

SCHEDULE 2

Article 4(2)

GTCS Membership

Membership

1. The GTCS is to have 37 members (19 elected members, 11 nominated members and 7 appointed members).

Elected members

2.—(1) Only registered teachers are eligible to be elected members.

(2) The GTCS must make and publish an election scheme to govern the election of the 19 elected members.

(3) The election scheme may, in particular, make provision about—

- (a) the appointment of a returning officer and of such staff as may be necessary;
- (b) the appointment of an independent scrutineer;
- (c) the powers of a returning officer or independent scrutineer;
- (d) the establishment of a roll of electors consisting of all registered teachers;
- (e) the giving of notice of the holding of an election;
- (f) the eligibility of candidates and electors;
- (g) the nomination of candidates;
- (h) the conduct of an election;
- (i) the election system;
- (j) the election count; and
- (k) the giving of notice of the results of an election.

(4) Before making or varying the election scheme the GTCS must—

- (a) consult—
 - (i) registered teachers or their representatives; and
 - (ii) those persons appearing to it have an interest; and
- (b) have regard to any views expressed by those consulted.

Nominated members

3. The 11 nominated members are to be comprised of the following:—

- (a) 3 individuals nominated by the Convention of Scottish Local Authorities (following consultation with the Association of Directors of Education in Scotland);
- (b) 3 individuals nominated by Universities Scotland (following consultation with institutions providing recognised teaching qualifications for individuals seeking registration as either school teachers or further education teachers);
- (c) 1 individual nominated by the governing bodies of institutions in the further education sector;
- (d) 1 individual nominated by the Scottish Council of Independent Schools;
- (e) 1 individual nominated by the Church and Society Council of the General Assembly of the Church of Scotland;

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- (f) 1 individual nominated by the Scottish Hierarchy of the Roman Catholic Church;
- (g) 1 individual nominated by a body representative of Parent Councils and Combined Parent Councils.

Appointed members

4. The 7 appointed members are to be appointed by the GTCS.
- (a) The GTCS must make and publish an appointments scheme to govern the making of such appointments;
 - (b) An individual is not eligible to be appointed if the individual—
 - (i) is, or has been registered, or is eligible to be registered; or
 - (ii) has obtained a recognised teaching qualification;
 - (c) The GTCS must, when making and operating the appointments scheme—
 - (i) endeavour to ensure that applications to become appointed members are made by as wide a range of applicants as practicable; and
 - (ii) have regard to any principle which appears to it to represent best practice on public appointments (for example, any guidance from the Commission for Ethical Standards in Public Life in Scotland);
 - (d) The appointments scheme may, in particular, make provision about—
 - (i) advertising for applications to become appointed members; and
 - (ii) the timing, procedure and operation of the scheme;
 - (e) Before making or varying the appointments scheme the GTCS must—
 - (i) consult those persons appearing to have an interest; and
 - (ii) have regard to any views expressed by those consulted.

Term of office

- 5.—(1) The duration of the term of office of each member of the GTCS is 4 years.
- (2) No member of the GTCS may hold office for more than an aggregate of 8 years during any period of 20 years.
- (3) For the purposes of the computation of years under sub-paragraph (2), service as a member of the GTCS before 2nd April 2012 is to be discounted.
- (4) This paragraph is subject to paragraph 6 (initial term of office).

Initial term of office

- 6.—(1) This paragraph applies to the term of office of each member of the GTCS serving during the period beginning on 2nd April 2012 (“the initial term”).
- (2) Of the 37 members referred to in paragraph 1, 18 members are to hold office for 2 years only during the initial term.
- (3) On the expiration of the 2 year term, the 18 members are eligible to hold office for a further term of 4 years and paragraph 5(2) applies as if for “8 years” there was substituted “6 years”.
- (4) The GTCS must decide which 18 members of the 37 members referred to in paragraph 1 are to hold office for 2 years only in accordance with sub-paragraph (2).

Membership

7.—(1) The GTCS must make a scheme (the “membership scheme”) relating to the removal, disqualification and replacement of members of the GTCS.

- (2) The membership scheme may in particular make provision for or in connection with—
- (a) members vacating office on the expiration of their term of office;
 - (b) the resignation of members;
 - (c) the disqualification of individuals from appointment as members; and
 - (d) the removal of members, including if the member—
 - (i) becomes insolvent;
 - (ii) is absent from meetings of the GTCS for a period specified in the scheme;
 - (iii) is otherwise unfit to be a member or unable for any reason to discharge the functions of a member;
 - (iv) changes the nature of their employment;
 - (e) the replacement of members who die, resign, are removed from, or otherwise vacate office before the expiration of their term of office; and
 - (f) the term of office of replacement members.
- (3) The GTCS may vary the membership scheme at any time.
- (4) The GTCS must publish the membership scheme in such ways as it thinks fit.

Power to amend schedule

8.—(1) The Scottish Ministers may by order made by statutory instrument modify this schedule as they think appropriate so as to amend the membership process of the GTCS.

(2) The Scottish Ministers must consult the GTCS and those other persons appearing to have an interest before making such an order.

(3) An order under this paragraph shall not be made unless a draft of the instrument has been laid before and approved by resolution of the Scottish Parliament.