



**General Teaching Council
for England**

**Complaining
to
The General Teaching Council**

January 2010

Complaining to the GTC

Information for parents and the public

Can I complain about educational issues directly to the General Teaching Council for England (GTC)?

The GTC is not a general education complaints body and can only consider complaints in relation to the registration status of teachers. If you have serious concerns about your child's education, the best starting point will normally be the school your child attends. Contact the head teacher to discuss the matter. If you are not happy with the school's response, ask them about the school's complaints procedure. This will explain how to follow through your complaint, including the role of the governing body in considering complaints.

Broader concerns about state education in your local area should be directed to the Corporate Director for Children's Services of your Local Authority (LA). Independent schools have their own arrangements, which will be explained by the school.

Issues of national educational policy should be directed to one of these national government agencies:

- National curriculum and testing arrangements – Qualification and Curriculum Authority (QCA)
- School inspection – Office for Standards in Education (Ofsted)
- National education policy – the Department for Children, Schools and Families (DCFS).

There are contact details at the back of this leaflet.

What are the responsibilities of the General Teaching Council?

The General Teaching Council has the following legal responsibilities:

- To establish and maintain a Register of teachers
- To regulate registered teachers through disciplinary procedures
- To provide advice to government and other bodies on educational matters.

Any teacher carrying out 'specified work' in a maintained school, a non maintained special school or a pupil referral unit must be registered with the GTC. Specified work is defined as:

- 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.

The requirement to register applies to full time, part time and supply teachers.

How does the GTC exercise its disciplinary powers?

The GTC has the power to decide on the ability of registered teachers to continue to teach in maintained (state) schools and non-maintained special schools. The GTC considers cases of serious incompetence, misconduct and criminal offences.

Cases of teacher incompetence can only be considered when they are referred by the employer of a registered teacher where the employer has ended the employment of a teacher (or the teacher has resigned short of this stage).

Where an employer has ended the employment of the teacher (or the teacher has resigned short of this stage) for reasons of misconduct, that do not have a child protection element, the employer must refer the case directly to the GTC.

However, if the misconduct has a child protection element the referral should be made to the Independent Safeguarding Authority (ISA). The ISA has responsibility for the vetting and barring of people working with children (and also vulnerable adults).

Can I complain direct to the GTC about a teacher's competence?

No. Concerns about a teacher's competence should be raised initially with the head teacher of the school.

If you are dissatisfied with their response, ask them about the school's complaints procedure.

Can I complain direct to the GTC about a teacher's conduct?

Yes. Although the majority of misconduct cases are referred to us by employers where dismissal has either taken place or been considered, the GTC can also consider complaints of serious misconduct made directly by the public.

The GTC's test in considering such complaints is whether they are of such a serious level to affect a teacher's registration status.

Therefore, there is an expectation that most concerns about a teacher's conduct can be dealt with by employers at the local level through their grievance, complaint or appeal procedures. If you have concerns regarding a teacher's conduct, it is strongly recommended that you have recourse to such local procedures before raising the matter with the GTC.

If you have done so, and still wish to pursue the matter with the GTC, it is important that you are specific about your concerns and can provide relevant supporting evidence. You will be asked to complete a form so that the nature of your concerns is clear.

Upon receipt of the complaint, in accordance with the Council's procedures, the matter will be referred to a Preliminary Consideration Meeting to determine whether the complaint would amount to an allegation of unacceptable professional conduct which could affect the teacher's registration status and that should be referred to an Investigating committee for formal consideration.

Unacceptable professional conduct is defined in the Council's Disciplinary Procedure Rules as:

"Conduct which falls short of the standard expected of a registered teacher....and is behaviour which involves a breach of the standards of propriety expected of the profession."

Decisions at this stage are normally taken by the Casework Operations Manager – Investigating, through powers delegated by the Registrar.

In considering a matter, the GTC may contact the teacher and the relevant employer and invite them to comment on the complaint and the supporting evidence. The teacher will therefore know that you have raised concerns about them.

If it is found that the employer does not know about the complaint, or that they are in the process of considering it, the GTC will not normally consider the matter whilst local disciplinary procedures are still to be completed.

If, at the Preliminary Consideration Meeting, it is decided that the complaint does not amount to an allegation of unacceptable professional conduct all relevant parties will be informed of this in writing and the GTC's involvement in the matter will end. However, if it is found that the complaint does amount to an allegation of unacceptable professional conduct the case will be referred to an Investigating Committee of GTC members.

An Investigating Committee will consider the matter on a formal basis and may refer the case forward for a hearing, or discontinue it if it does not appear to raise concerns relevant to a teacher's registration.

If at any stage the complaint raises issues relating to the safety and welfare of children and young people the matter will be referred to the ISA.

What action could the GTC take?

Hearings relating to a teacher's conduct go before a Professional Conduct Committee which can:

- Issue a reprimand in relation to the teacher's registration for a two year period
- Apply conditions (such a retraining and updating) to a teacher's registration
- Suspend a teacher from the Register (for up to two years) with or without conditions
- Prohibit the teacher from teaching in a maintained (state) school or a non-maintained special school for a period of time.

The teacher can appeal to the High Court against the decision.

Hearings are normally held in public, unless the committee agrees there are any particular reasons (such as the protection of child witnesses) as to why all or part of the hearing should be held in private.

How do I make a complaint to the GTC?

- Our strong advice is that you first raise the matter with the school and use the school's complaints procedure if you are not satisfied with the outcome. This is likely to mean that there is evidence which the GTC can draw on. Ensure also that your concerns fall within the GTC's responsibilities (as outlined above).
- Contact the GTC, and request a complaint form (contact details below).
- Complete, sign and return the form, enclosing all the relevant evidence to support your complaint.
- If you wish to make complaints against more than one registered teacher regarding unacceptable professional conduct, complete one form for each individual.

Your response should include:

- a concise outline of the matter(s) that you consider to be unacceptable professional conduct
- any further information and/or supporting evidence that you may have in relation to your complaint

On receipt of your complaint the GTC will schedule your case for the next available Preliminary Consideration Meeting.

Contacts

Misconduct complaints to the GTC about a teacher

Martin Dean
Professional Standards Team Leader
General Teaching Council
Victoria Square House
Victoria Square
Birmingham B2 4AJ
Direct line: 0121 345 0062
Switchboard: 0870 001 0308
Fax: 0121 345 0004

Complaints about the National Curriculum and testing arrangements

Qualifications and Curriculum Authority
83 Piccadilly
London W1J 8QA
Tel: 020 7509 5555
Web: www.qca.org.uk

Complaints about school inspection

Office for Standards in Education
Alexandra House
33 Kingsway
London WC2B 6SE
Tel: 020 7421 6800
Web: www.ofsted.gov.uk

Complaints about national education policy

Department for Children, Schools and Families
Sanctuary Buildings
Great Smith Street
London SW1P 3BT
Tel: 0870 001 2345
Web: www.dcf.gov.uk

Complaints about a Governing Body

Public Communications Unit
Department for Children, Schools and Families

Sanctuary Buildings
Great Smith Street
London
SW1P 3BT
Tel: 0870 0002288

If the teacher is not registered with the GTC or the matter relates to child protection matters

Independent Safeguarding Authority
PO Box 181
Darlington
DL1 9FA
Tel: 0300 123 1111

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