

QTS standards guidance

Q3(a)

Be aware of the professional duties of teachers and the statutory framework within which they work.

Rationale

Teachers' professional duties are framed by legislation, statutory instruments, the latest School Teachers' Pay and Conditions Document and statutory and non-statutory guidance. These include the Education Act (2002), the Children Act (2004), the Children's Workforce Strategy (2005) and Every Child Matters.

Teachers also have rights and responsibilities, such as those contained in the 2003 national agreement: Raising Standards and Tackling Workload. Teachers' work in schools and other educational settings will be supported by various structures and systems, including policies, codes and practices. Many of these will have been devised by local authorities, schools and other organisations as a result of statutory requirements or guidance; others will have been created to reflect a particular mission and ethos. Teachers understand, support and enact these policies collectively and consistently in their professional practice.

Scope

Trainee teachers need to be aware of relevant aspects of the law, including the legal framework relating to professional conduct and teachers' conditions of service. Knowing the extent of their professional rights and responsibilities will help them to anticipate problems and avoid errors. This standard does not require trainees to have a detailed knowledge of all documents listed in the resources section, but they should be aware of their own rights and responsibilities in areas such as equality, health and safety, special educational needs, child protection and teacher employment.

Questions

- Is the trainee aware of the statutory duties of teachers as set out in the latest School Teachers' Pay and Conditions Document?
- Is the trainee able to articulate the roles and responsibilities of the teacher in relation to the national agreement: Raising Standards and Tackling Workload?
- Is the trainee aware of their responsibilities in relation to equality legislation and duties?
- Does the trainee seek advice at an appropriate stage in relation to, for example, learners' special educational needs?
- Does the trainee take appropriate responsibility for their own and learners' safety in the classroom and during off-site activities or visits?
- Is the trainee able to judge when they may need advice and help, for example in matters of child protection or confidentiality, and do they know how to seek it?
- Is the trainee aware of their responsibilities and the responsibilities of others in relation to pupils' welfare?

Cross references

Evidence for this standard may be linked to evidence for assessment against the following standards:

- Q5 - Communicating and working with others
- Q10 - Teaching and learning
- Q15 - Subjects and curriculum
- Q18 - Achievement and diversity
- Q19 - Achievement and diversity
- Q20 - Achievement and diversity
- Q21(a) - Health and well-being
- Q30 - Learning environment

Initial teacher training (ITT) requirement R1.6(b) stipulates that all entrants to ITT programmes must 'possess the appropriate qualities, attitudes and values expected of a teacher'.

Sources of evidence

Assessors will wish to use a variety of means to establish trainees' understanding of how the statutory framework impacts on the work of teachers. Assessment evidence might include records of discussions with the trainee and any written material produced by them. Evidence of trainees' knowledge, understanding and collective implementation of policies may also emerge through trainees' planning, assessment and monitoring documentation and their involvement in a wide range of school-based activities.

Resources

Teacher Training Resource Bank

The Teacher Training Resource Bank provides teacher trainers and trainees with up-to-date knowledge about effective teacher training, and reflects educational debates.

[View the TTRB's range of resources specifically related to Q3 'Frameworks'.](#)

Other resources

Safeguarding

DfES (2004) Every Child Matters: Change for Children is available at: www.everychildmatters.gov.uk

DCSF (2007) Safeguarding Children and Safer Recruitment in Education is available at:

www.dcsf.gov.uk/localauthorities/_documents/content/SPS06_311%20attachment%20%20guidance.pdf

The Sexual Offences (Amendment) Act (2000), Section 3 is available at:

www.opsi.gov.uk/ACTS/acts2000/ukpga_20000044_en_1#l1g3

DoH/Home Office/DfEE (1999) Working Together to Safeguard Children: A guide to inter-agency working to safeguard and promote the welfare of children is available at:

www.everychildmatters.gov.uk/_files/AE53C8F9D7AEB1B23E403514A6C1B17D.pdf

Special educational needs

DCSF (2008) The Education of Children and Young People with Behavioural, Emotional and Social Difficulties as a Special Educational Need, which updates and replaces DfEE Circular 9/94 - DH Circular LAC (94)9 (1994) The Education of Children with Emotional and Behavioural Difficulties, is available at

www.teachernet.gov.uk/docbank/index.cfm?id=12604

DfES (2001) Special Educational Needs: Code of practice (ref: DfES 0581/2001) is available at:

www.teachernet.gov.uk/docbank/index.cfm?id=3724

The Special Educational Needs and Disability Act (2001) is available at: www.opsi.gov.uk/acts/acts2001/20010010.htm

DfEE circular 10/98 (1998) Section 550A of the Education Act (1996): The Use of Force to Control or Restrain Pupils is available at: www.dcsf.gov.uk/publications/guidanceonthelaw/10_98/summary.htm

DfES (2001) Guidance on Access to Education for Children and Young People with Medical Needs (ref: DfES 0732/2001) is available at:

<http://publications.teachernet.gov.uk/default.aspx?PageFunction=productdetails&PageMode=publications&ProductId=DFES+0732%2F2001&>

DfEE (2000) Guidance on the Education of Children and Young People in Public Care (ref: EDGUIDE) is available at:

<http://publications.teachernet.gov.uk/default.aspx?PageFunction=productdetails&PageMode=publications&ProductId=EDGUIDE>

Employment

DfES (2007) Fitness to Teach: Guidance for employers and initial teacher training providers 2007 is available at:

<http://publications.teachernet.gov.uk/default.aspx?PageFunction=productdetails&PageMode=publications&ProductId=DFES-00319-2007&>

DCSF, School Teachers' Pay and Conditions document and guidance, updated annually, is available at:

www.teachernet.gov.uk/_doc/14150/STPCD%202009.pdf

The School Teachers' Pay and Conditions Act (1991) is available at:

www.opsi.gov.uk/acts/acts1991/Ukpga_19910049_en_1

DfES (2001) Health and Safety: Responsibilities and powers (Statutory Guidance) is available at:

www.teachernet.gov.uk/wholeschool/healthandsafety/responsibilities/

The Health and Safety at Work etc Act (1974) is available at: www.healthandsafety.co.uk/haswa.htm

Statutory Instrument 1663 The Education (Specified Work and Registration) (England) Regulations (2003) is available at:

www.opsi.gov.uk/si/si2003/20031663.htm

The national agreement: Raising Standards and Tackling Workload is available at:

www.tda.gov.uk/upload/resources/na_standards_workload.pdf

The CRE Code of Practice on Racial Equality in Employment (2005) is available at:

www.equalityhumanrights.com/Documents/Race/Employment/Code%20of%20practice%20on%20racial%20equality%20in%20employment.pdf

The GTCE Statement of Professional Values and Practice for Teachers is available at:

www.gtce.org.uk/standards/professional/sopv

DCSF and NASUWT (2009) School discipline: your powers and rights as a teacher can be accessed at:

www.teachernet.gov.uk/wholeschool/behaviour/discipline

Revised guidance for headteachers on appointing qualified teachers is available on the TeacherNet website at:

<http://publications.teachernet.gov.uk>

Tailored advice for trainee and newly qualified teachers, and links to Teacher Support Network's free practical and emotional support services are available at: www.newteachers.info

Curriculum

The National Curriculum website contains the programmes of study, non-statutory guidelines and attainment targets for each subject in the National Curriculum. It also includes information, links and materials related to general teaching requirements that apply across subjects. These include the inclusion statement, the use of language, information and communications technology (ICT) in the curriculum and health and safety. The site is at:

<http://curriculum.qca.org.uk>