

Doc no	Date	Description	Clause	Release full/partial
1	28 March 2022	GTCS to SG re child protection/fitness to teach	Out of Scope information s38(1)(b), personal information s30(b)(ii), free and frank exchange of views	partial
2	February 2024	Email exchange between SG and GTCS re child protection/fitness to teach	Out of Scope information s38(1)(b), personal information s30(b)(ii), free and frank exchange of views	partial
3	23 April 2024	GTCS letter to SG re Fitness to Teach Report	Free and frank exchange of views	partial
4	13 September 2024	GTCS email re Review of Fitness to Teach	N/A	Full
5	8 October 2024	GTCS follow up meeting with SG regarding handling complaints against teachers	Out of Scope information s38(1)(b), personal information s30(b)(ii), free and frank exchange of views	partial
6	19 December 2024	GTCS summary of meeting to SG	Out of Scope information s38(1)(b), personal information s30(b)(ii), free and frank exchange of views	partial

Doc 1

[OUT OF SCOPE]

From: Pauline Stephen <Pauline.Stephen@gtcs.org.uk>

Sent: 28 March 2022 07:42

To: **[Redacted s38(1)(b)]**@gov.scot>

Subject: Follow up - Child protection

Dear **[Redacted s38(1)(b)]**

Following my recent letter to you which was sent in response to a meeting requested by the Scottish Government and involving the child protection unit, I am aware that the BBC ran a piece and there continues to be interest in matters in relation to child protection management in education and the role of GTC Scotland. I note that this issue was picked up too in Parliamentary Committee last week.

Whilst the focus to date has largely been on questioning GTC Scotland's role in this space

[s.30(b)(ii) (free and frank exchange of views)]. [OUT OF SCOPE]

Some information appeared to be shared at last week's committee that the aspects of system regulation improvement we have identified may be addressed by a new independent inspectorate. We note too the distinction Graham Donaldson made to committee about regulation and inspection. **[OUT OF SCOPE]**

As we've discussed before, I do not think GTC Scotland's role as a professional regulator is always well understood and we are taking action to focus messaging with employers (local authorities, independent schools and colleges). We intend to invite a discussion with ADES to plan this and will do similarly with SCIS and Colleges Scotland. **[OUT OF SCOPE]**

There continues to be an expectation from some that GTC Scotland has a role (or should have a role) in regulating employers and/or investigating all referrals made to us. The latter is in direct conflict with best practice regulation employed by professional regulators and the former fundamentally questions the place of system regulation in education.

[s.30(b)(ii) (free and frank exchange of views)][OUT OF SCOPE]We think there is an associated opportunity to bring together those with responsibilities for child protection in the educational setting and consider whether the national child protection guidance could be enhanced to account better for the educational context. GTC Scotland is keen to assist in contributing to this collective thinking and to developing solutions**[OUT OF SCOPE]**We believe we have a view of the system as a professional regulator that is unique in helping to shape improvement. Trust is essential to an effective education system; we are keen to work in partnership to support this positive change.

I would appreciate your feedback as to whether this is an area that is likely to have traction within Scottish Government to progress in the near future, and if so, which part of government we could helpfully assist.

Thanks Pauline

Doc 2

[OUT OF SCOPE]

From: [Redacted s38(1)(b)]@gtcs.org.uk>

Sent: Friday, February 9, 2024 3:58 PM

To: [Redacted s38(1)(b)]@gov.scot>

Cc: [Redacted s38(1)(b)]@gov.scot [Redacted s38(1)(b)]@gov.scot>; Pauline Stephen <Pauline.Stephen@gtcs.org.uk>; Jennifer Macdonald <Jennifer.Macdonald@gtcs.org.uk>

Subject: RE: Fol - Teachers with convictions

Thanks, [Redacted s38(1)(b)]. By and large the text you have provided is fine. We would be grateful if you could just make explicit our role as the independent registration and regulation body at the outset.

[s.30(b)(ii) (free and frank exchange of views)]

It is for these reasons that it may be better for your response to be shorter and simply signpost us.

If you have any further questions, please let me know.

[Redacted s38(1)(b)]

[OUT OF SCOPE]

From: [Redacted s38(1)(b)]@gov.scot>

Sent: Friday, February 9, 2024 2:55 PM

To: [Redacted s38(1)(b)]@gtcs.org.uk>

Cc: [Redacted s38(1)(b)]@gov.scot; [Redacted s38(1)(b)]@gov.scot; Pauline Stephen <Pauline.Stephen@gtcs.org.uk>; Jennifer Macdonald <Jennifer.Macdonald@gtcs.org.uk>

Subject: RE: Fol - Teachers with convictions

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Thanks **[Redacted s38(1)(b)]**

I'm keen to provide a bit of background as well as referring to the published statistics.

I've based the material below on the FtT info on your website. Can you check it looks ok please? Anything else worth adding that could strengthen the argument that in reality less actual teachers are notified for having convictions as the wider DS 'teacher' data could suggest?

[Redacted s38(1)(b)]

Draft Text

It is also worth highlighting the General Teaching Council for Scotland's (GTCS) Fitness to Teach process. [Fitness to Teach - The General Teaching Council for Scotland \(gtcs.org.uk\)](https://www.gtcs.org.uk)

GTCS is the independent registration and regulation body for teachers in Scotland. Their Fitness to Teach process exists to maintain trust in teachers and teaching. It is about ensuring that teachers and college lecturers have the skills, knowledge and character to teach learners safely and effectively.

Through this process, GTCS investigate serious concerns about teachers and college lecturers on their register and individuals applying to be on the register. These can relate to a wide range of behaviours and concerns about conduct and do not all relate to criminal convictions.

[s.30(b)(ii) (free and frank exchange of views)]

The GTCS Annual Report for 2022-23 [Annual-Report-and-Financial-Statements-2022-23.pdf \(gtcs.org.uk\)](https://www.gtcs.org.uk) provides the latest published information and statistics on the Fitness to Teach process. This highlights that in 2022-23 GTCS received 196 Fitness to Teach notifications. This equates to notifications in respect of 0.3% of the total number of GTCS registrants. Of these notifications 67 were notified from 'other sources' including Disclosure Scotland and self-referrals.

Information and data on the Fitness to Teach process in previous years are also contained in GTCS Annual Reports and Financial Statements [Corporate Publications - The General Teaching Council for Scotland \(gtcs.org.uk\)](https://www.gtcs.org.uk) In 2021-22, 230 Fitness to Teach notifications were received, of which 125 were from other sources, including: Disclosure Scotland and self-referrals. In 2020-21, 161 notifications were received of which of which 65 were from other sources, including: Disclosure Scotland and self-referrals.

From: **[Redacted s38(1)(b)]**@gtcs.org.uk>

Sent: Friday, February 9, 2024 1:43 PM

To: **[Redacted s38(1)(b)]**@gov.scot>

Cc: **[Redacted s38(1)(b)]** @gov.scot>; **[Redacted s38(1)(b)]**gov.scot>; Pauline Stephen <Pauline.Stephen@gtcs.org.uk>; Jennifer Macdonald <Jennifer.Macdonald@gtcs.org.uk>

Subject: RE: FoI - Teachers with convictions

Dear **[Redacted s38(1)(b)]**

Many thanks for your email, which has been passed to me to respond to given the tight deadline you're working to.

My suggestion would be that rather than us give information to you to include in your response, you could signpost the requester to our annual report for 22-23, which contains the most up to

date information and statistics that we have published regarding our fitness to teach process (see paragraph 2.1.5).

[Annual-Report-and-Financial-Statements-2022-23.pdf \(gtcs.org.uk\)](#)

I hope this is helpful.

Many thanks,

[Redacted s38(1)(b)]

[Redacted s38(1)(b)]

[OUT OF SCOPE]

From: [Redacted s38(1)(b)]@gov.scot>

Sent: 09 February 2024 10:36

To: Pauline Stephen <Pauline.Stephen@gtcs.org.uk>; Jennifer Macdonald <Jennifer.Macdonald@gtcs.org.uk>

Cc: [Redacted s38(1)(b)]@gov.scot <Stuart.Robb@gov.scot>; [Redacted s38(1)(b)]@gov.scot>

Subject: FoI - Teachers with convictions

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Pauline / Jennifer

Disclosure Scotland (DS) colleagues are dealing with an FoI regarding teachers with convictions. The exact same FoI was answered by DS last year [Figures for teachers in Scotland with criminal records and convictions: FOI release - gov.scot \(www.gov.scot\)](#)

DS plan to issue a similar response this time. This would pull in anyone whose position included 'teacher' in their PVG application. Therefore, as well as school teachers, this would include e.g. dance teachers and also doesn't confirm the employment status of those teachers.

[s.30(b)(ii) (free and frank exchange of views)]

Is that something you would be able to provide us with please? Is there any other data you publish that may be relevant here relating to teachers with convictions?

The FoI response is already overdue so we're looking to get it away as early next week as possible.

Thanks

[Redacted s38(1)(b)]

[Redacted s38(1)(b)] | Education Workforce Unit | Learning Directorate | Scottish Government |
Mob – 07 [Redacted s38(1)(b)] | E-mail – [Redacted s38(1)(b)]@gov.scot

Doc 3

Jenny Gilruth MSP

Cabinet Secretary for Education and Skills

By email: CabSecES@gov.scot

Date: 23 April 2024

Dear Cabinet Secretary

GTC Scotland publishes Fitness to Teach insight report

I hope you are well.

GTC Scotland's role is to set, uphold and promote high standards for Scotland's teaching profession. Our communities place a high degree of trust in teachers. They rely on teachers to interpret what is right and wrong, keep learners safe and be positive role models. We investigate serious concerns that are referred to us about teachers and college lecturers on our Register through our Fitness to Teach process. This process is about ensuring that teaching standards – the Code of Professionalism and Conduct and Standards for Registration – are upheld. It focuses on future prevention of risk.

We have published a five-year insight report into our work investigating conduct and professional competence concerns raised with us about teachers between 2018 and 2023. This is the first time that we have been able to analyse data that we hold from more than 1,000 Fitness to Teach cases and consider what it tells us. The overwhelming majority of those on our Register are fit to teach; less than 0.3 percent of more than 81,000 teachers have concerns raised about them each year – that's about 200 people. The number we remove from, or refuse entry to, our Register for Fitness to Teach reasons is even smaller – an average of 25 people each year.

Insight in relation to physical restraint and seclusion, and violence in schools

Insight gained from our fitness to teach casework has allowed us to contribute to the Scottish Child Abuse Inquiry, and this report in particular gives us insight into issues that have recently been debated in Parliament in relation to physical restraint and seclusion, and violence in schools including:

- Additional Support Needs - in a number of cases we investigate, reported lack of access to or provision of effective teacher learning in relation to learners with additional support needs is a feature of the information presented.
- Restraint and handling - similarly we see cases where teachers report a lack of support including formal training in relation to effective restraint and handling of children and young people in those rare occasions where such an intervention may be required to ensure safety. Whilst there can be a correlation with the education of learners with additional support needs for whom arguably known factors might have led to greater risk assessment and individual planning, restraint and handling concerns also arise in unplanned, often volatile situations where teachers are required to intervene without warning.
- Mental health of teachers – throughout our casework, we see evidence of the impact of the lack of effective support for teachers experiencing mental health issues. Inconsistent support

or the absence of the consideration of wellbeing factors, can compound issues being experienced through the complex work of being a teacher. Teaching is complex relational and intellectual work, requiring at times moment to moment ethical decision making. Achieving this whilst managing mental health issues can be challenging without access to the appropriate support and guidance.

Factors impacting our work

We do a lot to facilitate participation in the Fitness to Teach process and we are continuing to focus on encouraging teachers to reflect and engage with us at an early stage when concerns are raised about them. This helps us to ensure we are focusing on the cases we should, as a professional regulator, so we can conclude cases sooner.

[s.30(b)(ii) (free and frank exchange of views)]

The Covid pandemic also significantly impacted our Fitness to Teach work. We are still recovering the caseload from the impact of Covid and information sharing and cooperation challenges. We have started to reduce the caseload in the last year, and we will continue to work with our partners to deliver changes in the coming years to reduce the time that cases take, in the interests of everyone involved.

Ensuring trusted teaching

We are extremely grateful for the support and constructive challenge we receive as we work to reduce the caseload and deliver improvements to our Fitness to Teach function to promote and ensure trust in the teaching profession.

We are always looking for ways to make our Fitness to Teach process as efficient as it can be while meeting the public interest. Our Fitness to Teach Rules set out the legal process followed in our fitness to teach work and later this year we will ask for views on changes we should make to the Rules to ensure they are up to date and fit for the future.

We would be delighted to meet you to talk more about our work.

Yours sincerely,

Jennifer Macdonald

Strategic Director

Doc 4

From: GTCS <GTCS@gtcs.org.uk>

Sent: 13 September 2024 12:10

Subject: GTC Scotland: Fitness to Teach Rules Review

Dear Colleague,

I hope you are well.

As the independent regulator for teachers in Scotland, it is GTC Scotland's role to set, uphold and promote high standards for Scotland's teaching profession. Our communities place a high degree of trust in teachers. They rely on teachers to interpret what is right and wrong, keep learners safe and be positive role models.

We maintain a Register of Teachers and investigate serious concerns about the conduct or professional competence of teachers on the Register or applying to be on it, through our Fitness to Teach process.

Reviewing our Fitness to Teach Rules

Our Fitness to Teach Rules set out the legal framework for when and how we investigate fitness to teach referrals and how the outcomes of cases are determined. We need to have Fitness to Teach Rules in place to meet the requirements of our [governing legislation](#) and to ensure we carry out our fitness to teach work fairly and lawfully.

The Fitness to Teach Rules were enacted in 2017, and it is time for them to be reviewed. As part of this review, we are looking for views on general themes surrounding the rules and processes such as experiences of participating in the Fitness to Teach process and the interpretation and application of the rules. [Visit our website to find out more.](#)

As part of this work we have [commissioned the Professional Standards Authority](#) (PSA) to review the performance and efficiency of our Fitness to Teach process. The results of both the PSA review and our call for views on the rules will help inform changes to the Fitness to Teach process.

We are always delighted to speak about our work. If you have any questions or want to know more, please do not hesitate to get in touch.

Yours sincerely,



Jennifer Macdonald

Strategic Director



The General Teaching
Council for Scotland

www.gtcs.org.uk



Fitness to Teach Insight Report

Read our five-year insight report on our work investigating conduct and professional competence concerns raised with us about teachers.



Doc 5

[OUT OF SCOPE]

[OUT OF SCOPE]

[OUT OF SCOPE]

From [Redacted s38(1)(b)]@gtcs.org.uk>

Sent: Monday, October 7, 2024 7:42 AM

To: [Redacted s38(1)(b)]@gov.scot>

Cc: [Redacted s38(1)(b)]@gtcs.org.uk>; Jennifer Macdonald <Jennifer.Macdonald@gtcs.org.uk>;

[Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>

Subject: Follow Up to Meeting on 2 October 2024

Hello [Redacted s38(1)(b)]

It was good to meet with you on Wednesday last week and to catch up on what's been happening since we last met.

We thought it would be helpful to follow up with a summary of our understanding regarding next steps, which we've set out below. If there's anything we've misunderstood or that we've missed, please let us know – we covered a lot of ground!

[s.30(b)(ii) (free and frank exchange of views)]

[OUT OF SCOPE]

[s.30(b)(ii) (free and frank exchange of views)]

[OUT OF SCOPE]

From: [Redacted s38(1)(b)]@gov.scot>

Sent: 13 September 2024 10:45

To: Jennifer Macdonald <Jennifer.Macdonald@gtcs.org.uk>

Cc: [Redacted s38(1)(b)]@gtcs.org.uk>; [Redacted s38(1)(b)]@gtcs.org.uk>; [Redacted s38(1)(b)]@gov.scot

Subject: Catch up on GTCS review/PE1979/info sharing

Hi [Redacted s38(1)(b)]

I hope you've been staying well.

I'm reaching out as I spotted this news article: [Handling of complaints against teachers in Scotland to be reviewed - BBC News](#) and was hoping to get a catch up with you to speak about this review a bit further and also update you on our recent conversations in the info-sharing space. **[s.30(b)(ii) (free and frank exchange of views)]**

Great if you could let us know if/when you've got any availability for a catch up soon. In the meantime, hope you have a lovely weekend!

Thanks,

[Redacted s38(1)(b)]

[Redacted s38(1)(b)] | Child Protection Unit | Children's Rights, Protection and Justice Division | Directorate for Children and Families | Scottish Government

Doc 6

[OUT OF SCOPE]

From: [Redacted s38(1)(b)]@gtcs.org.uk>
Sent: 22 December 2024 18:25
To: [Redacted s38(1)(b)]Teresa.Rack@gov.scot>
Cc: Jennifer Macdonald <Jennifer.Macdonald@gtcs.org.uk>
Subject: Summary of Meeting - 19 December 2024

Hello [Redacted s38(1)(b)]

It was a pleasure to meet with you again last Thursday and find out what's been happening with a number of matters.

I've outlined a summary of our meeting below - let me know if there's anything you would like to add or change.

[s.30(b)(ii) (free and frank exchange of views)]

[OUT OF SCOPE]

Kind regards

[Redacted s38(1)(b)]

[OUT OF SCOPE]