shall—
      - (a) ensure that at least one nominee represents the interests of parents of pupils;
      - (b) ensure that at least one nominee is engaged in, or represents the interests of persons engaged in, commerce or industry;
      - (c) ensure that at least one nominee is engaged in, or represents the interests of persons engaged in, the teaching of children or young persons with special educational needs (as defined in section 1(5)(d) of the Education (Scotland) Act 1980 (c. 44)); and
      - (d) have regard to the desirability of the membership of the Council reflecting the interests of the public.”.
- (3) Paragraph 3 is repealed.
- (4) In paragraph 4—
  - (a) in sub-paragraph (2), for head (d) there shall be substituted—
    - “(d) where, being an elected member—
      - (i) employed otherwise than as mentioned in head (e) of paragraph 2(2) above, he ceases to be employed in the category of educational establishment in respect of which he was elected; or
      - (ii) employed as mentioned in that head, he ceases to be so employed; or
    - (e) where, being an elected member who is employed part-time, he has, as at any anniversary of his election, not been employed as a teacher, in the period of twelve months which ends with that anniversary, for one-fifth of, or more than one-fifth of, the hours which would have fallen to be worked had the employment been full-time,”; and
  - (b) after that sub-paragraph there shall be added—
    - “(2A) For the purposes of sub-paragraph (2)(e) above, an elected member who is employed part-time shall in each year, on or immediately before the anniversary of his election, provide the Council with evidence, in such form as they may require, as to the hours which he has worked during the period mentioned in that sub-paragraph.”.
- (5) For paragraph 5A there shall be substituted—
  - “5A A person holding office as a member of the Council on the date on which section 46 of the Standards in Scotland's Schools etc. Act 2000 (asp 6) comes into force shall go out of office on such date as the Scottish

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Ministers may, after consultation with the Council, determine; but that date shall not be later than 31st October, 2001.”.

- (6) In the proviso to paragraph 6(1), the words “(other than principals of relevant institutions)” are repealed.
- (7) Paragraph 6A is repealed.