



Quick guide for witnesses

This leaflet is for witnesses who may be called to give evidence at a hearing in a case of teacher misconduct.

What does the NCTL do to regulate teacher misconduct?

The NCTL investigates cases in which teachers are accused of serious misconduct (doing something really wrong).

What is a teacher misconduct hearing?

At a hearing, a panel of three independent people will read the case papers, listen to evidence and ask the teacher and witnesses questions, and then decide whether the teacher is guilty of serious misconduct.

The NCTL uses a lawyer (known as a presenting officer) to present the evidence against the teacher. This includes calling witnesses to give evidence to speak about what they know or saw.

The teacher may also be at the hearing. They may bring someone as their representative or they may present their own case, and they may also bring witnesses to give evidence.

The panel, presenting officer and teacher's representative take it in turns to ask witnesses some questions. This is to find out the truth about what has happened. They will only ask questions about the specific allegations made against the teacher.

The panel is supported by a legal advisor to make sure the hearing is fair. One of the panel members will 'chair' the hearing. This means they are in charge of managing the hearing.

What is giving evidence like?

Before the hearing, a lawyer will contact you to take a written statement of what you know or saw. They will either meet you or ask you questions on the telephone. They will type up your statement and send it to you to check.

Most hearings are held in Coventry. If you are asked to attend, you should usually arrive at 9.30am. You will be met by a member of NCTL staff and they will take you to a waiting area. They can show you what the hearing room looks like before you need to give evidence. It's a good idea to bring some magazines or a book to help pass the time while you wait to give evidence. There are also drinks and snacks available to buy.

When you give evidence, you will sit at a table and your witness statement will be there to look through. You will be asked to confirm your name and to promise what you say will be truthful. You can either read out an oath and hold a holy book, or read out a statement saying you will tell the truth. The wording for this will be on the table and the panel will help you know what to do.

The NCTL presenting officer, the teacher's representative and members of the panel will ask you questions. If you don't understand something, let the panel know. They will ask the question to be worded more clearly. If you feel upset or need a break, just let the panel know. They are there to support you.

If you are a child, you can bring an adult with you to support you. If you have any special requirements then let the NCTL know in advance and they can find ways to support you in giving evidence. This support may be, for example, giving your evidence via a video link so you are not in the same room as the teacher.

What happens next?

After you have given evidence, the panel will thank you for coming. You can then leave the room or you may prefer to sit at the back and listen to the rest of the hearing. You must not talk to any other witnesses who are still waiting to give their evidence. This is very important to ensure a fair hearing.

After the hearing is over, the NCTL presenting officer will contact NCTL witnesses to let them know the outcome of the case.

Why is it important to be a witness?

The information provided by witnesses (their evidence) will assist the panel in deciding whether the allegations are proven, and whether a teacher should be allowed to teach again. This protects schools, pupils and teachers.

What if I have already given evidence?

You may already have been asked questions as part of another process (e.g. a school investigation). However, the NCTL panel needs to hear from witnesses directly so that they can make their own decision about what has happened.

Expenses

The NCTL will repay your travel expenses so that it does not cost you money to attend a hearing. If you need to travel a long way, the NCTL will arrange for you to stay in a hotel nearby the night before the hearing.

What if I have a question?

If you have any questions or are not sure about something to do with the case or giving evidence, please call us on 0207 593 5393 or email us at regulation.division@education.gsi.gov.uk.

There is also a more detailed guide for witnesses on our website at:

www.gov.uk/nctl/teachermisconduct.

Thank you for being a witness. It is a very important thing to do and helps us to have fair hearings and to protect children and the public.