

**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 end of this document, before deciding whether it is appropriate to make a referral.

You must provide your contact details in part 7 and complete the declaration in Part 9. We cannot accept anonymous referrals.

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

**Personal information (if known):**

|  |  |
| --- | --- |
| Title (eg Mr, Mrs, Miss, Ms) |  |
| Surname |  |
| Forenames |  |
| Date of birth |  |
| Teacher’s age (if date of birth is not known) |  |
| Male or female |  |
| Nationality |  |
| National insurance (NI) number |  |
| Does the teacher have qualified teacher status (QTS)? |  |
| Teacher reference number (TRN) (if known) |  |

**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**

**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**

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

Please state what the outcomes were (if known). 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**

**Please describe the incidents that lead you to believe that the teacher is guilty of serious misconduct (you may continue on a separate sheet if required).**

|  |
| --- |
|  |

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

**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 us to have sight of any documentation which supports the allegations you are making. Should you have information, documents, or evidence that you wish us to consider then please include it with your referral.

**Please use the table below to show the types of documentation you are supplying with this referral (this list is not exhaustive)**

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

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

|  |
| --- |
|  |

**Part 7: Your details**

**Please provide your contact information.**

|  |  |
| --- | --- |
| Title (eg Mr, Mrs, Miss, Ms) |  |
| Surname |  |
| Forenames |  |
| Job title |  |
| Telephone number |  |
| Email address |  |
| Contact address |  |
| Postcode |  |
| Country |  |

**Part 8: What completing this referral means for you**

If your allegation of serious misconduct is investigated it could result in the person you’re referring being banned from teaching.

You might need to attend a hearing of a professional conduct panel to give evidence if the allegation reaches that stage.

If your referral does not result in an investigation, personal information, belonging to the individual referred, contained in this referral can be released to them if they make a subject access request (SAR) in line with their information rights. TRA will make every effort to ensure personal information released from this referral protects your (the referrer’s) identity; they will tell the person making the SAR that the referral has been received from a member of the public.

If this referral results in an investigation, TRA will share your name and the referral with all parties connected to the investigation using Public Task as its legal basis. Your contact details will not be shared with the teacher.

Once a referral is submitted, it will be kept on file for up to 50 years.

**Part 9: Declaration**

**You must sign this referral form. We cannot accept anonymous referrals. By sending this referral, you agree that:**

* your allegation may be investigated, which could result in the person you’re referring being stopped from teaching
* your answers are true to the best of your knowledge and belief
* your referral, any evidence and supporting information may be shared with the person you’re referring and any employer
* you have permission from the relevant third parties for any evidence and supporting information to be shared, for example the police or DBS
* you may need to attend a hearing and give evidence if your allegation reaches that stage
* your referral will be kept on file for 50 years

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

**Name (in BLOCK CAPITALS):**

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

**Organisation (if relevant):**

**Relationship to the individual you are referring (if applicable):**

**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 section.**

Please return this form, together with all supporting documentary evidence, to the misconduct.teacher@education.gov.uk. If you are unable to email, you can post the information using registered post to:

Teaching Regulation Agency
Cheylesmore House
5 Quinton Road
Coventry
CV1 2WT

If you experience any issues whilst trying to email us or require assistance with this form, please contact us on 020 7593 5393.

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

* **TRA will only consider cases where the alleged misconduct is serious enough to potentially result in a prohibition order, meaning that the person can no longer be a teacher.**
* **TRA 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](http://www.gov.uk/tra/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 local procedures been followed and concluded if appropriate? (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?

Before completing this form, you should read the information on [Complaining about a 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 TRA 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 (not exhaustive):

* 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**

Please read the full details of the [teacher regulation process](http://www.gov.uk/teacher-misconduct-regulating-the-teaching-profession).

It is important to note that when you make a referral, 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. This does not mean that less serious cases are not important, but is to adhere to our specific remit of only being involved in the most serious of cases of misconduct. Less serious cases should be dealt with at local level.

In accordance with The Teachers’ Disciplinary (England) Regulations 2012 (the Regulations), TRA 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
	+ 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
	+ 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.

We 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. We cannot 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.

TRA will 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 (DfE’s) school complaints advice](http://www.gov.uk/complain-about-school).

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.

Please do not redact the documentation that you send to us; this will make it difficult to fully understand and to appropriately consider the evidence being referred. All information provided is treated in strict confidence.

If there are other organisations that are involved in your complaint that may be relevant to our investigation, (eg police force or examination board) please provide contact names and details.

If you require further information about making a referral to TRA, please contact us on 0207 593 5393 or by email misconduct.teacher@education.gov.uk.