

# **GENERAL TEACHING COUNCIL (DIRECTIONS) BILL**

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## **EXPLANATORY AND FINANCIAL MEMORANDUM**

### **INTRODUCTION**

1. This Explanatory and Financial memorandum has been prepared by the Department of Education in order to assist the reader of the Bill and to help inform debate on it. It does not form part of the Bill and has not been endorsed by the Assembly.
2. The Memorandum needs to be read in conjunction with the Bill. It is not, and is not meant to be, a comprehensive description of the Bill. So where a clause or part of a clause or schedule does not seem to require an explanation or comment, none is given.

### **BACKGROUND AND POLICY OBJECTIVES**

3. This Bill is intended to provide the Department of Education with authority to direct the General Teaching Council for Northern Ireland (GTCNI) in the exercise of its authority or the performance of any duty imposed upon it under the Education Orders. The Department will be obliged to consult GTCNI before doing so. The Department will also be required to issue directions in certain circumstances.

### **CONSULTATION**

4. No public consultation has been undertaken in relation to this Bill which will have no impact outside of GTCNI.

### **OPTIONS CONSIDERED**

5. This proposal utilises a well-established Departmental power to achieve the desired policy outcomes with minimal legislative change. This should significantly simplify the passage of the Bill by the NI Assembly. Accordingly, no other options were considered.

### **OVERVIEW**

6. The Bill has 2 clauses. A commentary on each of the clauses follows below. However, where a clause or part of a clause does not seem to require an explanation or comment, none is given.

## **COMMENTARY ON CLAUSES**

### **Clause 1: Power of Department to give directions**

Clause 1 specifies the addition of the General Teaching Council for Northern Ireland as a relevant authority as defined within the Education and Libraries (Northern Ireland) Order 1986.

### **Clause 2: Commencement and short title**

Clause 2 specifies the Department's intention that this Act should commence immediately upon receipt of Royal Assent.

## **FINANCIAL EFFECTS OF THE BILL**

7. Implementation of the provisions in this Bill will incur no costs.

## **HUMAN RIGHTS ISSUES**

8. The Department considers the provisions of the Bill to be in compliance with the Convention on Human Rights.

## **EQUALITY IMPACT ASSESSMENT**

9. Under the terms of section 75 of the Northern Ireland Act 1998, the Department carried out screening for equality impact and is satisfied that the provisions in the Bill will not lead to discriminatory or negative differential impact on any of the section 75 groups.

## **SUMMARY OF THE REGULATORY IMPACT ASSESSMENT**

10. The effects of this Bill have been assessed and it is concluded that the provisions will not result in savings for, or costs to, businesses, charities, social economy exercises or voluntary bodies.

## **LEGISLATIVE COMPETENCE**

11. At Introduction the Minister of Education had made the following statement under section 9 of the Northern Ireland Act 1998:

*"In my view the General Teaching Council (Directions) Bill would be within the legislative competence of the Northern Ireland Assembly."*