



Department
for Education

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Respond by 16 September 2013
Ref: Department for Education

**Teacher misconduct-the prohibition of
teachers. Changes to the National College
for Teaching and Leadership (NCTL) advice.**

Teacher misconduct-the prohibition of teachers. Changes to the National College for Teaching and Leadership (NCTL) advice.

This consultation seeks the public's views on proposals to revise the 'National College for Teaching and Leadership (NCTL) advice on Teacher misconduct

Issued 22 July 2013

Enquiries To If your enquiry is related to the policy content of the consultation you can contact the Department on 0370 000 2288

Contact Details

If your enquiry is related to the DfE e-consultation website or the consultation process in general, you can contact the Ministerial and Public Communications Division by e-mail: consultation.unit@education.gsi.gov.uk or by telephone: 0370 000 2288 or via the Department's '[Contact Us](#)' page.

1 Executive Summary

- 1.1** It is of paramount importance that children are protected when they're at school and there are robust safeguards in place when a teacher is employed. The proposed changes to the advice provide clarification on the teacher prohibition process and procedures and provide clearer advice on the Department's expectations when panels are considering evidence to support a recommendation to prohibit a teacher from teaching. This consultation invites comments on the revisions proposed. The changes apply to England only
- 1.2** This consultation seeks the public's views on proposals to revise the 'National College for Teaching and Leadership (NCTL) *Teacher misconduct – the prohibition of teachers* advice. This advice provides clarification to all those involved in the prohibition process from those who administer the scheme, those who may make referrals to the NCTL about a teacher's conduct, witnesses who attend panel hearings and those teachers who appear before a Teacher Professional Conduct Panel.

- 1.3 The revisions are made following the Department's June announcement that the guidance would be revised to clarify the Department's expectation that - other than in the most exceptional cases - any sexual misconduct and any criminal conviction or caution involving indecent images of children will lead to prohibition.
- 1.4 It clarifies the advice in respect of a number of important factors that Teacher Professional Conduct Panels will need to consider when deciding whether to recommend a teacher should be prohibited.

Specifically the revisions indicate that:

- any sexual misconduct (not just 'serious sexual misconduct') should be a factor to be taken into account in considerations of prohibition; and
- any criminal conviction or caution that involves indecent images of children is likely to lead to prohibition.

2 How To Respond

- 2.1 Consultation responses can be completed online at www.education.gov.uk/consultations by emailing Enquiries.TermsAndConditions@education.gsi.gov.uk or by downloading a response form which should be completed and sent to: Teachers' Pensions and Deregulation Division, Ground Floor, Area B, Mowden Hall, Staindrop Road Darlington, Co Durham DL3 9BG.

3 Additional Copies

- 3.1 Additional copies are available electronically and can be downloaded from the Department for Education e-consultation website at: www.education.gov.uk/consultations

4 Plans for making results public

- 4.1 The results of the consultation and the Department's response will be published on the DfE e-consultation website in Autumn 2013.