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**Teacher misconduct referral form:**

**for use by members of the public**

For referring allegations of serious misconduct by a teacher

Please read this form carefully, including the ‘Guidance and notes’ section at the back, before deciding whether it is appropriate to make a referral.

**Part 1: Details of the teacher you are referring**

**A. Personal information (as known)**

|  |  |
| --- | --- |
| Title (e.g. Mr / Mrs / Miss / Ms) |  |
| Surname |  |
| Forename(s) |  |
| Date of birth |  |
| Teacher’s age (if date of birth is not known) |  |
| Please state whether they are male or female |  |
| Nationality |  |
| National Insurance Number |  |
| Does the teacher have Qualified Teacher Status? |  |
| Teacher Reference Number (if known) |  |

**B. Contact details of the teacher you are referring (if known)**

|  |  |
| --- | --- |
| Contact address |  |
| Postcode |  |
| Country |  |
| Home telephone number |  |
| Mobile number |  |
| Work telephone number (if the teacher is still working) |  |
| Email address |  |

**Part 2: Details of the work carried out by the teacher you are referring**

**C. About their role**

|  |  |
| --- | --- |
| Role title |  |
| School name |  |
| School address |  |
| Describe the main duties of the role (as far as known) |  |

**Part 3: Details of how this complaint has already been considered**

**D. Please set out how this complaint has been considered through the appropriate local procedures (e.g. a complaint to the headteacher, chair of governors, local authority).**

And please state what the outcomes were.

Has the complaint been made to any other organisation, such as the police? If so, please provide details.

|  |  |
| --- | --- |
| Date | Nature of complaint and what action was taken |
|  |  |

**Part 4: Details of the allegations of serious misconduct**

**E. Please describe the incident(s) that lead you to believe that the teacher is guilty of serious misconduct (may be continued on a separate sheet if required)**

|  |
| --- |
|  |

**Part 5: Chronology of events (including details of any complaints made or action taken)**

**F. Please set out the events relating to this referral in the order in which they happened (please continue on a separate sheet if required)**

|  |  |  |  |
| --- | --- | --- | --- |
| Date | Event | Relevant documents | Persons involved |
|  |  |  |  |

**Part 6: Documentation supplied**

It is helpful for the NCTL to have sight of any documentation which supports the allegations you are making.

**G. Please use the table below to show the types of documentation you are supplying with this referral.**

|  |  |
| --- | --- |
| **Document supplied** | **Yes / No** |
| Complaint made to the school |  |
| Correspondence to / from school |  |
| School complaint policy |  |
| Complaint made to the police |  |
| Complaint made to the local authority or any other agency or body |  |
| Signed witness statements(s) |  |
| Other documents (please state) |  |

**H. If any relevant documents have not been supplied, please state reasons. For example, if documents are missing or to follow.**

|  |
| --- |
|  |

**Part 7: Your details**

**I. Please provide your contact information**

|  |  |
| --- | --- |
| Title (e.g. Mr / Mrs / Miss / Ms) |  |
| Surname |  |
| Forename(s) |  |
| Job title |  |
| Telephone number |  |
| Email address |  |
| Contact address |  |
| Postcode |  |
| Country |  |

**Part 8: Declaration – to be signed by the person making the referral**

* I wish the NCTL to investigate the above allegation of serious misconduct potentially leading to the imposition of a prohibition order.
* I confirm that the contents of this form are true to the best of my knowledge and belief.
* I understand that a copy of this form and any enclosures may be disclosed to the teacher and any employer in accordance with the NCTL’s procedures and give my consent to this.
* I confirm that I have obtained any necessary permission from third parties for the documents to be so disclosed.
* I understand that I may be required to attend a hearing of a professional conduct panel to give evidence should this allegation reach that stage.

**Signature:**   **Date:**

**Name (in BLOCK CAPITALS):**

**Job title / position (if relevant):**

**Organisation (if relevant):**

**Relationship to the individual you are referring:**

**J. Returning the form**

**Please check that you have answered all the questions you can and you have signed or typed your name in the Declaration above.**

This form should be returned, together with all supporting documentary evidence, to the address below by post or via email.

NCTL Investigations Team

Teacher Regulation

NCTL

53-55 Butts Road

Earlsdon Park

Coventry

CV1 3BH

**Email:** Regulation.DIVISION@education.gsi.gov.uk

**Guidance and notes: NCTL teacher misconduct referral form for use by members of the public**

* **The NCTL will only consider cases where the misconduct is serious enough to potentially result in a prohibition order, meaning that the person can no longer be a teacher.**
* **The NCTL will not deal with cases and complaints relating to less serious misconduct issues or to a teacher’s performance or competence as these should be dealt with locally.**

**Before making a referral** please consult the ‘Teacher Misconduct: The Prohibition of Teachers’ document (available at [www.gov.uk/nctl/teachermisconduct](http://www.gov.uk/nctl/teachermisconduct)) which outlines the types of misconduct and relevant offences that might lead to a teacher being prohibited from the teaching profession in England.

 Then please consider the following questions:

1. Is the allegation against the teacher serious enough that they should be prevented from teaching?
2. Have all local procedures been followed and concluded? (For example, the school’s complaints procedures.) If so, and the teacher has not been dismissed, is the alleged misconduct likely to be of such a serious nature as to potentially result in the teacher being prohibited from teaching?

**The NCTL will not normally investigate cases before local procedures have been exhausted or that do not stand a reasonable chance of leading to a teacher being prohibited.**

Before completing this form, members of the public should read the information on ‘Complaining about a school’ available at [www.gov.uk/complain-about-school](http://www.gov.uk/complain-about-school) as there may be a more appropriate route for resolving the complaint.

If, after reading through all the relevant information, you consider it is appropriate for the NCTL to consider your complaint, please attach to this form all relevant documentation that supports the allegation(s) you are making.

Examples of the specific types of information that may be relevant are:

* All complaints and correspondence made to the school or other relevant bodies
* All letters and correspondence from the school in response to the complaint
* Relevant complaint policy of the school
* School policies and/or procedures when it is alleged these have been breached/ignored

**NOTES**

1. For full details of the teacher regulation process managed by the NCTL please read the information available at: [www.gov.uk/teacher-misconduct-regulating-the-teaching-profession](http://www.gov.uk/teacher-misconduct-regulating-the-teaching-profession).
2. It is important to note that when a referral is received by the NCTL, consideration is given solely as to whether the alleged conduct is of such a serious nature that it could possibly result in a prohibition order to prevent the teacher from teaching again. In carrying out this role the NCTL will consider referrals where no action will then be taken by the NCTL. This is not to condone such conduct but to adhere to the NCTL’s specific remit of only being involved in the most serious of cases of misconduct.
3. In accordance with The Teachers’ Disciplinary (England) Regulations 2012 (the Regulations), the NCTL only has jurisdiction over teachers who are, or have ever been, employed or engaged to carry out teaching work at:
	* a school in England;
	* a sixth form college in England;
	* relevant youth accommodation in England;
	* a children’s home in England; or
	* a 16 to 19 Academy;

and when employed in these settings have been engaged in:

* + planning and preparing lessons and courses for pupils;
	+ delivering lessons to pupils;
	+ assessing the development, progress and attainment of pupils; and
	+ reporting on the development, progress and attainment of pupils.

“Delivering” includes delivering lessons through distance learning or computer aided techniques. The activities specified above are not teaching work for the purposes of the Regulations if the person carrying out the activity does so, other than for the purposes of induction, subject to the direction and supervision of a qualified teacheror other person nominated by the headteacher to provide such direction and supervision.

1. The NCTL will not usually be able to consider cases relating to teaching assistants, higher level teaching assistants or other support staff not engaged in unsupervised teaching activities. The NCTL does not have jurisdiction to consider individuals who are employed in further education (except for sixth form colleges) and higher education and who have never engaged in teaching as set out above. For advice and guidance, please contact the Office of the Independent Adjudicator for higher education, and the Society for Education and Training for further education (formerly the Institute for Learning).
2. The NCTL can only consider referrals relating to the alleged misconduct of specific teachers. For more general complaints about a school’s policies, actions or failure to carry out their statutory requirements (including issues relating to special education needs provision), please see the Department for Education’s school complaints advice, available at [www.gov.uk/complain-about-school](http://www.gov.uk/complain-about-school).
3. When providing documentation to support your referral please note that signed and dated statements and minutes are of greater legal value than unsigned documentation. If your documents were not signed at the time of being written, if possible, please ask the parties involved to sign and date a statement that testifies to the truth and accuracy of the documentation.
4. Please do not redact the documentation that you send to us as this will make it difficult to fully understand and to appropriately consider the evidence being referred. All information provided is treated in strict confidence.
5. If there are other organisations that are involved in your complaint that may be relevant to the NCTL’s investigation (e.g. police force, examination board, etc) please provide contact names and details.
6. If you require further information about making a referral to the NCTL please contact the Investigations Team on 0207 593 5393 or by emailing Regulation.DIVISION@education.gsi.gov.uk.