
GTCNI

General Teaching Council for Northern Ireland

Publication Scheme



2021

(Version 2)

Document Information

Version Control

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2	January 2021	Version 2 draft following F&CM/SEO/CEO discussion 22/12/20	SEO
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**General Teaching Council for Northern Ireland
Information Guide and FOI Publication Scheme
V2 2021**

1.0 Introduction

1. The General Teaching Council for Northern Ireland (GTCNI/the Council) is the statutory, self-regulating professional body for all teachers who teach in grant-aided school in Northern Ireland.
2. The Council was established under the Education (Northern Ireland) Order 1998. The constitution of the Council is set out in the General Teaching Council for Northern Ireland (Constitution) Regulations (Northern Ireland) 2001.
3. The Council is an Executive Non Departmental Public Body (NDPB). Its sponsor Department is the Department of Education. A Management Statement and Financial Memorandum (MSFM) drawn up by the Department in consultation with the Council, sets out the broad framework within which the Council will operate.

Functions, Powers and Duties

4. The Education (Northern Ireland) Order 1998 allocates the following function, duties and powers to the Council.

Functions

5. The functions of the GTCNI shall be exercisable by the Council in relation to teachers in grant-aided schools and peripatetic teachers. The functions shall include:
 - I. The establishment and maintenance of a register of teachers;
 - II. The approval of qualifications for the purposes of registration;
 - III. Regulatory functions relating to unprofessional conduct and serious professional misconduct; and
 - IV. The provision of advice to the Department and employing authorities on:
 - Registration;
 - The training, career development and performance management of teachers;
 - Standards of teaching;
 - Standards of conduct for teachers; and such additional and ancillary functions as the Department considers the Council may appropriately discharge in conjunction with any of its other functions.

Duties

6. The Council shall supply the department with such information as it may reasonable require for the purposes of its functions under the Education Orders.

Powers

7. The Council may do anything which is calculated to facilitate, or is incidental or conducive to, carrying out its functions. As a corporate body, the Council may invest sums not immediately required for the purpose of carrying out its functions, accept gifts of money, land or property; and charge for services provided by it (Education Order (NI) 1998, Schedule 1, paragraph 3).

Aims, objectives and Targets

8. The Minister has approved the overall aims for the GTCNI as follow:
 - I. Represent the professional interests of teachers;
 - II. Provide a voice for the teaching profession with authority on education matters reflecting the experience of practicing teachers; and
 - III. Work with other bodies on matters affecting the wellbeing of teachers to improve teachers' working lives.
9. The Department of Education approves the GTCNI's performance framework in consultation with the Council, which has responsibility for:
 - I. Establishing the overall strategic direction of the GTCNI within the policy and resource framework determined by the Department; and
 - II. Ensuring that the GTCNI's strategic aims and objectives support the department's wider strategic aims and contribute to the Executive's Programme for Government bearing in mind the Council's remit to provide independent advice.
10. The Department's Director of Planning and Performance Management agrees the objectives, key targets and performance measures as determined by the Council. The key objectives relate to how GTCNI contributes to the strategic priorities for the education sector.

Roles and responsibilities

11. Within the overall framework for control, governance and accountability for the delivery of functions within the Council's remit, clarity on the respective roles and responsibilities is important and these are set out in detail in Annex 1 of the Council's Corporate Governance Framework.

2.0 Freedom of Information Act 2000 & Environmental Information Regulations 2004

12. As a public authority, the GTCNI is obliged to meet the requirements of the Freedom of Information (FOIA) Act 2000, which is intended to foster a culture of openness, transparency and accountability in government.

13. The FOIA makes two basic provisions:

- That the GTCNI should maintain a Publication Scheme i.e. a list of information it makes available as a matter of routine;
- From 1 January 2005, any person making a request for information is entitled to be informed in writing whether the GTCNI holds the specified information, and if that is the case, to have the information communicated to them, subject to certain exemptions.

The FOI Act complements the Data Protection Act 2018 (DPA) and the General Data Protection Regulation 2018 (GDPR), which make provisions for the access and proper management of information relating to living people. Individuals have the right to access their own personal data (information about themselves). The FOIA extends these rights to allow access to all the types of information they hold, whether personal or non-personal, subject to certain exemptions as set out in the Act. There are also the Environmental Information Regulations (EIR) which cover information relating to how the GTCNI interacts with the environment.

The EIR provide public access to environmental information held by public authorities. The EIR support this in two ways:

- The GTCNI must make environmental information available proactively; and
- A request for environmental information may be made to the GTCNI.

3.0 Publication Scheme – purpose and aim

14. The GTCNI has adopted the model publication scheme prepared and approved by the Information Commissioner's Office (ICO).

4.0 Information Guide

15. This document (the Guide) is a complete guide to the information routinely published by the Council and /or information available to the public. The document sets out a number of key matters, including:

- The different classes of information we publish;
- How we intend to publish information within each class;
- The Council's charging arrangements in respect of its information classes;
- The Council's service standards in responding to requests for information and its mechanisms for an individual making an appeal where he/she is not satisfied.

16. The Guide is published on the Council's website to ensure that those interested in obtaining information from the Council are aware of the Council's FOI Publication Scheme and this Guide.

5.0 The information made available by the Council

Classes of information

17. Publication Scheme developed by the ICO. However, to assist the reader, the following details are also provided:

- A description of each class of information;
- Examples of the type of information available within each class; how the information in each class is published by the Council; and
- Details of any exemptions, as provided for under the FOIA.

Full details of the classes of information are at Annex A.

6.0 Exemptions under the Act

18. The FOIA sets out a series of exemptions to protect confidential or other information where disclosure may prejudice the interests of the State or third parties.

The Council's Publication Scheme endeavours to make as much information available as is legally possible. However, the Council is required to hold a range of information, in particular, relating to individual teachers on its Register of Teachers and as part of its Regulatory responsibilities. Access to this information by the public is restricted under the DPA and the GDPR and by other statutory provisions. Details are provided in Annex A

7.0 How the Council will make information available

19. The Council will aim to make information available in a number of ways, in order to provide as much flexibility of access to individual applicants as possible. Information will not necessarily be made available in all the ways, and applicants are encouraged to refer to the individual classes of for details.

8.0 How to obtain information by the scheme and the Council's response

Information routinely available

20. Annex A sets out how the information in each class is made routinely available by the Council. Typically, this is either on the GTCNI website or in hard/electronic form on request.

Procedure for making requests

21. If you would like information from the Council, whether this is covered by the scheme or not and you do not choose to access this via the website, then please contact us using the details set out in this scheme.

When requesting information, please include the following details to assist the Council:

- Your name and address;
- The information or documents you would like to access, providing as much information as possible;
- The media by which you would like the information to be sent to you, for example, by mail or e mail.

9.0 How the GTCNI will handle your request- Standards of service/ time taken to respond to requests

22. If you make a request for a hard or electronic copy of a document covered by this scheme, the Council will respond, whether by telephone, letter or email within 20 working days of receipt, unless the information is exempt from disclosure. The 20 working day time frame for the Council to respond to requests may be extended where necessary in accordance with the FOIA to:

- Consider the public interest test:
- Of if under EIR the time may be extended to 40 days if the request is complex or voluminous.

23. The date of receipt will be either:

- The day on which the request is physically or electronically delivered to the authority, or directly into the email box inbox of a member of staff; or
- If the authority has the requester for further details to identify and locate the requested information, the date on which the necessary clarification is received.

24. In keeping with the FOIA, the Council will comply with the following:

- The right of the individual to be told whether the information exists;
- The right to receive the information, subject to exemptions. An explanation of how the public interest or prejudice (harm) tests were carried out will be included where necessary. We may be able to provide partial information in some cases and will endeavour to do so.

25. We will contact you if we require further information on identifying the information you have requested or if your request is too broad and needs to be refined. Please note the data held by the GTCNI is to enable us to fulfil our statutory functions and

to comply with our legal obligations which may not match the information you have requested.

26. When it is not possible, due to legislation to provide the information that you have requested, the Council will inform you and explain the reasons why.
27. GTCNI is committed to providing advice and assistance to anyone seeking information and is pleased to discuss or clarify matters as appropriate. All requests will be logged and any applicant is welcome to check the progress of request at any time.

10.0 The Council's charging policy

28. In general, the Council will provide information free of charge, however, if a great deal of work is required, then an applicant may be charged, for example, summary statistical information which is not routinely produced and takes over one working day to produce. If a charge is to be levied, the person making the information request will be notified of the charge prior to the Council preparing the information.
29. No charges will be made where we refuse a request for information. Nor will there be a charge to appeal our refusal to supply the information or where you appeal against the charges we would make.
30. The Council reserves the right to impose charges for hard copy publications in certain circumstances, for example, where existing stocks have been discontinued.

11.0 The Council's complaints and appeals process

31. If you are not satisfied with the way the Council has handled your request and/or our response, you have the right to request an internal review or to make a complaint. Complaints regarding the handling of your request can be made through the Council's feedback and Complaints process.
32. If the Council does not supply all or part of the information you have asked for, we will write to you explaining the reasons. Where you are dissatisfied with our response and you have been unable to obtain satisfaction through discussion with the officer dealing with the matter you may request an internal review. Internal review requests should be submitted within 40 working days of the date of your initial response.
33. As a small organisation, the GTCNI does not propose to have an appeals panel, however, all requests for an internal review will be considered directly by a senior member of staff or a Council member. The senior member of staff nor Council member will not have been involved in the original decision concerning the release of information, and therefore the appeal mechanism will be independent.
34. To request an internal review please write to the Senior Education Officer using the details set out in this scheme. Your letter of appeal will be acknowledged within five

working days and dealt with within 20 working days, providing full details of the outcome of the review.

35. If you are not content with the outcome of the internal review/ with our response you may appeal/have a right to complain to the ICO under Section 50 of the FOIA. Requests for a review by the IOC should be made in writing to:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire SK9 5AF"
Telephone 0303 123 1113 (local rate) or 01625 545 745 Fax: 01625545 510

<https://ioc.org.uk/make-a-complaint/>

12.0 Feedback and continuous improvement

36. The Council considers it important that this scheme meets the public's need and is committed to keeping this publication scheme under review. We welcome suggestions for additional classes of information that could be included. We also welcome suggestions as to how the publications themselves may be improved.
37. The Council will review the details of this scheme on an annual basis and re-issue it accordingly. As part of this review, the Council will monitor the number of requests for information not covered by the Scheme and aim to introduce such information to the scheme, if it is not exempted.
39. The ICO will be notified if the scheme is altered in any way.

13.0 Contacts

Who to contact

Responsibility	Who to contact
Requests for information and logging of request	Email- info@gtcni.org.uk
Senior manager with responsibility for the scheme (Scheme co-ordinator)	Senior Manager IM&G
Complaints and appeals	Email - info@gtcni.org.uk

The General Teaching Council for Northern Ireland
3-4 Floor Albany House
73-75 Great Victoria Street
Belfast
BT2 7AF
+44 28 90333390
info@gtcni.org.uk
<http://www.gtcni.org.u>

Annex A

GTCNI Publication Scheme

Classes of information

Class 1: Who are we and what do we do

Description	This class of information concerns the General Teaching Council for Northern Ireland (the Council) and how it operates
Examples	<ul style="list-style-type: none">• Information about the Council and its legislative basis.• The system for the election/ appointment of Council members and the Chairperson and Vice Chairperson of Council.• The Council's Corporate Governance Framework and Standing Orders.• Membership of the Council and its committees.• Register of members' interests.• A gifts and hospitality register.• Agendas and minutes of Council meetings.• Staffing structure.• Office contact details
Accessibility/Exemptions	Fully available
How information will be published	<ul style="list-style-type: none">• Most documents are available on the Council's Website, including minutes of Council meetings and background information on Council members• On request, in hard copy or electronic format from the Council. If requested documentation will be supplied in a format to ensure that individuals with special needs and disabilities have ready access to them.
Language	<ul style="list-style-type: none">• English

Class 2: What we spend and how we spend it

Description	This class concerns the key financial information and financial procedures of the Council
Examples	<ul style="list-style-type: none">• Annual Report and Accounts.• Schedule of GTCNI contracts over £5000.• Management Statement and Financial

	Memorandum (MSFM).
Accessibility/Exemptions	Fully available
How information will be published	<ul style="list-style-type: none"> • Most documents are available on the Council's Website, including Annual Report and Accounts • On request in hard copy or electronic from the Council. If requested, documentation will also be supplied in a format to ensure that individuals with special needs and disabilities have ready access
Language	<ul style="list-style-type: none"> • English

Class 3: What our priorities are and how are we doing

Description	This class of information concerns the Council's strategic planning processes
Examples	<ul style="list-style-type: none"> • Corporate Plans • Business plans
Accessibility/Exemptions	Fully available
How information will be published	<ul style="list-style-type: none"> • On the Council's Website. • On request, in hard copy or electronic form from the Council. If requested documentation will be supplied in a format to ensure that individuals with special needs and disabilities have ready access to them.
Language	<ul style="list-style-type: none"> • English

Class 4: How we make decisions

Description	This class of information concerns the Council's decision making processing and records of decisions
Examples	<ul style="list-style-type: none"> • The Council's Governance Framework, Standing Orders and MSFM. • Minutes of Council meetings. • Council consultations. • A Guide for public attendance at Council meetings • Council responses to stakeholder consultations. • Standards and guidance documents developed by the Council on behalf of teachers in Northern Ireland. • The Council's Annual Digest of Statistics
Accessibility/Exemptions	Fully available
How information will be	<ul style="list-style-type: none"> • On the Council's Website

published	<ul style="list-style-type: none"> On request in hard copy or electronic format from the Council. If requested documentation will be supplied in a format to ensure that individuals with special needs and disabilities have ready access to them.
Language	<ul style="list-style-type: none"> English

Class 5: Our policies and procedures

Description	This class of information concerns the Council's strategic planning processes that have been adapted by the Council for delivering its services and responsibilities.
Examples	<ul style="list-style-type: none"> The Council's Information Guide and FOI Publication Scheme. The Council's GDPR policy. Health and safety policy. The Councils' Privacy Notice. The Council's Equality and Disability Policy.
Accessibility/Exemptions	Fully available
How information will be published	<ul style="list-style-type: none"> On the Council's Website On request. Hard copy or electronic format from the Council. If required documentation will be supplied in a format to ensure that individuals with special needs and disabilities have access to them.
Language	English

Class 6: Lists and Registers

Description	This class of information concerns lists and registers maintained by the Council.
Examples	<ul style="list-style-type: none"> The Register of Teachers (this is based only on the statutory arrangements in place that allow public and employer access to the Register of Teachers).
Accessibility/Exemptions	<ul style="list-style-type: none"> The General Data Protection Regulation and Data Protection Act 2018 and the Education (NI) Order 1998 and supplementary statutory regulations determine what information the Council can make available from its Register of Teachers

	<ul style="list-style-type: none"> Exemptions under this class of information apply. Individual teachers may have full access to the information held about them. Employing authorities are able to receive a sub set of this information. Members of the public may only be informed if an individual is a registered teacher or not
How information will be published	<ul style="list-style-type: none"> Some information will be held on the Council website, for example, members of the public and employers may check whether an individual is a registered teacher or not On request, in hard copy or electronic format from the Council. If requested documentation will be supplied in a format to ensure that individuals with special needs and disabilities have access to them.
Language	<ul style="list-style-type: none"> English

Class 7: The services we offer

Description	This class of information concerns the work of the Council and the services it provides
Examples	<ul style="list-style-type: none"> Application packs for individuals wishing to register with the Council and accompanying guidance. Procedures and guidelines for employers to access information on registered teachers. The GTCNI Code of Values and Professional Practice. GTCNI Guidance on Professional Regulation The GTCNI Teacher Competences. Publications relating to teachers' professional learning, for example, 'School –Based Profession Development. The process and criteria for the accreditation of initial teacher education programmes in N. Ireland. Information about Council meetings and events. Research publications. Press releases. General information leaflets.
Accessibility/Exemptions	The General Data Protection Regulation and Data Protection Act 2018 and other statutory instruments for example the Education (NI) Order 1998 determine what the Council is able to make available under this class of information.
How information will be	<ul style="list-style-type: none"> On request in hard copy or electronic format from

published	<ul style="list-style-type: none"> the Council. • On the Council's website
Language	<ul style="list-style-type: none"> • English

GTCNI Freedom of Information Procedure: Internal Process

Internal process: All Freedom of Information requests are handled in accordance with the 'General Teaching Council for Northern Ireland Information Guide and FOI Publication Scheme'.

Freedom of Information (FOI) requests can come from any source and, as a public authority, the GTCNI is obliged to meet the requirement of the Freedom of Information (FOIA) Act 2000.

The interest process for handling FOI requests is as follows.

1. If a FOI request is received, by any means, it should be directed to a member of senior management.
2. The senior manager will inform the PA of the CEO/Registrar who will record the details of the request on FOI request register. The senior manager is to ensure this.
3. The PA of the CEO/Registrar will acknowledge receipt of the request and provide the requester with a copy of the Scheme. If the information requested is already publically available, for example, on the Council's website, the requester will be directed to the document/information.
4. The request will be reviewed by the SMT at their next meeting or via an ad-hoc meeting depending on the urgency/nature of the request. If the information isn't already publically available, SMT will then determine if the request falls within the scope of the Council's FOIA Scheme or if, it is exempt under the FOIA.
5. If it is determined that the information request is exempt under the FOIA the requester will be informed and notified of the appeals process set out in the Scheme.
6. If a request is received and the information is not already published and the request falls within the scope of the FOIA, SMT will decide which member(s) of staff are best placed to assemble the information.
7. Once the information response is assembled it will then be submitted to the Data Protection Officer for clearance from a data protection point of view and, following this, submitted to the Registrar/CEO for clearance under the Council's FOI Scheme.
8. Any further correspondence received related to the request e.g. request for review of decision will be directed to SMT for consideration and action.

9. The FOI request register is to be updated at all times and the PA to the CEO/Register is to be keep abreast of processing of all FOI requests.
10. The designated DPO will ensure that the SMT at least annually reviews the FOI request register and considers the requests received with a view to any improvements that can be made to the publication scheme or in information made available by the GTCNI.
11. Any appeals submitted to the Council will be dealt with in accordance with paragraph 10 of the Scheme: 'The Council's Complaints and Appeals Process.'

Annex to related documents and guidance

Applying the Public Interest Test

Where the public interest test applies to an exemption, the circumstances of each particular case and the exemption that covers the information will require careful consideration. **Under the FOIA, the balance is normally in favour of disclosure, and strong arguments will be required to defend non-disclosure.**

Some examples of the kinds of public interest considerations that might be taken into account include:

In favour of disclosure:

The right of the public to have access to information;

Disclosure will reveal reasons for decisions;

The accountability of administrators and scrutiny of decision-making processes;

The need for the public to be better informed and more conversant on public affairs;

The information will make a valuable contribution to the public debate on an issue; or

Accountability for the use of public funds.

In favour of non-disclosure:

The need to preserve confidentiality having regard to the subject matter and the circumstances of the information;

Where release of the records could impair a future decision;

Where premature release could hinder the decision making process;

Where release of the records could impair the integrity and viability of the decision making process to a significant or substantial degree without a compensating benefit to the public;

When broader community interests must be considered, as distinct from those of the applicant and the subject of the information; or

The need to avoid serious damage to the proper working of government at the highest level.

ICO Guidance on the public interest test

https://ico.org.uk/media/for-organisations/documents/1183/the_public_interest_test.pdf

ICO Guidance on the Freedom of Information Act

<https://ico.org.uk/for-organisations/guide-to-freedom-of-information/what-is-the-foi-act/>

ICO Guidance on Receipt of a request

<https://ico.org.uk/for-organisations/guide-to-freedom-of-information/receiving-a-request/>

ICO Guidance on refusing a request

<https://ico.org.uk/for-organisations/guide-to-freedom-of-information/refusing-a-request/>

Key Questions for Public Authorities – Freedom of Information Act 2000

https://ico.org.uk/media/for-organisations/documents/1247/key_questions_for_public_authorities_foi_v2.pdf

Key guidance on freedom of information from ICO

<https://ico.org.uk/for-organisations/guidance-index/freedom-of-information-and-environmental-information-regulations/>