

**REVIEW OF SCOTLAND'S COLLEGES**

**WORKING GROUP: STAFFING, LEARNERS AND  
LEARNING ENVIRONMENTS**

**SUB GROUP: PROFESSIONAL DEVELOPMENT OF STAFF**

**Delegation of Work Undertaken by the Enterprise, Transport and Lifelong Learning Department (ETLLD)**

**Introduction**

1. Following the consultation on the need for a professional body for staff in colleges, we put a series of recommendations to the Minister. One of these recommendations was that we would explore the possibility of delegating some work currently undertaken by ETLLD to a suitable outside body such as the Scottish Further Education Unit (SFEU). Specifically, this would comprise:
  - the work that we undertake to support the Professional Development Forum (PDF); and
  - the work required to approve the quality and content of programmes leading to the award of a Teaching Qualification in Further Education (TQ(FE)).
2. Having consulted our solicitor and discussed the issue further, we have now concluded that this work should continue to be undertaken by ETLLD. This paper explains the reasons for coming to this conclusion.

**Supporting the Work of the PDF**

3. The PDF was created in 1999 to oversee the arrangements for the initial training and continuing professional development (CPD) of college lecturers. Its role, as constituted by Ministers, is to:
  - oversee arrangements for updating the occupational standards which underpin the initial teacher training (ITT) and initial teacher education (ITE) of college lecturers;
  - devise and apply criteria that allow higher education institutions, colleges and other training providers to become 'approved providers' of ITT and CPD units and awards;
  - maintain and develop a national index which contains all the units and awards used for ITT and CPD purposes.
4. We provide the secretariat for the PDF and its sub-groups, meet the costs incurred by these groups and undertake the work required to implement its decisions. We said that if suitable arrangements could be made, we would look at the possibility of the sector taking over responsibility for the professional development of its own staff. We also made it clear that this

work could only be delegated to a body that was be seen to be impartial and that had the confidence of all the different groups within the sector.

### **The Views of PDF Members**

5. The possibility of support for the Forum being taken over by another body was discussed at a PDF meeting last year. The discussion revealed that PDF members were strongly against the idea and could see no compelling reason to change the existing arrangements. Members also thought that it would be difficult to identify another body which would be accepted as impartial by all the interested parties within the sector.
6. While we thought that this idea was worth exploring, we have no wish to make changes that are not acceptable to PDF members. As a consequence, we do not propose to pursue this idea any further.

### **Approving the Content and Nature of TQ(FE) Programmes**

7. We also said that we would explore the possibility of delegating the work that we undertake to approve the quality and content of TQ(FE) programmes to a suitable outside body. We thought it was worth exploring this possibility because the work requires a good deal of specialist knowledge on the needs of lecturing staff. As we rely on expert advice from both the experienced practitioners on the PDF and Her Majesty's Inspectorate of Education, we thought it was worth considering whether a body within the sector could undertake the work of approving TQ(FE) programmes on our behalf.
8. TQ(FE) programmes are approved by Scottish Ministers in accordance with the provisions of the Teachers (Education, Training and Recommendation for Registration) (Scotland) Regulations 1993. These regulations govern the content, nature and duration of programmes leading to the award of a teaching qualification in primary education and secondary education as well as the TQ(FE). Regulation 4(1) allows the Secretary of State (i.e. Scottish Ministers) to determine the duration of teacher training programmes while regulation 4(2) makes provision for him/her to approve the content and nature of these programmes. In addition, under regulation 4(3) the Secretary of State determines the period for which approval is to be granted under regulation 4(2). In exercising these powers the Secretary of State is required to consult the General Teaching Council for Scotland (GTCS).

### **Amending the 1993 Regulations**

9. Our solicitor has advised that the 1993 regulations **could** be amended to allow the content, nature and duration of courses of education and training which lead to the award of a teaching qualification to be determined or approved by another person or body. However, the solicitor has also advised that changing the 1993 regulations could be rather lengthy and complicated because it would mean making an order under Section 7 of the Teaching Council (Scotland) Act 1965. Complications could arise because prior to

making an order under Section 7 of the 1965 Act, Scottish Ministers must consider any 'relevant recommendations' or representations from the GTCS.

10. In its comments on the recommendations that were put to Ministers, the GTCS argued strongly that the Department should continue to approve the nature and content of TQ(FE) programmes. It expressed the view that an accreditation process undertaken by an outside body would lack credibility and could possibly damage the reputation of the TQ(FE). The GTCS also argued that delegating the approval function to some other body could lead to the learning and teaching process in the college sector becoming too distinct from that in secondary schools.
11. Since it is opposed to these functions being delegated, we would expect the GTCS to exercise its right to be consulted to make its views known to Ministers. If Ministers decided to reject the advice of the GTCS and go ahead with arrangements to delegate these functions, they would have to explain this decision and publish both the decision and the explanation. Though local education authorities no longer have any influence over the college sector, the way in which the 1965 Act is framed also requires that they be consulted. If Ministers were proposing to change the 1993 regulations, they would therefore have to publish a draft of the new regulations they intended to put in place, send a copy of this draft to every local education authority in Scotland and consider any representations made by an education authority.
12. In its comments on the recommendations that went to the Minister, the Educational Institute for Scotland (EIS) took a very similar view to the GTCS. Since opinion is so divided on the issue, and amending the regulations could prove such a difficult process, we have concluded that ETLLD should continue for the time being to approve the quality and content of TQ(FE) programmes.

## **Conclusions**

13. Though we have concluded that ETLLD should continue to support the work of the PDF and to approve TQ(FE) programmes, we are conscious that there is an ongoing debate about how to enhance the professionalism of the sector. The outcomes of the wider Review of Scotland's Colleges, including any specific recommendations made by SLALE, are likely to influence how professionalism is defined and promoted within the sector. If appropriate, we will look again at ETLLD's functions in the light of future developments.

**Further & Adult Education Division  
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