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Education and Skills Committee Comataidh Foghlam is Sgilean

The Registration of Independent Schools (Prescribed Person) (Coronavirus) (Scotland) Amendment Regulations 2020 [Draft]



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Education and Skills Committee

To consider and report on matters falling within the responsibility of the Cabinet Secretary for Education and Skills.



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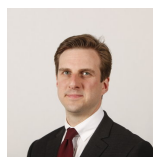


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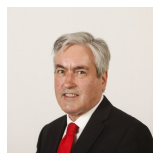
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Introduction

1. At its meeting on [12 June 2020](#) the Education and Skills Committee considered a piece of subordinate legislation which is subject to the affirmative procedure.

This report summarises the purpose and scrutiny of the instrument as well as the Committee's decision.

The Registration of Independent Schools (Prescribed Person) (Coronavirus) (Scotland) Amendment Regulations 2020 [Draft]

Instrument Overview

2. The Registration of Independent Schools (Prescribed Person) (Coronavirus) (Scotland) Amendment Regulations 2020 [Draft] were laid by the Scottish Government on 18 May 2020.
3. The purpose of the instrument is to extend the date by which all teachers in independent schools (recruited before 01 October 2017) must register with the General Teaching Council for Scotland (“GTCS”). This extension is required as a result of disruption caused by the ongoing COVID-19 pandemic.

Delegated Power and Law Reform Committee consideration.

4. The Delegated Powers and Law Reform Committee considered the instrument on [26 May 2020](#) and had no comment to make on the draft regulations.

Education and Skills Committee consideration.

5. At its meeting on [12 June 2020](#) the Committee considered the Registration of Independent Schools (Prescribed Person) (Coronavirus) (Scotland) Amendment Regulations 2020 [Draft].
6. The Cabinet Secretary for Education and Skills, John Swinney MSP outlined the purpose of the Registration of Independent Schools (Prescribed Person) (Coronavirus) (Scotland) Amendment Regulations 2020 [Draft].

” The Registration of Independent Schools (Prescribed Person) (Scotland) Regulations 2017 provide that, from 1 October 2020, only a teacher who is registered with the General Teaching Council for Scotland can be appointed as a teacher in an independent school. We listened to the views of the sector at the time of consulting on those regulations, and we extended the proposed transition period for those who had been in the system for some time from an initial two-year period to three years. We believed that that was sufficient at the time, given the progress that had been made by the General Teaching Council for Scotland in identifying alternative routes to registration, including the introduction of provisional and conditional registration. However, in April this year, it was clear that, although most teachers were already registered, registration was proving challenging for some and that the period from May to October would be important for working directly with individual independent schools to resolve that. In the light of pressures arising from Covid-19, including the potential impact on the ability of individuals to train and study, it has been assessed that there is a risk that not all teachers in independent schools who were employed prior to 1 October 2017 will meet the statutory requirement to be registered with the General Teaching Council for Scotland by 1 October 2020. The regulations that are in front of the committee today were therefore drafted to amend regulation 3 of the 2017 regulations, to extend the deadline to 1 June 2021 for the remaining teachers to register with the GTCS. On-going direct consultation with key stakeholders has been key to reaching the decision to extend the deadline for compliance and in determining the period of extension that is required. All stakeholders agreed that 1 June 2021 represents a proportionate and practical extension. A draft of the instrument was shared from 14 to 30 April 2020 across all independent schools in Scotland. Two responses were received, both of which were supportive of the extension.

Source: Education and Skills Committee 12 June 2020 [Draft], The Convener, contrib. 5¹

Conclusions

7. John Swinney MSP, Cabinet Secretary for Education and Skills moved—

S5M-21829: That the Education and Skills Committee recommends the Registration of Independent Schools (Prescribed Person) (Coronavirus) (Scotland) Amendment Regulations [Draft] (SSI 2020/draft) be approved.

8. The Motion was agreed to.

Education and Skills Committee

The Registration of Independent Schools (Prescribed Person) (Coronavirus) (Scotland) Amendment Regulations 2020 [Draft],
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- [1] Education and Skills Committee 12 June 2020 [Draft], The Convener, contrib. 5,
<http://www.scottish.parliament.uk/parliamentarybusiness/report.aspx?r=12694&c=2261435>

