



IMPLEMENTING THE GTCS FRAMEWORK ON TEACHER COMPETENCE

Argyll and Bute Guidance

Introduction

Argyll and Bute Council has a duty to ensure that those who teach within our schools are fit to teach and meet the standard of professional competence expected of registered teachers in Scotland.

The Argyll and Bute Guidance operates in conjunction with the General Teaching Council for Scotland (GTCS) Framework on Teacher Competence (FTC). This Argyll and Bute Framework must be read in conjunction with the GTCS Standard for Full Registration ([SfR](#)), the GTCS Framework on Teacher Competence ([FTC](#)) and GTCS Code of Professionalism and Conduct ([COPAC](#)).

Purpose

It is essential that all teachers provide quality educational experiences for children and young people across Argyll and Bute. As such, the Argyll and Bute competence process has been designed to support and encourage an improvement in an individual's performance where this has been identified as a requirement from agreed Quality Assurance processes.

This document will provide support and guidance to Head Teachers, other senior leaders, middle leaders and relevant members of the Authority's Central Education team involved in the performance management of teachers.

Scope

- If under-performance relates to the administrative/managerial duties of a promoted teacher, similar procedures may be applied but always in the knowledge that GTC Scotland procedures and Fitness to Teach Panel outcomes can only relate to teaching competence and not to administrative/managerial competence
- This framework is not intended to deal with matters pertaining to misconduct. Further information about the Argyll and Bute Disciplinary Procedures and Guidance can be found here: [Disciplinary procedures and guidance | The Hub \(argyll-bute.gov.uk\)](#)
- The framework assumes that the teacher has been performing at a competent level up to the point at which the under-performance is first identified
- Professional Update does not measure teacher competence: it focuses on continuous improvement rather than determining whether or not a teacher is, or has remained, competent
- The framework only applies to Fully Registered teachers. Please contact the Argyll and Bute Probation Manager regarding under-performance of Provisionally Registered Teachers to ensure the correct process is followed for Interim and Final Profiles.

Types of under-performance

The GTCS Framework on teacher competence identifies two types of under-performance:

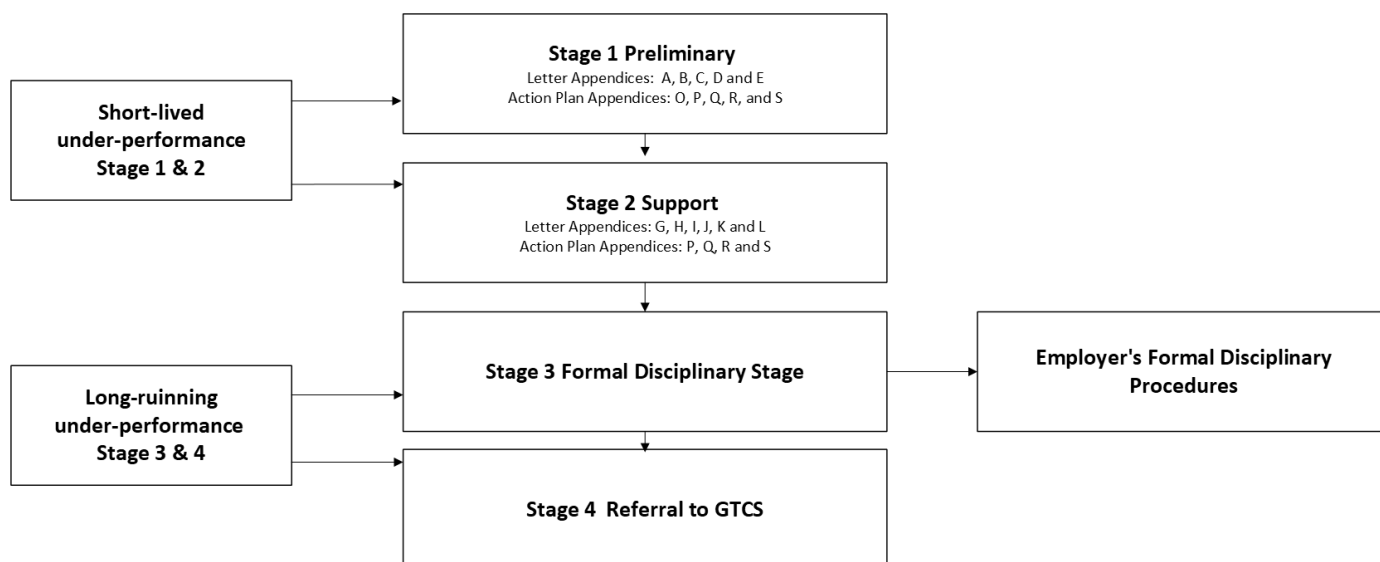
Short-lived under-performance

Short-lived under-performance is used to describe a problem which, with support and guidance, will be overcome by the teacher in a short period of time. This type of under-performance may be caused by a number of factors such as illness, personal circumstances, lack of understanding of current practice, loss of confidence or external factors. Short-lived under-performance is linked to Stages 1 and 2 of the Framework.

Long-running under-performance

Long-running under-performance is used to describe the problem when Stage 3 of the Framework is implemented. Support, guidance and professional learning opportunities have been offered to the teacher but these have not resulted in the teacher achieving or maintaining the level defined in the Standards for Full Registration.

The following diagram outlines how short-lived and long-running under-performance are dealt with within the four stages of the Framework:



GTCS states that depending on the context of the situation, a reasonable length of time should be given for the teacher to reach the required standard in each stage of the framework. In most cases, a reasonable amount of time would equate to three months or

Evidence Gathering

To inform discussions at each stage, evidence must be gathered to demonstrate the under-performance identified. Evidence must be obtained from a variety of sources, discussed with the teacher and recorded in writing.

Examples of evidence might include:

- Observations by SLT, middle leaders and/or Education Central team (from more than one source)
- Peer/ Group observation and feedback
- Attendance at training events and the application of the training
- Records of professional dialogue (e.g. Attainment Meetings)
- Feedback from monitoring pupil work
- Self-evaluation
- Response to curriculum developments
- Written feedback from mentor and/or colleagues

Supporting Documents

The following documents may be helpful when gathering evidence:

Classroom Monitoring and Observation Management Circular 1.57: [Education Management Circulars – My Council Works](#)

LNCT Monitoring of Teacher and Learning Guidance (September 2019)

Stage 1 (Preliminary Stage)

- The Preliminary Stage does not form part of the Argyll and Bute Disciplinary Procedures. However, the teacher should be made aware of the potential for matters to progress to formal procedures
- Teachers are encouraged to invite a colleague or representative from their Professional Association to accompany them to any meetings

Stage 1 Initial Meeting

The initial meeting will be with the teacher and Head Teacher or designated senior leader to discuss identified areas of under-performance. Please refer to the meeting invite letter in Appendix A.

The teacher should be encouraged to participate fully in identifying causes of the under-performance and suggest possible remedies. Advice and guidance should be offered from appropriate colleagues to support improvement - for example:

- Coaching or mentoring
- CLPL opportunities
- Assigned professional reading
- Peer observation / work shadowing
- Team teaching
- Visiting other schools/education establishments

The discussions at the initial meeting will inform the content of an Action Plan (Appendix N) which will:

- Record specific areas of under-performance
- Confirm the improvement required
- Identify any support agreed
- Specify targets and timescales for assessing progress (within three months)

The teacher is expected to contribute to the Action Plan and this document should be dated and signed by the teacher and HT or designated senior leader at the end of the meeting.

The outcome of the initial meeting will be confirmed in writing (Appendix B) and the teacher will be provided with a copy of the agreed Action Plan (Appendix N) no later than 5 working days after the meeting.

A date to review performance will be agreed at the initial meeting. Head Teachers or designated senior leaders should take into account holiday periods, the availability of appropriate training and/or other relevant factors when agreeing a date to review performance. The review date should be after a period of three months or less.

Stage 1 Review Meeting

Although the review date will have already been identified in the initial meeting, the teacher must be notified of the meeting in advance and be made aware of their right to be accompanied by a colleague or representative from their Professional Association (Appendix C).

At the meeting, the Head Teacher or designated senior leader will present the evidence gathered during the review period including:

- the Action Plan
- support provided
- progress made on targets and timescales and
- any other supporting documentation

The teacher or their representative will then have the opportunity to question any evidence presented. The teacher will be given the opportunity to present any evidence or mitigating circumstances for consideration by the Head Teacher or designated senior leader.

The outcome of the Review Meeting should be recorded during the meeting on Appendix O.

There are **three** possible outcomes at this stage:

Outcome 1

Where improvements have been made to the required standard, no further action will be taken. The teacher will be informed of this decision in writing (Appendix D and Appendix O) no later than 5 working days after the meeting.

Outcome 2

In cases where the performance of the teacher has improved significantly during the review period but some areas have not reached the required standard, consideration can be given to extending the review period. This will allow a further period for the teacher to reach the required standard. Only **one** extension of the review period can be granted. The teacher will be informed of this decision in writing no later than 5 working days after the meeting. (Appendix E and Appendix O)

Outcome 3

Where improvements have not been achieved to the standard required, the teacher will be advised that the matter will be progressed to Stage 2 of the framework.

The teacher must be informed of the decision orally during the meeting and will then be informed of the decision and underpinning reasons in writing (Appendix F and Appendix O) no later than 5 working days after the meeting.

Stage 2 (Support Stage)

- The Support Stage does not form part of the Argyll and Bute Disciplinary Procedures. However, the teacher should be made aware of the potential for matters to progress to formal procedures
- Teachers are encouraged to invite a colleague or representative from their Professional Association to accompany them to any meetings
- It is assumed, at this stage, that the problem is still one of short-lived under-performance
- Stage 2 should follow Stage 1 of the Framework with the only difference being that the support offered must be more targeted

Stage 2 Meeting

The meeting will be with the Head Teacher or designated senior leader and Teacher to discuss identified areas of under-performance. Please refer to the meeting invite letter in Appendix G.

Further evidence must be gathered from a range of sources and discussed with the teacher during the meeting. The teacher must be made aware of how the evidence relates to the Action Plan and this should be recorded in the Action Plan.

The teacher should be encouraged to participate fully in identifying the causes of the under-performance and suggesting possible remedies. Please note that consideration should be given to all reasonable requests made by the teacher.

Advice and guidance should be offered from appropriate colleagues to support improvement - for example:

- Coaching or mentoring
- CLPL opportunities
- Assigned professional reading
- Peer observation / work shadowing
- Visiting other schools/education establishments

The discussions at the meeting will inform the content of a revised Action Plan (Appendix P) which will:

- Record specific areas of under-performance and the relevant accompanying evidence
- Confirm the improvement required
- Identify agreed support and professional development
- Specify targets and timescales for assessing progress (within three months)

Following the Stage 2 meeting, a revised Action Plan should be created which will form the basis of future review meetings. The Head Teacher or designated senior leader will confirm the outcome of the meeting in writing and provide a copy of the agreed Action Plan (Appendix H and Appendix P) no later than 5 working days after the meeting.

A date to review performance will be agreed at the initial meeting. Head Teachers or designated senior leaders should take into account holiday periods, the availability of appropriate training and/or other relevant factors when agreeing a date to review performance. The review date should be after a period of three months or less.

Stage 2 Interim Review Meeting

Although the review date will have already been identified in the initial meeting, the teacher must be notified of the meeting in advance and be made aware of their right to be accompanied by a colleague or representative from their Professional Association.

The meeting will be with the Head Teacher or designated senior leader and Teacher to discuss identified areas of under-performance. Please refer to the meeting invite letter in Appendix I.

The teacher should be encouraged to participate fully in identifying the causes of the under-performance and suggesting possible remedies. Please note that consideration should be given to all reasonable requests made the by teacher.

A Record of Interim Review Meeting Form (Appendix Q) should be completed during the meeting. The Head Teacher or designated senior leader will confirm the outcome of the meeting in writing and provide a copy of the Interim Review Meeting Form and updated Action Plan (Appendix J, Appendix Q and Appendix R) no later than 5 working days after the meeting.

A date for the final review meeting should be agreed at the end of the Interim Review Meeting. Head Teachers or designated senior leaders should take into account holiday periods, the availability of appropriate training and/or other relevant factors when agreeing a date to review performance. The review date should be after a period of three months or less.

Stage 2 Final Review Meeting

Although the review date will have already been identified in the initial meeting, the teacher must be notified of the meeting in advance and be made aware of their right to be accompanied by a colleague or representative from their Professional Association (Appendix K).

At the meeting, the Head Teacher or designated senior leader will present the evidence gathered during the review period including:

- the Action Plan and Record of Interim Review
- support provided
- progress made on targets and timescales and
- any other supporting documentation

The teacher or their representative will then have the opportunity to question any evidence presented. The teacher will be given the opportunity to present any evidence or mitigating circumstances.

The outcome of the Final Review Meeting should be recorded during the meeting on Appendix S.

There are two possible outcomes at this stage:

Outcome 1 Where improvements have been achieved to the required standard, no further action will be taken. The proceedings will be deemed to be complete. The teacher should be informed of this decision in writing (Appendix L and Appendix S) no later than 5 working days after the meeting.

Outcome 2 Where improvements have not been achieved to the required standard, the teacher should be informed that formal disciplinary procedures will be implemented. This decision and the underpinning reasons should be communicated to the teacher in writing (Appendix M and Appendix S) no later than 5 working days after their Final Review Meeting. A disciplinary meeting will be convened within 20 working days from the date of the written decision or at a date to be mutually agreed. The teacher should be advised of his/her statutory and contractual rights to be accompanied at Stage 3.

Stage 3 (Formal Disciplinary Stage)

At this stage, the matter is now considered to be one of long-running, under-performance and will be dealt with under the Authority's Disciplinary Procedures.

Please use the links below to find further information about Disciplinary Procedures and the Employee Code of Conduct:

[Disciplinary procedures and guidance | The Hub \(argyll-bute.gov.uk\)](#)

[Employee Code of Conduct | The Hub \(argyll-bute.gov.uk\)](#)

A comprehensive overview report should be produced by the Head Teacher evidencing:

- the particular sections of the Standard for Full Registration in which he/she is alleging that the teacher is under-performing
- how and why it is alleged that the teacher has fallen below the required standard of performance
- the support mechanisms and professional development opportunities offered to the teacher
- the process and documentation associated with Stages 1 and 2
- the performance milestones during the process

The above information:

- may be considered at subsequent stages in the employer's formal disciplinary proceedings
- will be required by GTC Scotland should the case move to Stage 4

Stage 4 (Referral to the General Teaching Council for Scotland)

A case must be referred by the employer (or former employer) to GTC Scotland under the terms of Article 25 of the Public Services Reform (GTC Scotland) Order 2011 if:

- the teacher is dismissed; or
- the teacher resigns or leaves his/her post in the context of a possible dismissal

Such referrals should be made to the Fitness to Teach Department at GTC Scotland.

The employer must explain to GTC Scotland the circumstances which caused them to dismiss the registered teacher or to conclude that they would have, or might have, dismissed the registered teacher.