

CODE OF CONDUCT AND PRACTICE FOR REGISTERED TEACHERS

Effective from 1 October 2009



“WHAT WE SHARE”

Teaching's new code

Now we have a code that makes a **powerful positive statement** about contemporary teaching.

It shows how you **encourage learning** and how you work with colleagues, other professionals and parents.

Instead of describing the unacceptable, it sets out a **shared picture** of teacher professionalism.

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INTRODUCTION

This Code sets out expectations of conduct and practice for registered teachers. Its purpose is to guide teachers' everyday judgements and actions and provide the General Teaching Council for England (GTCE) with principles to use in regulating the profession.

The GTCE developed the Code with teachers and others with an interest in teaching and learning. It reflects the standards that teachers expect of themselves and others expect of the profession.

Teaching – a skilled and trusted profession

Teachers have a profound and lasting influence on the development and life chances of children and young people. Their knowledge, skill, judgement, creativity and commitment play a vital role in society.

Given the importance of teaching to children and young people, and society as a whole, it is essential that teachers continue to maintain standards of teaching practice and professional conduct.

How standards are maintained

As members of a skilled and trusted profession, teachers are responsible for reflecting on their own conduct and practice and ensuring that they meet the standards required of them.

Expectations of teachers are set out in national standards¹, statutory duties and employment contracts. Teachers' actions are also guided by a set of professional values that inform everything they do.

¹ Important documents which articulate expected standards of teacher practice include: the School Teachers' Pay and Conditions Document; the National College for School Leadership National Standards for School Leaders; and the Training and Development Agency's Professional Standards for Teachers.

One distinct value that teachers share is a commitment to continual learning and development – for children and young people, colleagues and themselves. Teachers' work is also shaped by other important values of public life, including: selflessness; integrity; honesty; objectivity; accountability; openness; and leadership².

In addition to commitment on the part of teachers themselves, successful teaching and learning rely on the reciprocity, goodwill and support of others. Employers and school leaders have a critical role to play in supporting teachers to meet their obligations and to continually develop their practice.

The role of the GTCE

As the professional and regulatory body for teaching, the GTCE has an important role in strengthening teacher professionalism.

Launched in September 2000, the GTCE is independent from Government, and is made up of practising teachers and others in society involved in teaching and learning in different ways³. It aims, in the public interest, to:

- contribute to improving standards of teaching and the quality of learning; and
- maintain and improve standards of professional conduct among teachers.

The GTCE is the awarding body for qualified teacher status (QTS) in England and maintains a register of qualified

² These are the seven principles of public life identified by the Nolan Committee.

teachers. All teachers (including supply and temporary teachers) in maintained schools and pupil referral units, and in non-maintained special schools must be registered with the GTCE. Other qualified teachers, including some of those who work in the independent sector, choose to register. Trainee teachers, instructors and overseas trained teachers are required to be registered with the GTCE on a provisional basis.

Professional regulation

The GTCE is responsible for assuring the maintenance of standards of practice and conduct among those on its register. One important way in which it does this is through professional regulation.

The purpose of professional regulation is to protect children and young people and safeguard the standing of the profession by assuring that the conduct and practice of those on the register does not fall seriously short of expected standards.

The GTCE investigates and may take action against registered teachers who are dismissed by their employers for incompetence or misconduct, or who resign in situations where dismissal is a possibility.

This Code also applies to trainee teachers, instructors and overseas trained teachers who are provisionally registered with the Council. The GTCE investigates and may take action against trainees who are required to leave a course for reasons of misconduct, or who choose to discontinue

3 The GTCE's aims and functions are set out in the Teaching and Higher Education Act 1998 amended by the Education Act 2002. The essential duties of GTCE are to provide advice to the Secretary of State and others on section 2(2) matters, to fulfil registration functions and to provide an annual report to the Secretary of State. The most significant powers of GTCE are to produce and enforce the Code of practice [section 5] and to promote the standing of the teaching profession [including, but not limited to, giving advice, organising conferences and lectures and arranging for the publication of information].

their studies in circumstances in which they could have been required to leave. However the provisions of the Code that relate to professional competence do not apply to trainees since they are not yet qualified.

This Code of Conduct and Practice sets out the principles that the GTCE will use as part of a fair and robust disciplinary procedure.

The focus and interpretation of the Code

The Code focuses on behaviours and the way in which teachers conduct themselves on a day-to-day basis. It reflects the professional values outlined above and the Statement of values for integrated working, drawn up by the GTCE, the General Social Care Council and the Nursing and Midwifery Council in 2007.

The Code includes examples of instances in which teachers' conduct or practice has fallen seriously short of expected standards and the GTCE has taken disciplinary action. These examples are intended to give an indication of how the GTCE may interpret the Code in its disciplinary proceedings.

The Code sets out expectations of reasonable standards of behaviour but does not limit a teacher's right to a private life.

The Code refers throughout to 'the school'. However, it applies to all registered teachers, whatever their institutional setting.

How the Code was developed

The teaching profession has had a Code in place since 2004⁴. In 2007, the GTCE began a process to update and refresh the Code, to ensure that it continues to support teacher professionalism in a changing context⁵.

This revised Code has been produced following wide consultation with teachers and others with an interest in teaching and learning. The consultation process comprised a series of structured discussions with groups of stakeholders before drafting, and a detailed, systematic national consultation on the draft Code.

The GTCE has also carried out an Equality Impact Assessment to assess the possible impact of the Code, either positively or negatively, on different groups, whether by ethnicity, disability or gender. The GTCE has concluded that the likely impact is positive, given the expectations of practice that it sets out. The GTCE will monitor the impact of the Code in accordance with its responsibilities as a public body.

4 Prior to 2004, the GTCE had a Statement of Professional Values and Practice which influenced the standards for achieving qualified teacher status and passing induction.

5 In revising the Code, the GTCE has undertaken a range of activities, including: a review of lessons from the current regulatory process; commissioned research into the nature of modern professionalism; and a national consultation process. The reports of the exploratory, stage of the engagement on the code and of the structured consultation on the draft code are available on the GTCE website.

EIGHT PRINCIPLES OF CONDUCT AND PRACTICE

Registered teachers:

1. Put the wellbeing, development and progress of children and young people first
2. Take responsibility for maintaining the quality of their teaching practice
3. Help children and young people to become confident and successful learners
4. Demonstrate respect for diversity and promote equality
5. Strive to establish productive partnerships with parents and carers
6. Work as part of a whole-school team
7. Co-operate with other professional colleagues
8. Demonstrate honesty and integrity and uphold public trust and confidence in the teaching profession

1

Put the wellbeing, development and progress of children and young people first

Registered teachers:

- Use their professional expertise and judgement to do the best for the children and young people in their care
- Take all reasonable steps to ensure the safety and wellbeing of children and young people under their supervision
- Follow their school's child protection policies and procedures
- Establish and maintain appropriate professional boundaries in their relationships with children and young people
- Demonstrate self-awareness and take responsibility for accessing help and support in order to ensure that their own practice does not have a negative impact on learning or progress or put children and young people at risk of harm
- Use appropriate channels to raise concerns about the practice of other teachers or professionals if this has a negative impact on learning or progress or risks harming children and young people.

2

Take responsibility for maintaining the quality of their teaching practice

Registered teachers

- Meet the professional standards for teaching relevant to their role and the stage they have reached in their career
- Develop their practice within the framework of their school's curriculum
- Base their practice on knowledge of their subject area/s and specialisms, and make use of research about teaching and learning
- Make use of assessment techniques, set appropriate and clear learning objectives, plan activities and employ a range of teaching methodologies and technologies to meet individual and group learning needs
- Reflect on their practice and use feedback from colleagues to help them recognise their own development needs; actively seek out opportunities to develop their knowledge, understanding, skills and practice
- Meet the requirements laid down by their professional body, the GTCE, to maintain their registration status.

3

Help children and young people to become confident and successful learners

Registered teachers

- Uphold children and young people's rights and help them to understand their responsibilities
- Listen to children and young people, consider their views and preferences, and involve them in decisions that affect them, including those related to their own learning
- Have high expectations of all children and young people, whatever their background or aptitudes, and find activities that will challenge and support them all
- Promote children and young people's confidence and self-awareness by clarifying how assessment will be used to support improvement, providing clear and specific feedback, and celebrating their success
- Communicate clear expectations about pupil behaviour to ensure disruption to learning is minimised and children and young people feel safe and secure
- Help children and young people prepare for the future by engaging them with the implications of changes in society and technology and offering them impartial advice and guidance about their future options.

4

Demonstrate respect for diversity and promote equality

Registered teachers

- Act appropriately towards all children and young people, parents, carers and colleagues, whatever their socio-economic background, age, gender, sexual orientation, disability, race, religion or belief
- Take responsibility for understanding and complying with school policies relating to equality of opportunity, inclusion, access and bullying
- Address unlawful discrimination, bullying, and stereotyping no matter who is the victim or the perpetrator
- Help create a fair and inclusive school environment by taking steps to improve the wellbeing, development and progress of those with special needs, or whose circumstances place them at risk of exclusion or under-achievement
- Help children and young people to understand different views, perspectives, and experiences and develop positive relationships both within school and in the local community.

5

Strive to establish productive partnerships with parents and carers

Registered teachers

- Provide parents and carers with accessible and accurate information about their child's progress
- Involve parents and carers in important decisions about their child's education
- Consider parents' and carers' views and perspectives, including those that relate to their children's development
- Follow school policies and procedures on communication with and involvement of parents and carers, including those that relate to sensitive areas such as attendance and exclusion.

6

Work as part of a whole-school team

Registered teachers

- Endeavour to develop productive and supportive relationships with all school colleagues
- Exercise any leadership and management responsibilities in a respectful, inclusive and fair way, and in accordance with contractual obligations and national standards
- Uphold school policies and procedures, and raise any concerns about the life or running of the school in a responsible and appropriate way
- Contribute to colleagues' learning and development; provide honest, accurate, and justifiable comments when giving references for, or assessing the performance of, colleagues
- Participate in whole-school development and improvement activities
- Recognise the important role of the school in the life of the local community, and take responsibility for upholding its reputation and building trust and confidence in it.

7

Co-operate with other professionals in the children's workforce

Registered teachers

- Seek to understand the roles of other professional colleagues in the children's workforce
- Communicate and establish productive working relationships with other professional colleagues
- Ensure that they are clear about their own professional contribution to joint working, seeking clarification where this is needed
- Understand that in sharing responsibility for children and young people's wellbeing and development they should always act within their own competence and responsibilities.

8

Demonstrate honesty and integrity and uphold public trust and confidence in the teaching profession

Registered teachers

- Exercise their responsibilities in relation to the examination and assessment of achievement and attainment in a fair, transparent and honest way
- Demonstrate honesty and integrity in management and administrative duties, including in the use of school property and finance
- Understand that their duty to safeguard children and young people comes first, but otherwise acknowledge the rights of children and young people, families, and colleagues to confidentiality, in line with statutory requirements and school policies
- Represent their professional status accurately and avoid taking advantage of their professional position
- Maintain reasonable standards in their own behaviour that enable them to maintain an effective learning environment and also to uphold public trust and confidence in the profession.

THE USE OF THE CODE IN THE GTCE'S DISCIPLINARY PROCEDURES

How cases are referred to the GTCE

Misconduct and incompetence

Employers (including of supply and temporary teachers) are required to notify the relevant authority when registered teachers are dismissed or cease employment for reasons of misconduct or incompetence, or where they resign in circumstances where dismissal was a possibility.

Where employers judge misconduct to involve a risk of harm to children and young people, they are required to refer cases to the Independent Safeguarding Authority (ISA). Other misconduct cases, and all cases of incompetence, should be referred direct to the GTCE. The GTCE expects that teachers referred on grounds of incompetence will have already been the subject of significant action under formal capability procedures.

Training providers must notify the relevant authorities if trainees are required to leave a programme for reasons of misconduct or they choose to discontinue their studies in circumstances in which they could have been required to leave. Where training providers consider that misconduct involves a risk of harm to children and young people, they must refer cases to the ISA. All other cases should be referred direct to the GTCE.

Members of the public may make an allegation of professional misconduct, but not of incompetence, directly to the GTCE.

Criminal activity

Under the provisions of Home Office Circular 45/86, teaching is a 'notifiable' occupation. This means that the police report any conviction or caution of a teacher to the Criminal Records Bureau. Offences involving a risk of harm to children, or to vulnerable adults, are considered by the ISA. All other convictions and cautions are passed to the GTCE, who have a role in determining if a caution or criminal offence is relevant to a teacher's registration.

The GTCE's disciplinary procedures and sanctions

The Council has a rigorous and fair process in place to investigate and hear cases.

Investigating and hearing committees comprise a majority of teacher members, as well as others involved in teaching and learning. Hearings normally take place in public. In certain circumstances, where it is in the public interest and the interests of justice, the Council may resolve a case without a hearing.

If a hearing committee finds that the facts amount to unacceptable professional conduct, serious professional incompetence or that the teacher has committed a relevant criminal offence, it may issue one of the following sanctions:

- a reprimand, which remains on the Register for two years;
- a conditional registration order, which applies conditions to a teacher's continuing registration;
- a suspension order, suspending the teacher's registration for up to two years, and which may also have conditions attached; or
- a prohibition order, excluding the teacher from the Register. Under this order, a teacher may be permitted to apply for restoration of their eligibility to register after two years, or after some other specified time. However, in certain cases, no application may be allowed.

Examples of circumstances in which the GTCE has taken disciplinary action

This section provides examples of instances in which registered teachers have fallen seriously short of the expected standards of conduct and practice set out in this Code, and have had disciplinary action taken against them by the GTCE. The list of examples is not exhaustive, but is intended to help teachers and others to understand how

GTCE disciplinary committees might interpret the principles set out in the Code.

1. Put the wellbeing, development and progress of children and young people first

The GTCE has taken action against teachers who have: engaged in inappropriate relationships with pupils; failed to follow child protection procedures; failed to safeguard the health and safety of pupils on school trips.

2. Take responsibility for maintaining the quality of their teaching practice

The GTCE has taken action against teachers who have: demonstrated systematic inability to establish clear learning objectives or engage pupils in appropriate learning activities; failed to operate effective assessment procedures, mark student work or differentiate between the learning needs of pupils; taught with inadequate levels of subject knowledge.

3. Help children and young people to become confident and successful learners

The GTCE has taken action against teachers who have: repeatedly failed to adapt schemes of work to meet the needs and abilities of individual pupils; continually failed to provide adequate feedback to students; persistently failed to maintain student behaviour and interest.

4. Demonstrate respect for diversity and promote equality

The GTCE has taken action against teachers who have: behaved towards pupils, parents or carers in a manner which is discriminatory in relation to gender, marital status, religion, belief, race, ethnicity, class or sexual orientation; sworn at pupils or colleagues or made disparaging personal remarks about their appearance or background; intimidated or provided inadequate support to children with special educational needs.

5. Strive to establish productive partnerships with parents and carers

The GTCE has taken action against teachers who have: engaged in inappropriate contact with parents and carers; made racist or sexist comments about parents or carers; lent school property to parents and carers without permission.

6. Work as part of a whole-school team

The GTCE has taken action against teachers who have: failed to follow absence reporting procedures; demonstrated inability to lead a school or adequately manage a curriculum area; failed to follow appropriate procedures for the recruitment, promotion, reward or discipline of staff.

7. Co-operate with other professional colleagues

The GTCE has taken action against teachers who have: failed to follow child protection procedures, where the involvement of outside agencies was required; failed to follow procedures for providing a statement of special educational needs; failed to work collaboratively with colleagues outside the school in relation to school trips.

8. Demonstrate honesty and integrity and uphold public trust and confidence in the teaching profession

The GTCE has taken action against teachers who have: used school administrative staff and facilities for private purposes; accessed inappropriate material on the internet using school equipment; falsified coursework or otherwise improperly benefited pupils in examinations; and falsified qualifications, references or misrepresented the pattern of employment in applying for posts.

Also relevant under this principle are examples of where the GTCE has taken disciplinary action with respect to criminal offending. Examples of relevant offences have included: benefit fraud; indecent assault; inflicting grievous bodily harm; possession of prohibited firearms or illegal drugs.

Further information

The disciplinary functions of the Council are prescribed by the General Teaching Council for England (Disciplinary Functions) Regulations 2001 and the General Teaching Council for England (Disciplinary Functions) Amendment Regulations 2003.

The Teaching and Higher Education Act 1998 empowers the GTCE to set a Code, and the General Teaching Council for England (Registration of Teachers) Regulations 2000 cover the distribution of the Code to registered teachers.

Further information about the GTCE and its regulatory and disciplinary role and procedures can be found on its website: **www.gtce.org.uk/regulation**

“WHAT WE SHARE”

We are building support materials for teachers and those who work with them which show how the Code can be used. These materials will be made available on the code pages at

WWW.GTCE.ORG.UK



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