



**AN CHOMHAIRLE MHÚINTEOIREACHTA**  
*The Teaching Council*

**CODE OF PRACTICE:  
COUNCIL MEMBERS, CHAIRPERSON, DIRECTOR AND  
SECRETARY**

**23 March 2009**

Council Documents Associated with the  
Teaching Council's Code of Practice

Document	Code of Practice Reference	Comments
Human Resources handbook		
Grievance Procedure		
Disciplinary Procedure		
Procedures for Investigating Committee		
Procedures for Disciplinary Committee		
FOI handbooks per sec 16 & 17 of FOI Acts		
Vetting Procedures		
Registration Procedures		
Internal Financial Controls		

An Chomhairle Mhúinteoireachta – The Teaching Council  
**CODE OF PRACTICE: COUNCIL MEMBERS, CHAIRPERSON,  
 DIRECTOR AND SECRETARY**

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**TEACHING COUNCIL CODE OF PRACTICE:  
COUNCIL MEMBERS, CHAIRPERSON, DIRECTOR AND SECRETARY**

Code of Practice approved by Council:

23 March 2009

Schedule of Revisions to Code of Practice:

**TEACHING COUNCIL – An Comhairle Mhúinteoireachta**  
**CODE OF PRACTICE:**  
**COUNCIL MEMBERS, CHAIRPERSON, DIRECTOR AND SECRETARY**

**PURPOSE OF THE CODE OF PRACTICE**

The purpose of this document is:

- a) to set out a code of corporate governance for the Teaching Council;
- b) to serve as a guide to the members of the Council, the Chairperson, the Secretary of the Council and the Director by setting out their respective functions;
- c) to establish clearly the respective authority and responsibilities; and
- d) to delegate certain functions from the Council to the Director.

The responsibilities, duties, policies and procedures set out in this Code of Practice are subject to the Act<sup>1</sup> and all other relevant legislation and statutory regulation.

**1 COUNCIL**

**1.1 Responsibilities**

- 1.1.1 Council members, through their participation in Council meetings and sub committee meetings, will form the policy of the Teaching Council collectively in accordance with the Act.
- 1.1.2 The Council will have prepared and will be responsible for approving a three year strategic plan, which will set out the key objectives and outputs to be achieved and the related strategies, policies and resources.
- 1.1.3 Should the Council have insufficient authority or finance to meet necessary targets it will so advise the Minister for Education & Science and it will take all necessary steps towards securing this authority or finance.

**1.2 Duties of the Council**

- 1.2.1 The Council's duty is to supervise the affairs of the Teaching Council in accordance with the Teaching Council Act and the organisation's compliance with all relevant statutory obligations.
- 1.2.2 The effective discharge of this duty calls for delegation by the Council to the Director as hereafter provided. It is a major function of the Council to determine, on the basis of data submitted by the Director, whether executive performance is effective, in accordance with its plans and policies and in compliance with statutory obligations.

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<sup>1</sup> The Teaching Council Act, 2001 and subsequent amending legislation is referred to as 'the Act' in this document.

- 1.2.3 Council members will bring an independent judgement to bear on issues of strategy, performance, resources, key appointments and standards of conduct.
- 1.2.4 Members of the Council will comply with the *Code of Conduct – Council and Staff of the Teaching Council* in the furtherance of their duties.
- 1.2.5 The Council will reserve certain functions to itself:
- a) formulation of policy and the approval of changes or initiatives in policy, the setting of targets and the determination of broad plans to meet these targets;
  - b) approval of annual capital and operating budgets within the finances available to the Teaching Council, and the reviewing of actual expenditure, taking account of draft proposals and financial reports submitted by the Director;
  - c) approval of fees and other charges as set out in Section 23 of the Act;
  - d) approval of procurement and disposal policies and procedures for the disposal of the Teaching Council's assets;
  - e) purchasing, leasing or disposal of equipment and property, or the awarding and terms of contracts where the amount of money involved in any single transaction is greater than €50,000, excluding items specifically agreed by the Council in its budget. The Council may review these figures periodically;
  - f) purchasing, leasing or selling of real property;
  - g) approval for the opening of bank accounts for and on behalf of the Teaching Council and arrangements for the drawing of funds from such accounts;
  - h) approval for the borrowing of monies in accordance with Section 20 of the Act;
  - i) decisions on bad debts in excess of €6,500 (any one debt);
  - j) reviewing, on an annual basis, the effectiveness of the organisation's system of internal financial controls;
  - k) consideration and approval of major changes in organisation involving the establishment or dis-establishment of main functions or divisions within the Council's organisational structure;
  - l) appointment, suspension or dismissal of the Director in accordance with Sections 11 and 12 of the Act;
  - m) determination of the number and grading of personnel to be employed from time to time by the Teaching Council subject to the approval of the Minister for Education & Science. (Section 13 (1) of the Act);
  - n) approval of the policies governing the appointment of all permanent personnel of the Teaching Council and the approval of permanent

appointments at senior management level as set out in Annexe 'A' to this document. (Section 13 of the Act);

- o) approval of employment policies and general terms & conditions for staff as set out in Annexe 'A' to this document;
- p) submission of an Annual Report to the Minister for Education & Science in accordance with Section 55 of the Act which reflects a balanced review and assessment of the Teaching Council's activities. A draft of this Report will be prepared by the Director;
- q) the making of regulations and orders in accordance with the Act;
- r) establishment of parameters for research grants and bursary schemes;
- s) establishment of committees in accordance with Section 12 of the Act, the appointment of the Chairperson and members of such committees and the determination of their terms of reference. A member of the Council should act as Chairperson of such committees and the Director or his/her representative will be entitled *ex-officio* to attend, speak and advise such meetings;
- t) establishment of sub-committees to deal with once-off or specified matters;
- u) establishment of the following statutory and standing committees in accordance with Section 24 of the Act, and the determination of their terms of reference as set out in Annexe 'B' of this document:
  - Executive Committee
  - Investigating Committee
  - Disciplinary Committee
  - Registration Committee
  - Education Committee
  - Remuneration Committee
  - Finance Committee
  - Audit Committee.
  - Primary Applications Panel
  - Post-primary Applications Panel
  - Evidence of Character Panel

A member of the Council will act as chairperson of these committees. Unless directed otherwise by the Council, the Executive Committee will deal with casual vacancies that may arise on a committee from time to time. The Director or his/her representative will be entitled *ex-officio* to attend, speak and advise such meetings;

- v) consideration of recommendations of such committees and the approval of the expenditure of monies by such committees;
- w) approval of Standing Orders for Council and Committee meetings;
- x) decisions in relation to representation of the Teaching Council on national and international bodies; and

- y) assessment of the Director's performance in accordance with agreed protocols and the determination, subject to the provisions of the Act, of remuneration and superannuation arrangements for the Director.

In making such decisions in relation to the matters set out above, the Council may have recourse to the advice of the Director, supplemented where necessary by the advice of the appropriate Committee of the Council, any Advisory Committee established by the Council and/or independent professional advice.

- 1.2.6 The Council recognises that the achievement of the Teaching Council's objectives and its effective operation depends mainly on the performance of the Director and his/her staff. It is, therefore, to devote its meetings to the matters set out above which are reserved to it for consideration and decision and by adequate delegation to put the Director in a position to ensure that all other matters are effectively and efficiently discharged.
- 1.2.7 When, due to exigencies of time or any other reason, the Council is unable to meet, to do all or any of the following, the Executive Committee shall:
  - a) act on behalf of the Council;
  - b) make interim orders subject to confirmation by the Council within the period specified by the Council in its procedures which shall not exceed 28 days from the making of the order concerned; and
  - c) authorise expenditure, subject to such regulations as may be made from time to time by the Council and to budgetary constraints.

Any such matter dealt with in this manner will be reported on in full to the next meeting of the Council.

- 1.2.8 Members of the Council shall not make statements in the name of the Council except when authorised to do so by the Chairperson of the Council.
- 1.2.9 A Council member shall not, without the consent of the Council, disclose confidential information obtained by him/her, or as a result of having performed duties as a member of the Council. Confidential information includes information that is expressed by the Council or a committee of the Council to be confidential as regards particular information or as regards information of a particular class or description.
- 1.2.10 A Council member may attend a meeting of a committee of the Council of which he/she is not a member as an observer subject in the normal course of events to the provision of three days notification to the Director and Chair of the committee and subject also to the discretion of the committee regarding the items on the agenda which are scheduled to be discussed at the meeting.
- 1.2.11 The members of the Council should be cognisant of their duties in terms of public relations vis-à-vis bodies, voluntary or statutory with whom they are associated. Where appropriate, they may keep the bodies informed in general terms of the progress being made in plans and policies preferably on the basis of information contained in progress reports from the Director or approved minutes and reports. Information, comment or criticism, which is considered appropriate and relevant to the formulation of plans and policies or to the sound execution of the Teaching

Council's activities, should be communicated to the Director and the Chairperson of the Council.

- 1.2.12 The Council may from time to time amend the provisions of this document.

1.3 Re-coupmnt of Expenses Necessarily Incurred by Council Members

1.3.1 Travel expenses at rates approved by the Department of Finance from time to time may be paid to members of the Council in respect of travelling expenses necessarily incurred while engaging in the business of the Council and Committees of the Council.

1.3.2 Other vouched and approved expenses necessarily incurred by members of the Council while engaging in the business of the Council and Committees of the Council may also be refunded.

**2 CHAIRPERSON**

The Chairperson of the Council is responsible for guiding and co-ordinating the deliberations and policy-forming activities of the Council.

2.1 General Responsibilities as a Council member

In addition to the general responsibilities as a Council member the Chairperson shall have the special functions set out below.

2.2 Conduct of Meetings

S/he will guide the discussions of the Council, ensuring that the variety of interests and the special experience of members is drawn upon in an even handed manner with a view to reaching sound conclusions and integrating, wherever possible, differing or conflicting views. The Chairperson will ensure that the collective responsibility and authority of the Council is safeguarded and that excessive influence as regards Council decision making by individual members is avoided.

2.2.1 The Chairperson will:

- a) ensure that Council meetings are held in accordance with the provisions of the Act;
- b) approve the Agenda for each meeting of the Council as prepared by the Executive Committee in accordance with Section 26 (b) of the Act;
- c) sign the Minutes after their adoption by the Council;
- d) ensure that the proceedings are conducted in a proper manner and in accordance with such Standing Orders as the Council may approve from time to time. Due regard will be had to the Council's Code of Conduct for the members and staff of the Council;
- e) ensure that the Council's conclusions and decisions on any matter are properly recorded;
- f) provide a report to the Minister for Education & Science on an annual basis to accompany the Council's Annual Report which will refer, *inter alia*, to the following matters:
  - i. internal financial controls;

- ii. procedures for financial reporting, internal audit, and procurement and asset disposal;
  - iii. Code of Conduct for Council Members and Staff is in place and being complied with;
  - iv. application of Government policies regarding remuneration and Council members' fees and expenses;
  - v. the adoption of the Department of Finance's *Code of Practice for the Governance of State Bodies*; and
  - vi. the Teaching Council's tax compliance.
- g) Approve international representation on behalf of the Council.

### 2.3 Deputy Chairperson

The Deputy Chairperson will act in place of the Chairperson where the Council Chairperson is unavailable or the position is vacant, and at Council meetings where the Chairperson is not present. The Deputy Chair will not act in place of the Council Chairperson in circumstances where the provisions of the Act or other statutory or common law requirements would debar such actions.

### 2.4 Measurement of Organisational Performance

The Chairperson will maintain ongoing contact with the Director towards ensuring that the Council is in a position to assess adequately organisational performance in relation to those functions delegated by the Council to the Director (ref. Schedule 2, sec 2 of the Act).

### 2.5 Contact with the Minister for Education & Science

The Chairperson (or his/her nominee) will ensure that the Minister for Education & Science is kept advised of significant matters arising and will normally lead any delegation and/or issue any correspondence in formal representations by the Council to the Minister.

### 2.6 Public Relations

The Chairperson will undertake such representational duties as can most appropriately be carried out by him/her.

### 2.7 Chairpersons of Council Committees and Sub-Committees

Chairpersons of Council Committees and sub-committees will apply the general principles set out in Section 2.3, of this Code when chairing committees and sub-committees.

### **3 DISCLOSURE OF INTERESTS BY MEMBERS OF THE COUNCIL**

In addition to the requirements of Section 57 of the Act, members of the Council will comply with the procedures set out in Annexe 'C' regarding disclosure of interests.

### **4 SECRETARY TO THE COUNCIL**

4.1 The Director will act as Secretary to the Council

4.2 The Secretary is responsible to the Council for ensuring that Council procedures are followed and that applicable rules and regulations are complied with.

4.3 The Secretary will:

- a) make all necessary arrangements for the holding of Council and Committee meetings including the taking of minutes;
- b) arrange for the briefing of new members of the Teaching Council on Council activities, their responsibilities and duties as Council members, Council and Committee memberships and procedures, and the *Code of Practice* and *the Code of Conduct* as it applies to Council members;
- c) advise or arrange for the provision of advice for Council members as necessary in relation to Teaching Council matters; and
- d) ensure that the Council's decisions are communicated to the relevant parties.

### **5 DIRECTOR**

#### **5.1 General Responsibility**

5.1.1 The Director is responsible for pursuing the objectives and achieving the targets set by the Council in accordance with plans and policies approved by the Council and for bringing the attention of the Council to any departures from these.

5.1.2 S/he, in his/her executive function, will draw on the wisdom and special experience of the Council members to guide and advise him/her as s/he deems necessary. Such guidance and advice will not, however, relieve him/her of full executive responsibility.

5.1.3 The Director will advise the Council on all matters relating to the discharge of the Teaching Council's responsibilities in a timely manner and sufficient to allow members of the Council to satisfactorily discharge their duties.

5.1.4 Towards this end s/he will ensure that Council members receive adequate and timely documentation where this is necessary or useful for their proper consideration of any matter on the Agenda.

5.1.5 The Director will attend Council and committee meetings. If, for any reason, s/he is unable to attend s/he will nominate a senior staff member immediately reporting

to him/her to act in his/her place. If, for any reason, the Director is not in a position to nominate someone to act in his/her place, the Chairperson will exercise this function.

5.1.6 The Director will ensure, by advising the Council as necessary, that the Council operates within the authority conveyed to it by the Act.

## 5.2 Main Duties and Responsibilities of the Director

5.2.1 The Director is responsible for all executive performance and for the translation of Council policies and decisions into effective action. The Council recognises that the Director must be assigned authority commensurate with this responsibility.

5.2.2 The Director may, in accordance with the Act, Section 2, Schedule 2, to whatever extent s/he considers appropriate, delegate formally to other officers of the Teaching Council the performance of any of the duties and functions given to him/her by the Council but s/he will remain ultimately responsible for all executive actions and decisions.

5.2.3 In addition, the Director will:

- a) establish and maintain a sound organisation structure with satisfactory definitions of responsibilities and adequate means for ensuring executive co-ordination;
- b) prepare a three year strategic plan in accordance with 1.1.2 for consideration by the Council;
- c) ensure that a Register of Teachers as required by Section 19 of the Act is established and maintained;
- d) invite members of the Disciplinary Committee to form a panel in accordance with the terms of Section 43 and Schedule 3 of the Act. The Director shall also act as secretary of the panel;
- e) select, appoint and transfer permanent members of the Teaching Council staff in accordance with the Council's policy as set out in Annexe 'A';
- f) implement staff disciplinary procedures in accordance with 1.2.5 (O) and Annexe 'A';
- g) within the agreed procedures, policies and budgets, select and appoint temporary staff and terminate the contract of any temporary or short term contract staff appointed to the Teaching Council;
- h) determine, subject to the provisions of the Act and the policies of the Council, remuneration and allowances for all the Teaching Council staff and deal with all staff matters;
- i) review periodically the organisational structure of the Teaching Council and make any necessary organisational changes or, in the case of changes reserved to the Council under 1.2.5(k), to recommend such to the Council;

- j) ensure the effective training and development of staff;
- k) arrange regular meetings with senior Council staff to review the progress of activities under their control;
- l) ensure effective channels of communication throughout the organisation and encourage a partnership approach between management, staff and staff representatives in relation to the evolving activities and work of the organisation;
- m) ensure that an effective industrial relations framework operates in the Council and in accordance with nationally agreed procedures and processes;
- n) supervise the preparation of annual financial estimates and operating budgets and annual accounts for submission to the Council for approval and supervise the preparation of monthly accounts for the information of the Council;
- o) authorise expenditure limits within the budgets;
- p) purchase or lease equipment/property (not real property) or award contracts when the amount of money involved in any single transactions is less than €75,000. Items specifically agreed by the Council in its Budget will not be subject to this limit. The Council may review these figures periodically;
- q) exercise continuous control over the operating effectiveness and costs of the Teaching Council and take any executive action necessary to improve effectiveness and reduce operating costs;
- r) supervise the preparation of data for the Council's Annual Report and other progress reports for submission to the Minister for Education & Science;
- s) carry out public relations activities appropriate to the Director of the Teaching Council so as to generate the widest possible understanding of the Council's objectives and activities and create an atmosphere of confidence amongst those whom it serves and on whom it relies for services and support;
- t) arrange for the representation of the Teaching Council on such outside bodies and at such functions as s/he may deem appropriate, other than those confined to the Council in 1.2.5 (X);
- u) ensure that the Teaching Council's policies and activities are brought to the notice of voluntary and statutory organisations, educational interests, the Government sector and the public;
- v) undertake other duties assigned or delegated to him/her from time to time by the Council;
- w) whenever the Director makes a decision or enters into a commitment within the terms of his/her delegated authority s/he shall be deemed to

have acted on behalf of the Teaching Council. The Council may, however, require him/her to explain a decision or a commitment;

- x) the Council authorises the Director to take any actions necessary for the discharge of these duties subject only to the limitations on his/her authority or to the specific restriction of authority by the Council or Chairperson elsewhere in this document; and
- y) where the Director is unavailable or indisposed, or the position of Director is vacant, the Deputy Director may with the consent of the Director or Council Chairperson deputise for the Director in relation to the requirements of the Act and the duties and responsibilities of the Director as set out in this Code of Practice.

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**ANNEXE A : STAFF AND EMPLOYMENT MATTERS**  
[As approved by the Teaching Council on 5 December 2006]

**A.1 APPLICATION**

The policies and procedures outlined in this Annexe refer to the staff employed by the Teaching Council.

**A.2 GENERAL POLICIES**

- A.2.1 The employment policies, procedures and conditions in operation within the Teaching Council are subject to the terms of the Act and such legislation and statutory regulation as is applicable to employment matters
- A.2.2 The Council's fulfilment of its statutory functions and strategic objectives can only be achieved through the staff it employs. Thus a key area of interest for the Council is to ensure that its strategic plans are matched with the necessary organisational structures and human resources.
- A.2.3 In the context of (ii), the importance of a well-motivated and committed staff is essential.
- A.2.4 Employee remuneration, allowances, superannuation and employment conditions will be comparable to public service norms and within the guidelines set by the Department of Finance.
- A.2.5 Staff personnel and employment policies will be contained in a staff resource manual which will include complaints and grievances procedures and will be available to all staff.

**A.3 PARTNERSHIP**

- A.3.1 The Council supports and encourages the working together of management, staff and staff representatives in a spirit of partnership. This approach is recognised as being of particular value in the areas of strategic and organisational change.

**A.4 INDUSTRIAL RELATIONS**

- A.4.1 The right of staff to be represented collectively by trades unions is recognised by the Council.
- A.4.2 The Director will establish procedures within the Council which encourage a positive industrial relations environment. The procedures will include reference to the national industrial relations institutions. There is an onus on all parties involved in industrial relations matters within the Teaching Council to act positively and with integrity.
- A.4.3 Outcomes arising from industrial relations discussions shall not be such as to diminish the position, employment conditions or rights of staff who are not members of a trade union.

## **A.5 RECRUITMENT**

- A.5.1 Recruitment of staff to approved positions below the level of Director will be a matter for the Director in accordance with the procedural parameters set out below. Recruitment to any position equivalent to the Civil Service grade of Assistant Principal Officer or higher will be subject to the overall approval of the Executive Committee.
- A.5.1.1 All staff positions shall be filled by publicly-notified, open competition unless otherwise noted in this Annexe or varied by agreement of the Council or the Executive Committee on behalf of the Council.
- A.5.1.2 Staff positions within the Council will normally be filled on a permanent basis, unless there are specific reasons for not so doing.
- A.5.1.3 The following are the selection and employment processes for filling vacant staff positions in the Council other than that of Director:

### **A.5.2 General Guidelines on Recruitment:**

- A.5.2.1 A pre-determined and relevant job description and job selection criteria will be established for an advertised post.
- A.5.2.2 Candidates will be assessed equally and fairly, and selected only on merit.
- A.5.2.3 Canvassing on behalf of candidates is strictly prohibited.
- A.5.2.4 A family relationship with a candidate shall exclude a potential selection panel member from serving. Annexe C.1 (a) should be noted in this regard.
- A.5.2.5 Competition short-listing and interviewing results will be recorded.
- A.5.2.6 Relevant employment legislation including equality legislation will be complied with fully.
- A.5.2.7 The selection panel will provide a result list, in order of merit, of those it deems suitable to be appointed and the Director will appoint the candidate(s) accordingly.
- A.5.2.8 Employment of successful candidates will be subject to satisfactory employment references.

### **A.5.3 Appointments up to and including Higher Executive Officer Grade**

- A.5.3.1 Selection panels for short-listing and interviewing candidates for positions up to and including Higher Executive Officer grade will be appointed by the Director.
- A.5.3.2 The Director, or the Director's nominee, may be a member of the selection panel.
- A.5.3.3 The selection panel should include an external member who has expertise in the job position being filled and should contain at least one member of each gender.

#### **A.5.4 Appointments at Assistant Principal and Principal Officer Grades**

- A.5.4.1 Selection panels for positions equivalent to the grades of Assistant Principal and Principal Officer will be appointed by the Director subject to the approval of the Executive Committee.
- A.5.4.2 Selection panels shall have five members. Each panel shall include the Council Chairperson (or the Chairperson's nominee), the Director (or the Director's nominee), at least one other member of the Teaching Council and at least one external member.
- A.5.4.3 The selection panel should include an external member who has expertise in the job position being filled and should contain at least two members of each gender.
- A.5.4.4 Where considered appropriate and with the approval of the Executive Committee, a selection panel may utilise the services of an external agency or professional advisor to assist with the recruitment process.

#### **A.6 VACANCY FOR THE POSITION OF DIRECTOR**

- A.6.1 Where a vacancy occurs for the position of Director, a sub-committee of the Council, chaired by the Council Chairperson, will be set up to oversee the recruitment process.
- A.6.2 The sub-committee should be broadly representative of the make-up of the Council with a maximum of seven members and act in accordance with the spirit of the general recruitment principles outlined in this Annex.
- A.6.3 The sub-committee, with the approval of the Council, may utilise an external agency or an external professional advisor to assist with the recruitment process. The sub-committee will recommend the membership of the selection panel for the Council's approval.

#### **A.7 INTERNAL COMPETITIONS**

- A.7.1 Confined internal competitions to fill vacancies at administrative levels (up to and including the equivalent of the Civil Service Grade of Executive Officer) may be permitted at the discretion of the Director. Selection procedures will be in line with the principles outlined above.

#### **A.8 FILLING OF VACANCIES BY STAFF WITHIN SAME GRADE**

- A.8.1 Staff at a similar grade may fill vacant positions where the Director is satisfied as to the suitability of the individual for the position. Where more than one staff member (of similar grade) indicates an interest in a vacant position, a selection procedure based on the principles as outlined above will be applied.

#### **A.9 SHORT-TERM AND TEMPORARY VACANCIES**

- A.9.1 Where short-term or temporary vacancies occur (e.g. due to maternity or parental leave, seasonal workflows), the Director may authorise a more localised

recruitment procedure. Selection will, however, be on the principles outlined above. The Director may also authorise the ‘acting-up’ of an existing staff member for short-term vacancies where appropriate.

#### **A.10 DISSEMINATION OF INFORMATION ON STAFFING**

- A.10.1 The Director will keep the Council and Executive Committee generally informed as to staff movements, particularly at management level, on an ongoing basis.  
*[Sections B1 – B10 approved by Council December 2006]*

#### **A.11 DISCIPLINARY & GRIEVANCE PROCEDURE**

- A.11.1 A staff disciplinary procedure will be prepared by the Director for approval by the Council or Executive Committee on the Council’s behalf. The procedure will accord with natural justice, and current employment law and precedent.

#### **A.12 TERMINATION OF EMPLOYMENT**

- A.12.1 Where the circumstances so warrant, the Director may approve the dismissal or termination of employment of an employee in accordance with the terms of the Teaching Council’s disciplinary procedure and the employee’s employment contract. In cases involving an Assistant Principal or higher grade the Director will seek the approval of the Council or Executive Committee prior to implementing a dismissal or termination.

#### **A.13 EMPLOYMENT POLICIES**

- A.13.1 The Director will oversee the development and implementation of appropriate staff employment policies. Due regard will be taken of the views of staff and staff representatives in the preparation of these policies. The Council, or the Executive Committee on the Council’s behalf, will be kept advised of significant policy developments.

#### **A.14 SUPERANNUATION**

- A.14.1 Superannuation arrangements for the Teaching Council staff will be in line with schemes available in the non-commercial public sector. A scheme will be drafted under the guidance of the Dept of Education & Science for the attention of the Council in accordance with Section 14 of the Act. Pending approval of a Teaching Council superannuation scheme, the Council will operate its superannuation arrangements under the administrative approval of the Dept. of Education & Science.

## **ANNEXE B : TERMS OF REFERENCE FOR COMMITTEES OF THE TEACHING COUNCIL**

### **B.1. AUDIT COMMITTEE**

#### **B.1.1 Establishment**

- B.1.1.1 The Teaching Council shall establish a standing Committee to be known as the Audit Committee, in accordance with the terms of Section 24 of the Act.
- B.1.1.2 The Council shall appoint all members of the Committee.
- B.1.1.3 The Council shall review the constitution and terms of reference of the Committee periodically, as appropriate.
- B.1.1.4 The Committee will meet a minimum of twice a year.

#### **B.1.2 Membership**

- B.1.2.1 Members of the Committee shall be members of the Council and appointed for a period no greater than the term of appointment to the Council.
- B.1.2.2 The Committee shall consist of a minimum of five members which should include a Department of Education & Science representative, a school management representative member, primary teacher member and post-primary teacher member. A maximum of two members appointed to the Finance Committee may also sit on the Audit Committee. The Council chairperson shall have the discretion to attend in an *ex-officio* role if not appointed as a member.
- B.1.2.3 The Committee shall appoint a Chairperson from among its own members excluding the Council Chairperson and members who also serve on the Council's Finance Committee.
- B.1.2.4 A meeting quorum shall be three members.
- B.1.2.5 The Director of the Council (or his/her nominee) may attend meetings of the Committee.
- B.1.2.6 Membership of the Committee shall be included in the annual report.

#### **B.1.3 Scope and Definition of Activities**

- B.1.3.1 The Committee shall ensure, in so far as is practicable, that effective systems, financial controls and procedures are in place and operating, to enable the Teaching Council operate in an orderly, efficient and value-for-money manner.
- B.1.3.2 The Committee shall have:
  - a) The authority and the resources to investigate any matters that fall within the scope of 1.3.1. above;
  - b) full access to information; and

- c) authority to obtain external professional advice and to invite relevant experts to attend meetings if necessary.

B.1.3.3 The Committee shall review the draft audited annual accounts and auditor's report and make recommendations to the Council regarding the approval of the accounts.

#### **B.1.4 External and Internal Audit**

B.1.4.1 The external auditor and the internal auditor shall be invited to attend meetings of the Committee at least once a year, without staff of the Council present, to discuss the annual audit of the Council's financial accounts and internal audit matters.

B.1.4.2 The Committee shall ensure that there is an appropriate internal audit function, as specified under the Council's formal Charter for Internal Audit, to ensure that the Council is fully compliant with all internal audit requirements under the Code of Practice for the Governance of State Bodies.

B.1.4.3 The Committee shall periodically consult with the external auditor regarding the operation, resourcing and work programme of the internal audit function.

B.1.4.4 The internal auditor shall report directly to the Committee and shall also have access to the Chairperson of the Council and the Chairperson of the Committee.

B.1.4.5 The Committee shall ensure that the independence of the internal and external audit functions is maintained.

#### **B.1.5 Reporting to the Council**

B.1.5.1 The Committee shall report and make recommendations to the Council and Executive Committee on:

- a) external audit reports and requirements; and
- b) internal audit reports and requirements.

#### **B.1.6 Confidentiality**

B.1.6.1 In accordance with Section 58 of the Act, a Committee member shall not, without the consent of the Council, disclose confidential information obtained by him/her, or as a result of having performed duties as a member of the Committee. Confidential information includes information that is expressed by the Committee to be confidential as regards particular information or as regards information of a particular class or description.

## **B.2 FINANCE COMMITTEE**

### **B.2.1 Establishment**

- B.2.1.1 The Teaching Council shall establish a standing Committee to be known as the Finance Committee, in accordance with the terms of Section 24 of the Teaching Council Act.
- B.2.1.2 The Council shall review the membership and terms of reference of the Committee periodically, as appropriate.
- B.2.1.3 The Committee shall meet at least three times a year.

### **B.2.2 Membership**

- B.2.2.1 Members of the Committee shall be members of the Council and appointed for a period no greater than the term of appointment to the Council.
- B.2.2.2 The Committee shall consist of a minimum of five members. The Council Chairperson shall have the discretion to attend meetings in an ex-officio role if not appointed as a member.
- B.2.2.3 The Committee shall appoint a Chairperson from among its own members.
- B.2.2.4 A meeting quorum shall be three members.
- B.2.2.5 The Director of the Council (or his/her nominee) may attend meetings of the Committee.
- B.2.2.6 Membership of the Committee shall be included in the annual report.

### **B.2.3 Scope and Definition of Activities**

- B.2.3.1 The Committee shall ensure that proper estimates of income and expenditure are prepared annually, for submission to the Council. These estimates shall include proposals and future plans relating to the discharge by the Council of its functions over a period of years in line with the Council's strategic plan.
- B.2.3.2 The Committee shall ensure that a budget is prepared annually, in line with the funding available from Registration Renewal Fees and other projected sources of income.
- B.2.3.3 The Committee shall review actual income and expenditure against budget at regular specified intervals during the annual budget cycle, and ensure that a revised budget is prepared where necessary.
- B.2.3.4 The Committee shall review the accounts of the Council for each financial year, for submission to the Auditor as appointed by the Minister for Education & Science in accordance with Section 18 (2) of the Act.

### **B.2.4 Reporting to the Council**

- B.2.4.1 The Committee shall report and make recommendations to the Council and Executive Committee on:

- a) annual estimates of income and expenditure;
- b) annual budget;
- c) review of actual income and expenditure against budget; and
- d) the accounts of the Council for each financial year.

## **B.2.5 Confidentiality**

- B.2.5.1 In accordance with Section 58 of the Act, a Committee member shall not, without the consent of the Council, disclose confidential information obtained by him/her, or as a result of having performed duties as a member of the Committee. Confidential information includes information that is expressed by the Committee to be confidential as regards particular information or as regards information of a particular class or description.

### **B.3. REMUNERATION COMMITTEE**

#### **B.3.1 Establishment**

- B.3.1.1 The Council of the Teaching Council shall establish at its discretion a standing committee to be known as the Remuneration Committee, in accordance with the terms of Section 24 of the Act.
- B.3.1.2 The Council shall review the constitution and terms of reference of the Committee periodically, as appropriate.
- B.3.1.3 The Committee shall meet as required but not less than once a year.

#### **B.3.2 Membership**

- B.3.2.1 Members of the Committee shall be members of the Council and appointed for a period no greater than the term of appointment fixed by the Minister in Section 4 of Schedule 1 of the Act.
- B.3.2.2 The Committee shall consist of four members, including the Chairperson of the Council, the chairperson of the Audit Committee and the Minister's Departmental representative on the Council.
- B.3.2.3 A meeting quorum shall be three members.
- B.3.2.4 The Chairperson of the Council will act as Chairperson of the Committee.
- B.3.2.5 Membership of the Committee shall be included in the annual report.

#### **B.3.3 Scope and Definition of Activities**

- B.3.3.1 The Committee shall review the Director's remuneration and allowances and ensure that Government policy is complied with in this respect.
- B.3.3.2 The Committee shall implement any performance related award schemes as may be approved by the Council from time to time.

#### **B.3.4 Reporting to the Council**

- B.3.4.1 The Committee shall report and make recommendations to the Council or the Executive Committee on the Council's behalf on:
- a) remuneration and allowances of the Director;
  - b) assessments or outcomes as required in relation to an approved performance related pay award scheme.

#### **B.3.5 Confidentiality**

- B.3.5.1 In accordance with Section 58 of the Act, a Committee member shall not, without the consent of the Council, disclose confidential information obtained by him/her, or as a result of having performed duties as a member of the Committee. Confidential information includes information that is expressed by the Committee to be confidential as regards particular information or as regards information of a particular class or description.

## **B.4. EXECUTIVE COMMITTEE**

### **B.4.1 Establishment**

- B.4.1.1 The Council of the Teaching Council shall establish a standing Committee to be known as the Executive Committee, in accordance with the terms of Sections 24 and 25 of the Act
- B.4.1.2 The Council shall review the constitution and terms of reference of the Committee periodically, as appropriate.
- B.4.1.3 The Committee shall meet in advance of Council Meetings and as required.

### **B.4.2 Membership**

- B.4.2.1 In accordance with Section 25 of the Act, the Executive Committee shall consist of 11 members of whom not less than six and not more than seven shall be members of the Council appointed in accordance with paragraphs (a) and (b) of Section 8 (2) of the Act.

The members of the Executive Committee shall be:

- a) the chairperson of the Council;
  - b) the deputy chairperson of the Council;
  - c) the chairpersons of such committees (other than the Investigating Committee or the Disciplinary Committee) as the Council considers appropriate;
  - d) members of the Council appointed under paragraph (g) of Section 8 (2) of the Act; and
  - e) such other members of the Council as the Council considers appropriate.
- B.4.2.2 The chairperson of the Council shall be the chairperson of the Executive Committee. The Director shall act as secretary to the Executive Committee.
- B.4.2.3 The quorum for the Committee shall be six members.
- B.4.2.4 Membership of the Committee shall be included in the annual report.

### **B.4.3 Scope and Definition of Activities**

- B.4.3.1 In accordance with Section 26 of the Act, the functions of the Executive Committee shall be:
- (a) to facilitate and assist the Council in the performance of its functions;
  - (b) to prepare, in consultation with the Director, the agenda for the general meetings of the Council;

- (c) to co-ordinate the activities of committees (other than the Investigating Committee or the Disciplinary Committee) and the operations of the Council generally;
- (d) to fill casual vacancies in accordance with Section 24(8) of the Act;
- (e) when, due to exigencies of time or for any other reason, the Council is unable to meet, to do all or any of the following:
  - (i) to act on behalf of the Council;
  - (ii) to make interim orders on behalf of the Council and any such orders shall be subject to confirmation by the Council within the period specified by the Council in its procedures which period shall not exceed 28 days from the making of the order concerned;
  - (iii) to authorise expenditure, subject to such regulations as may be made from time to time by the Council and to budgetary constraints;
- (f) to advise the Council as it considers appropriate;
- (g) to review and make recommendations to the Council in respect of the establishment, membership, terms of reference and continuance of committees;
- (h) to report, as directed from time to time by the Council, on its activities; and
- (i) to perform such other functions as the Council may from time to time delegate to it.

#### **B.4.4 Confidentiality**

- B.4.4.1 In accordance with Section 58 of the Act, a Committee member shall not, without the consent of the Council, disclose confidential information obtained by him/her, or as a result of having performed duties as a member of the Committee. Confidential information includes information that is expressed by the Committee to be confidential as regards particular information or as regards information of a particular class or description.

## **B.5. INVESTIGATING COMMITTEE**

### **B.5.1 Establishment**

- B.5.1.1 The Council of the Teaching Council shall establish a standing Committee to be known as the Investigating Committee, in accordance with the terms of Sections 24 and 27 of the Act.
- B.5.1.2 The Council shall review the constitution and terms of reference of the Committee periodically, as appropriate.
- B.5.1.3 The Committee shall meet as required but not less than once a year

### **B.5.2 Membership**

- B.5.2.1 The Investigating Committee shall consist of 11 members.
- (a) The deputy chairperson of the Council;
  - (b) six members of the Council appointed under paragraphs (a) and (b) of Section 8(2) of the Act;
  - (c) three members of the Council appointed under paragraphs (c), (d), (e) and (f) of Section 8(2) of the Act, and
  - (d) one member of the Council appointed under paragraph (g) of Section 8(2) of the Act.
- B.5.2.2 The deputy chairperson of the Council shall be the chairperson of the Investigating Committee.
- B.5.2.3 The Director shall act as secretary to the Investigating Committee.
- B.5.2.4 A member of the Disciplinary Committee shall not be eligible to be a member of the Investigating Committee.
- B.5.2.5 Members of the Committee shall be members of the Council and appointed for a period no greater than the term of appointment fixed by the Minister in Section 4 of Schedule 1 of the Act.
- B.5.2.6 The quorum for the Committee shall be six members.
- B.5.2.7 Membership of the Committee shall be included in the annual report.

### **B.5.3 Scope and Definition of Activities**

- B.5.3.1 The Investigating Committee shall consider and conduct inquiries in accordance with the terms of Section 42 of the Act and such procedures as may be adopted by The Teaching Council.

B.5.3.2 The Committee may make recommendations and tender advice as regards the arrangements and procedures associated with considering and conducting inquiries to the Council.

**B.5.4 Confidentiality**

B.5.4.1 In accordance with Section 58 of the Act, a Committee member shall not, without the consent of the Council, disclose confidential information obtained by him/her, or as a result of having performed duties as a member of the Committee. Confidential information includes information that is expressed by the Committee to be confidential as regards particular information or as regards information of a particular class or description.

## **B.6. DISCIPLINARY COMMITTEE**

### **B.6.1 Establishment**

- B.6.1.1 The Council of the Teaching Council shall establish a standing Committee to be known as the Disciplinary Committee, in accordance with the terms of Sections 24 and 28 of the Act.
- B.6.1.2 The Council shall review the constitution and terms of reference of the Committee periodically, as appropriate.
- B.6.1.3 The Committee shall meet as required but not less than once a year.

### **B.6.2 Membership**

- B.6.2.1 Members of the Committee shall be members of the Council and appointed for a period no greater than the term of appointment fixed by the Minister in Section 4 of Schedule 1 of the Act.
- B.6.2.2 The Disciplinary Committee shall consist of 13 members:
- (a) the chairperson of the Council;
  - (b) seven members of the Council appointed under paragraphs (a) and (b) of Section 8(2) of the Act;
  - (c) three members of the Council appointed under paragraphs (c), (d), (e) and (f) of Section 8(2) of the Act; and
  - (d) two members of the Council appointed under paragraph (g) of Section 8(2) of the Act.
- B.6.2.3 The chairperson of the Council shall be the chairperson of the Disciplinary Committee.
- B.6.2.4 The Director shall act as secretary to the Disciplinary Committee.
- B.6.2.5 The quorum for the Committee shall be 7 members.
- B.6.2.6 Membership of the Committee shall be included in the annual report.

### **B.6.3 Scope and Definition of Activities**

- B.6.3.1 The Disciplinary Committee shall hold inquiries in accordance with the terms of Section 43 and Schedule 3 of the Act and such rules and procedures as may be adopted by the Teaching Council.
- B.6.3.2 The Committee may make recommendations and tender advice as regards the arrangements and procedures associated with considering and conducting inquiries to the Council.

**B.6.4 Appointment of Disciplinary Panels**

- B.6.4.1 The appointment and functioning of Disciplinary Panels shall be in accordance with Section 43 and Schedule 3 of the Act, and in accordance with such rules and procedures as may be laid down by the Teaching Council.

**B.6.5 Confidentiality**

- B.6.5.1 In accordance with Section 58 of the Act, a Committee member shall not, without the consent of the Council, disclose confidential information obtained by him/her, or as a result of having performed duties as a member of the Committee. Confidential information includes information that is expressed by the Committee to be confidential as regards particular information or as regards information of a particular class or description.

## **B.7. REGISTRATION COMMITTEE**

### **B.7.1 Establishment**

- B.7.1.1 The Council of the Teaching Council shall establish a standing Committee to be known as the Registration Committee, in accordance with the terms of Section 24 of the Act.
- B.7.1.2 The Council shall review the constitution and terms of reference of the Committee periodically, as appropriate
- B.7.1.3 The Committee shall meet as required but not less than once a year.

### **B.7.2 Membership**

- B.7.2.1 Members of the Committee shall be members of the Council and appointed for a period no greater than the term of appointment fixed by the Minister in Section 4 of Schedule 1 of the Act.
- B.7.2.2 The Committee shall consist of a minimum of thirteen members, seven from the teacher group (appointed under sections 8(2)(1)(a) & (b) of the Act), four from the nominated group (appointed under sections 8(2)(1)(c), (d), (e), and (f) of the Act) and two from the appointed group (appointed under sections 8(2)(1)(g) of the Act). The Council Chairperson shall have the discretion to attend in an ex-officio role if not appointed as a member.
- B.7.2.3 The Committee shall appoint a Chairperson from among its own members.
- B.7.2.4 A meeting quorum shall be seven members. In the case of registration application review hearings the quorum shall be five members.
- B.7.2.5 The Director of the Council and/or his/her nominee may attend meetings of the Committee including registration application review hearings.
- B.7.2.6 Membership of the Committee shall be included in the annual report.

### **B.7.3 Scope and Definition of Activities**

- B.7.3.1 The committee will advise the Council and make recommendations in the following areas:
  - (a) the regulations for registration as a teacher;
  - (b) the processes for implementing such regulations,
  - (c) The composition and terms of reference of Primary, Post-primary Applications Panels and the Evidence of Character Panel;
  - (d) Registration application review of Panel decision processes;
  - (e) the form of certification to be issued to registered teachers;
  - (f) the appointment of assessors to assist the Applications Panels and the Registration Committee Review of panel decision process;

- (g) In consultation with the Education Committee, determine criteria and guidance for the assessment of qualifications for registration purposes;
  - (h) matters relating to the probation of new entrants to the teaching profession; and,
  - (i) Such other matters relating to the registration of teachers as the Committee or Council may consider appropriate.
- B.7.3.2 Acting on behalf of the Council, the Committee will review registration application decisions made by the Primary and Post-primary Panels and the Evidence of Character Panel where so requested by the applicant. The Committee will review such Panel decisions in accordance with the procedures as approved by the Council from time to time and the Committee's decision shall be deemed to be the decision of the Council.

#### **B.7.4 Confidentiality**

- B.7.4.1 In accordance with Section 58 of the Act, a Committee member shall not, without the consent of the Council, disclose confidential information obtained by him/her, or as a result of having performed duties as a member of the Committee. Confidential information includes information that is expressed by the Committee to be confidential as regards particular information or as regards information of a particular class or description.

## **B.8 EDUCATION COMMITTEE**

### **B.8.1 Establishment**

- B.8.1.1 The Council of the Teaching Council shall establish a standing Committee to be known as the Education Committee, in accordance with the terms of Section 24 of the Act.
- B.8.1.2 The Council shall review the constitution and terms of reference of the Committee periodically, as appropriate.
- B.8.1.3 The Committee shall meet as required but not less than four times a year.

### **B.8.2 Membership**

- B.8.2.1 Members of the Committee shall be members of the Council and appointed for a period no greater than the term of appointment fixed by the Minister in Section 4 of Schedule 1 of the Act.
- B.8.2.2 The Committee shall consist of a minimum of thirteen members, seven from the teacher group (appointed under Sections 8(2)(1)(a) & (b) of the Act), four from the nominated group (appointed under Sections 8(2)(1)(c), (d), (e) and (f) of the Act) and two from the appointed group (appointed under sections 8(2)(1)(g) of the Act). The Council Chairperson shall have the discretion to attend in an ex-officio role if not appointed as a member.
- B.8.2.3 The Committee shall appoint a Chairperson from among its members.
- B.8.2.4 A meeting quorum shall not be less than seven members.
- B.8.2.5 The Director of the Council and/or his/her nominee may attend meetings of the Committee.
- B.8.2.6 Membership of the Committee shall be included in the annual report.

### **B.8.3 Scope and Definition of Activities**

- B.8.3.1 The Committee will advise the Council and make recommendations in the following areas:
  - a) *Standards of Entry to the Teaching Profession* – The standards of education and training that should apply to persons entering programmes of teacher education and training in the State and the review and accreditation of such programmes.
  - b) *Practice of Teaching* – The review of standards of knowledge, skills and competence required for the practice of teaching.
  - c) *Teaching qualifications* - The accreditation of course content of qualifications for teaching for registration purposes.
  - d) *Liaison and consultation with the Registration Committee* - in respect of (b) and (c) above.

- e) *New Entrant Induction* – Matters relating to the induction of new members to the profession.
- f) *Professional Development* – The promotion of the continuing education, training and professional development of teachers; and, the review and accreditation of programmes of continuing education and training for teachers in accordance with Section 39 of the Act.
- g) *Codes of Professional Conduct* – The drafting and review of codes of professional conduct for teachers. The Committee will be particularly cognisant of the Council's obligations under Section 7.2. of the Act.
- h) *Promoting the Profession* – The promotion of teaching as a profession to potential new entrants.
- i) *Communications* – Advise on an ongoing basis regarding Council communications strategy.
- j) *Research* – The Committee will promote, support and commission research relating to the professional needs of teachers.
- k) *Submissions and reports* – The Committee will prepare submissions and reports on educational issues for approval by the Council.

#### **B.8.4 Confidentiality**

- B.8.4.1 In accordance with Section 58 of the Act, a Committee member shall not, without the consent of the Council, disclose confidential information obtained by him/her, or as a result of having performed duties as a member of the Committee. Confidential information includes information that is expressed by the Committee to be confidential as regards particular information or as regards information of a particular class or description.

## **PRIMARY APPLICATIONS PANEL**

### **B.9.1 Establishment**

- B.9.1.1 The Teaching Council shall establish a standing Committee to be known as the Primary Applications Panel, in accordance with the terms of Section 24 of the Act.
- B.9.1.2 The Council shall appoint all members of the Panel.
- B.9.1.3 The Council shall establish the terms of reference and membership of the Panel periodically, as appropriate.
- B.9.1.4 The Panel will meet a minimum of once a year and as often thereafter as the efficient handling of applications requires.

### **B.9.2 Membership**

- B.9.2.1 All members of the Panel shall be members of the Council and appointed for a period no greater than the term of appointment to the Council.
- B.9.2.2 The Panel shall consist of a minimum of seven members representing a cross-section of the Council as set out in Section 8(2) of the Act and should include one member appointed under Section 8(2)(c) of the Act and at least one member appointed under each of Sections 8(2) (a) and (b) of the Act
- B.9.2.3 The Panel shall appoint a Chairperson from among its own members. The Panel Chairperson may attend meetings of the Registration Committee on an *ex-officio* basis if s/he is not a member of the Committee.
- B.9.2.4 A meeting quorum shall be three members.
- B.9.2.5 The Director of the Council (or his/her nominee) may attend meetings of the Panel.
- B.9.2.6 Membership of the Panel shall be included in the annual report.

### **B.9.3 Scope and Definition of Activities**

- B.9.3.1 The Panel shall assess the professional qualifications of applicants for registration as a teacher referred to it by the Director or his or her nominee and shall decide on the suitability of qualifications so assessed for the purposes of registration.
- B.9.3.2 Applicants whose qualifications are not included on the list of accredited qualifications ('Autoquals list') or where there is doubt about the suitability of the qualifications shall be referred to the Panel.
- B.9.3.3 Qualifications shall be assessed against such regulations, criteria and other requirements as may be determined by the Council from time to time.
- B.9.3.4 Where the Panel decides that an applicant's qualifications are unsuitable for registration purposes, it shall prepare a report for the attention of the Registration Committee in such format as may be determined by the Council. The Panel will notify the applicant of their decision, the reasons for that decision and the courses of action open to the applicant at that point.

B.9.3.5 The Panel will have an advisory role to the Registration and Education Committees in relation to the accreditation of professional qualifications.

#### **B.9.4 Reporting**

B.9.4.1 The Panel shall report to the Council and Registration Committee on the throughput of cases and outcomes. The Panel may make recommendations on areas relevant to its activities to the Registration Committee as it feels appropriate

#### **B.9.5 Confidentiality**

B.9.5.1 In accordance with Section 58 of the Act, a Panel member shall not, without the consent of the Council, disclose confidential information obtained by him/her, or as a result of having performed duties as a member of the Panel. Confidential information includes information that is expressed by the Panel to be confidential as regards particular information or as regards information of a particular class or description.

## **POST- PRIMARY APPLICATIONS PANEL**

### **B.10.1 Establishment**

- B.10.1.1 The Teaching Council shall establish a standing Committee to be known as the Post-primary Applications Panel, in accordance with the terms of Section 24 of the Act.
- B.10.1.2 The Council shall appoint all members of the Panel.
- B.10.1.3 The Council shall establish the terms of reference and membership of the Panel periodically, as appropriate.
- B.10.1.4 The Panel will meet a minimum of once a year and as often thereafter as the efficient handling of applications requires.

### **B.10.2 Membership**

- B.10.2.1 All members of the Panel shall be members of the Council and appointed for a period no greater than the term of appointment to the Council.
- B.10.2.2 The Panel shall consist of a minimum of seven members representing a cross-section of the Council as set out in Section 8(2) of the Act and should include one member appointed under Section 8(2)(d) of the Act and at least one member appointed under each of Sections 8(2) (a) and (b) of the Act.
- B.10.2.3 The Panel shall appoint a Chairperson from among its own members. The Panel Chair may attend meetings of the Registration Committee on an *ex-officio* basis if s/he is not a member of the Committee.
- B.10.2.4 A meeting quorum shall be three members.
- B.10.2.5 The Director of the Council (or his/her nominee) may attend meetings of the Panel.
- B.10.2.6 Membership of the Panel shall be included in the annual report.

### **B.10.3 Scope and Definition of Activities**

- B.10.3.1 The Panel shall assess the professional qualifications of applicants for registration as a teacher referred to it by the Director or his/her nominee and shall decide on the suitability of qualifications so assessed for the purposes of registration.
- B.10.3.2 Applicants whose qualifications are not included on the list of accredited qualifications ('autoquals list') or where there is doubt about the suitability of the qualifications shall be referred to the Panel.
- B.10.3.3 Qualifications shall be assessed against such regulations, criteria and other requirements as may be determined by the Council from time to time.
- B.10.3.4 Where the Panel decides that an applicant's qualifications are unsuitable for registration purposes, it shall prepare a report for the attention of the Registration Committee in the format determined by the Council. The Panel will notify the

applicant of their decision, the reasons for that decision and the courses of action open to the applicant at that point.

- B.10.3.5 The Panel will have an advisory role to the Registration and Education Committees in relation to the accreditation of professional qualifications.

#### **B.10.4 Reporting**

- B.10.4.1 The Panel shall report to the Council and Registration Committee on the throughput of cases and outcomes. The Panel may make recommendations on areas relevant to its activities to the Registration Committee as it feels appropriate.

#### **B.10.5 Confidentiality**

- B.10.5.1 In accordance with Section 58 of the Act, a Panel member shall not, without the consent of the Council, disclose confidential information obtained by him/her, or as a result of having performed duties as a member of the Panel. Confidential information includes information that is expressed by the Panel to be confidential as regards particular information or as regards information of a particular class or description.

## **EVIDENCE OF CHARACTER PANEL**

### **B.11.1 Establishment**

- B.11.1.1 The Teaching Council shall establish a standing Committee to be known as the Evidence of Character Panel, in accordance with the terms of Section 24 of the Act.
- B.11.1.2 The Council shall appoint all members of the Panel.
- B.11.1.3 The Council shall establish the terms of reference and membership of the Panel periodically, as appropriate.
- B.11.1.4 The Panel will meet a minimum of once a year and as often thereafter as the efficient handling of applications requires.

### **B.11.2 Membership**

- B.11.2.1 Members of the Panel shall be members of the Council and appointed for a period no greater than the term of appointment to the Council.
- B.11.2.2 The Panel shall consist of a minimum of seven members representing a cross-section of the Council as set out in Section 8(2) of the Act.
- B.11.2.3 The Panel shall appoint a Chairperson from among its own members. The Panel Chair may attend meetings of the Registration Committee on an *ex-officio* basis if s/he is not a member of the Committee.
- B.11.2.4 A meeting quorum shall be three members.
- B.11.2.5 The Director of the Council (or his/her nominee) may attend meetings of the Panel.
- B.11.2.6 Membership of the Panel shall be included in the annual report.

### **B.11.3 Scope and Definition of Activities**

- B.11.3.1 The Panel shall assess the evidence of character of applicants seeking to register as teachers with the Council.
- B.11.3.2 An applicant's evidence of character shall be assessed against such guidelines, criteria and other requirements and in accordance with the procedures approved by the Council from time to time.
- B.11.3.3 Where the Panel decides that an applicant's evidence of character renders her/him unsuitable for registration purposes, the Panel will notify the applicant of their decision, the reasons for that decision and the courses of action open to the applicant at that point. The Panel shall prepare a report for the attention of the Registration Committee in the format determined by the Council.

### **B.11.4 Reporting**

- B.11.4.1 The Panel shall report to the Council and Registration Committee on the throughput of cases and outcomes. The Panel may make recommendations on

areas relevant to its activities to the Registration Committee as it feels appropriate.

### **B.11.5 Confidentiality**

- B.11.6.1 In accordance with Section 58 of the Act, a Panel member shall not, without the consent of the Council, disclose confidential information obtained by him/her, or as a result of having performed duties as a member of the Panel. Confidential information includes information that is expressed by the Panel to be confidential as regards particular information or as regards information of a particular class or description.

**ANNEXE C : DISCLOSURE OF INTERESTS BY MEMBERS OF THE COUNCIL AND APPLICATION OF ETHICS IN PUBLIC OFFICE ACTS TO MEMBERS AND STAFF OF THE COUNCIL**

**C.1. DISCLOSURE OF INTERESTS**

In addition to the requirements under Section 57 of the Act, the following procedures should be observed with regard to the disclosure of interests by Council Members.

C.1.1 On appointment to the Council of the Teaching Council, each member should furnish to the Secretary of the Council details relating to his/her employment and all other business interests including shareholdings, professional relationships etc., which could involve a conflict of interest or could materially influence the member in relation to the performance of his/her functions as a member of the Council. Any interests of a member's family of which he/she could be expected to be reasonably aware or a person or body connected with the member which could involve a conflict of interest or could materially influence the member in the performance of his/her functions should also be disclosed. For this purpose persons and bodies connected with a member should include:

- (a) a spouse, parent, brother, sister, child or step-child;
- (b) a body corporate with which the member is associated;
- (c) a person acting as the trustee of any trust, the beneficiaries of which include the member or the persons at (a) above or the body corporate at (b) above; and
- (d) a person acting as a partner of the member or of any person or body who, by virtue of (a) – (c) above, is connected with the member.

Each member should furnish to the Secretary details of business interests on the lines above of which he/she becomes aware during the course of his/her membership.

C.1.2 Where it is relevant in any matter which arises, the member should be required to indicate to the Secretary the employment and any other business interests of all persons connected with him/her, as defined at (i) above.

C.1.3 The Council may exercise discretion regarding the disclosure by members of minor shareholdings. As a general guideline, shareholdings valued at more than €15,000 or of more than 5 per cent of the issued capital of a company should be disclosed.

C.1.3 If a member has a doubt as to whether this Code requires the disclosure of an interest of his/her own or of a connected person, that member should consult the Chairperson.

C.1.4 Details of the above interests will be kept by the Secretary in a special confidential register and should be updated on an annual basis. Changes in the

interim should be notified to the Secretary as soon as possible. Only the Chairperson, Secretary and Director of the body will have access to the register.

- C.1.5 Should a matter relating to the interests of the Chairperson arise, he/she should deputise to the Deputy Chairperson or another member to chair the Council meeting and should absent himself/herself when the Council is deliberating or deciding on a matter in which the Chairperson, or a person or body connected with the Chairperson, has an interest.
- C.1.6 Council or organisational documents on any case which relates to any dealings with the above interests should not be made available to the member concerned prior to a decision being taken. (Such documents should be taken to include those relating to cases involving competitors to the above interests). Decisions once taken should be notified to the member.
- C.1.7 As it is recognised that the interests of a member and persons connected with him/her can change at short notice, a member should, in cases where he/she receives documents relating to his/her interests or of those connected with him/her, return the documents to the Secretary at the earliest opportunity.
- C.1.8 A member should absent himself/herself when the Council is deliberating or deciding on matters in which that member (other than in his/her capacity as a member of the Council) or a person or body connected with the member has an interest. In such cases a separate record (to which the member would not have access) should be maintained for so long as the matter remains a matter for deliberation by the Council and has not reached final conclusion.
- C.1.9 Where a question arises as to whether or not a case relates to the interests of a member or a person or body connected with that member, the Chairperson of the Council should determine the question.
- C.1.10 Former members should treat commercial information received while acting in that capacity as confidential.

## **C.2 APPLICATION OF ETHICS IN PUBLIC OFFICE ACTS TO MEMBERS AND STAFF OF THE COUNCIL**

- C.2.1 In accordance with the Ethics in Public Office Acts 1995 & 2001, Council members and staff members in scheduled positions will comply with the provisions of the aforementioned Acts and the guidelines prepared by the Standards in public Office Commission from time to time. Annual statements of interests and statements of a material interest will be completed by Council members and designated staff as required and will be furnished to the Director of the Council.

## **ANNEXE D : CONDUCT OF MEETINGS – TEACHING COUNCIL**

### **D.1 STANDING ORDERS**

- D.1.1 The following standing orders are made in accordance with Section 16 of Schedule 1 of the Teaching Council Act, 2001.
- D.1.2 Matters in relation to the calling of meetings shall be in accordance with Sections 9, 10 and 12 of Schedule 1 of the Act.
- D.1.3 The quorum for meetings of the Council shall be in accordance with Section 8 of Schedule 1 of the Act.
- D.1.3 The business conducted at meetings of the Council will normally include:
- a) to elect a person (by process of proposing, seconding and voting) to preside if the Chairperson and Deputy Chairperson are absent;
  - b) to receive any communications the Chairperson may desire to lay before the Council;
  - c) to record attendance of members and apologies for those unable to attend;
  - d) to receive and approve as a correct record, the minutes of the previous meeting of the Council duly countersigned by the chairperson of the meeting, and to consider matters arising;
  - e) to receive correspondence;
  - f) receive the Director's report
  - g) to receive and consider reports or minutes of Committees and make decisions where appropriate;
  - h) to receive and consider reports from officers of the Council;
  - i) to consider notices of motions which have been received 3 weeks prior to the meeting; and,
  - j) to consider any other urgent business arising since the Executive Meeting provided 72 hours notice has been given to the Director.
- D.1.4 Decisions of the Council shall be determined in accordance with Section 14 of Schedule 1 of the Act.
- D.1.5 The Council may vary the standing orders for conducting Council meetings at its discretion.

### **D.2 RULES OF DEBATE**

- D.2.1 A member shall direct his/her speech to the question and discussion or to an explanation or to a question of order.
- D.2.2 Any amendments shall not have the effect of introducing a new proposal into or negating the motion before the Council.

- D.2.3 A member may question a point of order and shall be entitled to be heard forthwith.
- D.2.4 A point of order shall relate only to a breach of a Standing Order or statutory provision and the member shall specify the Standing Order or statutory provision and the way in which he/she considers it has been broken.
- D.2.5 The ruling of the Chairperson on a point of order shall not be open to discussion.

### **D.3 LANGUAGE OF MEETINGS**

- D.3.1 Use of the Irish language between Council members is encouraged and respected.
- D.3.2 Council meetings will normally be conducted through the medium of English but members wishing to contribute in Irish or bilingually are welcome to do so.

### **D.4 OBSERVER STATUS**

- D.4.1 Members of the General Public will be granted observer status for the public business of Council, on receipt of an application to attend at least five working days in advance of the meeting and subject to availability of space, the number of observers not to exceed seven at any one meeting. The Council reserves the right to take items of the business of the meeting in private; such a decision may be declared by the Council by way of simple majority.
- D.4.2 The Chief Executives of the General Teaching Councils for England, Scotland, Wales and Northern Ireland or their nominees will be granted observer status for the public business of Council on a reciprocal basis and subject to the general limitations regarding private business as set out in E4.1 above.