

Submission to
The Teaching Council
Draft Code of Professional Conduct for Teachers

GLEN - Gay and Lesbian Equality Network

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On behalf of organisation _____X_____

General feedback

Include feedback here (*Please use page numbers, section headings and section numbers, as appropriate*)

GLEN is pleased to provide feedback on The Teaching Council's *Draft Code of Professional Conduct for Teachers*. Feedback is provided below on the Draft Code under the relevant section heading.

GLEN broadly welcomes the introduction of a Code of Professional Conduct for Teachers. High standards of professionalism, in both conduct and practice already exist amongst Ireland's teaching profession; the introduction of such a Code can only serve to enhance this professionalism and provide uniformity to the standards expected of this important profession in the lives of Ireland's children and young people.

3.1 Professional Values and Relationships

GLEN strongly welcomes the requirement of teachers stated under 3.1.3 to *'be committed to equality and inclusion and to respecting and accommodating diversity including those differences arising from gender, marital status, family status, sexual orientation, religion, age, disability, race, ethnicity, membership of the Travelling Community and socio-economic status'*. This important requirement of teachers is not only in keeping with Ireland's equality legislation but goes beyond the current provision to include the category of 'socio-economic status', this requirement is to be commended.

Respect for, and accommodation of, diversity is very important in the school context where children and young people come from diverse and wide ranging backgrounds and experiences. Young people who identify as lesbian, gay or bisexual are largely invisible in the school context, yet they potentially number over 21,000¹ at second level.

Homophobic bullying is the most serious issue for many lesbian, gay, bisexual and transgender (LGBT)

¹ Based on the current enrolment levels at second level whereby 6% is likely to be lesbian, gay or bisexual. The United Kingdom Government has consistently adopted a working estimate of the LGB population at 6%, garnered from a range of research/data sources including the National Survey of Sexual Attitudes and Lifestyles II, 2000-2001. UK.

young people and indeed for many heterosexual young people who are targeted for not fitting traditional gender stereotypes. In the most extensive research² to date on LGBT people in Ireland LGBT people reported the following experiences of homophobic bullying while they were at school:

- 50% were called abusive names related to their sexual orientation or gender identity by fellow students
- 40% were verbally threatened by fellow students
- 25% were physically threatened by their peers
- 34% heard homophobic comments by teachers or other staff members

A Code of Professional Conduct which requires teachers to be committed to equality and inclusion and to take account of diversity in relation to sexual orientation and gender identity will be a very important element in effectively addressing homophobic bullying and harassment.

‘Marital Status’ should be changed to ‘Civil Status’

While our welcome for section 3.1.3 is very welcome GLEN also wishes to highlight an error with regard to the categories listed, assuming they follow those listed in the Employment Equality and Equal Status Acts (1998 and 2000, respectfully).

Both Acts were amended by the Civil Partnership Act 2010 (Sections 102 and 103). The amendments can be summarised as requiring an adoption of the phrase ‘*civil status*’ in place of ‘*marital status*’, where civil status means being single, married, separated, divorced, widowed, in a civil partnership or being a former civil partner in a civil partnership that has ended by death or dissolution. Consequently, GLEN suggests that the Draft Code should reflect this important legislative change.

2. Ethics of the Teaching Profession

The requirement to be ‘positive, caring, fair and committed to the best interests of the pupils/students’ (3.1.1) is what one would expect to be central within the teacher pupil/student relationship. This is outlined in summary form as the ‘care’ value in section 2, a value which should underpin the work of a teacher in the practice of his or her profession. ‘Care’ is also demonstrated by a teacher being a ‘positive influence’, and acting with ‘openness’ and ‘honesty’. These are worthy values; values which are rightly

² Mayock Paula, Bryan Audrey, Carr Nicola, and Karl Kitching. (2009) *Supporting LGBT Lives: A Study of Mental Health and Well-Being of Lesbian, Gay, Bisexual and Transgender People*. GLEN and BeLonG To Youth Services.

attached to the profession of teaching where the care of all students/pupils should be central. However research indicates that a sizeable minority of the teaching profession feel that they are hindered in being open and honest about their sexual orientation in the same way as their heterosexual peers. Many of this cohort would gladly act as positive role-models and therefore, 'positive influences' for students but for the fact that they feel inhibited to do so by Section 37.1 of the Employment Equality Act, 1998 fearing that they could be dismissed from their post if they were to be 'out' about their lesbian, gay or bisexual orientation.

Section 37.1 states that a religious educational institution shall not be taken to discriminate against a person if it takes action which is reasonably necessary to prevent an employee or prospective employee from undermining the religious ethos of the institution. Given that the majority of schools in Ireland are managed by Catholic denominations, coupled with Catholic doctrine on homosexuality it is not surprising that lesbian, gay or bisexual teachers fear that being open about their sexual orientation in the same manner as their heterosexual peers, could be judged to be undermining the religious ethos of the school. In the absence of clarity on the application of this particular section of the Employment Equality legislation these values present enormous challenges for lesbian, gay and bisexual teachers. GLEN suggests the Teaching Council needs to take this into account in the finalisation of this Code.