

Áine Lynch	Present
Ann Mulcahy	Present
Anne Howard	Present
Anne Loughnane	Present
Bryan O'Reilly	Present
Catherine Doolan	Present
Catherine Moynihan	Present
Ciaran O'Donnell	Present
David O'Sullivan	Present
Declan Fahie	Present
Eamon Dennehy	Present
Eamonn Shaughnessy	Present
Fergal McCarthy	Present
Gerry Leydon	Present
Gráinne Conachy	Present
Jean Beswick Duignan	Present
Kathleen Burke	Present
Liam Ó Néill	Present
Mai Fanning	Apologies
Mary Magner	Apologies
Mary Curley	Present
Mary Rose Cremin	Present
Michael Delargey	Apologies
Michelle Keane	Present
Niall Duddy	Absent
Niamh Hourigan	Present
Niamh Dennehy	Present
Noel Cronin	Present
Paul Moroney	Present
Peter McCabe	Present
Rosena Jordan	Apologies
Séamus Ó Fearraigh	Present
Seán Ó hArgáin	Present
Seán Ó Dubhlaing	Present
Seán O'Neill	Present
Teresa O'Doherty	Present
Tracie Tobin	Present

**Staff in attendance:** Phil Fox, Acting Director; Harry McGeary, Head of Finance and IT; Siobhan Healy, Head of Registration; Finola O'Dwyer, Solicitor & Head of Professional Standards; Bríd Murphy Head of Initial Teacher Education & Induction, Carmel Kearns, Head of Teachers' Learning and Research, Ruth Flynn Head of Corporate Affairs and Human Resources,

## 1. Attendance & Apologies

### 1.1. Opening Remarks by Chairperson

- i. The Chair welcomed members to the meeting.
- ii. Condolences were offered to Michael Delargey following the recent death of his sister, Olivia.
- iii. The chair extended condolences of Council to the family of Tomás Ó Cruadhlaich, Council member from 2005 – 2009 and a minute's silence was observed.
- iv. The Chair welcomed new members of Council, Mary Rose Cremin and Gráinne Conaghy to the meeting.
- v. The Chair also welcomed Barry Fagan of Fieldfisher Solicitors to the meeting.

### 1.2. Noting of Apologies

Apologies were noted from Niall Duddy, Mai Fanning, Mary Magner, Michael Delargey and Rosena Jordan.

### 1.3. Declarations of Conflicts of Interest

No conflicts of interest declared.

## 2. Update from new Director – Dr Lynn Ramsey

The Chair welcomed Dr Lynn Ramsey who addressed the members of the meeting ahead of her commencement in the role of Director on 01 February 2023.

Dr. Ramsey then left the meeting.

## 3. Item for Discussion

### 3.1. Section 37 Regulations

The acting Director gave a presentation outlining the background of the making of the Section 37 Regulations to date. She advised that they had been previously approved by Council in 2015 and 2019. The regulations were back before Council as a consultation with the Data Protection Commissioner had resulted in some minor amendments to the wording. These regulations also form part of the Strategic Goals of Council under the current Strategic Plan.

The Head of Professional Standards gave a presentation outlining the purpose of the regulations, the Child Protection and Public Interest obligations of Council, the benefits of having the regulations in place and the risks to Council of not making Regulations.

In the ensuing discussion included the following:

- i. Under the Section 37 regulations the employer is obliged to make a notification to the Teaching Council where a registered teacher is dismissed or resigns following upon the making of a complaint about that teacher or following the invoking of a disciplinary process. A notification is not a complaint. It is the decision of the Executive Committee as

to whether Council will become the complainant. That is if a notification is made and if the staff of the Council decide that it merits being brought to the Executive Committee for consideration

- ii. Student teachers registered under Route 5 are unlikely to be affected by these regulations due to the nature of their employment within schools i.e. student teachers will only be employed on a casual basis so technically, the issue of dismissal or resignation will not arise. In response to members concerns regarding capacity of the team in the Teaching Council to respond to a significant increase in notifications under Section 37, the acting Director advised that, although such an increase is not foreseen, if it was an issue, the staff of the Council would seek additional resources. It was also advised that it would not be a reasonable position for the Council to not uphold the standards of the profession or the public interest due to potential capacity concerns.
- iii. The Teaching Council together with the High Court is the only body that can remove a teacher from the register.
- iv. If a teacher resigns their position before a complaint is received by an employer, then this does not fall under Section 37, as the resignation would not "follow upon" the making of a complaint.
- v. Child Protection legislation currently in place does not impose an obligation on schools to inform the Regulator.
- vi. The Teaching Council investigation and inquiry processes are completely independent of any local/school processes.
- vii. These regulations prescribe the information that an employer must include in or with their written notification to the Teaching Council where a teacher has been dismissed or has resigned following the employer's receipt of a complaint or following a disciplinary process at school level.
- viii. There are stakeholder information booklets with draft amendments made that can only be finalised once the Regulations are approved by Council. Updated Information Booklets will be circulated once the Regulations are consented to by the Minister.
- ix. It was clarified that all complaints about registered teachers to the Teaching Council must be in writing and signed before they will be considered.
- x. It was noted that further consideration would need to be given to whether a retirement or early retirement would amount to a resignation, such that an obligation could arise for an employer under the section 37 regulations, albeit that this would be an issue for an employer to take advice on.
- xi. The acting Director advised that she had received an update from the Department of Education that the charter for Section 28 (of the Education Act) has passed all stages of the Seanad and is awaiting a committee date. The Chair requested that the acting Director contact the Department separately to seek a timeline and to request for the process to be expediated if possible although she acknowledged that this was a separate issue to the making of section 37 regulations.

#### 4. Item for Discussion

##### 4.1. Teacher Supply Updates

The Head of ITEI informed the Council that an update had been received from the Department of Education in relation to meetings held between the DoE and the Primary ITE providers, which followed a meeting between the DoE & Teaching Council on Friday, 13 January in relation to teacher supply matters.

She confirmed that provider's proposals regarding flexibilities they could introduce to ITE programmes to ensure the maximum release of student teachers to be available for substitution needs within schools, were currently being considered by the Department. She confirmed that proposals regarding the cooperating teacher (Treoraí) and adapted school placement arrangements were not currently being considered.

The Teaching Council has agreed to expediate a review of the Qualifications Assessment (QA) process and will present initial findings by the end of January.

The Council will meet on 23 January to consider the introduction of an Amendment Regulation to enable teachers who have qualified overseas but have not completed the required induction in the country where they obtained that qualification to apply for registration with the Council.

**Meeting Ended 12:55**

Signed: Michelle Keane  
Council Chair

Date: 06.03.23

Signed: Rusha Flynn  
Secretary to Council

Date: 06/03/23