



Guidance and Procedures for the Hearing of Induction Appeals

Revised September 2008

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1.0 Terms of Reference

1.1 Introduction

Since May 1999, every Newly Qualified Teacher (NQT) has been required to complete a statutory induction period if they wish to teach in a maintained school or non-maintained special school in England. This induction period, of three school terms or equivalent, is undertaken upon the NQT attaining Qualified Teacher Status (QTS).

The Appropriate Body is the body that decides whether an NQT has met the induction standards. In maintained schools and non-maintained special schools, a Local Authority performs this function for the area concerned. For independent schools, the Appropriate Body can be a Local Authority or the Independent Schools Council Teacher Induction Panel (ISCTIP).

Depending on the type of school or college, the Appropriate Body may also be the NQT's employer. In community and voluntary controlled schools, the Local Authority is the employer; in foundation and voluntary aided schools, the school governing body is the employer; and in sixth form colleges the college corporation is the employer.

From the 01 September 2008, the relevant national guidance on completing the induction period is set out in *the Department for Children Schools & Families' 'Statutory Guidance on Induction for Newly Qualified Teachers in England'*. This incorporates the new framework of professional standards for teachers. For induction the relevant standards within the framework are the core standards.

NQTs who finished their induction prior to 01 September 2008 should refer to DfES* Guidance '0458/2003 'The Induction Programme for Newly Qualified Teachers', (August 2007 update).

If an NQT has failed to complete induction satisfactorily or has been granted an extension to their induction period, then they have the right of appeal against this decision of their Appropriate Body. The General Teaching Council for England (GTC) is the responsible body for hearing such appeals.

After receiving a copy of the Appropriate Body's notification, the GTC will have written to the NQT at that point, to inform them that its database records have been updated to reflect the Appropriate Body's decision and to advise them of their right of appeal.

This document is intended for use by the parties involved in induction appeals, their representatives and Members of the General Teaching Council hearing the appeals. It provides information about the GTC's responsibilities and arrangements for hearing induction appeals. These arrangements are actively monitored, evaluated and subject to periodic review, to ensure all necessary steps are taken to maintain and increase efficiency, whilst safeguarding the principles of natural justice and equity for all participants in the process.

* NB the Department for Education & Skills has been replaced by the ' Department for Children, Schools & Families'.

1.2 Legal framework of induction appeals

The legal requirements for hearing induction appeals and the mandatory timescales for all involved in the appeal process are set out in detail in the provisions of ***'The Education (Induction Arrangements for School Teachers) (Consolidation) (England) Regulations 2001 (as amended)'****. The GTC's arrangements as described in this document have been drawn up in accordance with these Regulations.

Section 12.3 of this document provides a summary table of the timescales applying to the induction appeal process.

2.0 Lodging an Appeal

2.1 Notice of Appeal

NQTs may exercise a right of appeal after having been notified formally by the Appropriate Body that they have failed to complete induction satisfactorily or have been granted an extension to their induction period. The appellant must first send a Notice of Appeal to the GTC, as required by the relevant Regulations.

This Notice of Appeal must be received by the GTC not later than twenty working days from and including the date on which the appellant received notification of the Appropriate Body's decision. **(A 'working day' means any day other than a Saturday, a Sunday or a day which is a bank holiday within the meaning of the Banking and Financial Dealings Act 1971.)** Upon receipt of the Notice of Appeal, the GTC will write to the appellant within three working days to notify them that their appeal has been received, enclosing a copy of this document.

There is no legal stipulation as to the way in which a Notice of Appeal should be set out, although it will be most convenient to do so in the form of a letter. It must, however, contain the following information:

- The appellant's full name and address.
- The appellant's teacher reference number and date of birth.
- The name and address of the school at which the appellant was employed at the end of their induction period.
- The name and address of the appellant's employer, if employed in a teaching capacity, at the date of the appeal.
- The name, address and profession of anyone representing the appellant in this matter (NB All correspondence will be directed to the representative once nominated by the teacher).
- Whether the appellant requests an oral hearing by the GTC's Induction Appeals Hearing Committee.
- The appellant's grounds of appeal.

* Please note the Education (Induction Arrangements for School Teachers) (England) Regulations 2008 will apply to all NQTS who have not completed their induction on or after 01 September 2008.

The appellant must send good quality copies of the following documentation with their Notice of Appeal:

- **A copy of the document from the Appropriate Body notifying the appellant of its decision**
- **A copy of any document from the Appropriate Body outlining its reasons for coming to its decision.**
- **A copy of every other document on which the appellant intends to rely during their induction appeal. Typically, this can include: Career Entry Profile/Career Entry Development Profile, notes/minutes of professional review meetings, lesson observation records and the assessment report (Induct 1-3) forms completed at the end of each term.**

Finally, the Notice must be signed and dated by the appellant for it to be valid. If any of the above information is missing, or if the Notice is not signed or dated, the GTC will require this to be done before an appeal can be accepted.

It would be helpful if the appellant could also provide the following, additional information:

- Name of their initial teacher training institution.
- Route to QTS, e.g. PGCE.
- Phase and subject specialism, e.g. Secondary History.
- Chronology of the induction year, ie: the dates of each term of the induction period.

2.1A Withdrawal of an Appeal

If the appellant decides to withdraw their Notice of Appeal they must forward signed authorisation. There is no provision within the 2001 Regulations (as amended) for an appeal to be reinstated once it has been withdrawn.

2.2 Appropriate Body's response

At the same time as it writes to the appellant to notify them of the receipt of their Notice of Appeal, the GTC will write to the Appropriate Body identified in the Notice, to advise them that an appeal has been lodged.

Under the 2001 Regulations (as amended), the Appropriate Body has twenty working days to make a written response to the appeal, stating whether it upholds the disputed decision and, if so, answering each point raised by the appellant in the grounds of appeal. (If the Appropriate Body does not uphold the disputed decision, it should inform the GTC and the induction appeal will automatically be upheld.)

The Appropriate Body should provide the following information in its response:

- Its official name and address.
- The name of the official designated by it to deal with the appeal.
- Whether it requests an oral hearing by the GTC's Induction Appeal Committee.
- The name, address and profession of anyone appointed as its representative (and an indication of whether subsequent documentation should be sent to him or her).

The Appropriate Body should provide good quality copies of the following documentation with its response:

- A copy of any document outlining the reasons for coming to its decision.
- A copy of every other document on which it intends to rely during the induction appeal. Typically, this can include the appellant's Career Entry Profile/Career Entry Development Profile, timetable, notes of professional review, objective-setting and any other meetings with the appellant, action plans, lesson observation records, the Induct Assessment reports sent by the school to the Appropriate Body at the end of each term, a calendar showing term dates and holiday periods during the induction period and any correspondence between the head teacher and appellant warning of the consequences of failing to meet the Induction Standards.

The GTC will also write to the head teacher of the school where the appellant was employed at the end of their induction period and their current employer, if they are still employed in a teaching capacity, to notify them that the appellant has lodged an appeal.

2.3 Extension of timescales

In accordance with the 2001 Regulations (as amended), and the powers delegated to its Registrar by the GTC, where an appellant has reasons which prevent them being able to submit their Notice of Appeal within the required timescale, or where an Appropriate Body has reasons which prevent it being able to respond to a Notice of Appeal within the required timescale, the Registrar may, on application by the relevant party, extend the time limit in such circumstances where not to do so would result in substantial injustice. The reasons for any delay must be supplied in order for the Registrar to reach a decision on this matter.

The GTC can make a decision without a hearing if the Appropriate Body has not replied in time. However, if the GTC does so, the 2001 Regulations (as amended) only provide for the appeal to be allowed.

2.4 Arrangements for receiving additional documentation/evidence

The GTC will take steps to ensure that all relevant information, including written representation and evidence received from the respective parties, is available to the Appeal Committee and such other persons as are relevant to the induction appeal. The Appeal Committee will be keen to see all pertinent evidence and the parties are encouraged to supply this as soon as possible.

Arrangements for the submission of additional documentation/evidence after the hearing date has been set are described in Section 10.7 below.

There may be occasions where it is desirable or necessary to seek medical evidence to inform an Appeal Committee's considerations, either in the form of a written medical opinion or in terms of the attendance of a doctor or specialist consultant at a hearing. This will be conducted in accordance with legal requirements including The Access to Medical Records Act 1988.

3.0 Preliminary Arrangements

3.1 Venue of hearings

The GTC normally holds induction appeal hearings at its offices in Central Birmingham. The venue has full access for those with disabilities. When case papers are despatched, all parties will receive a map of the venue.

3.2 Duration of hearings

Induction appeals will normally be held within office hours. Typically, hearings will be scheduled to commence at 09:30 a.m. and the parties should allow up to a full day for the proceedings. If the business of the hearing cannot be completed during the day, the hearing will be reconvened under arrangements set out in Section 10.8 below.

There will be a break for lunch, the duration of which is determined by the Chair and Members of the Appeal Committee on the day (but it will be for at least 40 mins). Whilst coffee, tea and water will be supplied as a matter of course, the parties should make their own lunch arrangements. The day's hearing will finish at the very latest at 5pm.

3.3 Setting the hearing date

The GTC strives to ensure hearings are arranged as soon as possible and will ask the parties to provide their preferred dates for the hearing and also those dates when they are not available for the hearing using a proforma calendar.

Within twenty working days of the expiry of the time limit for the Appropriate Body's response to the Notice of Appeal, the GTC will arrange the hearing and notify all persons connected with the induction appeal of the date, time and venue. The GTC will provide guidance about the procedure at the hearing (as provided in Section 10.2 of this document), a warning to the parties about the consequence of not attending, and information about the right to submit written representations if not attending the hearing. The date of the hearing will be at least fifteen working days after the date of the GTC's letter of notification to the parties of the hearing day.

Once the GTC has fixed a date, it will endeavour not to make any changes but this may not always be possible. If the GTC does have to change the date of the hearing, the new date will not be earlier than the original date. The GTC will write to inform the parties of any changes within three working days of the alteration to the arrangements being made.

3.4 Circulation of case papers

The GTC will prepare, paginate and circulate case papers that are:

- Colour-coded to distinguish between the parties.

3.5 Confidentiality issues

Induction appeals are, by their nature, highly sensitive and the GTC takes appropriate precautions in handling documentation and despatching case papers to the parties and participants. Each set of case papers is given a numerical code and a record kept of the allocation of sets. It is important to ensure that care and attention is taken by everyone to preserve confidentiality and security.

3.6 Equal opportunities and special needs

In addition to observing its own equal opportunities and race equality policies, the GTC takes all necessary steps to meet its obligations under the relevant provisions of Equal Opportunities, Human Rights and Race Relations legislation. It aims to be sensitive, responding flexibly and where possible to accommodate the requirements of any party with a disability or special need. Therefore, if anyone involved in an induction appeal has any special needs they should contact the Induction Appeal's Team at the earliest opportunity to explore what provision can be made to accommodate those needs. To maximise accessibility to the induction appeal process, this document and other information produced by the Council can, upon request, be made available in other formats.

An induction loop is available for the assistance of those with hearing impairment.

4.0 The Appeal Committee

4.1 Constitution of an Appeal Committee

Induction appeals are heard by individually convened Committees of three trained GTC Members. Should the number of appeals received rise beyond that which may be so heard, and in order to avoid unnecessary delay in the proceedings, the Council has delegated to its Registrar the power to appoint to an Appeal Committee a non-GTC member, appointed and trained under arrangements approved by the Council. Members of Appeal Committees receive suitable training from the GTC, including the handling of documentary evidence, questioning and the induction appeals process.

An Appeal Committee will always include two Council Members, one of whom will chair the Committee and at least one of whom will be a Council Teacher Member to ensure a spread of experience and expertise.

4.2 Chairing of an Appeal Committee

A GTC Member will chair the Appeal Committee and will be elected at the Committee's pre-hearing meeting, as detailed in Section 9.0.

During the hearing, the Chair will have the lead role in ensuring the correct procedure is followed and will endeavour to make the process as straightforward as possible so that all parties can give their point of view. The Chair will conduct the proceedings to ensure that an investigative rather than an adversarial approach between the parties is followed, with all relevant matters being fully explored.

The Chair, together with the other Members of the Appeal Committee, will act in an independent and impartial manner, being objective and favouring neither of the parties.

4.3 Appeal Committee quorum

A quorum shall consist of three Members of a duly constituted Appeal Committee.

4.4 Conflicts of interest

Where any Member of an Appeal Committee believes a conflict of interest may arise in connection with the parties in relation to whom the Appeal Committee is sitting, the Member shall make a declaration accordingly and seek advice on whether to disqualify themselves from sitting as a Member in relation to that appeal. This may be where a Member:

- Is a relative (by birth or marriage); or
- Has worked with or personally knows; or
- Otherwise believes a conflict of interest arises in connection with the parties in relation to the appeal.

This is a matter that will be discussed by the Members during their pre-hearing meeting and, subsequently, at the start of the hearing when the existence or otherwise of any conflict of interest will be confirmed by Members. Where either of the parties believes there is a conflict of interest, they have the opportunity to raise it at this point in the proceedings.

5.0 Role of GTC Staff

5.1 Legal Adviser

A legal adviser, who may either be an employee of the GTC or a legal adviser appointed by the GTC, will be present throughout the hearing and the decision-making process, and shall provide legal and procedural advice to the Appeal Committee.

5.2 Proper Officer

The 2001 Regulations (as amended) require the GTC, as the appeal body, to designate a member of staff as 'Proper Officer'; namely, someone with responsibility for overseeing the administration of appeals. That person is the Professional Standards Team Leader (Induction Appeals) and that person's team shall be the first point of contact at the GTC for enquiries about induction appeals. (See Section 12.2 below for further details.)

5.3 Support Staff

Members of the GTC's Professional Standards Induction Appeals Team shall administer and support the induction appeals process and the proceedings of the GTC's Induction Appeal Committees.

6.0 Attendance at a Hearing

6.1 Rights of attendance and non-attendance by the parties

The parties do not have to attend the hearing if they do not wish to. However, they are strongly encouraged to attend because, in order to have a complete understanding of the facts of the appeal, the Appeal Committee will normally wish to receive their testimony and to ask questions if there is anything in the documentary evidence submitted that is unclear.

The parties should be aware that, if they decide not to attend, in normal circumstances, the hearing will proceed in their absence. However, the Appeal Committee may still determine that it is unable to determine the appeal on the basis of the documentary evidence alone and request the attendance of the parties to expedite matters.

In addition, if parties are not attending and are not being represented at the hearing but wish to make written representations, this should be done not less than ten working days before the date of the hearing.

7.0 Representation at a Hearing

7.1 For the appellant

The appellant can send a representative to the hearing, whether or not they themselves attend in person. If represented, the appellant must provide the name, occupation and postal address (for the receipt of case papers) of the representative to the GTC not less than ten working days before the date fixed for the hearing.

The appellant will be responsible for arranging and meeting any costs arising from their representation. Their Representation may be through a trade union or professional association, or by a solicitor, barrister or other person.

7.2 For the Appropriate Body

If it is upholding the disputed decision and has requested an oral hearing, the Appropriate Body should have identified its representative in its response to the Notice of Appeal, giving their name, occupation and postal address (for the receipt of case papers) to the GTC.

As well as representation from its own staff, the Appropriate Body may be represented by an independent solicitor, barrister or other representative. The Appropriate Body will be responsible for the costs of its representation.

8.0 Witnesses

8.1 Calling witnesses

The parties can call witnesses to support their case but must give the witnesses' names to the GTC not less than ten working days before the date fixed for the hearing. (See Section 12.1 below for further guidance on the payment of expenses to parties and their witness's.)

8.2 Witnesses' rights of attendance.

The Appeal Committee will determine which, if any, witnesses are to be called and whether the witness's should be permitted to remain in the hearing when not giving evidence. This may be relevant if the Appeal Committee consider a witness's presence could prejudice a fair hearing. Witnesses may be re-called at the discretion of the Appeal Committee acting on its own initiative or at the request of one or more of the parties. This could occur if an unforeseen conflict in the evidence arose. If a witness is re-called, the Appeal Committee will determine the scope of any further questions, but both parties will have the opportunity to ask further questions on the issues raised.

9.0 The Pre-Hearing Meeting

9.1 Procedure and content of the meeting

The Members of the Appeal Committee, Legal Adviser and Proper Officer hold a pre-hearing meeting immediately before the hearing commences. The following business is transacted:

- Election of a Chair for the hearing.
- Preliminary checks to ensure:
 - No Member has considered the same induction appeal previously.
 - No Member has a conflict of interest.
 - All Members have the case papers and are confident that they are able to proceed.
- If the School is in Special Measures the Members should satisfy themselves that the relevant guidance and Regulations have been adhered to.
- Division of areas of questioning between Members.

10.0 The Hearing

10.1 Persons present at the hearing

The following persons will be present at the hearing:

- The three Members of the Appeal Committee.
- The Committee's Legal Adviser.
- The GTC's Proper Officer.
- Those GTC staff supporting the Appeal Committee and the appeals process.

The GTC staff are employees of the Council or may be any person duly authorised to act on its behalf by the Chief Executive or Registrar. Those staff in attendance at the hearing will not participate in the making of the decision by the Appeal Committee.

The following persons are entitled to be present at the hearing:

- The appellant.
- The appellant's representative (typically from their trade union or professional association), if they have one.
- The appellant's witnesses (subject to Sections 8.1 and 8.2), if they have any.
- The Appropriate Body's representative.
- The Appropriate Body's witnesses (typically the head teacher and induction tutor from the school)(subject to Sections 8.1 and 8.2), if it has any.
- Any members of the public or press, if the hearing is in public (see Section 10.3).

10.2 Hearing an induction appeal

Upon arrival at the hearing venue, the parties and their representative(s) will be shown to separate waiting areas/rooms by GTC staff, who will also explain the venue's health and safety arrangements. Upon arrival, and prior to the commencement of the hearing, the parties may view the hearing room. When the Appeal Committee is ready to open the proceedings, both parties will be invited into the hearing room.

At the start of the hearing the Chair will explain the procedure to everyone present. The Chair will introduce the Appeal Committee Members and confirm the identity of the parties, their representative(s) and any witnesses. Also dealt with at this stage will be declaration of interests, whether the hearing should be in public or private, documentation before the Appeal Committee, witnesses and the hearing procedure.

Using a chronological approach, normally on a term-by-term basis, the Appeal Committee will want to find out the relevant facts of the appeal and the parties' views on what happened during the induction period.

The way that the hearing is conducted will be at the discretion of the Appeal Committee. On occasions, the Appeal Committee may wish to depart from the format set out below, where this is appropriate, in order to reach an informed decision.

Typically, the procedure will follow the following pattern:

- The Appeal Committee invites the appellant/representative to provide a brief opening statement, including their preferred outcome, making it clear that Members have read the papers and are familiar with the grounds of appeal.
- The Appeal Committee invites the Appropriate Body to make a brief opening statement, including their preferred outcome, again making it clear that Members have read the papers, summarising their response to the appeal. The Appropriate Body will also be invited to provide contextual information in relation to the school.
- Committee Members ask any questions arising from these opening statements.
- The Appeal Committee will proceed to hear evidence, taking each term of the induction period in turn.
- The Appeal Committee invites the appellant to set out their perception of term 1 and then to receive questions from the Appropriate Body and Committee Members.

If the appellant wishes to introduce witness testimony then:

- The witness receives questions from the appellant / representative.
- The witness receives questions from the Appropriate Body.
- The Appeal Committee addresses any questions to the witness.
- The Appeal Committee invites the Appropriate Body to set out their perception of term 1.
- If the Appropriate Body wishes to introduce witness testimony then the above process is repeated, but with questions coming from the Appropriate Body, followed by the appellant, and then Committee Members.
- The process is repeated for terms 2 and 3.
- The Appeal Committee invites both parties, beginning with the Appropriate Body, to make closing statements summing-up their case.

At any time, the Appeal Committee may adjourn the proceedings and deliberate in private.

10.2 A Hearing a non-oral induction appeal

When all parties are present the hearing can begin. The first action to be taken by the Members of the Committee will be to elect a Chair. This will be done in accordance with the usual methods as used in Oral Hearings.

The Chair will then go through the following checks to ensure the hearing can continue:

- No Member has considered the same appeal previously;
- No Member has a conflict of interest with any party involved in the case;
- All Members have sight of a full set of case papers.
- If the School is in Special Measures the Members should satisfy themselves that the relevant guidance and Regulations have been adhered to.

The Committee must consider whether an oral hearing is necessary to decide the appeal. The Committee has the power to decide an appeal without a hearing under Paragraph 11(1) of Schedule 3 to The Education (Induction Arrangements for School Teachers)(Consolidation)(England) Regulations 2001 (as amended), which states that:

' Where following the expiry of the period within which the appropriate body is required to send its reply neither the appellant nor the appropriate body has requested an oral hearing, and the appeal body does not consider an oral hearing is necessary, the appeal body may decide the appeal without an oral hearing.'

The Legal Adviser will advise the Committee on matters to be taken into account when making a decision on whether an oral hearing is necessary.

If the Committee decides that an oral hearing is not necessary, they will begin by taking the Appellant's 'Grounds of Appeal' one at a time and compare these against the Appropriate Body's 'Response to The Grounds of Appeal'. Where possible, the Committee will work through the appeal documentation on a term-by-term basis. The Committee's deliberations should take into account any additional material provided by the parties as supplementary evidence.

Once all the 'Grounds of Appeal' have been discussed the Committee can highlight and discuss any other issues they feel are relevant to the case which can be identified from the case papers.

If the Committee is able to reach a decision on the appeal, notice of the decision, including full reasons, will be sent to the parties in accordance with the usual procedures as used in oral hearings.

If at any stage the Committee feels that an oral hearing is necessary a date will be arranged and both parties will be contacted and asked to:

- Provide the information that the Committee needs to continue with its deliberations should either or both of the parties decline the invitation to attend an oral hearing; and/or
- Attend the full hearing in person.

10.3 Exclusion of the public and press

In accordance with the requirements of the Human Rights Act 1998 that proceedings should be fair and transparent, hearings are open to the public and press. A notice detailing the time, date, venue and parties involved is posted in the reception of the GTC's Birmingham and London offices and on the GTC's website 3 working days before the hearing is due to take place. Hearings are normally held in public, unless the Appeal Committee determines that it is fair and reasonable for the hearing, or any part of it, to be held in private. This will be decided at the start of the hearing.

Both parties can request a private hearing, or that parts of the hearing be in private, but must provide reasons for the Appeal Committee's consideration specifying why the hearing, or any part of it, should not be held in public. This may be done in advance of, or on the day of, the hearing.

Where the Appeal Committee believes that a public hearing may adversely affect the fairness of the proceedings, where privacy is necessary to protect children's interests or where either party requests that the hearing be in private, and the Appeal Committee is satisfied that this is not contrary to the public interest, then the Appeal Committee may decide to exclude the public and press from all or part of the proceedings. Consideration of this matter will be made in private session and the decision announced in public session by the Chair of the Appeal Committee.

10.4 Recording the proceedings

The GTC will make an audio recording of the hearing proceedings, using a tape recorder or other audio device, which can be transcribed for future reference by the GTC if required.

The use of mobile telephones, pagers or other similar devices is prohibited whilst the hearing is in session. These should not be set to silent since their signals interfere with the recording.

10.5 Questioning of parties and witnesses

The Appeal Committee will ask clear and direct questions, avoiding where possible any form of jargon. If the questions do not seem clear, the parties can ask for an explanation of what is meant before answering. The parties have the opportunity to raise additional points, although the Chair can limit their questioning.

It is important that witnesses should be available for full and proper questioning by the Appeal Committee and, through the Chair, by the parties. The Chair will aim to ensure that questioning is not confrontational.

10.6 Making representations to the Appeal Committee

As well as receiving questions from the Appeal Committee, the parties may also want to ask questions. Both parties may address the Appeal Committee on the evidence and generally on the subject matter of the appeal. This may include procedural questions to the Appeal Committee and the questioning of each other's witnesses. So that the parties know how to address Members of the Appeal Committee, name plates giving Members' names and titles will be used at the hearing.

The parties should carry out as much preparation as they can, in conjunction with their representatives, if appropriate, to ensure that representations are effective in supporting their case to best advantage.

10.7 Additional documentation, evidence and witness statements

The parties can submit additional documentary evidence and written statements to support their cases. These should be received by the GTC before notification is given to the parties of the date of the hearing, i.e. within 44 working days of the date on which the GTC received the appellant's Notice of Appeal. The GTC is also able to request additional information if it believes that the appeal could be decided more fairly when this is provided.

In the event of either party wishing to introduce new evidence after this time, copies of this evidence will be sent to the other party to enable them to raise any objections to its admission. On the day of the hearing, the Appeal Committee will then consider the nature of the additional evidence, the reasons for it being produced late and whether its admission will assist the hearing of the appeal. This could involve an adjournment for reading and consideration by the Appeal Committee.

Very occasionally, the Appeal Committee may need more evidence to complete its deliberations. If so, the Chair will explain what is required and proceedings will be adjourned. If the parties are able to produce the required evidence on the day of the hearing, then the Appeal Committee will re-convene. If the evidence cannot be produced on the day, arrangements may be made to re-convene the hearing. The GTC will despatch written confirmation to the parties of the new date, time and venue within three working days of the date of the adjournment.

10.8 Adjournment and resumption of a hearing

Adjournments are within the control of the Chair of the Appeal Committee and may occur at any stage of the proceedings. This may be to deliberate in private, take legal or procedural advice (which will subsequently be announced by the Chair in public) or to allow comfort breaks.

Where a hearing is adjourned, and is unable to resume on the same day, the parties will be informed within three working days of the date of a new hearing day by the GTC.

10.9 The decision

The Appeal Committee will deliberate upon its decision in private, will consider each ground of appeal in relation to all the evidence and shall be satisfied as to the facts of the appeal. This includes the documentary evidence submitted by the parties before the hearing, as well as what is said during the hearing. The Legal Adviser will remain with the Appeal Committee to provide legal advice as required. The Proper officer may, if required, offer procedural advice.

The decision of the Appeal Committee, which may be given publicly on the day of the hearing, but will be despatched in writing to the parties within two working days, is final and may be to:

- Allow the appeal.
- Dismiss the appeal.
- Extend the appellant's induction period for such duration as it thinks fit or, where the appellant has appealed against a decision to have the induction period extended, to substitute a different period of extension.

In arriving at its decision, the Appeal Committee will consider whether it is satisfied or not that:

- The appellant failed to meet the induction standards.
- There was any defect in the induction process of sufficient importance, so as to have seriously disadvantaged the appellant in meeting these standards.
- There are any other special circumstances that justify the appeal being allowed or the induction period being extended.

10.10 Voting by Appeal Committee Members

The decision of the Appeal Committee shall be made by a vote of the Members of the Appeal Committee. Any question put to a vote of an Appeal Committee shall be put in the form of a motion. No Member of an Appeal Committee may abstain from voting when any question is put to a vote.

When a question is put to a vote, the Chair shall:

- Call on Members to vote for or against the motion by raising their hands.
- Declare that the motion appears to have been carried or not carried, as the case may be. The Appeal Committee will have an odd number of Members and it is unlikely that a situation will arise where the number of votes is equal. If, however, due to an emergency, votes are equal on any motion, the motion shall be deemed to have been resolved in favour of the appellant.

11.0 Notification of the Decision

11.1 Announcement of the decision on the day of the hearing

At the end of the hearing, the Chair will notify the parties as to whether or not the Appeal Committee will be able to announce the decision following their deliberations in private. If the Appeal Committee is unable to do this, then the arrangements as set out in Section 11.2 below will apply.

11.2 Written confirmation of the decision

At the end of the hearing, the Chair of the Appeal Committee will notify the parties that the Appeal Committee's decision will be communicated to them in writing and that this will be despatched within two working days of the decision being made. Written notification of the decision will also be sent to the head teacher of the school that employed the appellant at the conclusion of the induction period and to the appellant's current employer, if still employed in a teaching capacity. If the GTC is unable to despatch the decision within this timescale, it will contact all parties to advise when the decision notification will be despatched.

11.3 GTC Registration records

Following the hearing, the Registration records held on the GTC's computer database will be updated to reflect the Appeal Committee's decision.

12.0 Miscellaneous

12.1 Travel and other expenses

Expenses

The Council will meet the cost of expenses of the Appellant & witnesses in accordance with the scheme of expenses set out below. The Council will not pay for representatives of either the Appellant or the Appropriate Body. All expenses must be recorded on the expenses claim form provided by staff on the day of the appeal and receipts must accompany any claim. Claim forms should be returned to the Induction Appeals Team **within 10 working days** of the appeal date.

Travel

The Council will reimburse the cost of public transport (Standard Class) incurred by the Appellant and witnesses in connection with attendance at appeals. All persons are expected to ensure the most economical travel ticket is purchased (advance purchase of tickets will be possible in most circumstances and will normally reduce the costs – purchasing train tickets via www.thetrainline.com offers significant cost savings and should be used whenever practical). Public transport costs will only be reimbursed on production of receipts – please ensure you obtain and retain receipts which must accompany any claim.

Travel between normal place of work (or home) and the local rail station will be reimbursed on production of receipts (taxis only where no other public transport is available). Where it is necessary to use a private car to travel to the local rail station the Council will reimburse mileage at 23.8p per mile where the claimant is responsible for all costs of the vehicle. The rate is reduced to 9p per mile where the claimant is responsible for fuel costs only. In no circumstances will the Council reimburse private car mileage at a level which exceeds the cost of using available public transport for any journey.

Special Requirements

If you have special travel requirements which will, or are likely to, result in expenditure exceeding the cost of public transport, you will need prior approval of the relevant budget manager. Please contact the Induction Appeals Team who will forward the request for consideration.

Supply Cover

The Council will reimburse the employer of a teacher attending a casework hearing as a witness with the cost of supply cover necessarily incurred in connection with the teacher attending the hearing (this does not include attending pre-hearing meetings) subject to a daily rate maximum of £135.

Supply cover is not an allowance. It is a reimbursement for additional costs incurred by the school, when obtaining cover for a teacher attending a hearing. Wherever possible, a copy invoice from a supply agency or supply cover form from an LA should be attached to a claim. Where this is not possible, an explanation should be provided as to the basis of the claim. Please pass the claim form provided to your employer, asking them to complete the form and return it to the Induction Appeals Team **within 10 working days** of the hearing date.

Overnight Accommodation

Where, exceptionally, it is necessary for parties to arrive in Birmingham on the evening prior to a hearing (i.e. arrival the same morning is not possible), the Council will book accommodation (using its accommodation booking contract) in a hotel conveniently located near to the hearing suite. All overnight stays must be approved in advance by the relevant budget manager. This application needs to be made directly to the Induction Appeals Team, who will forward the

request for consideration. Where this is necessary, the booking will include bed and breakfast and the Council will also reimburse the cost of an evening meal up to a maximum of £21.50.

12.2 Contact information

Induction appeals are administered by the GTC Professional Standards Induction Appeals Team, based at the GTC's Office at Victoria Square House, Victoria Square, Birmingham, B2 4AJ. Individual contact details are as follows:

Nicola Bailey

Professional Standards Team Leader & Proper Officer

Tel: 0121 345 0087

Fax: 0121 345 0004

nicola.bailey@gtce.org.uk

Liz Maguire

Professional Standards Administrator

Tel: 0121 345 0080

Fax: 0121 345 0004

liz.maguire@gtce.org.uk

Nicholas Edwards

Professional Standards Assistant

Tel: 0121 345 0006

Fax: 0121 345 0004

Initial general enquiries about the administration and hearing of induction appeals should be directed to this team, as should any queries relating to specific appeals.