



Gloucestershire Initial Teacher Education Partnership

Fitness to Practise Policy



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Fitness to Practise Policy

Introduction

Gloucestershire Initial Teacher Education Partnership (GITEP) is committed to providing the highest quality training. The Fitness to Practise Policy has been developed in recognition of GITEP's duty of care to the public, as well as to support trainees in fulfilling programme requirements and helping to prepare trainees for future professional practice.

The information set out in this document is intended to provide clear procedures to be followed in instances where student fitness to practise concerns have been formally raised. There may be occasions when an individual is judged not to be suited to a career as a teacher. Concerns take many forms and may be raised by staff, other trainees or by persons external to GITEP. This policy also describes the roles and responsibilities of relevant parties in managing trainee fitness to practise concerns.

Trainees may give 'cause for concern' arising from:

- Conduct incompatible with the professional standards of a teacher
- Application to the training is such that an appropriate professional standard is unlikely to be reached
- Breach of the Code of Conduct
- A criminal offence whilst on course
- Inability to achieve an appropriate professional standard
- A medical or physical condition such that it would be impossible to serve as a teacher
- Fraudulent information has been given at application or induction
- Some other substantial reason

Issues that might impair fitness to practise are wide ranging. Examples of areas of concern or circumstances that may render a student unfit to practise, include, but are not limited to: health conditions that prevent the carrying out of teaching duties; substance misuse; aggressive, violent or threatening behaviour; persistent inappropriate attitude or behaviour; failure to accept and follow educational advice; failure to follow health and safety requirements.

Cause for concern relating to professional and personal conduct

Requirements relating to professional and personal conduct

Trainees must, at all times within their training, demonstrate consistently high standards of personal and professional conduct, as set out in the Teachers' Standards and Part 2 of the Teachers' Standards. All members of staff at GITEP, and staff in partner schools, have a duty to inform the GITEP course leaders or school-



based ITT lead if they believe a trainee's attitude or personal or professional conduct does not meet these high standards. The GITEP SCITT Director, acting with the agreement of a member of the SCITT Partnership Board, has the right to suspend a trainee from training, with immediate effect, if his/her attitude or professional or personal conduct falls seriously short of any of the requirements in any part of the Teachers' Standards.

Concerns regarding professional and personal conduct

If the course leaders or school-based ITT lead has any reason to believe a trainee's attitude, behaviour or conduct is not consistently meeting the requirements set out in the Teachers' Standards the trainee will be informed of these concerns. If the concern is serious this will lead to a formal meeting with the SCITT Director and school-based ITT lead to discuss the matter further. A written record of this meeting will be kept, outlining:

- the areas of concern and the implications for the trainee in meeting the Teachers' Standards;
- any decisions made in the meeting regarding further actions, including whether the trainee is considered 'unfit to continue' with the training, or targets set for the trainee to meet the standards, with a clear timetable for improvement.

Where a trainee is considered 'unfit to continue'

If a trainee is considered "unfit to continue", the following procedure should be followed:

- The trainee is informed of the decision at a SCITT panel meeting, which includes the SCITT Director and a member of the SCITT Partnership Board, and this is confirmed in writing within 3 working days, including reasons and the trainee's right to appeal.
- The trainee has 10 working days from the receipt of the letter to make representations to the Chair of the SCITT Partnership Board. If the trainee does appeal the Chair should review both sides of the case and decide whether to uphold or override the decision. If the decision is overridden, there may be conditions attached. The trainee must be informed in writing of the decision and reasons within 3 working days.
- In cases where it is deemed the trainee is 'unfit to continue' this matter must be discussed at a meeting of the SCITT Partnership Board.

Cause for concern relating to progress against the Teachers' Standards

Requirements relating to the Teachers' Standards

All staff involved in the assessment of trainees will be reminded of the paramount importance of early detection of underperformance. If it becomes apparent at any



point throughout the programme that a trainee is not making satisfactory progress against Part 1 of the Teachers' Standards, then the procedures, as detailed below, must be followed by all staff supporting the trainee. It is important that course leaders are contacted immediately by the school-based ITT lead where there is a concern. This will ensure appropriate supportive action for the trainee, school and pupils is put in place as soon as possible.

Concerns relating to the Teachers' Standards

If there is **concern** about a trainee's classroom practice or provision of evidence of meeting the Standards, a **Support Plan** and timescale should be agreed, documented, and sent to course leaders. The Support Plan must contain a monitoring programme which would include the trainee's subject mentor, the GITEP subject lead, the Head of Department or school-based ITT lead as appropriate. Should the trainee's performance improve, the normal procedures for assessment, including weekly reviews and the End of Placement report, will be used for further review and development of the trainee's skills against the QTS standards.

Where serious concerns remain

If, however, at the review point, there are **still serious concerns** and pupils' progress is likely to be affected, Course leaders should be involved in the procedure. An **Action Plan** and timescale is agreed which may recommend external moderation. Continued monitoring is provided especially if failure is possible. In such cases the trainee must be made aware they are 'at risk of failing'. Should the trainee's performance improve, the normal procedures for assessment, including weekly reviews and the End of Placement report, will be used for further review and development of the trainee's skills against the QTS standards. There may be circumstances when a placement is terminated early.

Where the Action Plan is unsuccessful

If the Action Plan is **unsuccessful** the placement outcome will be recorded as **Unsatisfactory**. The trainee is informed in writing and invited to meet with a course leader and the school-based ITT lead. The trainee will either:

- Be offered a period of reassessment, with an Action Plan which will be drawn up following consultation between the trainee, school-based ITT lead, and the subject lead. The Action Plan will include extra teaching time and specify the nature of additional evidence required. A trainee's right to re-assessment must be balanced against pupils' needs in schools.
- Not be offered a period of reassessment and may be advised to or asked to withdraw from the course. If a trainee is considered 'unfit to continue' procedures must then be followed as outlined in paragraph 3.



The trainee will be given an opportunity at any point to set out his/her perception of the issues of concern. He/she may also contact the course leaders and the school-based ITT lead at any time during the training to seek guidance. Trainees may also request of the course leaders that they be given the opportunity to speak to another representative of the SCITT Partnership Board regarding concerns that may have arisen.

Where trainee performance improves

Should the trainee's performance improve following the period of reassessment, the normal procedures for assessment, including weekly reviews and the End of Placement report, will be used for further review and development of the trainee's skills against the QTS standards.

Where there is insufficient progress

Should there be insufficient improvement in the trainee's performance within the agreed timescale against targets set out on the Action Plan document, the SCITT Partnership Board representatives should agree a further course of action. The trainee may be required to extend training, including re-doing a teaching placement at the same level, or may be deemed "unfit to continue".

Grave or acute initial causes for concern

In cases where the initial causes for concern are so grave or acute as to need immediate intervention and withdrawal of the trainee from the school as 'unfit to continue', the school-based ITT lead will contact the course leaders and a decision may be made to suspend the trainee's placement immediately, pending further resolution of the situation.

If a trainee is considered 'unfit to continue' procedures must then be followed as outlined in above.

Financial implications

It must be made clear to the trainee that any extensions to training may incur additional financial costs for the trainee. Any trainee deemed 'unfit to continue' and, therefore, unable to continue training, who has been registered at the start of the course, is liable for payment of tuition fees in line with the GITEP SCITT finance policy.

Cause for concern relating to health issues

In this context of the policy, ill health means long term, an untreated or unacknowledged physical or mental health condition that impairs a person's ability to practise without supervision. It does not mean the absence of any disability or health condition.



Trainee responsibilities

Trainees will be required, as a condition of admission to a programme, to demonstrate that they meet the health requirements in order to meet the Teachers' Standards.

The trainee will be required to complete a health questionnaire and GITEP reserves the right to refer the Trainee for specialist medical advice and for the resulting report to be made available to GITEP.

Trainees are required to inform GITEP prior to admission about any conditions for which reasonable adjustments within the meaning of the Equality Act 2010 may need to be made to programme arrangements.

Changes to physical or mental health

A trainee whose physical or mental health deteriorates while registered on the course should seek advice from the course leaders about the implications for their continuation on the programme or their entry to the teaching profession. Trainees are required to inform their course leaders of any changes in their physical or mental health which could affect their fitness to practise.

The following is a non-exhaustive list of circumstances, with the potential to impact on a trainee's professional performance which are likely to lead to the fitness to practise procedures being invoked on health grounds:

- chronic alcohol or drug abuse;
- severe or relapsing mental illness;
- failure to comply with a treatment programme or to maintain medication;
- failure to disclose medical conditions as required by the professional body and/or placement provider;
- failure to practise safely including preventing transmitting infection to others
- a medical or physical condition such that it would be impossible to serve as a teacher

Where a trainee's health is considered a 'cause for concern'

The following procedure should be followed:-

- a member of staff from the school placement, or the Subject Lead, advises the SCITT Director about a trainee whom they believe has a health problem.
- The SCITT Director interviews the trainee concerned. Where the trainee fails to attend the interview without good cause, the case will be referred to GITEP's health advisor to carry out a medical interview/investigation.
- If the student's health/conduct **does not** raise serious concerns about his/her fitness to practise either:
 - no further action will be taken, or



- the SCITT Director may refer the student for medical help and/or counselling as appropriate and their progress will be monitored as necessary.
- If the student’s health/conduct **does** raise serious concerns about fitness to practise, the SCITT Director will report to the SCITT Partnership Board and may refer back to GITEP’s health advisor. The Chair of the SCITT Partnership Board will convene a hearing and the trainee will be required to appear before it.

The Panel may proceed in one of the following ways:-

- That the trainee **is** fit to practise and is:
 - i) permitted to continue with the programme without further action;
 - ii) permitted to continue with the programme under supervision and/or support as defined/required by the Panel;
 - iii) permitted to continue with the programme but that a note or formal warning be placed on their file;
 - iv) subject to any other action considered appropriate by the Panel to enable the student’s successful completion of the remainder of the programme.
- That the trainee **is not** fit to practise and
 - i) is required to suspend their studies for a specified period of time, following which the Panel will review the conditions set and decide whether to re-admit the student to the programme, and the decision be recorded on their file;
 - ii) the trainee’s studies on the programme be terminated and the decision be recorded on their file;
 - iii) the trainee’s studies be terminated and the trainee to exit the programme with an interim award, which may or may not satisfy professional requirements, and the decision recorded on their file.
 - iv) the trainee’s studies be terminated and the trainee be required to withdraw from the programme without an award; the decision will be recorded on their file.

Appeals against a decision of a Fitness to Practise Panel

- The trainee must give notification in writing to the Chair of the GITEP Partnership Board within ten working days of notification of the decision of the Fitness to Practise Panel, of their intention to appeal.
- The notice of appeal must clearly set out the grounds for the appeal and must be accompanied by appropriate documentary evidence.
- Appeals may only be considered on one or both of the following grounds:
 - irregularities in the conduct of the Fitness to Practise procedures of such a significant nature as to cause reasonable doubt whether the Fitness to Practise Panel would have reached the same decision had they not occurred;
 - exceptional personal circumstances or new evidence not known to the Fitness to Practise Panel when the student’s case was considered, and which can be shown to be relevant to the case. The trainee must show good



reason why such personal circumstances or evidence were not made known to the Fitness to Practise Panel before or at its meeting

- Appeals against a decision of the Fitness to Practise Panel will be considered by a Fitness to Practise Appeal Board
- The trainee will be invited to attend the hearing and will be entitled to be accompanied by a friend or colleague of his/her choice. The trainee must confirm the name and status of the person accompanying them in writing to the Chair of the GITEP Partnership Board no less than four working days before the hearing.
- If the trainee does not appear at the hearing without reasonable explanation, and the Appeal Board is satisfied that due notice was given to the trainee, the Board may proceed in the absence of the trainee and shall consider at the appropriate stage any representations made on behalf of the trainee. The Chair will have discretion to determine what constitutes 'reasonable explanation'.
- The Fitness to Practise Appeals Board will have the powers to confirm, modify or overturn the penalty or penalties originally imposed by the Fitness to Practise Panel. The trainee will be notified in writing of the decision of the Fitness to Practise Appeals Board normally within 10 working days of the appeal hearing.
- Where required, the decision of the Appeals Board will be communicated to the relevant profession body. It is recognised that the body may invoke further action regardless of the outcome of the appeal.
- The decision of the Appeals Panel will be final and there will be no further right of appeal.
- The Office of the Independent Adjudicator the (OIA) provides an independent scheme for the review of trainee complaints and appeals. When GITEP's procedures for dealing with Fitness to Practise have been exhausted, GITEP will issue a final decision letter. Trainees wishing to appeal to the OIA must submit their application to them within 3 months of the final decision letter to them. Further details about the OIA are available from the OIA website at www.oiahe.org.uk.

Links to other policies

Absence Policy

Diversity, Equality and Inclusion Policy

Safeguarding Policy

Trainee Support Policy



Document history

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