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[REDACTED]

Private & Confidential

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

By email only: [REDACTED]

Our Ref:

Date:

29 October 2024

Dear [REDACTED]

Independent review of the GTCS's Fitness to Teach function
Response to PSA's request for views and evidence

1. We are grateful to the PSA for asking us to provide a stakeholder contribution to its independent review of the GTCS's Fitness to Teach (FtT) function. We note that there is also a separate call for views from the GTCS in respect of its review of its rules. We will also respond to that.
2. We understand that the PSA are assessing the Fitness to Teach (conduct) process against a set of standards adapted from your Standards of Good Regulation. You have adapted these standards to be appropriate to the GTCS's role and context. You are also providing the GTCS with a review of aspects of the operational efficiency of the process. Additionally, you are assessing the legislation, rules and guidance underpinning the process, and whether these are consistent with the principles of 'Right-touch regulation'.

Our Role

3. Our regulatory work is led by [REDACTED]. Historically that was focussed on defending doctors, dentists, and other health professionals before their respective regulators.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

However, from 2015 we have been instructed by a large teaching union to represent teachers before the General Teaching Council for Scotland.

4. At the time of writing, we are instructed on behalf of registrants in 25 active investigations by the GTCS. They are at various stages. We provide an anonymised summary of a representative sample of the cases we are instructed in. This is provided to help illustrate some of the reasons for our responses below.

- **Case study 1**

5. [Redacted]

6. [Redacted]

7. [Redacted]

8. [Redacted]

- **Case study 2**

9. [Redacted]

10. [Redacted text block]

11. [Redacted text block]

12. [Redacted text block]

- **Case study 3**

13. [Redacted text block]

14. [Redacted text block]

[Redacted text block]

15. [Redacted text block]

16. [Redacted text block]

- **Case study 4**

17. [Redacted text block]

18. [Redacted text block]

Response to the Standards

- **Standard Fourteen – The regulator enables anyone to raise a concern about a registrant.**

19. We do not have any concern about the GTCS meeting this standard. There is a process in place for handling anonymous of vexatious complaints that is consistent with other regulators.

- **Standard Fifteen – The regulator’s process for examining and investigating cases is fair, proportionate, deals with cases as quickly as is consistent with a fair resolution of the case and ensures that appropriate evidence is available to support decision-makers to reach a fair decision that protects the public at each stage of the process.**

20. We do not consider [REDACTED]. [REDACTED]. [REDACTED]. As demonstrated by the case studies above, it is not unusual for it to take over [REDACTED] years for an interim report to be received (case study 4) or over [REDACTED] years for a case to proceed to a hearing (case study 1). We do not consider it can be fairly said that [REDACTED]. [REDACTED].

21. Further there is a [REDACTED]. [REDACTED]. While we readily acknowledge different tests are in play, the [REDACTED]. [REDACTED].

Panel Consideration Stage

22. We do have concern that [REDACTED]. [REDACTED]. One of the options available at panel consideration stage is to issue a consent order (rule 2.3.2(e)) in accordance with rule 2.7. However, rule 2.7 provides that a consent order can only be offered where the allegations are admitted “in full” (rule 2.7.1(b)). That means that, in a hypothetical case, where a teacher admits 99 out of 100 allegations, the case would still have to proceed to a full hearing. We do not consider that [REDACTED]. [REDACTED].

23. We are also unclear why a [REDACTED]. [REDACTED]. There seems to be [REDACTED], and it is [REDACTED]. [REDACTED]. There are undoubtedly cases where, though there is some dispute on the factual allegations, [REDACTED].

Case Management

24. Another feature of the GTCS FtT process that causes delay is their approach to listing cases. Our experience of other regulators is that the hearing is listed shortly after a decision has been made to refer a case to a hearing. The procedural timetable also works from that date, with parties given deadlines for disclosure, etc. The GTCS approach is to deal with all procedural matters prior to a hearing being listed. Unlike other regulators, it does not appear that the GTCS have deadlines to issue initial case management directions following a panel decision to refer a case to a hearing. This can lead to months of silence from the GTCS after a case has been referred to a hearing. This all often results in many months' delay between a panel decision to refer to a hearing and the hearing listing being confirmed. The listing itself is then often months after that.

Hearings

25. We do not have any specific concern that fair decisions are not reached when cases proceed to a hearing. Any such concern would be properly addressed by appeal to the Court of Session in any event. We do have concern that [REDACTED]. For example, standard practice is that witnesses provide written statements in advance of a hearing. That should, as with other regulators, reduce the need for time spent on evidence-in-chief. However, that efficiency is prohibited by rule 1.7.23 which provides that any such witness statement "*will be read aloud*" by the witness.

Providing reasons

26. Another aspect of hearings that is unusual is that reasons are not given as the decision is made at the end of stage 1. The panels announce their decision on the facts but not their reasons for the decision. That prejudices the teacher in their submissions on impairment or unfitness to teach. At that stage the teacher will not know the reasons why facts have or have not been found proved.

27. Again, the panel may issue their decision orally that the teacher's fitness to teach is impaired but not provide reasons. The teacher must then submit what they say is the appropriate disposal without understanding the panel's reasons for its decision on impairment. This is a [REDACTED]
[REDACTED]. It is not [REDACTED]
[REDACTED]

28. Further, reasons are not issued in writing on the day. We are used to that occurring, for example, before the MPTS and DPHS. This is common practice in other regulators, and we have not had any FtT hearing where the decision is issued in writing at the time. This seems contrary to the GTCS's Decision Making and Writing Practice Statement (22 August 2019) which states:

"The Panel must give written reasons for decisions that it makes covering each stage of the decision-making process."

[...]

"The fitness to teach process is formal in nature and so Panel decisions should be issued with that in mind. Accordingly, it is the Panel that should issue its decision, preferably by way of its written decision, although, in a hearing context, some decisions may be issued orally."

29. Rather than it being the case that 'some decisions' are issued orally, our experience is that all decisions are made orally. Rarely are reasons given at the conclusion of each stage. This runs counter to [REDACTED] and the GTCS's own statement.

Written decisions

30. Notwithstanding our general concern about the issuing of oral decision, we are concerned that there is often a failure to issue the decisions in writing within 28 days (rule 1.8.1). In one case, by way of example, the hearing concluded on [REDACTED], but the decision was not issued until [REDACTED].

Health cases

31. We are also concerned that the GTCS FtT process has [REDACTED]. That results in what are [REDACTED] (see [REDACTED]) [REDACTED]. In [REDACTED] a proportionate decision was eventually reached but, had this [REDACTED], in our experience, to have [REDACTED].

- **Standard Sixteen** – The regulator ensures that all decisions are made in accordance with its processes, are proportionate, consistent and fair, take account of the statutory

objectives, the regulator's standards and the relevant case law and prioritise the public interest.

32. We do not have any specific comments on Panel decisions at panel consideration stage or following full hearings (beyond those made in respect of standard 15). Our main concern in respect of proportionality and fairness relates to decisions taken by the GTCS before cases reach that stage.

33. Another unusual feature of the GTCS FtT Rules is that there is no scope for voluntary erasure/removal. It is a common feature in other regulators and, in some cases, provides for an outcome that is clearly in the public – and registrant's – interests. While a fitness to teach investigation is open, a teacher can only remove themselves from the register by consensual disposal and is required to admit all of the allegations to do so. There are cases where the teacher is not willing to admit the conduct but also does not wish to retain their registration.

- **Standard Seventeen – The regulator identifies and prioritises all cases which suggest a serious risk to the safety of learners and seeks interim orders where appropriate.**

34. We cannot comment on whether the GTCS identify all cases which suggest a serious standard to learners given we are not privy to all the complaints they receive. However, we are instructed in a number of cases where it is clear that, if proved, the allegations do amount to a risk to safety of learners. That would suggest they are meeting that aspect of standard 17. On the contrary our concern is that [REDACTED]

Temporary Restriction Orders

35. We have significant concerns about the GTCS's interim order process, known as temporary restriction orders (TROs). Imposing a TRO means that the teacher's registration is marked as "suspended" on the Register. In terms of Regulation 4(2) of the Requirements for Teachers (Scotland) Regulations 2005 a teacher whose registration has been marked as suspended can only be employed as a teacher by their existing employer in their existing post. Imposing a TRO in circumstances where the teacher is not in employment has the effect of them being suspended from being employed as a teacher in Scotland.

36. Thus, though not called a suspension, a TRO in these circumstances would have the same effect as an interim order of suspension which can be imposed by other regulators.
37. Our first concern is that a [REDACTED]. If a teacher is still in employment, the TRO has the effect of stopping them from moving employer. It does not prevent them from teaching in their current post. It does not prevent them from working with children. If they are not in employment, it stops them from taking up employment as a teacher anywhere in Scotland. What risk does a TRO protect from?
38. To use a hypothetical example: Teacher A is accused of sexually assaulting a student. The police investigate but no further action is taken. The employer concludes there is insufficient evidence to discipline or dismiss the teacher. They are back at work in the classroom. The GTCS apply for a TRO which is imposed. The teacher can continue to work for their local authority with no restriction. They remain in the classroom with pupils.
39. Compare that with Teacher B. They face the same accusation. The police investigate and no further action is taken. The employer concludes there is sufficient evidence to support the allegations and dismiss the teacher. The GTCS apply for a TRO which is imposed. The teacher cannot return to the classroom while the FtT investigation is ongoing.
40. What is the difference between Teacher A and B from the perspective of a GTCS investigation? What risk is being managed with Teacher B that does not exist for Teacher A?
41. To take another example: Teacher A is in a temporary post. Teacher B is in a permanent post. Both face the same allegations and have a TRO imposed on the basis they pose a risk of harm. For Teacher A this is effectively a suspension when their temporary post ends. For Teacher B, they can continue in employment, working with children, while the investigation continues. For Teacher B the TRO in effect amounts to no order at all following a decision that they pose a risk of harm.
42. We are also concerned that [REDACTED]
[REDACTED]. Both aspects of this are [REDACTED]
[REDACTED] Case law in respect of interim orders of suspension is instructive to the matters which must be considered.
43. We refer to the decision of Mr Justice King in *Houshian v General Medical Council* [2012] EWHC 3458 (QB) at [13]:

“The importance of the principle of proportionality in determining whether an interim order should be made pending the resolution of as yet unproven allegations faced by the practitioner, cannot be overstated. A suspension has potentially three very important consequences for a practitioner. First there is the impact upon the person’s right to earn a living [...]. Secondly, there is the obvious detriment to him in terms of his reputation. Thirdly it deprives the practitioner of showing that during the relevant period he has conducted himself well and competently and ‘so as it were enhanced his prospects in front of the panel undertaking a final hearing’ (per Davis J. in Sheikh at paragraph 18). I note that in Sandler Nicol J. agreed that ‘the Panel must consider very carefully the proportionality of their measure (weighing the significance of any harm to the public interest in not suspending the doctor against the damage to him by preventing him from practising)’.”

44. The comments from Mr Justice King are clearly apposite and apply to TROs. The impact of a TRO on a teacher can be wholly disproportionate. While in some circumstances it may be justified, when balanced against risk and the public interest, we are concerned that a TRO frequently has wholly disproportionate impacts.

45. It may help to give examples of cases where the impact of a TRO on a teacher is [REDACTED]. We represent a teacher who was alleged to have [REDACTED]. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED].

46. In another case we represent a teacher who is alleged to have [REDACTED]
[REDACTED]. [REDACTED]
[REDACTED]
[REDACTED]

- **Standard Eighteen – All parties to a referral are supported to participate effectively in the process.**

47. The GTCS's process, and [REDACTED], [REDACTED]
[REDACTED]

48. In its Fitness to Teach Insight Report 2018-2023 the GTCS noted that:

“We do a lot to facilitate participation in the Fitness to Teach process and we are continuing to focus on encouraging teachers to reflect and engage with us at an early stage when concerns are raised about them. If we are satisfied that a person has insight into the reasons for and/or impact of their actions and has taken steps to address them since concerns arose, we can be more confident it will not happen again or pose a future risk to the public. This helps us to ensure we are focusing on the cases we should, as a professional regulator, so we conclude cases sooner.”

49. [REDACTED]
[REDACTED]

50. We thank you for taking our feedback into consideration. If you require any further information, please do not hesitate to contact [REDACTED] using the detail at the top of this letter.

Yours faithfully

[REDACTED]

[REDACTED]

**Professional Standards Authority Review of the General Teaching
Council for Scotland's Fitness to Teach Process:
Comments from [REDACTED] [REDACTED] [REDACTED] as representatives of [REDACTED]
members**

1. I think the single greatest issue is the length of time that it takes to identify and fix hearing dates. This is generally less of an issue where hearings are brief in nature and lasting for only one or two days but that is increasingly rare. It has been several years since I had a hearing which lasted for less than four days. I suspect that that is down to the breadth and complexity of allegations which GTCS present at hearings, and on a more positive slant, the fact that I suspect most of the more straightforward matters which historically were proceeding to hearings are now dealt with by officer review or by consensual disposal. That is a positive development.
2. To give two examples, in Teacher A's case dates have just been assigned for [REDACTED] Teacher A has been awaiting a hearing in his fitness to teach process since [REDACTED] ([REDACTED] [REDACTED]). The most extreme example that I have experienced has been Teacher B. GTCS are in fact now applying for cancellation of [REDACTED] case. I have undernoted the chronology which I provided in support of [REDACTED] of this application to provide an example.
3. My impression (and I have to be clear that it is no more than that) is that [REDACTED] or, alternatively that [REDACTED] [REDACTED]
4. I think that it is a [REDACTED] [REDACTED] [REDACTED].
5. We have long been indicating to GTCS that [REDACTED] [REDACTED] [REDACTED], and then [REDACTED], they could say that the [REDACTED] [REDACTED] [REDACTED].
6. [REDACTED] in my view. I find the process, whereby [REDACTED] [REDACTED] [REDACTED] [REDACTED]

those procedural points. My recent experience has been that it usually takes at least a month from final submissions going in for it to be considered by a Panel and that then decisions are not being issued within the 28 day target time that GTC Scotland have in their rules [REDACTED]

Undernote: Chronology referred to in paragraph 2, above.

[REDACTED] – Information request issued to teacher by GTCS following receipt of anonymous complaint

[REDACTED] – Letter sent by teacher's representative to GTCS in response to information request

[REDACTED] – Notice of Investigation issued to teacher by GTCS

[REDACTED] – Teacher's response to Notice of Investigation submitted to GTCS

[REDACTED] – Interim Investigation Report issued by GTCS

[REDACTED] – Teacher's response to Interim Investigation Report submitted to GTCS

[REDACTED] – Notice of Panel Consideration with Final Investigation Report and appendices issued by GTCS

[REDACTED] – Teacher's response to Final Investigation report and appendices submitted to GTCS

[REDACTED] – Decision of Consideration Panel issued to teacher's representative

[REDACTED] – Case Management Directions issued by GTCS

[REDACTED] – Notice of Presenting Officer's case form submitted in accordance with Case Management Directions

[REDACTED] – Notice of teacher's response form submitted in accordance with Case Management Directions

[REDACTED] – Case Management Directions for Procedural Application issued

[REDACTED] – Application for case cancellation made on behalf of teacher

[REDACTED] – Opposition to case cancellation intimated by GTCS

[REDACTED] – Application for case cancellation refused

[REDACTED] – Email received from GTCS proposing hearing dates of [REDACTED]

[REDACTED] – Email received from GTCS advising that [REDACTED] reserved as dates to start hearing ([REDACTED] having advised that the [REDACTED] dates were not suitable at the notice provided)

[REDACTED] – Email received from GTCS advising that hearing cannot commence in [REDACTED] due to non-availability of panel members

[REDACTED] – Hearing notice issued confirming hearing dates for [REDACTED]

██████████ – Email received from GTCS advising that hearing due to commence on ██████████ will be adjourned – panel member has withdrawn and it cannot proceed

██████████ – Intimation received by email that GTCS may not have ████████ witnesses attend, being *[Person C, Person D, Person E, Person F and Person G]* – this is confirmed on ██████████

██████████ – Case Management discussion requested by ██████████ due to concern arising from proposed non-attendance of witnesses

██████████ – Case management discussion takes place

██████████ – GTCS position regarding witnesses confirmed. Contact details will not be disclosed. They will not be called by GTC Scotland

██████████ – Final applications regarding hearsay evidence made by GTC Scotland and ██████████ on behalf of teacher

██████████ – Email received advising that GTCS will apply for case cancellation

Response to PSA request for information

1. Issues re setting down hearing dates

Hearings are very hard to arrange. The GTCS send out multiple emails asking for availability but when those dates are past, further emails are sent out and the dates get pushed back again and again. Often from year to year to year. This is in no way the fault of the member or the representative as we always simply say we can make any dates and that we work around the GTCS availability.

The reasons given by the GTCS for the inability to fix hearings is that this is limited to lengthy hearings over multiple days or weeks and that it is not possible to find Legal Assessors to sit for that length of time or that Panel simply cannot be convened as the teaching and lay members cannot be away from work for extended periods of time i.e. over multiple consecutive days.

This is obviously [REDACTED] as we are often [REDACTED] for the GTCS to [REDACTED]. [REDACTED]

The GTCS does sometimes manage to convene a Panel for a lengthy hearing but there have been instances when the hearing is split over several months which is [REDACTED]

One recent example from [REDACTED] had a hearing on [REDACTED] with a further day [REDACTED]. The case was then appealed and remitted back to Stage 2 and that was not heard until [REDACTED]. The case had two Panels, three Legal Assessors, two Servicing Officers, two Presenting Officers and two Teacher's Representatives ([REDACTED]).

It is not uncommon for years to pass from the Consideration Panel Decision to the Full Fitness to Teach Hearing. This obviously has a [REDACTED]



2. Procedural Applications

These are generally well case managed these days and are mostly in relation to Hearsay (Applications by the GTCS to admit); Private Hearings (due to mental health or 'jig saw identification'); and Anonymity in published decisions. Also see comments on TROs below at Standard Seventeen. The GTCS has adopted Case Management Directions and they are well adhered to and ensure applications and responses are submitted in a timely manner. There is almost always a Panel available to make a decision and this is issued usually within 28 days.

The issue arises when applications have been decided and then the case languishes as full hearings can't be fixed in an appropriate timeframe.

The decision making in procedural applications is often published with sparse reasoning.

The Practice Statements used, particularly in relation to electronic communications, is outdated and needs to be updated and aligned with good regulatory practice. The GTCS has a practice statement that seeks to deny 'half time submissions' when this is accepted by most other regulators.

Standard Fourteen

The regulator enables anyone to raise a concern about a registrant.

This is correct, there is a mandatory requirement on employers to make a referral if a registrant is dismissed or resigns prior to a disciplinary decision being made where the registrant would or might have been dismissed on grounds of misconduct. Members of the public can also make referrals directly to the GTCS and registrants can also self-refer. Quite appropriately, the GTCS does not allow anonymous referrals.

Standard Fifteen

The regulator's process for examining and investigating cases is fair, proportionate, deals with cases as quickly as is consistent with a fair resolution of the case and ensures that appropriate evidence is available to support decision-makers to reach a fair decision that protects the public at each stage of the process.

On the whole the process of examining and investigating cases is fair. However, there have been instances in the recent past where it has been submitted that the GTCS investigation process is not fair in that the Investigating Officer assigned by the GTCS has investigated matters prejudicial to the registrant and has ignored what could have been/was exculpatory evidence. When this has been raised it has been ignored.

The investigation process, mostly where serious allegations are alleged, are not dealt with quickly. Cases where there has been a criminal element, either an arrest and release without charge; a criminal investigation with no further action; or an acquittal after trial are the worst for delay. There are cases currently ongoing where the criminal process was resolved [REDACTED] and where the GTCS Fitness to Teach Hearing is not scheduled until 2025 and where the criminal process was resolved in [REDACTED] and the GTCS has not yet issued an Interim Investigation Report but where the Notification of Investigation is from [REDACTED].

The appropriate evidence is available to support decision-makers but only in so far as the GTCS process allows. Often, due to the length of time it takes the GTCS to investigate a case and convene a hearing, the evidence that the GTCS may have been able to rely upon has been excluded and witnesses have stopped engaging. This has resulted in [REDACTED]

[REDACTED]
[REDACTED].

Standard Sixteen

The regulator ensures that all decisions are made in accordance with its processes, are proportionate, consistent and fair, take account of the statutory objectives, the regulator's standards and the relevant case law and prioritise the public interest.

The GTCS does not [REDACTED]. The GTCS seeks to [REDACTED]
[REDACTED]. The GTCS strives to ensure that all cases are dealt with on their own facts and circumstances, which is fine, but the [REDACTED]
[REDACTED]

[REDACTED]. The information provided in written decisions, especially for preliminary applications, is [REDACTED]
[REDACTED]. As these decisions are [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

The GTCS often [REDACTED]
[REDACTED] There have been multiple instances in recent years where cases have progressed to a full hearing only for the GTCS to make a cancellation Application to cancel its own case in circumstances where the registrant's submissions from in response to the allegations, and the evidence against the registrant has remained unchanged from the investigation stage.

Many allegations brought by the GTCS are [REDACTED]
[REDACTED].

Standard Seventeen

The regulator identifies and prioritises all cases which suggest a serious risk to the safety of learners and seeks interim orders where appropriate.

The GTCS is able to apply for a Temporary Restriction Order should there be a prima facie case that the registrant may be removed from the GTCS Register of Teachers if the allegations made against the registrant are proved and that it is necessary and proportionate to do so.

It is not uncommon for TROs to be sought years into a referral when nothing has changed or has come to light through investigations and there are cases where serious allegations have been made and no TRO has been applied for.

The TRO system needs [REDACTED]
[REDACTED]
[REDACTED] e.g. a [REDACTED]
[REDACTED]. No [REDACTED]
[REDACTED] and the [REDACTED]
[REDACTED]

The interim order in the imposition of a TRO is also inadequate in that the GTCS is often not aware when a TRO is breached and has no ability to enforce a TRO. That is a matter for the Local Authority and views on this vary from Authority to Authority. There are cases where registrants are subject to a TRO but have moved between Local Authorities and have altered their 'post', in that they are now in promoted posts.

Standard Eighteen

All parties to a referral are supported to participate effectively in the process.

The GTCS does [REDACTED]

There is no health route.

Registrants have [REDACTED] - mainly from the [REDACTED]
[REDACTED] and the [REDACTED]. This is especially so in cases where registrants have been [REDACTED]
and where the [REDACTED]
[REDACTED]

With regard to timing and managing expectations, the GTCS literature states cases will be usually be dealt with in four to six months and it refuses to update this while continuing to send it out to registrants.

The GTCS often leaves witnesses uncontacted for years and they then disengage.

**Professional Standards Authority Review of the General Teaching
Council for Scotland's Fitness to Teach Process:
Response from the Educational Institute of Scotland**

1. The Professional Standards Authority (PSA) has been commissioned by the General Teaching Council for Scotland (GTCS) to undertake a review of its Fitness to Teach (conduct) process and is seeking contributions from stakeholder organisations. The PSA is assessing the Fitness to Teach process against a set of standards that have been adapted from their Standards of Good Regulation, which is used in their statutory work. They are also seeking evidence that can be provided on the operational efficiency of the process, and to inform their views on the legislation, rules and guidance.

Adapted Standards

2. The standards are laid out, along with our short responses to each, in italics.

Standard Fourteen

The regulator enables anyone to raise a concern about a registrant.

Agree. The GTCS website provides clear links for both employers and members of the public to make Fitness to Teach referrals. It is clear on the website that members of the public can make a referral if they have concerns about a teacher or college lecturer's conduct. As noted later in this response, we have concerns that

[REDACTED]
[REDACTED]
[REDACTED] and we feel [REDACTED]
[REDACTED]
[REDACTED]

Standard Fifteen

The regulator's process for examining and investigating cases is fair, proportionate, deals with cases as quickly as is consistent with a fair resolution of the case and ensures that appropriate evidence is available to support decision-makers to reach a fair decision that protects the public at each stage of the process.

Disagree. We provide detailed analysis of our concerns around the fairness, proportionality and efficiency of the Fitness to Teach process in our attached report (explained below).

Standard Sixteen

The regulator ensures that all decisions are made in accordance with its processes, are proportionate, consistent and fair, take account of the statutory objectives, the regulator's standards and the relevant case law and prioritise the public interest.

*We do not consider that [REDACTED]
[REDACTED]. In terms of the public interest, we do not consider it to be in the public interest for [REDACTED]
[REDACTED] and nor is it in the public interest for [REDACTED]
[REDACTED]. This is expanded on in the attached report.*

Standard Seventeen

The regulator identifies and prioritises all cases which suggest a serious risk to the safety of learners and seeks interim orders where appropriate.

*Agree. However, we consider that at times the GTCS has [REDACTED]
[REDACTED]. [REDACTED]
[REDACTED]. Our concerns around [REDACTED]
[REDACTED] are points that are expanded on below and in our report.*

Standard Eighteen

All parties to a referral are supported to participate effectively in the process.

*It is acknowledged that teachers are able to respond at an early stage in the Fitness to Teach process, and further submissions are invited at report stage and, of course, at a hearing. However, when cases have been running for a number of years, the effectiveness of the process is lost. Furthermore, the GTCS has at times spent many months pursuing potential witnesses who are unresponsive, rather than [REDACTED]
[REDACTED]. [REDACTED]*

3. In 2022 the [REDACTED] AGM instructed [REDACTED] Council to produce a report on the efficiency, effectiveness and impact of the GTCS Fitness to Teach process on [REDACTED] members. This report was produced for the attention of the 2023 AGM. Considering the relevance of these matters to the subject matter of the PSA review, we have attached our report as feedback.
4. Our report provides detailed evidence, expanding on our responses to each of the standards.
5. Whilst many findings of our report remain relevant a year on, the statistics provided were clearly up-to-date only at the time of writing and various cases have been opened and closed since. However, the evidence collated shows our experience of the Fitness to Teach process over a very recent five-year period, and so we consider it to be relevant and very worthy of the PSA's consideration.
6. In addition, we have some further comments to contribute.

Further Comments

7. Temporary Restriction Orders (TROs)

We are aware that most regulators have conditions that can be put in place before a TRO is considered. On reading the Fitness to Teach Rules, we think there is scope for the GTCS to impose conditions in the first instance. This could be more proportionate in many cases compared to imposing a TRO which can have a devastating impact on teachers' lives, often ending careers unnecessarily.

In addition, we would note that TROs do not have a long stop date; however, orders issued by other regulators do. This means that if cases run for a number of years (which is not unusual, as can be seen in our attached report), then a teacher can be out of the profession for that whole period without any requirement for the GTCS to justify the continued restriction. A review of the TRO can be applied for, but TROs are rarely overturned. A long stop date should be introduced into the Fitness to Teach rules or governing legislation, as appropriate, so that the GTCS is required to apply to the Court of Session for a continuation of the TRO after, say, 12 months. This would be fairer on those facing the restrictions and also may focus investigations.

8. Recruitment of Panel Members

The GTCS has difficulty in recruiting panel members. It would help if the legislation was updated to allow for a legally qualified chair to sit as one of

the three panel members, removing the requirement for a separate legal assessor. Further to this, it is noted that GTCS panel members are not paid for their service. Considering the fact that sometimes hearings last for ten or more days, it is a significant ask of someone to undertake this much work without pay. We would suggest that a nominal day rate is considered to encourage panel members to sit.

9. Scheduling of Hearings

We had understood that the GTCS had begun a pilot scheme to trial a new method of scheduling hearings which would allow for more efficient and practical preparation. This is referred to in the attached report. The plan had been that hearing dates would be scheduled at an earlier stage in the process and then the GTCS would work back from the hearing dates in scheduling other dates for submission of papers. However, it has become apparent that this pilot has not taken place. The GTCS appears reluctant to try scheduling hearings in a different way, focusing on what might go wrong. However, we are clear that hearings need to be scheduled as soon as it is clear that they are needed. This would avoid the need for late paper applications, which wastes further time. Our attached report comments further on issues around procedural applications.

10. Lack of Progress in Investigations

We have found in some cases that [REDACTED] [REDACTED]. For example, in a recent case [REDACTED]

Whilst we realise that such delays can be due to staff turnover, we are also aware that investigating officers are called upon to be servicing officers in hearings, which means they are not able to focus on the complexity of the investigations they are undertaking. We would suggest that systems should be considered to ensure that officers are able to focus on complex cases in order to avoid the types of delays we have witnessed.

11. Impact on Teachers

The impact of the Fitness to Teach process is considered in our attached report. We are clear that the affect the Fitness to Teach process can have on individuals is often traumatic and life changing, and it is not always acknowledged or respected. In particular, we would note that the process is [REDACTED] for probationer teachers as they cannot gain full registration whilst under investigation and, if a TRO is imposed, they cannot take up a teaching post. This means that a GTCS investigation during a probationary year will likely prevent a career progressing at all. This is

concerning, and links back to the considerations laid out regarding TROs (above).

12. Different Approaches between Employers

As noted, above, we have found that local authorities and other employers vary in their approach to making referrals to the GTCS. Whilst discretion can be exercised when it comes to certain referrals, we think it is important that employers take similar approaches where possible, so that teachers across the profession are regulated consistently. Continued guidance from the GTCS to employers on this would therefore be welcome.

We have also noted that employers vary in their approach to suspension during a GTCS investigation, despite it being unnecessary (unless there is another reason for suspension beyond the investigation). This is another area where we would welcome better engagement from the GTCS; they do not [REDACTED]

[REDACTED]. This [REDACTED]
[REDACTED], and [REDACTED]
[REDACTED] as a matter of course, is [REDACTED].

13. External Solicitors

The firms of external solicitors we instruct to represent some of our members in GTCS cases have also provided their views on the GTCS Fitness to Teach process, for the purposes of this review. We are aware that [REDACTED] [REDACTED] are submitting a response separately. We have attached representations from two further firms: [REDACTED] and [REDACTED] [REDACTED].

14. Further Discussion

We would welcome the opportunity to discuss our findings, as offered in your email. Please let us know when might be convenient. Please also let us know if you require any further information on any matter we have raised in this response, or the attached report.

[REDACTED]
30 October 2024

[REDACTED], 29 March 2023

The efficiency, effectiveness and impact of the GTCS Fitness to Teach process on [REDACTED] members

The following resolution was approved by the 2022 Annual General Meeting:

"That this AGM instruct Council to investigate and report on the GTCS Fitness to Teach process and its efficiency, effectiveness, and impact on members."

1. The GTCS's role

The General Teaching Council for Scotland has the statutory function of regulating the teaching profession through its Fitness to Teach process. The purpose of the process is not supposed to be to discipline or punish teachers, but rather to ensure that public trust and confidence in teachers is maintained and that the learning of children and young people is protected.

The Fitness to Teach rules and process are currently set out in the General Teaching Council for Scotland Fitness to Teach Rules 2017 which can be found [here](#).

There are supplementary documents to the rules, such as the Fitness to Teach Threshold Policy (which can be found [here](#)) which sets out indications of what conduct will merit an investigation and what will not. The GTCS say that they "only investigate when an allegation is of a level of seriousness that we think that a teacher presents a risk of harm" (see [here](#)). The Threshold Policy states that the GTCS investigates acts of misconduct or criminal offences "where there is, on the face of it, a realistic prospect of a finding of impairment based on that act or criminal offence."

Although the same conduct may be investigated by various bodies including an employer, the police, and Disclosure Scotland (as part of their Consideration for Listing process), the GTCS's process is separate. The decision arrived at by the GTCS should be based on its own process, although any criminal conviction will be taken as proven. Conversely, in cases where an individual was charged by police but is not ultimately prosecuted, the GTCS will continue with their own investigation into the matter. In this regard, it should be noted that GTCS allegations must be proven "on the balance of probabilities" rather than the higher standard of proof that criminal courts are held to of "beyond reasonable doubt".

2. The general objective

The general objective of the 2017 Rules is to enable the GTCS (including its conveners and panels) to deal with cases fairly and justly. The rules should facilitate the GTCS to deal with cases: in a way which is proportionate to the complexity of the issues; allowing parties to seek informality and flexibility in proceedings; ensuring that parties are able to participate fully in proceedings; and avoiding delay, so far as is compatible with the proper consideration of the issues.

Conveners and panels must give effect to this general objective when exercising any power under the 2017 Rules and interpreting and applying them (rules 1.3.7 – 1.3.9 of the 2017 Rules).

3. Fitness to Teach process

Stage 1 – Referral

A referral to the GTCS is usually made by an employer but can also be made by an external agency such as Police Scotland or Disclosure Scotland or by any member of the public, including self-referral. The process is set out in a flow chart by the GTCS (see [here](#)) and can be summarised below.

Stage 2 – Initial consideration and notification

Once an Investigating Officer has decided that the matter being referred meets the threshold for investigation, the initial stage of the Fitness to Teach process is the “Notice of Investigation”. The Investigating Officer assigned to the case writes to the teacher to inform them of the allegations against them, based on the referral information. The teacher normally has 14 days to provide an initial response to the allegations, either admitting or denying the allegations, or admitting them in part. The teacher has the opportunity to set out their version of events and any mitigating circumstances and remediation that has taken place.

The Investigating Officer is supposed to take a neutral and objective approach to investigation.

Stage 3 – Investigation Stage

On receipt of the teacher’s response to the Notice of Investigation, the Investigating Officer will usually carry out further enquiries and will then progress matters. If the Investigating Officer considers that no further action should be taken (as the conduct does not meet the threshold, and/or there is insufficient evidence to prove the allegations) they will issue a report confirming that no further action will be taken.

If the Investigating Officer finds that there is a case to answer, a draft Interim Report will be compiled with all evidence annexed to it. Once the draft is sent to the teacher, they normally have 28 days to provide any further comment or information, beyond their initial response. The Investigating Officer will add their comments/information to the report and the Final Report will be put before a panel.

Stage 4 – Panel Consideration

A panel will consider the Final Report and decide whether the case must be referred to a full hearing or whether they can appropriately dispose of the case by either confirming that there is no case to answer or by offering a Consent Order. A Consent Order is a sanction that may be offered to a teacher where they admit the allegation(s) against them and includes: a reprimand; a conditional registration order; both a reprimand and a conditional registration order; or removal from the register. At this stage a teacher does not have to consent to a sanction offered by the panel and can instead opt to proceed to a full hearing. If a sanction is consented to, that is the end

of the matter (albeit the sanction is published on the GTCS's website for a period of 3 months).

Stage 5 – Hearing

If a panel decides that a case must proceed to a full hearing or a teacher declines a sanction in favour of proceeding to a hearing, a full hearing will be convened. A panel is made up of two individuals with a teaching background plus one lay member, from a pool of panel members. One of the panel members acts as the Convener. The hearing may take place on-line or in-person and the teacher will have the opportunity to give evidence and to call witnesses. A Presenting Officer will be appointed by the GTCS to present their case.

4. Efficiency

The GTCS Fitness to Teach process is, by their own admission, not resilient. It is the GTCS's position that they are "in the process of recovering [their] casework from the adverse impact of the Covid pandemic" (see [here](#)). Although the backlog of cases has increased since the Covid-19 pandemic, there were already significant delays in cases being progressed prior to the pandemic.

The GTCS also consider that the availability of participants in the process (teacher panel members, witnesses etc.) and the cooperation of external participants (the police, Disclosure Scotland, the employer) adversely affects their ability to progress cases.

In relation to delays, their website states:

"Some fitness to teach cases are quick and straightforward to investigate and others take longer because they are more complex and involve more allegations or witnesses, or they encounter more complexity as they go through our process.

For example, if police and/or employer investigations are being carried out, we must be cautious in how we approach our investigation and we often need these processes to conclude before we can move the case forward. These processes can, in some circumstances, take years.

The health of those involved is also a factor that we commonly see – it is challenging to move a case forward when an individual (whether the teacher concerned or a witness) is not well enough to participate. Procedural applications in cases have also increased over recent years which adds to the time they take."

The GTCS's information booklet for teachers states that "investigations are usually concluded within six months". This timescale is somewhat outdated. Recent data from the GTCS's stakeholder meeting in January 2023 confirms that the median average time for cases to conclude at the investigation stage (stage 3 above) with a "no further action" outcome is over 7 months (a copy of the slides from the stakeholder meeting can be found [here](#)).

Data from the GTCS's stakeholder meeting in June 2022 (a copy of the slides from the stakeholder meeting can be found [here](#)) states that if cases go beyond the investigation stage, the median average time for cases to be considered by a Panel is 1 year and 5 months (noted as 75 weeks) beyond the conclusion of the investigation (stage 4). Data from the same event confirms that for those cases which proceed to a full hearing (around 10% of cases) there's an average median wait of 1 year and 5 months (noted as 75 weeks) beyond the panel consideration stage until the hearing concludes (at stage 5).

4.1 Our findings on efficiency:

As legal officers, we are acutely aware of unsatisfactory delays in the GTCS process.

We have collated and analysed data (see attached appendix) in relation to our members' Fitness to Teach cases between January 2018 and December 2022 to see where, in our members' experience, the inefficiencies lie.

During the relevant five year period we received a total of 170 GTCS referrals for our members which were investigated by the GTCS, of which 163 were Fitness to Teach cases and 7 were competency cases.

In terms of the wider picture, the GTCS claims to receive around 200 conduct referrals a year, of which around 100 cases meet the threshold and proceed to an investigation (see slide from June 2022). Our 163 cases over the five years are a significant proportion of the GTCS's total caseload.

Focussing on the Fitness to Teach cases only:

2018

In 2018 we received **31 new cases**. Unfortunately, **3 cases are still ongoing (10% of new cases from 2018)** some 4+ years later.

A total of **28 cases have concluded (over 90% of new cases from 2018)**. A large proportion of those cases, **16 out of 28 (52% of new cases from 2018)**, concluded at the investigation stage (stage 3 above) with a no further action decision by the Investigating Officer. The timescales to reach the decision varied significantly as 3 cases closed within 3 months, 5 cases closed between 3 – 6 months, 5 cases closed between 6 and 12 months, and 3 cases took over 12 months to conclude (one being over 3 years). In terms of the GTCS's objectives, 50% concluded within the 6 month target period and 50% went beyond.

From the 2018 cases, **6 out of 28 (19% of new cases from 2018)** concluded at panel consideration (stage 4 above). Again, the variation in timescales is significant with 1 case concluding in 3 – 6 months from referral, 3 cases concluding in 10 – 18 months from referral and 2 cases concluding more than 2 years from referral. We can see early indications, as the GTCS have observed, that the involvement of a panel brings additional delays.

Of the 31 cases in 2018, **only 6 (19% of new cases from 2018)** have, so far (as there are 3 cases outstanding), proceeded to a full hearing. One hearing took

place after 16 months from the referral (with a 10 month wait from receipt of the report at stage 3). Another case concluded after 28 months (with a 21 month wait from report at stage 3). Four cases concluded between 3 and 4 years after referral (with an average 3 year wait from the report at stage 3).

The delays to a full hearing are staggering, particularly as we know that only 1/6 of the cases involved criminal proceedings (which could reasonably explain delays in process if the GTCS were awaiting a court decision before progressing).

2019

As in the previous year, in 2019 we received **34 new Fitness to Teach cases**. Around four years on, there are **8 cases ongoing (24% of new cases from 2019)**, 7 of which involved criminal proceedings (although 3 of those criminal proceedings had concluded by July 2021).

Of the **26 concluded cases (76% of new cases from 2019)**, again a large proportion, **17 out of 26 (50% of new cases from 2019)**, concluded at the investigation stage (stage 3 above) with no further action. Again, the timescales to reach the decision of no further action varied significantly as 2 cases concluded in under 3 months, 6 cases concluded in 3 – 6 months, 3 cases concluded in 6 – 12 months, 1 case concluded in 12 – 18 months, 2 cases took over 2 years to conclude and 3 cases took over 3 years to conclude. Out of 17 cases, 8 cases were concluded within the GTCS's target timescale (47%) and 9 went beyond (53%).

Of the 2019 concluded cases, **4 out of 26 (11% of new cases from 2019)** resolved at panel consideration stage (stage 4). The timescales from referral to conclusion varied significantly in that 1 case resolved fairly swiftly within 6 months, whereas 2 cases concluded in 12 – 18 months and another took more than 2 years to conclude.

Only **4 out of 26 cases (11% of new cases from 2019)** proceeded to a full hearing (stage 5), none of which involved any criminal proceedings. The fastest hearing to conclude took 2 years and 9 months (2 years and 1 month after receipt of the interim report). The other 3 cases took more than 3 years to conclude (with a gap ranging between 1 year – 3+ years from the date of receipt of the interim report). Again, the delays to a full hearing are concerning.

2020

In 2020 we received **27 new Fitness to Teach referrals**. Around three years on, **11 out of 27 cases are ongoing (41% of new cases in 2020)**, only 5 of which involve criminal proceedings (and 2 of those criminal cases concluded in 2021).

As in previous years, of the **16 concluded cases (59% of new cases in 2020)** a high proportion, **12 out of 16 (44% of new cases in 2020)**, were resolved at stage 3 by the Investigating Officer. Again, the timescales for cases to conclude varied from under 3 months (3 cases), 3 – 6 months (1 case), 6 – 12 months (2 cases), 12 - 24 months (3 cases), to more than 2 years (3 cases). Unfortunately, only 33% of these cases were concluded within the GTCS target timescales with 67% going beyond.

Of the 2020 concluded cases, **2 (7% of new cases in 2020) resolved at panel consideration stage** (stage 4). Both cases took between 1 and 2 years to resolve.

As of January 2023, only **2 cases from 2020 (7% of new cases in 2020) had reached a full hearing**. One case took 2 years and 4 months to conclude, with a wait of 1 year and 9 months from the date of receipt of the interim report. The other case took a similar length of time to conclude (2 years and 7 months), with a longer wait from the date of receipt of the interim report (2 years and 5 months).

2021

Over the five year period, we received our lowest number of new Fitness to Teach referrals in 2021 with **a total of 24 cases**. As of January 2023, **7 out of 24 (29% of new cases in 2021), remain ongoing** (4 fewer than from the previous year), with only 1 case having related criminal proceedings.

A large proportion of our members' cases from 2021, **17 out of 24 (71%) have concluded**.

Similar to other years, Investigating Officers closed **13 cases at the investigation stage** (stage 3) (**54% of new cases in 2021**). On the face of it, a healthy proportion, 8 out of 13 closed cases (62%), concluded within the GTCS's 6 month target timescale (4 in under 3 months and 4 between 3 and 6 months). However, the figures are skewed by the fact that 5 out of the 8 relate to cases involving lecturers whose applications to the GTCS register, sometimes rather unnecessarily, triggered investigations. Unfortunately, 5 cases (38%) did not conclude within the target timescales with 3 cases taking 6 – 12 months to conclude and 2 cases taking over 12 months to conclude.

Of the 2021 concluded cases, **4 concluded at panel consideration stage** (stage 4) (**17% of new cases in 2021**). One of the cases concluded after 6 months and the other 3 took between 1 and 2 years to conclude. Again, the figures are slightly skewed as the case which concluded after 6 months was another case involving a lecturer whose application to the GTCS register triggered an investigation.

There have been **no hearings** deriving from 2021 cases as of January 2023.

2022

In 2022 we received by far the highest number of referrals in the five year period. We received **47 new Fitness to Teach referrals**, of which only **9 have concluded (19%)**.

All 9 of the concluded cases resolved at the investigation stage (stage 3). In line with the previous year, 6 of the 9 cases (67%) concluded within the GTCS's target timescale (1 case concluding within 3 months and 5 cases concluding between 3 and 6 months). The other 3 cases (33%) concluded in 6 – 12 months.

There are **38 outstanding cases** as of January 2023 (**81% of new cases for 2022**).

Summary of data findings

Aside from 2022, the data tells us that between 44 and 54% of our new referrals each year are resolved by Investigating Officers at the investigation stage, stage 3. Despite this being the earliest stage to sift out and conclude cases after receiving input from the teacher, the length of time taken to reach a conclusion at the investigation stage is extremely variable and is often excessive. Of the 65 cases which resolved at investigation stage over the five year period, only 35 (54%) concluded within the GTCS's 6 month target timescale. At the other end of the scale, 14 cases (22%) took more than 12 months to conclude and 2 cases took more than 3 years.

After investigation stage, the remainder of cases seem to be split fairly evenly in resolving at panel investigation stage and full hearing. Within the five year period, of the 16 cases which have so far resolved at a panel investigation, only 5 resolved in under a year whereas 11 of those cases took 1 – 2 years to conclude. Of the 12 cases which have so far resolved at a full hearing, all of them took more than 2 years to get to a hearing and 7 cases took more than 3 years to get to a full hearing.

The average amount of time taken for these cases to reach a full hearing was 3 years 2 months (with the median being 3 years 1.5 months).

Over the 5 year period, the average amount of time taken for all cases we have dealt with to conclude is 14.7 months. This includes those cases closed at officer review right through to those where a full hearing was conducted.

As noted, there are still ongoing cases from each of the five years we have considered and so we will have cases over this period that took at least 4 or 5 years to conclude once the process has ended. It is worth noting that the average time taken to conclude a case therefore does not include those cases that remain outstanding (and have done for many years or months). When these cases do conclude, the average amount of time for each case will be higher.

4.2 Procedural applications – issues around efficiency in latter stages of investigations:

The GTCS suggests that their investigation processes have been delayed further in recent years because of an increased number of procedural applications being made. They note that these applications are principally made by teachers' representatives. We have three observations to make on this matter.

The GTCS has produced data on the number and types of procedural applications made in conduct cases. From the table produced (see [here](#)) it can be seen that there were more applications made for virtual hearings than any other type of procedural application in the time period considered (which appears to be 2022). Virtual hearings started during the pandemic and have continued since. These applications are generally made by presenting officers.

Secondly, the GTCS has acknowledged that cases that proceed to full hearings are increasingly complex. The GTCS has said that due to these complex cases, more days

are required for hearings which results in issues around scheduling. However, it should also therefore be considered that increased complexity will likely mean that representatives have additional points of procedure to raise in the interests of those they represent, and this cannot, and should not, be avoided.

Finally, the second highest number of procedural applications made in the year assessed related to representatives seeking to present late papers. Applications for late papers are common due to the GTCS requiring papers to be disclosed early in the hearing preparation process and only setting hearing dates further down the line, such that papers are out of date by the time the hearing comes around. The Fitness to Teach process is organic in nature: the test is whether a teacher is fit to teach when their case is being considered, and not at the time of allegations set out. It is therefore imperative that up-to-date information is presented to panels to consider whether the teacher before them is fit to teach. In response to this issue, the GTCS is running pilot cases whereby papers will be due eight weeks before the date of a full hearing.

4.3 Comparable data from other regulatory bodies:

We have commented on the GTCS's threshold for investigation and the processes the GTCS goes through in undertaking investigations. Clearly, different professional regulators have different remits, thresholds for investigation, caseloads and resources. Considering these variables, and the different ways in which data is gathered and reported, it is impossible to undertake comparisons between the GTCS and other regulators which are exactly 'like for like' or which acknowledge particular issues the GTCS might face. It is also acknowledged that some other regulators deal with a great deal more cases than the GTCS, and that the sample we have analysed is relatively small, being only the cases that we have dealt with over a five year period. However, in considering the efficiency of the GTCS, we felt it important to consider available data on the length of other regulators' fitness to practise cases to ascertain whether the delays faced by our members are reflected in other processes investigating other professionals.

Scottish Social Services Council (SSSC)

The SSSC published fitness to practise statistics in January 2023 (see [here](#)). As part of the report produced, the SSSC looked at the amount of time taken to close fitness to practise investigations from the date of referral. A three-month rolling average is used by the SSSC.

They commented that the average time taken to close a case is 7 months. However, this average is skewed as it includes referrals that are received but are not actually opened for investigation.

Looking at more specific data, in all months between April 2019 and December 2022, cases which were investigated but where no action was taken (similar to our GTCS cases that closed at stage 3) concluded within 6 to 8 months.

For cases where there was a sanction imposed but no hearing took place (so akin to our GTCS cases that closed at stage 4), between October 2022 and December 2022 the average amount of time taken for cases to conclude was 22 to 24 months. Whilst we have not analysed our data in three-month averages, this is

not dissimilar to the average time taken for cases to resolve at this stage in the five year period we looked at.

Looking at cases that went to a hearing (like our stage 5), it can be seen that in October 2022 it took an average of 16 months for cases to conclude, whereas in December 2022 it took an average of 27 months for cases to conclude. On average this is a shorter process than our GTCS cases that have concluded after a full hearing.

Law Society of Scotland (LSS)

In March 2023 the Scottish Legal Complaints Commission (SLCC) reported on the Law Society of Scotland's (LSS) complaints handling process as part of their function to provide oversight of the complaints and redress system. See [here](#).

The SLCC considered cases that were open on 31 March 2022 and found that most investigations into misconduct complaints took longer to complete than the LSS's published average timescale, which was 'about 12 months'. They found that, of the complaints considered since 2017, the average time taken to close each case was 15.9 months and the median time taken was 14.4 months. The SLCC made recommendations flowing from these findings, noting that the LSS should set realistic and achievable target timescales for the completion of their investigations; should improve on transparency when communicating with solicitors and complainers on the progress of investigations, including in relation to timescales; and should create a plan of action around improvements.

The average amount of time taken for the GTCS cases we have analysed to conclude has been 14.7 months, which is similar to, but less than, the 15.9 months taken in LSS cases. It is worth noting, however, that it is not clear at what stage in the LSS investigation process the cases referred to concluded, and so this comparison is lacking in detail.

General Medical Council (GMC)

The Professional Standards Authority for Health and Social Care conducts performance reviews of the 10 organisations that regulate health and care professionals in the UK. The authority has a statutory duty to report annually to Parliament on these regulators' performance against their Standards of Good Regulation.

In the authority's 2021-2022 report on the General Medical Council (see [here](#)) the authority comments that the GMC has been focused on closing old cases in the review period, and there have been improvements in the time taken to get to 'Case Examiner' decision, and from that part of their process to a hearing. It notes that both measures are at their lowest since before the pandemic.

In the final quarter reviewed, the median number of weeks from receipt of referral to a final hearing was just over 2 and a half years. Using the median, this is around 7 months shorter than the period it took our cases to get to a final hearing.

It is notable that on the GMC's website (see [here](#)) they claim that they 'try to conclude our investigations as soon as possible, and all of them within 12 months

of receiving the concern if possible.’ This statement does not appear consistent with the time taken, noted above, but is at least an aspirational timescale which can help manage expectations.

General Dental Council (GDC)

The Professional Standards Authority for Health and Social Care’s 2021-2022 performance review (see [here](#)) of the General Dental Council (GDC) described the GDC as having performance issues and noted that the time it takes the GDC to reach fitness to practise decisions has not improved in this review period.

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Like other regulators, the GDC has cited the pandemic as having caused continuing disruption to its process as well as causing issues through staff absences. They also note in the report that their outdated legal framework has impacted performance.

In the final quarter reviewed, the median number of weeks from receipt of referral to a final hearing was around 1 year and 11 months. Despite the criticisms of the GDC in the report, it is noted that this is over a year shorter than the median time our 12 cases took to get to the hearing stage (stage 5).

Nursing and Midwifery Council (NMC)

It is noted in the Nursing and Midwifery Council’s (NMC) annual fitness to practise report from 2021-22 (see [here](#)) that the NMC aims to complete 80% of their cases within 15 months of receiving concerns. In the review period, that aim was not met and only 62% of cases met that target.

The Professional Standards Authority for Health and Social Care’s 2021-2022 review of the NMC is critical, saying that it was taking the NMC too long to deal with their significant backlog of fitness to practise cases. See [here](#)).

In the last quarter of the review period, it was taking the NMC over 3 years to conclude cases that had got to a final hearing. This is similar to the timescales we have drawn from our cases which reached a full hearing (stage 5).

The Health and Care Professionals Council (HCPC)

The Health and Care Professionals Council (HCPC) produces annual reports on fitness to practise. Their report for 2021-2022 (see [here](#)) gives statistics on the time taken for cases to progress to their investigating committee panel stage (similar to the GTCS panel stage – stage 4) and for those cases that conclude in a final hearing (similar to stage 5). Looking at the median, cases took, on average, 13 months to reach the panel stage (a better outcome than our GTCS cases) and 29 months to reach a final hearing. Whilst 29 months is a significant period, it is less than the 3 years 1.5 months, being the median time take for the 12 GTCS cases we have considered, to reach the same point.

Summary of our findings on efficiency of other regulators

Whilst it is difficult to properly compare our own findings in relation to GTCS cases we have been involved with, with the data available on the lifecycles of investigations processed by other regulators, there are points that can be taken from the above.

It is clear that there are issues with delays in processing and investigating cases across various bodies regulating the work of professionals in Scotland and the UK. At times there are also discrepancies between target timescales for concluding cases and the actual amount of time taken for cases to be concluded. We would suggest that having target timescales is beneficial even if they are not always met, as it is a good measuring aid for performance and allows a degree of accountability.

The impact of Covid-19 is cited by some regulators as a contributing factor in these delays.

Where we can compare our data with other regulators' data, it appears that the GTCS cases we have considered took longer to conclude than other regulators' cases, even if by a small margin. This is notable, especially considering the criticism the LSS faced from the Scottish Legal Complaints Commission when they assessed the LSS's statistics, and the criticism faced by the GDC from the Professional Standards Authority. This level of accountability does seem to be lacking for the GTCS, which ultimately impacts our members.

5. Effectiveness

The GTCS states that the Fitness to Teach process is in place to ensure public protection and maintain proper teaching standards (see [here](#)). To be effective, the GTCS should achieve these stated purposes throughout the Fitness to Teach process. Equally, we feel that Fitness to Teach processes should be completed within reasonable timeframes and GTCS resources (however limited) should be maximised to ensure that the organisation is meeting its purposes and serving its members properly and fairly. Through our work on Fitness to Teach cases, we are aware of a number of issues which would call into question the effectiveness of the Fitness to Teach process.

Interaction with other agencies

Information sharing with other agencies, such as Police Scotland and Disclosure Scotland, would seem essential in ensuring public protection. Unfortunately, the channels of communication between these agencies are not fully functioning which often leads to unnecessary delays and double investigation. In terms of criminal matters, our experience in certain cases is that the GTCS investigates matters that both do not relate to the teaching profession and where the police or Procurator Fiscal have decided not to pursue the matter. Whilst we appreciate that the GTCS's standard of proof is lower than in criminal cases, when no further action is taken by the police or the Procurator Fiscal at very early stages, the GTCS pursues matters on the presumption that there must have been supporting evidence if the police were involved, rather than accepting a decision that has been made taking account of evidence and public interest. The GTCS could perhaps be more effective if it acknowledged and utilised investigations already carried out by the police.

Beyond the threshold

It is our view that at times the GTCS [REDACTED] out in the threshold policy (see [here](#)). For example, investigations have been opened relating to [REDACTED]

Re-registering to remove

In terms of [REDACTED], the GTCS has been known to investigate a former teacher after they have removed themselves from the Register (perhaps due to retirement) by [REDACTED]. The ultimate sanction of removal from the register therefore puts the former teacher in the same position they were in before the investigation started but having gone through an undoubtedly stressful and extensive process. The GTCS's rules allow it to re-register a teacher up to 2 years after they have removed themselves. In our view, this approach by the GTCS is [REDACTED] and contributes to it being [REDACTED] as a regulator in other areas.

Vexatious referrals

We have also had issues with the GTCS persisting with [REDACTED], under rule 2.1.1, be pursued. We have had a case where an [REDACTED] has alleged that a teacher [REDACTED]. We put forward submissions that the referral was vexatious

Lack of health route

[REDACTED] is a lack of way out for those who are severely unwell and unable to cope with the process or return to teaching. Once an investigation commences, a teacher cannot remove themselves from the register without going through the arduous and distressing investigation process. For some members their ill health will have contributed to the allegations set out against them; for others, this might not be the case but they will still be too ill to teach again. [REDACTED]

The GTCS acknowledges that it is challenging for them to progress a case where an individual (whether the teacher or a witness) is not well enough to participate. The GTCS is clear that the legislative framework within which it currently operates

prohibits it from creating a “health route” that would resolve this issue, similar to those offered by other regulators. It seems that, as with the GDC, an outdated legal framework is impacting the GTCS’s performance.

Case cancellation

In a similar vein, we have queried the fact that teachers cannot remove themselves from the register with consent, without having to go through the investigating process. At present, there are only two ways in which a teacher can consent to or seek removal from the register whilst an investigation is ongoing. At panel consideration stage, if a panel offers a consent order for removal this can be accepted. However, this is often months or years into the investigation process, and such a consent order will only be offered where the allegations are admitted in full and where the panel considers that removal from the register is merited. Secondly, there is a process by which an application can be made for ‘case cancellation’. The GTCS’s practice statement can be found [here](#). Such an application can only be made once a case has been referred for a full hearing, so at the final stage of the process. Further to this, whilst the practice statement notes that “there is no prescribed list of circumstances in which cancellation of a case may be sought”, examples of situations where an application may be made are given. None would allow someone who simply no longer wished to remain on the register to seek to do so.

There is an example given in this practice statement of a situation where someone who has extremely poor health could make a case cancellation application. However, again, this would not be possible until a case was referred to a full hearing. Furthermore, it is stated that the health of the teacher would have to be:

“so poor and... the prognosis, as evidenced by a report provided by a medical practitioner, would require to be so serious that the Teacher is unlikely to ever be able to resume their teaching career. Such a prognosis would always require to be considered alongside other factors such as the seriousness of the allegations.”

From our experience, the [REDACTED]
[REDACTED]
[REDACTED].

The GTCS’s stance around there not being a way in which an individual can decide to remove themselves from the register whilst being investigated comes from a place of public protection. Their concerns centre around members removing themselves from the register and then seeking to go back on at a later date without any investigative findings around their alleged conduct on record. Even if they still held on to information about the allegations, they are also concerned that months or years down the line they would not be able to effectively reopen investigations as evidence would be old and potential witnesses unable to assist or recall information relevant to the allegation(s). A solution to this would, in our view, be the ability for a teacher to consent to be permanently removed from the register with no right to re-apply.

Publicity

The GTCS's decisions (both at panel consideration stage and full hearing) are published on the GTCS's website for a period of 3 months. The GTCS also notifies all witnesses of the outcome of the hearing by e-mail.

GTCS hearings are public and are often attended by members of the press who report sensationalist headlines, often prior to any decisions being made, and fail to correct their reports when an outcome is in a teacher's favour. Unlike a court, the GTCS has no power to restrict publication and can only ask for the cooperation of the press if certain details are not to be reported (such as details identifying pupils).

The publicity around GTCS cases can be extremely damaging to teachers. Adverse, unwarranted publicity can lead to a teacher suffering further disciplinary allegations of reputational damage to their employer through no fault of their own.

It is possible to apply for proceedings to be held (in part or in full) in private or for the case to be anonymised when published. It is rare to have effective anonymisation or privacy unless there is an evidenced risk of life to a teacher, and even then we have seen full privacy be denied. [REDACTED]

[REDACTED].

Lack of meaningful communication

As we have demonstrated above, GTCS Fitness to Teach investigations are often [REDACTED]. Teachers are often completely in the dark about the progress and parameters of an investigation. The GTCS has recently sought to engage with us to provide three-monthly updates on the progress of investigations. We ensure that we keep track of our cases and seek updates at regular intervals.

[REDACTED], the updates are [REDACTED]. Dialogue is open for us to feed back on the quality of updates that we receive, and we will continue to engage with the GTCS for improved updates to [REDACTED].

Communications with third parties can also lead to delays in the Fitness to Teach process, impacting effectiveness. The GTCS has said that they can spend up to a year to get basic information from third parties. Whilst we realise that in some instances information from third parties will be crucial in an investigation (from the police, for example), we feel that there are times when officers should close off certain lines of investigation where third parties are being uncooperative. Over the time we have been working on these cases, we have found some cases that have been left sitting whilst an officer waits for a response from a potential witness for months before closing that line of enquiry. This is [REDACTED]

[REDACTED] and can [REDACTED].

Inefficiency is ineffective

We have laid out our findings on the efficiency of the GTCS's Fitness to Teach process above. Clearly, we have real [REDACTED]. In terms of effectiveness, and the GTCS's purpose of ensuring public protection and maintaining proper teaching standards, an [REDACTED].

[REDACTED]

Temporary Restriction Orders

Temporary Restriction Orders (TROs) are imposed (with or without consent) on teachers where there are, on the face of it, circumstances which might cause the teacher's name to be removed from the register. The intended effect of the TRO is to prevent a teacher from moving to teach in a new local authority during an investigation. If the teacher is in employment the impact of this may be minimal; however, if they are not, it can mean that they are unable to teach until their case has concluded. Sometimes delays in the process coupled with these restrictions have the unnecessary effect of stopping a teacher from working in their profession for an extended period of time. TROs are said to be protective and not punitive; however, when a teacher is restricted from working for an unnecessary amount of time, it is easy to see why they would feel punished by these delays and the effectiveness of TROs would be called into question.

6. Impact

Mental Health

We are in no doubt that the Fitness to Teach process has had a [REDACTED]. We have already detailed our concerns around inefficiencies and ineffectiveness in the process. Accounts from our members on how these failings have impacted their lives are stark and often distressing. Professionally, members have felt unable to continue teaching due to the stress that they have endured and how exposed they feel to further scrutiny. [REDACTED].

We have also noted that members who have not been able to remove themselves from the register, or who have been re-entered on to the register for the purposes of investigation, have felt targeted and made to endure unnecessary stress, whilst being unable to move on with their lives.

One of our teachers (Teacher A) who was found fit to teach after a process that lasted [REDACTED] has told us about the impact the process had on [REDACTED] health and family life. [REDACTED] noted:

[REDACTED]

[REDACTED]

Teacher B has also told of the suffering [REDACTED] has sustained. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Teacher B's case was dismissed following a full hearing, yet due to the access afforded by the press, [REDACTED] suffering continues and [REDACTED] name has been tarnished.

[REDACTED]

[REDACTED]

[REDACTED]

Teacher B's experience has ruined [REDACTED]
[REDACTED]. [REDACTED]
[REDACTED]. [REDACTED] is now back in the classroom, but the stresses of the process remain. [REDACTED] words, directed to the GTCS, are powerful:

[REDACTED]




Financial

Beyond the mental health issues teachers endure, there are other impacts our members have faced.

The previous section notes that members subject to TROs can find themselves unable to teach for long periods, without knowing when they may be able to apply for jobs in their profession again. Clearly this affects income, and due to the uncertainty brought about by the delays in the process, members do not know when their case is likely to conclude and when they might be able to re-enter their profession.

Some individuals also find themselves signed off from work due to stress and anxiety, causing financial hardship.

In  account, Teacher A told us of the financial issues that have ensued for 



We have also heard from others who have struggled to obtain mortgage offers due to employment instability and have not therefore been able to move on in other aspects of their lives.

7. The GTCS's work on improving the process

We opened dialogue with the GTCS to discuss our concerns and have met with them bi-annually to share our experience and suggestions for improvement. Those meetings have provided insight into what the GTCS consider to be causes of delays and allow us to analyse whether, in practice, our experience is consistent with their narrative. The meetings have also allowed us to raise other issues of concern, many of which are narrated throughout this report.

The GTCS has been open in acknowledging that investigations take too long and have noted that they are aware of the serious impact this can have on our members and their health. We have discussed these matters in our meetings. In addition, and as noted earlier in this report, GTCS stakeholder events were held in June 2022 and January 2023, where the issues faced were also aired in a wider forum.

At the event in January 2023, stakeholders were informed of the work that the GTCS is undertaking in a bid to improve the process.

There have been real issues around setting dates for hearings, leaving members waiting for extended periods to have their cases heard. At times, this has resulted in hearings being part heard with members then waiting months before their hearing is concluded. The GTCS has noted that the time required for hearings has increased in recent years, which has added to the issue. In response, they have increased the size of their legal assessor pool and intend to recruit more panel members in the hope that this will assist.

They have also looked at improving communication between their investigating officers and teachers or their representatives. We have previously highlighted that a lack of meaningful updates on the progression of our members' cases has added to their stress during the Fitness to Teach process. We have noticed some slight improvements in this regard to date.

Another matter considered has been the scheduling of hearings. The GTCS has begun a pilot scheme to trial a new method of scheduling hearings which should allow for efficient and practical preparation for hearings. In turn, this will hopefully reduce the need for teachers to make applications to submit late papers so frequently.

The GTCS is in the process of collating their own data on their processes to assess where further improvements can be considered. They note that they are taking forward a process improvement action plan and are going through an organisational restructure to enhance the resources available to them.

8. Summary of our findings

██████████, we have found that the GTCS Fitness to Teach process is ██████████, particularly once cases ██████████. In terms of effectiveness, the GTCS does take action to protect the teaching profession and children in their learning environment. However, there are issues with the GTCS pursuing cases which should have an alternative route to conclude, such as a health route, or ██████████. ██████████

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We are hopeful that our open dialogue with the GTCS, and our mutual willingness to engage, will result in marked improvements in the Fitness to Teach experience for our members. In reality, the experience will never be pleasant, but an improvement in meaningful communication, sensible scheduling and consultation on legislation introducing a health route, has the potential to vastly improve the process over the next 3 years.



March 2023

Member	Referral Date	Case Type	Representative	Outcome	Criminal - yes or no	Date criminal case concluded	Date GTCS informed criminal case concluded	Date of Outcome	Start - Finish	Interim Report - Full Hearing
		Fitness to Teach		NFA - Officer Review Stage	No					
		GTCS - Fitness to Teach		Full FTT Hearing. Facts found not proven - NFA	No					2 years, 3 months
		Fitness to Teach		NFA - Officer Review stage	Yes (not employment related)					
		GTCS - Fitness to Teach		Full FTT Hearing. CRO and Reprimand order for 2 years. Not unfit to teach.	Yes (not employment related)					2 years, 5 months
		GTCS - Fitness to Teach		Full FTT Hearing. Fitness to teach impaired.	No					10 months
		Fitness to Teach		NFA - Officer Review stage	No					
		GTCS - Fitness to Teach		NFA - Officer Review stage	Yes (employment related)					
		Fitness to Teach		NFA - Officer Review stage	No					
		GTCS - Fitness to Teach		Full FTT Hearing - case concluded, allegations not proven.	No					1 year, 3 months
		Professional Competence		Panel Consideration stage. Removal not challenged, removed from GTCS Register	No					
		Fitness to Teach		NFA - Officer Review stage	Yes (not employment related)					
		Fitness to Teach		NFA - Officer Review stage	No					
		Criminal & GTCS Fitness to Teach		Panel Consideration stage. Removed with Consent with no anonymity granted.	Yes (employment related)					
		GTCS – fitness to teach		Interim Report stage. No further action	No					
		GTCS - Fitness to Teach		Full FTT Hearing. NFA, case dismissed.	No					3 years, 7 months
		GTCS – fitness to teach		NFA - Officer Review Stage	No					
		GTCS - Professional Competence		Professional Competence Hearing. CRO for 2 years.	No					
		GTCS – fitness to teach		Panel Consideration stage. Reprimand and CRO.	No					
		GTCS - Fitness to Teach		NFA - Officer Review Stage	Yes (employment related)					
		GTCS - Fitness to Teach		Panel Consideration stage. Removal with Consent Orders	No					
		GTCS – fitness to teach		NFA - Officer Review Stage	Yes (not employment related)					
		GTCS – fitness to teach		NFA - Officer Review Stage	No					
		Fitness to Teach		NFA - Officer Review Stage	No					
		GTCS – fitness to teach		NFA - Officer Review Stage	Yes (not employment related)					
		Fitness to Teach		Panel Consideration stage. Reprimand for 12 months	No					
		GTCS – fitness to teach		NFA - Officer Review Stage	No					
		GTCS - Fitness to Teach		Full FTT Hearing. Reprimand for 3 years	No					From final report* - 1 year, 9 months
		GTCS – FTT social media contact with former pupils								
		GTCS - Fitness to Teach		NFA - Officer Review Stage	No					
		GTCS - Fitness to Teach		Panel Consideration stage. Removal from register. Unfit to teach.	Yes (not employment related)					
				Panel Consideration stage. NFA.	Yes (not employment related)					
		GTCS - fitness to teach		NFA - Officer Review stage	Yes (not employment related)					
		GTCS - Competence		Panel Consideration stage. NFA - recommendation for conditions not accepted.	No					
		GTCS - fitness to teach		NFA - Officer Review Stage	No					
		GTCS – fitness to teach		NFA - Officer Review stage	No					
		GTCS - Fitness to Teach		Full Fitness to Teach Hearing - Reprimard for 1 year.	No					3 years, 3 months
		GTCS – fitness to teach		Panel Consideration stage. NFA.	Yes (not employment related)					
		GTCS - Fitness to Teach		NFA - Officer Review Stage	Yes (employment related)					
		GTCS Fitness to Teach & Disclosure Scotland		Listed by Disclosure Scotland, therefore removed from GTCS register.	Yes					
		GTCS – fitness to teach		NFA - Officer Review Stage	Yes (not employment related)					
		GTCS - fitness to teach		NFA - Officer Review Stage	No					
		GTCS - Fitness to Teach		Full FTT Hearing. Unfit to teach, removed from Register for 2 years	No					2 years, 2 months
		GTCS – fitness to teach		NFA - Officer Review Stage	No					
		Fitness to Teach		NFA - Officer Review Stage	Yes (not employment related)					
		GTCS - Fitness to Teach		Interim Report stage. No further action.	Yes (not employment related)					2 months
		GTCS Fitness to Teach		Officer Review Stage - member removed from GTCS register following imprisonment & listed by Disclosure Scotlan	Yes (employment related)					
		GTCS - Fitness to Teach		Full FTT Hearing. Unfit to teach, removed from Register.	No					
		GTCS - Fitness to Teach		Panel Consideration stage. Reprimand for 1 year.	No					2 years, 1 month
		GTCS - Fitness to Teach		NFA - Officer Review Stage. Listed by Disclosure Scotland.	Yes (employment related)					
		GTCS - fitness to teach		NFA - Officer Review Stage	No					
		GTCS - Fitness to Teach		Panel Consideration stage. Reprimand and CRO for 3 years	No					
		GTCS - fitness to teach		NFA - Officer Review Stage	Yes (not employment related)					
		Fitness to Teach		NFA - Officer Review Stage	No					
		GTCS - Fitness to Teach		Full FTT Hearing - unfit to teach, removed from register.	No					
		GTCS - Fitness to Teach		Panel Consideration stage. Removed from Register.	No					1 year, 11 months
		GTCS - Competence		Panel Consideration stage. Removed from Register.	No					
		GTCS - Fitness to Teach		NFA - Officer Review Stage	No					
		GTCS - Competence		FTT Panel Hearing. Removed from GTCS register.	No					
		Fitness to Teach		NFA - Officer Review Stage	No					
		GTCS - Fitness to Teach		NFA - Officer Review stage	No					
		GTCS - Fitness to Teach		Full FTT Hearing. Allegations not proven and anonymity granted.	No					2 years, 5 months
		Fitness to Teach		NFA - Officer Review stage	No					
		GTCS - Fitness to Teach		Panel Consideration stage. Reprimand for 6 months	No					
		Fitness to Teach		NFA - Officer Review stage	No					
		GTCS - Fitness to Teach		NFA - Officer Review stage	No					
		Fitness to Teach		NFA - Officer Review stage	No					
		GTCS Fitness to Teach		NFA - Officer Review stage.	No					
		GTCS - Fitness to Teach		Panel Consideration stage. Reprimand for 2 years	Yes (not employment related)					
		GTCS Fitness to Teach & Disclosure Scotland		Officer Review stage. Listed by Disclosure Scotland, therefore removed from GTCS register.	Yes					
		GTCS - Fitness to Teach		NFA - Officer Review Stage, following NFA in criminal case	Yes (employment related)					
		GTCS Fitness to Teach		FTT Hearing Stage. Case cancelled following application for cancellation.	No					1 year, 9 months
		GTCS - Fitness to Teach		NFA - Officer Review stage	Yes (not employment related)					
		GTCS - Fitness to Teach		NFA - Officer Review stage	No					
		GTCS - Fitness to Teach		NFA - Officer Review stage	Yes (not employment related)					
		GTCS - Fitness to Teach		NFA - Officer Review stage	Yes (not employment related)					
		GTCS - Competence		Competence case. Member agreed to be removed from register. Anonymity granted.	No					
		GTCS Fitness to Teach		NFA - Officer Review Stage. Listed by Disclosure Scotland.	Yes (employment related)					
		GTCS - Fitness to Teach		Panel Consideration stage. Removal with consent order (unable to reapply for 18 months).	No					
		GTCS Fitness to Teach		Panel Consideration stage - case dismissed. Insufficient evidence.	No					
		GTCS Fitness to Teach		NFA - Officer Review stage, following NFA in criminal case	Yes (employment related)					
		GTCS - Fitness to Teach		NFA - Officer Review stage	Yes (not employment related)					
		GTCS - Fitness to Teach		NFA - Officer Review stage	Yes (not employment related)					
		GTCS - Fitness to Teach		NFA - Officer Review stage	No					
		GTCS Fitness to Teach		NFA - Officer Review stage	No					
		GTCS - Fitness to Teach		Panel Consideration stage. Reprimand for 12 months.	No					
		GTCS - Fitness to Teach		NFA - Officer Review stage	No					
		GTCS Fitness to Teach & Disclosure Scotland		Officer Review Stage. Listed by Disclosure Scotland, removed from GTCS register.	Yes (employment related)					
		GTCS - Fitness to Teach		NFA - Officer Review stage	No					
		GTCS - Fitness to Teach		NFA - Officer Review stage	Yes (employment related)					
		GTCS - Fitness to Teach		Final report, Panel Consideration stage - NFA	Yes (not employment related)					
		GTCS - Fitness to Teach		NFA - Officer Review stage	Yes (not employment related)					
		GTCS - Competence		Competence case. Removed from Register (member agreed to this)	No					
		GTCS - Fitness to Teach		NFA - Officer Review stage	Yes (not employment related)					
		GTCS - Fitness to Teach		NFA - Officer Review stage	No					



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NFA - Officer Review stage
NFA - Officer Review stage
NFA - Officer Review Stage
NFA - Officer Review stage
NFA - Officer Review stage
NFA - Officer Review stage
NFA - Officer Review stage
NFA - Officer Review stage
NFA - Officer Review stage (Misidentification issue)
NFA - Officer Review stage
NFA - Officer Review stage

No
No
No
Yes (not employment related)
No
No
No
No
Yes (not employment related)
Yes (not employment related)



**College Lecturer cases*

<u>Member</u>	<u>Referral Date</u>	<u>Case Type</u>	<u>Criminal - yes or no</u>
		Fitness to Teach	No
		Fitness to Teach	No
		Fitness to Teach	No
		Fitness to Teach	
		Fitness to Teach	No
		Fitness to Teach	
		Fitness to Teach	Yes
		Fitness to Teach	Yes
		Fitness to Teach	Yes
		Fitness to Teach	Yes
		Fitness to Teach	
		Fitness to Teach	No
		Fitness to Teach	
		Fitness to Teach	Yes - not employment related.
		Fitness to Teach	No
		Fitness to Teach	No
		Fitness to Teach	
		Fitness to Teach	No
		Fitness to Teach	
		Fitness to Teach	No
		Fitness to Teach	No
		Fitness to Teach	No
		Fitness to Teach	Yes
		Fitness to Teach	No
		Fitness to Teach	Yes, not employment related
		Fitness to Teach	No
		Fitness to Teach	No
		Fitness to Teach	No
		Fitness to Teach	No
		Fitness to Teach	No
		Fitness to Teach	Yes
		Fitness to Teach	Yes
		Subsequent Registration Application	No
		Fitness to Teach	Yes
		Fitness to Teach	No
		Fitness to Teach	No
		Fitness to Teach	No
		Fitness to Teach	No
		Fitness to Teach	
		Fitness to Teach	
		Fitness to Teach	
		Fitness to Teach	Yes
		Fitness to Teach	
		Fitness to Teach	Yes
		Fitness to Teach	No
		Fitness to Teach	Yes
		Fitness to Teach	
		Fitness to Teach	Yes
		Fitness to Teach	Yes
		Fitness to Teach	No
		Fitness to Teach	No
		Fitness to Teach	Yes
		Fitness to Teach	No
		Fitness to Teach	Yes
		Fitness to Teach	Yes
		Fitness to Teach	
		Fitness to Teach	
		Fitness to Teach	
		Fitness to Teach	
		Fitness to Teach	
		Fitness to Teach	
		Fitness to Teach	
		Fitness to Teach	
		Fitness to Teach	
		Fitness to Teach	No
		Fitness to Teach	No