**(PRRC/Min/20/13)**

**Minutes of the 13th Policy, Registration and Regulation Committee**

**Thursday 12 September 2019, Albany House, Great Victoria Street, Belfast**

**Present:** Gordon White (Chair), Mary Lou Winchborne, Brendan Morgan, Catriona Mullan, Carmel McCartan, Áine Andrews, Joanne Burns, Maria Mullally, Cliodhna Scott Wills, David Canning and Paul O’Doherty.

**Apologies**: Dr Martin Hagan

**In Attendance:** Sam Gallaher (CEO), Gerry Devlin (SEO), Lesley Dickson (PA).

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| 1. **Welcome, Introduction and Apologies**   GW chaired and welcomed members to the meeting. He noted that this was the last meeting of the PRRC within the present Council’s term of office and thanked members for their attendance and contributions.  Apologies were noted.     1. **Declarations of Interest**   There were no declarations of interest.   1. **Minutes (PRRC/Min/19/12)**   The minutes of the previous meeting were reviewed for accuracy.  BM pointed out some typographic amendments to the minutes and one note where a wrong name was attributed.  After amendment the minutes were adopted as a true and correct record.  **Proposed by CMcC and seconded by MLW.**   1. **Matters Arising**   On Page 2 Para 3 BM asked for an update on the matter of insurances.  The CEO informed members that the insurance is due for renewal at the end of September and that a business case had been submitted to DE. However we have been informed that Department of Finance has advised that the Council does not need indemnity insurance as this will be provided under government arrangements. The CEO said that he had received a letter on the matter and stated that there will be follow up discussions with DE to see how such an arrangement will work in practice in order to get a full understanding of any implications there may be for the Council. The CEO noted that the matter would also be discussed at the F&GP meeting.  BM enquired as to when the CEO had been notified of this.  The CEO advised that he had been notified verbally in July by DE that the business case had been declined and formal notification had been received just recently and was being followed up.  On regulation the CEO stated we are presently awaiting legal advice following the meeting with DE in June. He CEO advised that ideally we should progress referrals as far as we can, however at present there is a general nervousness about doing this until we receive the latest advice.  The SEO said that there was a danger in proceeding if the legislative base is not clear. He indicated that the Council wants to be in a position to regulate but that we have to act at all times within our powers.  The CEO reiterated that for now the profession is relying solely on employer processes.  BM advised that the organisation is at risk of reputational damage.  The CEO said this is an issue for discussion with DE and there are issues around the legal framework for regulation that we are trying to resolve.  PO’D indicated that discussion was moving into Item 10 and asked if the meeting could proceed with the Agenda.  PO’D highlighted Page 13 on the subject of RoW fees. He enquired what the position would be for the coming year and asked if there would be a change in the charge for RoW applicants. The CEO noted that this matter was still under review and that no formal action to change was imminent. He expected the request for a decision would be brought to the new Council before the end of the year.  PO’D asked for an update to be provided to the next PRRC alerting them of any issues at an early stage.  The SEO explained the current arrangements that are in place with TCI to facilitate teachers wishing to register in ROI.  **5**. **Newcomer Consultation PRRC/19/13/01**  The SEO took members through a consultation paper highlighting that it is routine work for the Council to respond to consultations. He advised he was looking for input and will subsequently bring a draft response to Council. A response is required by 15 October. He indicated that the consultation is to highlight the issues and challenges faced by newcomer children to N Ireland including language support and good practice. He spoke about the language difficulties when the dominant language is English. He referenced the funding for primary and post-primary schools and noted in the response the pressures on school budgets. Members were provided with a House of Commons report for their information.  MLW enquired of the 16,000 cited what weight we should attribute to analysis. She said she found the questions vague and advised she was not happy with the 1st position. She thought the consultation had been set up in a careless way and asked if there had been a standard approach in schools. She said that common standards are needed so that money is spent in the best possible way and she thought that in our feedback it would be fair to make these points.  The CEO added that the focus should be on outcomes and consistency of provision and less on monitoring what actions were delivered against funding.  The SEO asked if comments could be provided asap for preparation of a draft response for Council.  AA asked if there was any research on how well newcomer children are achieving within our system. She asked what approaches and training are teachers getting? How are they encouraging parents to maintain the home language? AA said there were lots of questions and this was a very superficial approach to a complex and interesting problem.  CMcC added that it would need value added measures in assessing the performance of Newcomer children.  CM said this was a very difficult situation as there were very limited professional development opportunities for teachers in what is a relatively new area.  **6. Election and Appointments Update PRRC/19/13/02**  The SEO advised members that the term of office of the current Council ends on 14th October and took members through the election timetable and indicated that the candidature is as follows: 1 nursery candidate, 2 special schools’ candidates, 9 primary schools’ candidates, 8 post-primary schools’ candidates, 2 primary principals’ candidates and 1 post-primary principal candidate.  He indicated that therefore there will be no election necessary for nursery or the post-primary primary principals’ categories. He said that officers are presently working on the induction process for the new Council with a possible induction meeting scheduled for 25 October 2019.  The SEO thanked Claire McClean and Ned Cohen for their help with the election process. He highlighted Claire’s diligence in working extra hours and Ned’s work to ensure compliance with the Scheme of Election compliance.  MLW advised that previously there was an offsite induction and asked if this would happen again.  The CEO said that the intention was to start induction from a zero base. That is was likely that induction will cover two days one in October and another in November with sub-committees beginning to function post this. He outlined the timeline for this.  BM enquired about places not being filled previously and asked if we should emphasise to DE that people did not show up last time.  The SEO advised that we had written to the nominating bodies and it is their decision. BM said we should write to the nominating bodies and advise them when no one showed up.  The SEO said there were 3 DE reps on the Council and the Department could not get a 4th from a commercial background so that place remained vacant.  BM said stakeholders should be written to as some members did not turn up.  The CEO advised that there are also issues with the length of service.  BM enquired how people are allowed to stay longer than the 2 terms.  The CEO assured him that nominating bodies informing them if their current nominee had served two terms.  The SEO advised that officers had liaised with DE and they provided a couple of paragraphs which went to nominating bodies indicating that they should not appoint anyone who has already served two terms.  The Chair explained how he came to be on Council.  AA asked if there was an element of flexibility as an organisation may decide that they want a person to continue for more than two terms.  CSW informed members that our Governance Statement states that a person cannot serve for more than two terms.  PO’D said he was concerned with the timing of the 1st induction day. As there may be difficulty in approaching a school for release for newly elected teachers if they are only notified of the meeting once elected.  The SEO added that teachers do not have to get permission to be elected.  PO’D said he was speaking about being released for the induction meeting as the timetable looked tight.  The CEO acknowledged that this was a valid point and consideration will be given to notifying candidates asap of the dates of induction meetings should they be elected.  MLW asked that it be emphasised how important these meetings are.  PO’D enquired if a draft induction programme could be shared with Council as this would be useful.  BM highlighted that if an organisation is not adhering to the two term rule a member who is being removed is being treated differently and he emphasised how important it is that we act responsibly when accepting nominations.  The CEO advised that should the situation arise we will go back to the nominating organisation to seek clarification as to why this person is being nominated again.  BM questioned where the rule originated from.  The SEO advised that there is no rule in statute but there is a strict process in governing the election of teacher representatives  The CEO said that it is best practice for the composition of boards to be refreshed and most operate a two term/8 year rule.  CSW said that sometimes places cannot be filled and it can be a difficult situation to handle.  **7. Accreditation Update (PRRC/19/13/03)**  The SEO directed members to the leaflet enclosed with their papers. He reminded members that at its meeting on 18 June 2019 Council members agreed to ratify the PRRC’s recommendation that the PGCE programmes offered by Ulster University, St. Mary’s University College, QUB and Stranmillis University College should be accredited for a period of 4 years.  He advised that the HEIs were formally notified and the ratification decision was also communicated to the DE and the ETI and a letter has also been issued to each of the HEIs seeking feedback on the accreditation and inspection process.  Planning is now underway to take forward the accreditation of the 4 year B.Ed., programmes during this academic year. As with the PGCE accreditation process, this will run in parallel with the planned ETI inspection of the B.Ed., programmes.  The SEO said that the new Accreditation Subcommittee will be drawn from the new Council and officers will recommend the same criteria used to select the members as the last time round except for the requirement to have a specialist in IM Education and Early Years.  In coordinating the B.Ed., accreditation with the ETI process, both St Mary’s and Stranmillis University College have been advised that their accreditation portfolios should be available by the beginning of April 2020 and that the ETI will report the findings of the inspections on 12 June 2020.  The SEO thanked members for their support and the Chair thanked the SEO and members for their time and the work and reading which had to be done.  **8. Leadership Competences Update (Presentation)**  The SEO gave a presentation updating members on the development of leadership competences. He highlighted the work of the Writing Group and said that they had given an enormous amount of time. The Advisory Group had met on 5 occasions since October 2018 and the Writing Group had last met on 20 August to consider input from ETI.  The SEO discussed the emerging structure of the competence model and highlighted the three ‘lens’ agreed by the Advisory Group – Leading Ethos, Leading Learning and Leading Improvement. He advised that work is continuing and that discussions have been greatly enhanced by members of the Advisory Group who were practising school leaders  CMcC stated that there is a need to agree generic statements regarding the competent teacher and there is a need to go back and start with initial teacher education as a foundation to school leadership.  MLW asked if we had looked at other professions.  The SEO said we had looked at the Civil Service and Heath Professional models.  The SEO advised that there was some commonality with other professions and that the Advisory Group had reviewed a significant amount of literature on leadership including Max Weber and Michael Fullan et. al.  BM said that 70% of the teaching profession has some additional responsibilities. He expressed concern that leadership competences, if misused, could lead to increases in workload and accountability.  The Chair said he was concerned that ETI would use this as a measuring tool.  CMcC said that shared leadership and credibility had been discussed and we should be getting the foundations right and aligning these. There is a high degree of overlap at leadership at all levels.  The SEO said that regarding initial teachers we should be mindful that competences can be misused for accountability in a negative sense but nevertheless should be used to develop leadership for the 21st Century.  The SEO said competences have to speak to a number of different audiences.  The CEO said they should be a currency a building block useful for personal development.  BM said there was a big problem in that teachers were not getting access to quality professional development opportunities  CMcC referred to the on-going work by Shane Comer at the EA  The SEO said that SC’s input is critical in this and has been very positive.  **9. Learning Leaders verbal update**  The CEO gave an update on the progression of work with DE and EA. He advised an Oversight Group would meet on 24 September for a workshop to discuss actions and inform a plan to move forward. Positive work is being done.  **10. Regulation Update (PRRC/19/13/05)**  The CEO advised that a meeting took place on 3rd June with the Permanent Secretary (Derek Baker) with other DE officials and legal advisers from DSO. This was in light of the Counsel opinion received by GTCNI in May. The outcome of the meeting was that DSO advisers (GTC & DE) were tasked with considering the matters raised in the opinion received and to provide definitive advice as to an appropriate way forward.  From deliberation by DSO over the summer months a paper has been prepared and sent to Counsel (L McMahon) on 20/08/19 under joint instruction for consideration and opinion. It is expected that a response will be received around the end of September upon which a further meeting will take place between DE and GTCNI to consider the outcome.  Members should note that if secondary legislation is required to strengthen the legal framework for professional regulation, then it is likely to be Mar/Apr 2020 before this is in place.  At this point we await Counsel’s opinion.  The number of referrals were highlighted to members.  Once we have considered Counsel’s opinion consideration will be given to progressing referrals as far as is possible to screening stage.  The CEO advised that discussion has taken place with EA concerning NISTR with a view to tightening up potential loopholes pertaining to teacher registration and regulation. It was agreed that a data sharing agreement should be put in place to cover the transfer of information between the two organisations. The aim is to ensure that GTCNI has a updated record of those teachers on NISTR, that NISTR only contains teachers who are registered with GTCNI and to ensure EA are aware (as appropriate) of any regulatory risk associated with a teacher on NISTR.  BM enquired about the NISTR registration process and the SEO advised that NISTR will not register anyone who is not registered with the Council.  The CEO said there would be a regular flow of information to NISTR to ensure their register only contains GTC registered teachers and we are trying to address potential loopholes.  BM enquired about the DBS and if it had been discontinued.  The SEO highlighted how the barring order works.  BM asked if they can still remove an individual.  The SEO said that we would be obliged to remove an individual if DBS included an individual on a barring list.  BM asked if that made sure there was no high risk in the teaching profession.  BM enquired how many bad cases we had and asked if these were the red files.  The SEO explained the origins of the ‘Red Files’ and emphasised that these were developed before GTCNI had any regulatory powers. At this time, DE would have been responsible for removing a teacher’s eligibility to teach if the circumstances merited it.  BM asked if these were legacy files.  The SEO agreed and said that they probably would not meet the threshold for removal but DE would have had the powers to remove an individual’s eligibility to teach at the time officers decided to open Red Files.  BM said we have come to a stop and enquired if we have a mechanism to separate serious from not to serious.  The SEO said we used to have case conferences bi-weekly and decisions were taken to screen-out. Cases felt to meet the threshold sit to await investigation and he felt confident screening-out minor charges otherwise the serious ones will proceed to the Investigation Committee.  The CEO said we should aim to remove what we can.  BM enquired what has changed from when we were able to screen out.  The CEO said there is a present nervousness and also all staff are presently engaged in registration as it’s a busy period. We await advice.  The SEO said there is officer caution about acting out with their powers and that of the Council  BM asked if there was any way we could raise the issue with stakeholders to pressurise DE to move and help get the matter resolved.  The CEO said that DE was not unwilling and the inability at present to address primary legislation is the issue. In time should work with stakeholders to influence the priority given to amending legislation when it is possible for such legislation to be amended. He said that the Permanent Secretary would like the matter resolved and both parties are waiting to see how best this can be achieved.  BM enquired if stakeholders knew about the current circumstances vis-à-vis regulation.  The CEO said that we have not formally communicated that we are not regulating.  **11. Registration Update (PRRC/19/13/06)**  The SEO took members through the paper highlighting the core business and gave an overview of the team activity for the period April 2019 to August 2019.  MLW enquired if there was an increase or decrease in the number of people registering.  The SEO said it was about the same and thanked Helen Jackson the Registration Team and Claire McClean.  **12 Any Other Business**  The Chair thanked members for their work and for sitting on panels.  **13. Date of next meeting**  TBA  Signed …………………………………….. Dated ……………………………. | Action  LD  CEO  SEO |