

LEGAL NOTICE NO. 184

REPUBLIC OF TRINIDAD AND TOBAGO

THE EDUCATION ACT, CHAP. 39:01

REGULATIONS

MADE BY THE PRESIDENT UNDER SECTION 85(11) OF THE EDUCATION ACT

THE EDUCATION (TEACHING SERVICE) (AMENDMENT)
REGULATIONS, 2000

1. These Regulations may be cited as the Education (Teaching Service) (Amendment) Regulations, 2000. Citation

2. In these Regulations:

Interpretation

“Agency” means the Ministry of Education or the Tobago House of Assembly, as the case may be;

“Permanent Secretary” includes the Chief Administrator, Tobago House of Assembly;

“Regulations” means the Education (Teaching Service) Regulations;

Chap. 39:01

“Service” means the Teaching Service.

3. The Regulations are amended by inserting after Part VII, the following new Part: Part VIII
inserted

“PART VIII

CODE OF CONDUCT

General
conduct

62. A teacher’s conduct shall at all times be such as would not bring the Service into disrepute.

Duties of
teacher

63. (1) A teacher shall effectively and conscientiously discharge the duties of the office to which he is appointed, and any other related duties that are lawfully required of him.

(2) In the discharge of his duties, a teacher shall be courteous and polite to colleagues, students and members of the public.

(3) A teacher shall not willfully refuse or deliberately omit to perform his duties.

Absence
without
leave

64. (1) A teacher shall not be absent from duty without leave or reasonable excuse.

(2) When leaving the country a teacher shall inform—

(a) the Permanent Secretary in writing prior to his departure;

(b) his Principal or School Supervisor, in cases of emergency, who shall report forthwith to the Permanent Secretary in writing.

Activities
outside the
Service

65. (1) A teacher shall not, directly or indirectly, be involved in any financial or other interest or undertaking which could conflict with, compromise or reasonably be said to conflict with or compromise his job performance or office.

(2) Where such actual or potential conflict or compromise arises, the teacher shall inform the Permanent Secretary through the Principal or School Supervisor.

(3) The Permanent Secretary shall determine the nature and degree of conflict or compromise, decide upon an appropriate course of action to resolve it and advise the teacher accordingly.

(4) A teacher who is aggrieved by a decision of the Permanent Secretary, may appeal to the Chief Personnel Officer through the Permanent Secretary.

(5) Where a teacher is aggrieved by the decision of the Chief Personnel Officer, the matter may be pursued on his behalf by the appropriate recognized association as a grievance to be dealt with under sections 63 to 71 of the Education Act.

Chap. 39:01

Teacher not
to publish
information

66. (1) A teacher shall not make any unauthorized disclosure or make copies for private use, of official documents, papers or information of which he may have become aware in the course of the performance of his duties.

(2) An unauthorized disclosure shall not include the reporting by a teacher of complaints to the Chief Personnel Officer, the Auditor General or the Teaching Service Commission, with regard to the conduct of the Service, where such complaints have been reported to senior officers without redress.

Teacher's
comment on
questions
of public
policy

67. (1) A teacher shall not respond to questions of public policy in a manner that may be reasonably construed as criticism and which may call into question his ability to impartially implement, administer or advise on Government policy.

(2) Subregulation (1) shall not apply to a teacher acting in his capacity as a representative of an appropriate recognized association.

Lectures,
talks

68. (1) Where a teacher prepares or delivers a lecture or a talk in connection with his duties, he shall receive no remuneration or benefit either on his own behalf or on behalf of the Agency for the preparation or delivery of that lecture or talk.

(2) Lectures or talks which are not necessary for the Agency's purposes may be prepared or given outside of working hours by teachers who are knowledgeable in a particular subject, whether or not they have specialized in the subject in their official capacity.

(3) Where the subject matter of the lecture or talk referred to in subregulation (2) is related to the work or the policy of the Agency, or if that teacher's title is to be announced, the prior authority of the Permanent Secretary is required to ensure that—

(a) there is nothing in the lecture or talk contrary to the public interest or inconsistent with the status of the teacher; and

(b) the standing of the teacher is sufficient to justify the delivery of the lecture or talk under his title.

(4) Where, in respect of a lecture or talk given by a teacher under subregulations (2) and (3), the work involved in the preparation and delivery of the lecture or talk is done outside of working hours, the teacher may make private arrangements for remuneration, subject to the due observance of any professional rule that may be in force.

Indebtedness

69. A teacher shall not incur indebtedness to the extent that it compromises his job performance or brings the Service into disrepute.

- Bankruptcy proceedings 70. A teacher against whom bankruptcy proceedings have been taken or who becomes insolvent or who has been declared bankrupt, shall within seven days report that fact to the Permanent Secretary.
- Teacher not to solicit intervention 71. A teacher shall not solicit the intervention or influence of Members of Parliament, Ministers of Government, members of a Commission, or prominent members of the community to support or advance his claim for specially favourable treatment in the Service.
- Gifts, rewards 72. Except with the permission of the Permanent Secretary, a teacher shall not accept any gift or reward from any member of the public or from any organization for services rendered in the course of performing official duties.
- Exceptions 73. Notwithstanding Regulation 72, a teacher may accept a present offered—
(a) by a representative of a foreign government on the occasion of an official visit to that country;
(b) by a community organization on a social occasion where the gift represents the work or achievement of that organization; or
(c) on his marriage, retirement, transfer or other social or celebratory occasion.
- Teacher not to solicit or accept bribe 74. (1) A teacher shall not, directly or indirectly, solicit or accept any property, benefit or favour of any kind for himself or any other person in consideration for the performance of his duties or on the understanding that the performance of his duties is influenced in any manner.

(2) A teacher who is offered a bribe shall immediately inform his Principal in writing and the Principal so informed shall notify the Permanent Secretary who shall make a report to the Police.
- Legal proceedings 75. A teacher who desires to initiate legal proceedings against another teacher or against a member of the public with respect to any matter which arose out of, or in the course of the execution of his duty, shall inform the Permanent Secretary.

Teacher to report criminal charge 76. A teacher who is charged with a criminal offence carrying a penalty of imprisonment shall report the matter without delay to the Permanent Secretary.

Definition of misconduct 77. (1) A teacher who without reasonable excuse does an act which—

- (a) amounts to failure to perform any required lawful duty in a proper manner;
- (b) contravenes any of the Regulations;
- (c) contravenes any law relating to the performance of the duties of his office;
- (d) is otherwise prejudicial to the efficient conduct of the Service or tends to bring the Service into disrepute,

commits an act of misconduct.

(2) Without prejudice to the generality of subregulation (1), a teacher who—

- (a) is absent from office or official duties without leave or valid excuse, or is habitually irregular in the time of arrival or departure from the place of employment;
- (b) willfully disobeys or disregards any lawful order made or given by any person having authority to make or give such order;
- (c) is unfit for duty through drunkenness or the illicit use of drugs;
- (d) is inefficient or incompetent through causes which are within his control;
- (e) commits any immoral, obscene or disorderly conduct in office;
- (f) performs the required duties in a negligent manner;
- (g) exercises authority unreasonably, or abuses that authority in the course of performing required duties;
- (h) uses, without the authority of the Principal or in his absence the Vice-Principal, any property or facilities provided for the purposes of the Service, for a purpose not connected with his official duties;

(i) has a criminal charge proved against him;
or

(j) participates in the meetings of any
political organization while on duty or while
on official business,

commits an act of misconduct.”.

Made this 17th day of August, 2000.

M. LOOK LOY
Acting Secretary to Cabinet