



**Code of Conduct and Membership Scheme for  
Council Members and Appointees  
ATL Scotland's response to the  
GTC Scotland consultation document  
18 February 2011**

**ATL, the education union**

ATL, as a leading education union, recognises the link between education policy and our members' conditions of employment. Our evidence-based policy making enables us to campaign and negotiate from a position of strength. We champion good practice and achieve better working lives for our members. We help our members, as their careers develop, through first-rate research, advice, information and legal support. Our 160,000 members – teachers, lecturers, headteachers, support staff and students – are empowered to get active locally and nationally.

ATL is affiliated to the Trades Union Congress (TUC), Irish Congress of Trade Unions (ICTU), European Trade Union Committee for Education (ETUCE) and Education International (EI). The union is a member of the Social Partnership – working with the UK Government, employers and other unions on education issues. ATL is not affiliated to any political party and seeks to work constructively with all the main political parties. We welcome the opportunity to comment on the consultation on Code of Conduct and Membership Scheme.

**Section 1 – Terms of Office**

The term of office that new Council members will serve shall be prescribed in the legislation that will govern the new independent Council. The Draft Membership Scheme proposes that the term of office for those appointed to panels or committees should mirror those provisions applicable to Council members (i.e. 4 year terms and no more than 8 served in any 20 year period).

**Q1. Do you agree with this proposal?**

Yes

**Section 2 – Code of Conduct**

The Code of Conduct that is set out in Schedule 1 is a streamlined, more principles based, version of the Code of Conduct that is currently applicable to members of Council (this is appended to the Council Standing Orders). The draft centres around, and builds upon, the "Key Principles" that are set out in the current version of the Code of Conduct. These reflect the principles recommended by the Scottish Parliament (including the Nolan Principles) via its "Model Code" for members of devolved public bodies. The Code seeks to reflect best practice and has been drafted following careful consideration of the approach taken by other professional regulatory bodies in this area.

**Do you consider the proposed Code of Conduct to be appropriate?**

Yes

### **Section 3 – Disqualification, Removal and Suspension**

As with other provisions in the proposed Code of Conduct and Membership Scheme, the provisions relating to the disqualification, removal and suspension of members of Council or any appointees, have been drafted following careful consideration of the approach of other professional regulatory bodies in this area. Provision has been made for members of Council and appointees to be subject to a performance review system to seek to ensure that public confidence is maintained in the way in which Council business is discharged.

**Do you consider the proposed provisions and process associated with them to be appropriate?**

Yes

It is proposed that any hearing held to disqualify, remove or suspend a Council member or appointee from office would be held in private unless the member or appointee concerned requested that the hearing be held in public. Do you think that such hearings should, instead, be held in public as a matter of course?

No view

### **Section 4 – Complaints**

We have proposed a process that seeks to address and resolve complaints raised against any Council in as fair and proportionate a manner as possible.

**Do you think that the complaints process is appropriate and fair?**

Yes

### **Section 6 – Equality and Diversity**

We are committed to promoting and developing equality and diversity in all our work.

**Do you think that any of the proposals in this consultation present any barriers(s) to serving as a Council member or appointee from an equality and diversity perspective?**

No