



Department of
Education
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**CONSULTATION ON FUNCTIONS DELIVERED BY THE
GENERAL TEACHING COUNCIL FOR NORTHERN
IRELAND**

ANALYSIS OF CONSULTATION RESPONSES

28 October 2022

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1. Introduction

- 1.1 Following receipt of the findings from Baker Tilly Mooney Moore's (BTMM) Report into the Effectiveness Review of GTCNI's Council and Committees, the Minister on 13 December 2021 accepted its findings that GTCNI was irreparably broken and dysfunctional and accordingly agreed that:
 - a) DE would bring forward legislation for the dissolution of GTCNI;
 - b) the GTCNI Council would be stood down immediately;
 - c) DE would bring forward a consultation to identify existing GTCNI functions which should be maintained and to seek views on how these could most effectively be delivered; and
 - d) pending its dissolution and replacement, GTCNI's staff team would continue to deliver its executive functions (such as teacher registration) under the direct oversight of the Department.
- 1.2 This paper provides a summary of responses received by the Department of Education to the public 'Consultation on Functions Delivered by the General Teaching Council for Northern Ireland'.
- 1.3 The consultation set out to identify those functions currently assigned to GTCNI which are critical to the sector and must be preserved; and to seek views from the public, the teaching profession and key educational stakeholders on how these could be delivered efficiently and effectively. It gave the opportunity to explore any additional functions which would benefit the teaching profession in Northern Ireland and those recommendations made by BTMM regarding necessary structural changes at Board level (should a new professional body ultimately be established). The consultation also covered options to strengthen teacher regulation.
- 1.4 The consultation opened on 13 June 2022. Two consultation papers – 'Functions Delivered by GTCNI - Consultation Support Document' and 'Functions Delivered by GTCNI – Consultation Questions Booklet' - were published on the Department's website, as well as on Citizen Space on the NI direct website. The consultation closed on 30 September 2022.
- 1.5 **Fifty** responses were received, **sixteen** (16) of which were from individual teachers and **eleven** (11) from individual school leaders. **Twenty three** (23) responses were received on behalf of schools, the education sector, unions, other stakeholder organisations and members of the public. **Twenty nine** (29) responses were submitted confidentially. A list of organisations that responded can be found in **Appendix A**.
- 1.6 The Department is grateful to all respondents for their interest and for taking the time to complete the consultation.
- 1.7 The responses were collected and carefully considered. This paper summarises the responses.

2. Consultation Summary

- 2.1 The majority of respondents believe that the functions of 'establishing and maintaining a register for teachers', 'approving qualifications for the purpose of registration' and 'regulating the teaching profession' are essential. The function of 'providing advice on developing and enhancing the teaching profession' was supported by a majority of respondents but the overall support for this role was not as significant as for the other functions.
- 2.2 There is a divergence in the respondents' thinking on who should deliver the functions. There is a broadly equal level of support for establishing 'a new professional body' and for assigning these tasks to an 'employing authority'. A majority of respondents would favour establishing a new professional body to exercise the first three functions set out in the consultation with an even split among responses in terms of who would be best placed to provide advice or policy input on behalf of the profession.
- 2.3 In terms of comparator models to assist as a starting point there is little difference between the Teacher Regulation Agency, General Teaching Council for Scotland and The Teaching Council with the Teacher Regulation Agency emerging in the lead. The model least preferred is the Education Workforce Council model.
- 2.4 Whilst the majority of respondents, 34 (68%), believe that it is important that teachers in Northern Ireland should be members of an effective professional body, only 20 (59%) of those respondents believe teachers should have to pay a fee to belong to such a body. 10 (29%) of those respondents don't believe teachers should have to pay a fee and 4 (12%) neither agree nor disagree, with 7 respondents (14%) neither agreeing nor disagreeing that teachers should be members of a professional body. Of those latter respondents, 2 (29%) neither agree or disagree that teachers should have to pay for membership of a professional body and 5 (71%) believe that teachers should not have to pay.
- 2.5 Lastly, of the 9 (18%) who strongly disagree or disagree that teachers should be members of an effective professional body, 1 individual (11%) agreed that teachers should pay to be a member of an effective body, A further 1 individual (11%) neither agreed nor disagreed, while 7 (78%) disagreed or strongly disagreed that teachers should have to pay to be members of an effective professional body.
- 2.6 There is a clear majority for two of the recommendations made by BTMM's Board Effectiveness Review including; (1) ensuring that the membership of the Board of any new professional body should be based on individuals being able to demonstrate relevant experience, skills and competences and (2) future appointments to the Board of a new professional body should follow the public appointments process. However, in terms of board size, while 23 respondents (46%) agree with BTMM's recommendation, 19 (38%) neither agree nor disagree and 8 (16%) disagree. Several supporting comments received suggested adopting a slightly larger Board of up to 16 members while 1 individual (2%) suggested a Board of 20-25 members would be preferable. 3 responses (6%) suggested that a reduced Board composed of 10-12 membership would need to be supported by a teachers' forum or would need to regularly convene open Board meetings to allow the profession to hold the Board to account.

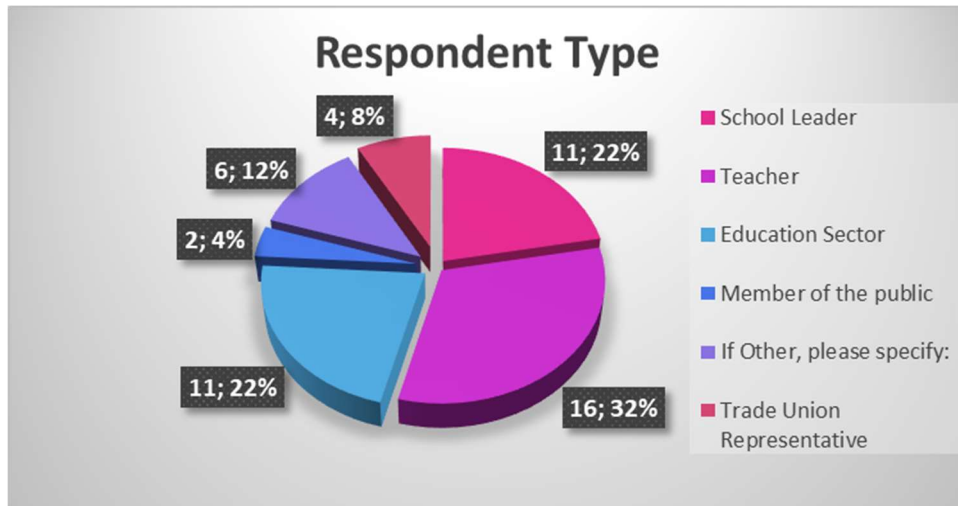
- 2.7 38 respondents (76%) agree that a new professional body, or other regulatory mechanism, should be able to apply a range of sanctions to a teacher found guilty of misconduct. It was clear from the additional comments made that school Boards of Governors and head teachers should be provided with the guidance and support needed to apply a range of remedial actions to support the teacher before it would get to a regulatory body, at which point a range of proportionate sanctions could then be applied, but this should only be as a last resort.

Next Steps

- 2.8 The Department will use the findings from this consultation combined with the recommendations from the BTMM review to inform policy and changes to the legislation. This will be subject to further engagement with stakeholders before it is finalised for inclusion in a new Bill.

3. Analysis of Consultation Responses

Respondent Type
If you are responding as an individual, please tick the box that best describes you as a respondent:



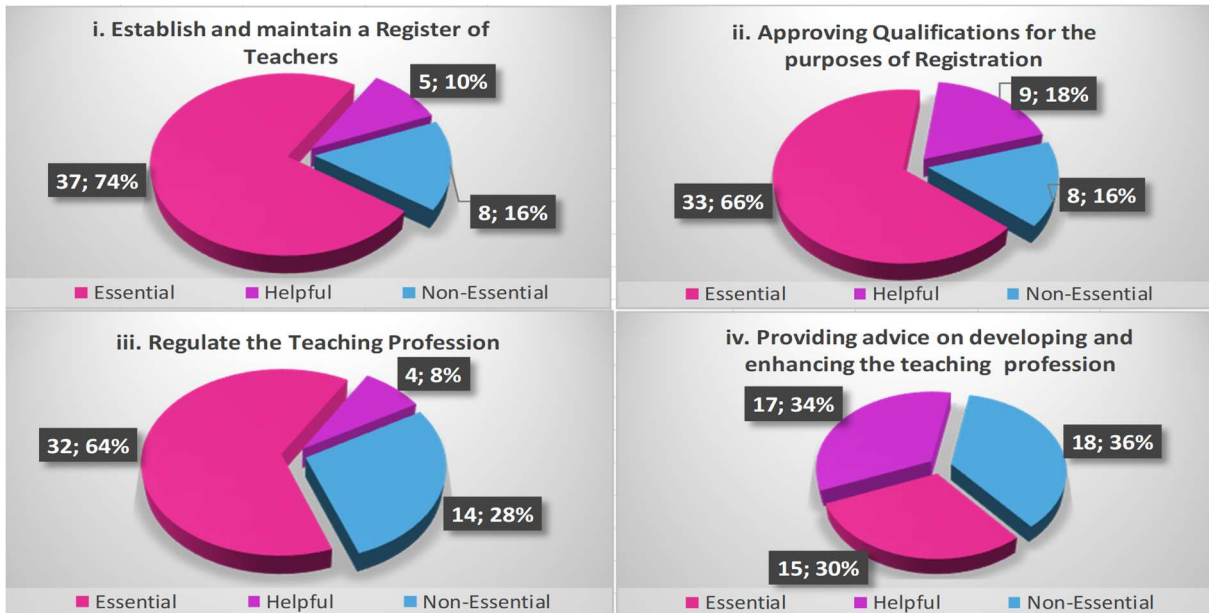
Consultation Question 1: Functions

Which of the below functions do you consider to be 'Essential', 'Helpful' or 'Non-Essential' to the teaching profession and for schools or the wider education system?

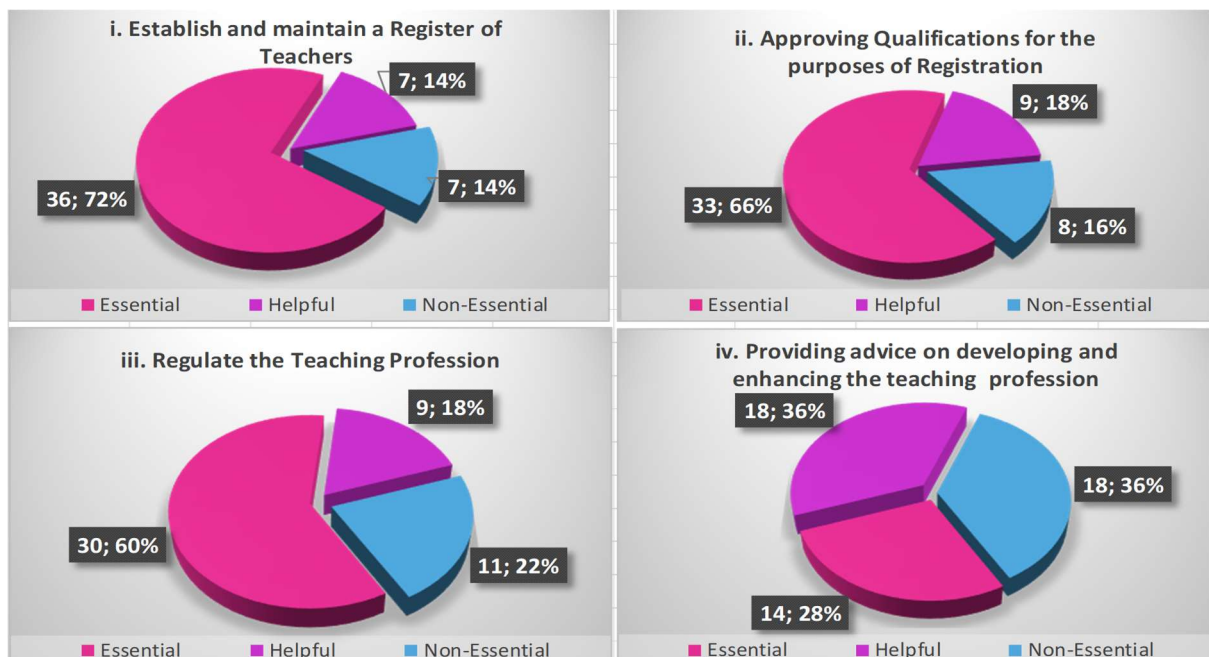
- i. Establish and maintain a register of teachers
- ii. Approve qualifications for the purposes of registration
- iii. Regulate the teaching profession
- iv. Provide advice on developing and enhancing the teaching profession

Please consider any additional functions not currently provided which you feel could positively support individual teachers, schools or the wider education system.

Functions Important to Teaching Profession



Functions Important to schools and wider Education System



- 3.1 Additional functions suggested included; Continuous Professional Development (CPD) training and learning hub for teachers, setting professional standards / teachers conduct and commissioning research.

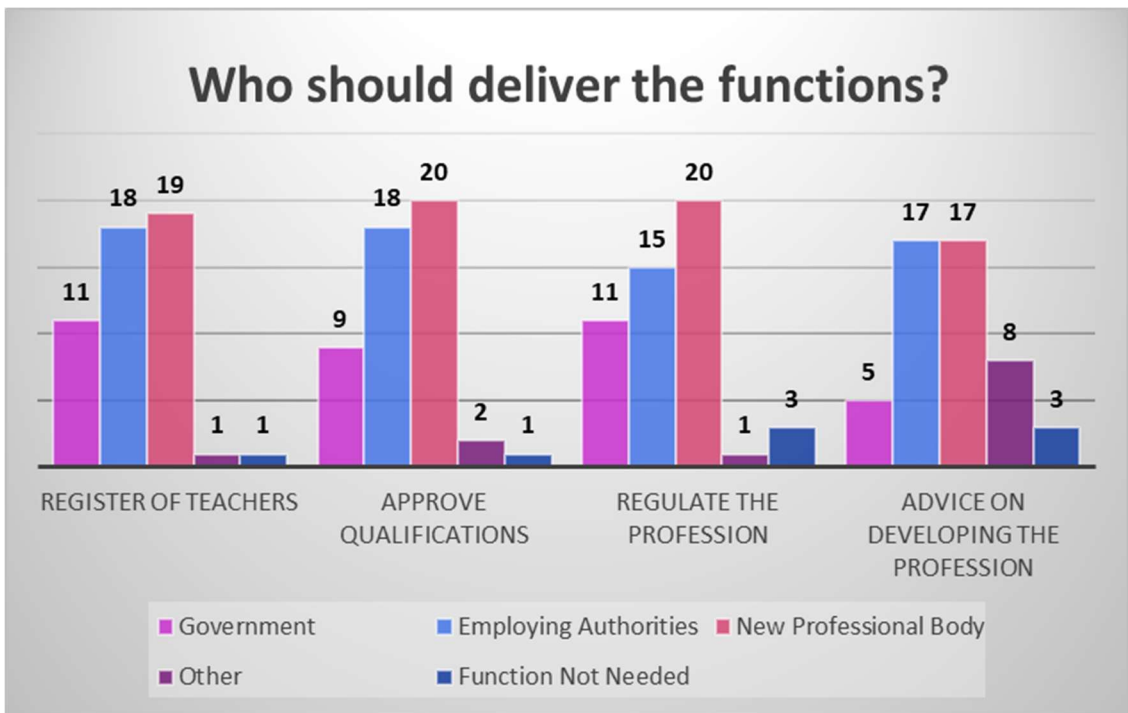
Consultation Question 2: Delivery of Functions

Which of the following mechanisms do you feel would be best suited to delivering each of the four functions? Government, Existing Employing Authorities, New Professional Body, Other or Not needed.

- Establish and maintain a register of teachers
- Approve qualifications for the purposes of registration
- Regulate the teaching profession
- Provide advice on developing and enhancing the teaching profession

If you responded 'Other' to any of the functions above, please outline what mechanism you believe would be best suited to deliver the function and why.

Additional comments: If you have identified any additional functions in Question 1, please outline which of the above (or 'Other') mechanisms could deliver these most effectively.



- 3.2 Suggestions for other mechanisms to deliver any of the functions included; teachers themselves, a body of teachers and the Education and Training Inspectorate.
- 3.3 Suggestions for who could deliver any additional functions identified in Question 1 included a New Professional Body, Department for Education, Education and Training Inspectorate and the Education Authority.

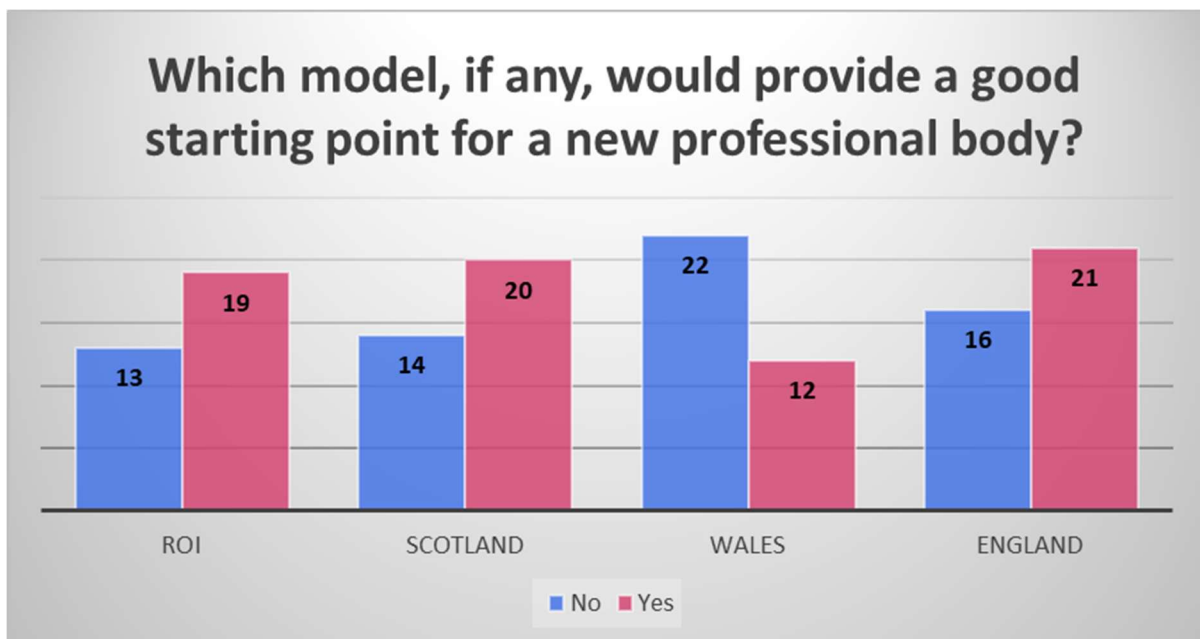
Consultation Question 3: Professional Bodies / Models

Based on the information provided in the Consultation Support Document and/or any direct personal experience you may have, do you feel any of these models provide a helpful starting point for the structuring of a new professional body, if that is deemed the best approach?

- a. The Teaching Council (Republic of Ireland)
- b. General Teaching Council for Scotland
- c. Education Workforce Council (Wales)
- d. Teacher Regulation Agency (England)

If you consider a hybrid model (drawing on elements from more than one of these models and/or our current GTCNI model), would be more beneficial, please elaborate:

Additional comments: If you are aware of another organisation that delivers effective support for its profession (teaching or non-teaching), please provide details below.



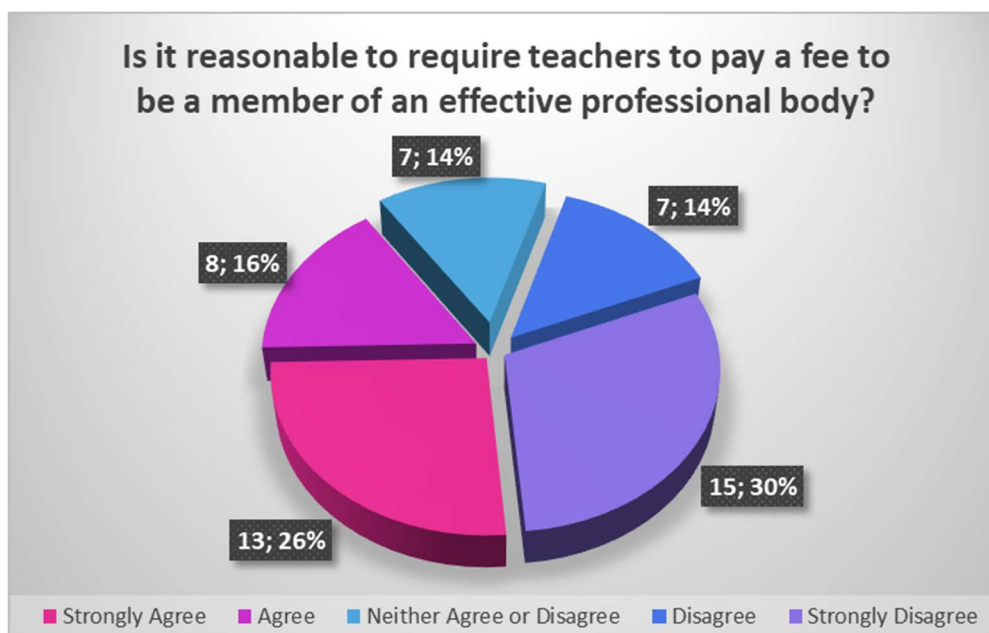
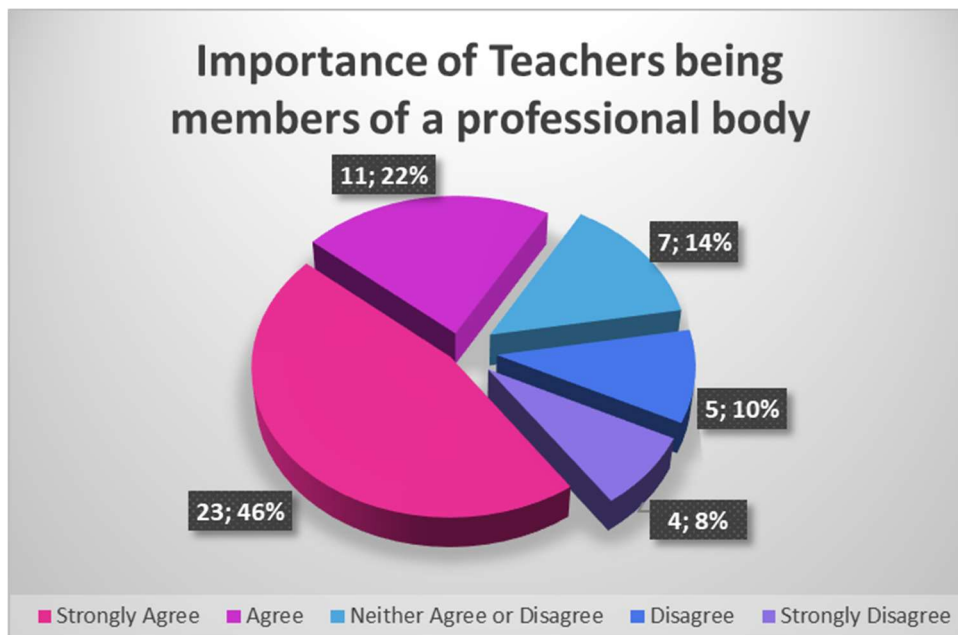
- 3.4 Other bodies suggest, that provide effective support for its profession included: Society for Education and Training, Chartered College of Teaching, Hong Kong Council for Accreditation of Academic and Vocational Qualifications, Chartered Institute of Management Accountants, Institute of Chartered Accountants in Ireland, Pharmaceutical Society of Northern Ireland, British Medical Association, General Medical Council, Public Health, Teaching Council in New Zealand, Nursing and Midwifery Council and the General Dental Council.

Consultation Question 4: Registration / Membership

a. To what extent do you agree or disagree that it is important that teachers in Northern Ireland should be a member of an effective professional body?

b. To what extent do you agree or disagree that it would be reasonable to require teachers to pay a fee to be a member of an effective professional body?

Additional comments: While any membership fee would need to reflect the costs incurred in delivering an agreed set of functions, we would welcome your views on the general value of a professional body for the NI teaching profession and your thoughts on how such a body might be financed.



- 3.5 Respondents outlined additional suggestions on how a new body could be financed including DE/Government contribution or fully funded, contributions from professional training providers, a new body being able to provide research services.
- 3.6 There was no majority view on the payment of a fee. Over a quarter of the respondents commented that any fee paid needed to be able to show value for money or benefit to the teacher having to pay. Additionally, a number of respondents suggest that any payment or fee should be on a sliding scale against salary levels and fees should be at a minimum to cover operating costs. Another suggestion was, that local graduates' initial fees should be lower than graduates from outside of Northern Ireland. Lastly, there was also a suggestion to widen the membership to all educational professionals, not just teachers, this would create a greater pool of members and possibly lower the fee.

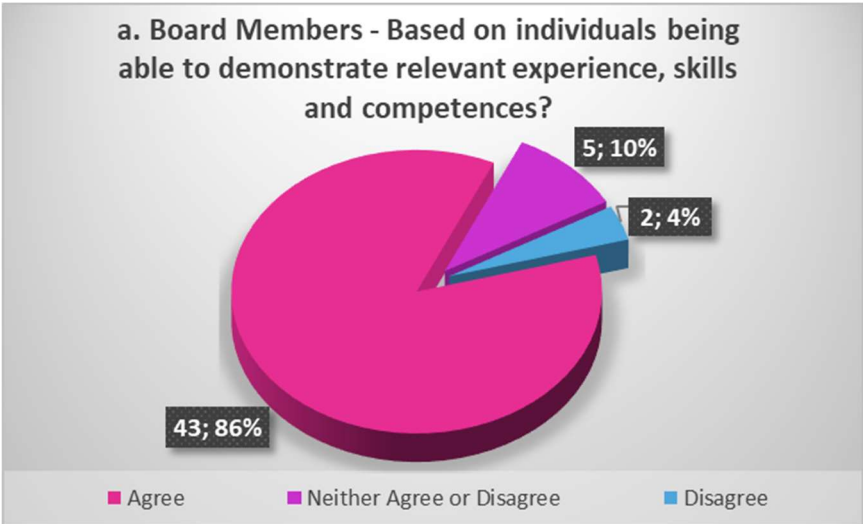
Consultation Question 5: Board Composition

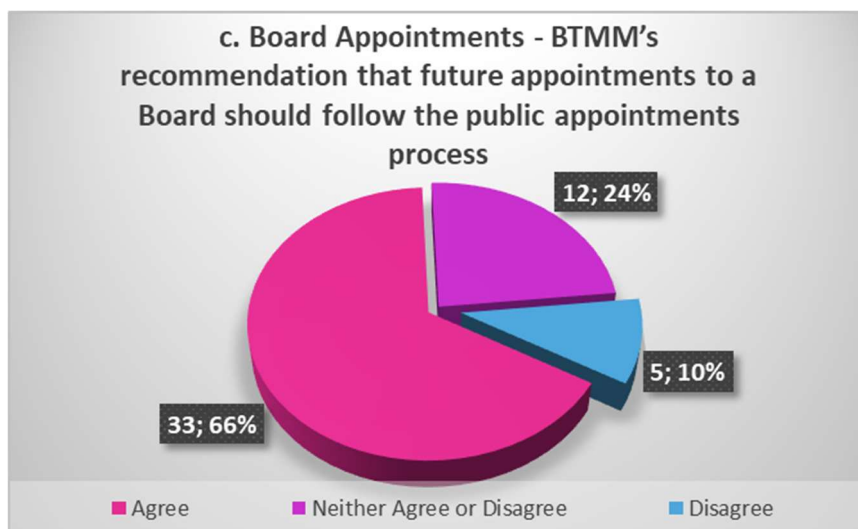
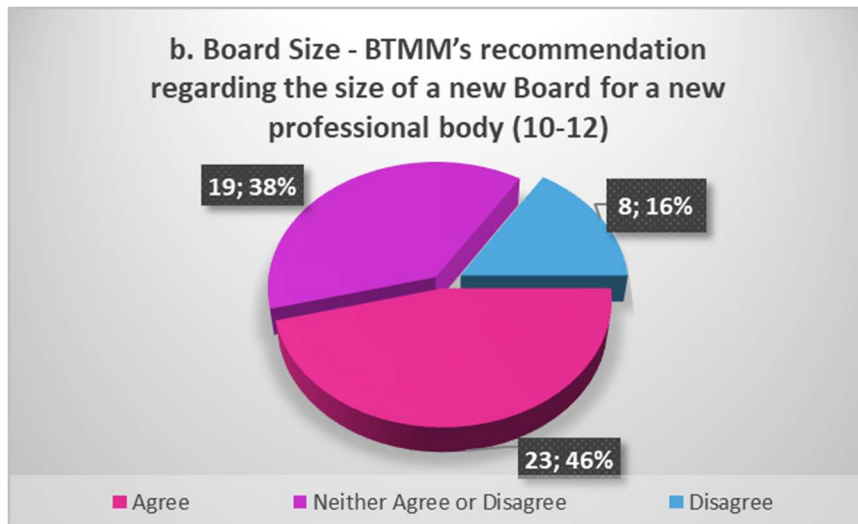
a. Do you agree or disagree that the membership of the Board of any new professional body should be based on individuals being able to demonstrate relevant experience, skills and competences?

b. Do you agree or disagree with BTMM's recommendation regarding the size of a new Board for a new professional body.

c. Do you agree or disagree with the BTMM's recommendation that future appointments to the Board of a new professional body should follow the public appointments process?

Additional comments: What do you consider to be an optimal size of Board? How could the membership of any future Board be kept representative of both the profession and the wider education system? How might we construct a future Board to balance its need to be representative against the need for its members to have the skills to contribute effectively to timely decision making and the strategic leadership of the body?



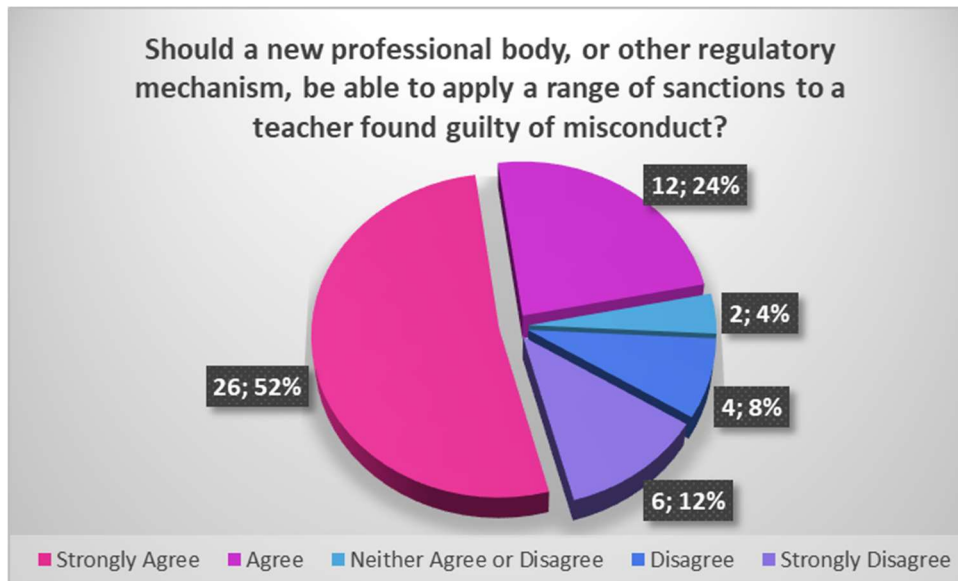


3.7 In terms of the make-up of the board again there are wide and differing views. A number of respondents believe it should be entirely led by teachers whilst others believe it would be preferable to have a board using a public appointments process to identify board members who would bring relevant experience, skills and competencies to the role. Some respondents suggest a hybrid model with some positions or specific roles filled through a public appointment process with other positions filled by nominations from the teaching profession and educational stakeholders. Three responses also suggest that the board could be supplemented with a forum or periodic open board meetings composed of representatives of the teaching profession. This could provide further opportunity for the profession to engage with the board but also inform its strategic decision making and policy advice to Government.

Consultation Question 6: Regulation

To what extent do you agree or disagree that a new professional body, or other regulatory mechanism, should be able to apply a range of sanctions to a teacher found guilty of misconduct?

Additional comments: In other jurisdictions, graduated sanctions are considered to support a more proportionate response to all cases of misconduct. In providing any general comments on this question we would also invite you to consider any advantages you see in the processes and sanctions used elsewhere in the UK and the Republic of Ireland.



- 3.8 The majority of respondents agree that a range of sanctions are needed. However, there are a number of suggestions in terms of how these can be delivered including; ensuring that employers are provided with full guidance on how to implement a range of sanctions or remedial actions to support both the teacher and the schools, that sanctions only be imposed as a last resort, and that any panel that is convened to oversee sanctions be made up of the teaching profession or be completely independent.

Consultation Question 7: Additional Comments

The Department would like stakeholders to highlight any other issues which they consider pertinent to the development of a fit for purpose registration and regulatory body (if needed). If, for example, you consider there are additional functions or processes which should be put in place to support and enhance the teaching profession, please provide details of these below.

- 3.9 Out of 50 respondents, 27 (54%) provided additional comments to the Department.
- 3.10 Most of the comments generally reiterated previous comments already submitted within the additional comments sections of each question.
- 3.11 A number of responses reiterated that the professional development of teachers was of high importance and the development of Continuing Professional Development (CPD) as a core function would be useful. There were a number of suggestions around a central portal where teachers could have access to their registration profile and training / qualifications profile. The portal could also be CPD hub where all training, that teachers could access, was in one central location or a signposting site. All CPD could then be added to a teacher's profile to show their career progression.

Appendix

List of organisations that responded to the Consultation

Association of School and College Leaders NI
Belfast Metropolitan College
Comhairle na Gaelscolaíochta
Controlled Schools' Support Council
Council for Catholic Maintained Schools
Dominican College, Belfast
Education Authority
General Teaching Council for Northern Ireland (Senior Management Team only)
Governing Bodies Association
Holy Family Primary School
National Association of Head Teachers NI
National Association of Schoolmasters Union of Women Teachers
Northern Ireland Commissioner for Children and Young People
Primary School
Royal School Dungannon
Stranmillis University College
Ulster Teachers' Union