

# Trainee Fitness for Registration and to Practise

Procedural Guidance for Staff and Trainees at Sacred Heart Newcastle SCITT

## Introduction

Sacred Heart Newcastle SCITT has a responsibility to ensure that trainees following a programme of study leading to a professional qualification ('QTS'), which is registrable with a statutory regulatory body, are suitable to enter that profession.

The SCITT's Fitness to Practise procedures are detailed in the **Fitness for Registration and Practice Regulations**. This guidance explains the procedure for an investigation into concerns about a trainee's fitness to Registration and practise.

The Department for Education (DfE) set a clear baseline of expectations for the professional practice and conduct of teachers, from the point of qualification in The Teachers' Standards, which were introduced on 1 September 2012. The Teachers' Standards are used to assess all trainees working towards Qualified Teacher Status (QTS), and all those completing their statutory induction period. They should also be used to assess the performance of all teachers subject to the Education (School Teachers' Appraisal) (England) Regulations 2012. The Teachers' Standards should be used in conjunction with the Department for Education Teacher Misconduct regulations to ultimately determine whether a trainee is fit to practise upon qualification, as well as while they are studying. These two documents are:-

- Teacher Misconduct – Disciplinary procedures for the regulation of the teaching profession (Department for Education, April 2013)
- The Teachers' Standards (Department for Education, June 2013)

## Purpose of the Procedure

These guidelines are to be applied only to situations in which a trainee's fitness to practise is of concern to Sacred Heart Newcastle SCITT. The following issues may become fitness to practise concerns but only at the point at which all other routes for consideration or amelioration are exhausted.

**Health** – health problems are not usually a fitness to practise concern. Most trainees with a health problem (physical or mental) are able to succeed in their programme with appropriate healthcare and pastoral support. Sometimes, a trainee is diagnosed with a condition which renders them unfit for further study or practise. In these instances, it is often clear to the trainee and Sacred Heart Newcastle SCITT that the SCITT & associated ePGCE programme are no longer suitable. We will support trainees in this position with guidance on alternative study or career options. Health issues normally only raise fitness to practise concerns if:

- a trainee fails to acknowledge or manage their condition
- a trainee shows a lack of insight into the impact of their condition on study or practise
- a trainee refuses to interrupt or withdraw from the programme despite having a physical or mental illness which renders them unfit for practise and registration, either temporarily or permanently.

**Misconduct** – cases of suspected misconduct (disciplinary or academic) will be managed under the SCITT misconduct regulations. Once the misconduct procedures are concluded, Sacred Heart Newcastle SCITT will then consider whether there are fitness to practise concerns that need to be addressed.

### **Referral to Sacred Heart Newcastle SCITT**

Concerns about a trainee's fitness to practise may be raised by a number of sources, including but not limited to: Sacred Heart Newcastle SCITT staff, School partnership staff, Mentors, SCITT tutors, education staff outside Sacred Heart Newcastle SCITT, school pupils, trainees, or members of the public. Anonymous or verbal notifications of concern will not normally be accepted.

All trainees are required to inform Sacred Heart Newcastle SCITT of any change or potential change in their Disclosure and Barring Service check status. Convictions, cautions, warnings, reprimands and penalty notices issued after initial SCITT registration and before graduation must be declared to Sacred Heart Newcastle SCITT **immediately**. The appropriate points of contact are the Head of ITT, SCITT Director and School Direct Programme leads.

### **Investigating Fitness to Practise Concerns**

When a concern is raised, the Head of ITT (or their approved delegate), on behalf of the SCITT Director, will consider whether a fitness to practise investigation is required or whether a different course of action is appropriate. In some circumstances, a concern may be sufficiently serious or clear cut for a recommendation to be made, that the Head of ITT refers the case directly to the SCITT Director without further investigation.

The SCITT Director is responsible for making a recommendation to the Accounting Officer for appropriate action, based on the outcome of any investigation.

The trainee will be notified when a decision to refer their case is to be made to the Accounting Officer. Investigations will normally be concluded, and as required, a Panel meeting held within 28 days of the initial notification.

### **Fitness to Practise Panel**

The Panel will comprise three members of the SCITT's Strategic Board (one acting as Chair) and two other senior members of the teaching profession. Members of the Panel will not previously have been directly involved in the case being considered.

The Panel may request further information relating to the concern (including reports from Occupational Health Department, statements from individuals involved in the situation / incident etc.). The investigators may also require a trainee to attend a Panel meeting for further discussion.

Trainees will be notified of the requirement to attend a Panel meeting via email as soon as possible and no less than 7 days in advance. The email will set out the concerns raised, the date, time and venue of the meeting and who will sit on the Panel. A trainee may be accompanied by another member of the SCITT, a friend, a family member or a member of their professional organisation. If the trainee is to be accompanied, the name and relationship of the person attending to the trainee should be notified to the individual who issued the Panel invitation at least 48 hours in advance of the meeting. That person will not be allowed to speak

on the trainee's behalf but the Panel Chair will have the discretion to consider representations from the trainee for the accompanying individual to make a statement.

Trainees will also be invited to submit a written statement and supporting documentation (if relevant) no later than 48 hours in advance of the Panel meeting. A trainee will be provided with copies of any other documentation being considered by the Panel.

Panel meetings are minuted and a copy of the notes is provided to the trainee.

### **Outcomes of Investigation**

If the Panel is satisfied that there is no impairment to the trainee's fitness to practise, it will recommend to the Accounting Officer that no further action be taken.

In cases which are not clear cut, the Panel may also seek the opinion of an appropriately qualified practitioner in that profession to inform the recommendation.

If the Panel determines that there are valid concerns about a trainee's fitness to practise it will recommend one of the following courses of action:

- A package of time limited remedial/supportive measures (to be reviewed according to agreed timelines)
- Inform the Strategic Board that the trainee has been deemed unfit to practise

### **Notification of Outcome**

The SCITT Director will provide the trainee with formal written notification of the outcome of the Panel's investigation, usually within 7 days of the Panel meeting or completion of the investigation. The trainee will be advised of any further requirements of them (either supportive or remedial) or of a decision to remove them from the ITT course. They will also be advised that summarised documentation relating to an investigation will be retained with the outcome letter on the trainee file and may be referred to in any future fitness to practise matters (as per BBCET's Data retention policy). The written notification will also indicate whether the matter should be declared to the relevant professional regulatory body at the point of seeking registration.

### **Contested Decisions**

A trainee wishing to contest a decision to take SCITT-level remedial/supportive measures must request re-consideration of their case by the SCITT's Strategic Board. This should be done in writing within 14 days from the date of the outcome notification from the SCITT Director.

### **Support for Trainees**

Being subject to a fitness to practise investigation can be a stressful time for a trainee. There are a number of sources for support and advice which Sacred Heart Newcastle SCITT recommends trainees take advantage of:

- Newcastle Universities Counselling Service
- Their relevant Trade Union
- Mentors & SCITT Tutors (where these are not directly involved in the case)