



Guide to Probationary Service Cancellation/Extension Recommendations for Local Authority Representatives

1. Introduction

This guide provides information to local authority representatives involved in the process of making a recommendation for the cancellation or extension of a probationer's provisional registration and what happens after such a recommendation is made.

2. Key Documents

The rules governing probationary service hearings are set out in Part 4 of the GTCS Fitness to Teach and Appeals Rules 2012 (the "Rules"). This document is available at: www.gtcs.org.uk/web/FILES/FormUploads/fitness-to-teach-and-appeals-rules-pd.pdf.

The test applied at probationary service hearings is where the probationer is in relation to the GTCS Standards for Registration. This document is available at: www.gtcs.org.uk/web/Files/the-standards/standards-for-registration-1212.pdf.

Relevant information about probationary service can be found in the Provisional Registration and Probationary Service Policy and Guidance 2012. This document is available at: www.gtcs.org.uk/web/FILES/FormUploads/provisional-registration-and-probationary-service50729_1451.pdf.

3. Making a recommendation

If you have concerns about the progress of a probationer, you may be considering making a recommendation for cancellation or extension. If you decide to make such a recommendation you will need to provide GTCS with a Case Overview Report specifying what your recommendation is and why you are making it together with evidence to support your recommendation.

The Case Overview Report and accompanying evidence is the basis for the recommendation and it is important that this is comprehensive and demonstrates why you have decided to make the recommendation. The Case Overview Report Form is set out in a way that we hope you will find helpful and contains some useful information and tips for completing the report.

We understand that making a recommendation for cancellation or extension is not an easy decision and comes following careful consideration and assessment of the probationer's progress. However, you should bear in mind that, the Case Overview Report and the evidence provided must sufficiently demonstrate to a Panel - with no prior involvement in the case - that your recommendation is fully justified and is supported by evidence.

Once we receive your recommendation we will be in touch with the probationer to establish whether or not he/she wishes to challenge the recommendation. It is important to note that this is not an opportunity for the probationer to 'appeal' the recommendation; the probationer will receive formal notice of his/her right of appeal once the final decision has been reached by a Panel.

4. What to expect next

Non-Challenged Recommendation

In the event that the probationer does not wish to challenge the recommendation, a Panel will consider the Case Overview Report together with the evidence provided and decide whether the recommendation should be accepted with no need for a probationary service hearing or whether a hearing is required to consider the case.

If the recommendation is accepted, you and the probationer will be notified of the decision in writing, and the probationer will be informed of his/her right of appeal.

Where a recommendation is not challenged, there would usually need to be a significant reason for a Panel to decide that a probationary service hearing should be arranged. In this event, the hearing process is engaged and Legal and Adjudication Services (LAS) will schedule a hearing to consider the case as described below.

Challenged Recommendation

If the probationer challenges the recommendation that has been made, LAS will take forward arrangements for a hearing. The Servicing Officer allocated to the case will contact the local authority Probation Manager by email to establish who will attend the hearing on behalf of the local authority and availability. Once a hearing is arranged, the Servicing Officer will confirm arrangements by email with the Probation Manager.

Around 7 days before the hearing, the Servicing Officer will provide the Probation Manager with a copy of all of the hearing papers. These should be brought along to the hearing so that everyone at the hearing is working from the same set of page numbered documents

Although arrangements in each specific case will be confirmed by the Servicing Officer, Probationary Service Hearings are usually set to start at 10:00 AM and take place at GTC Scotland's Offices in Edinburgh.

GTC Scotland
Clerwood House
96 Clermiston Road
Edinburgh
EH12 6UT

T: 0131 314 6000 (main switchboard)

A map and details of how to get to Clerwood House can be found at the following link:

<http://www.gtcs.org.uk/web/FILES/about-gtcs/Location-Map.pdf>

5. The Hearing Day

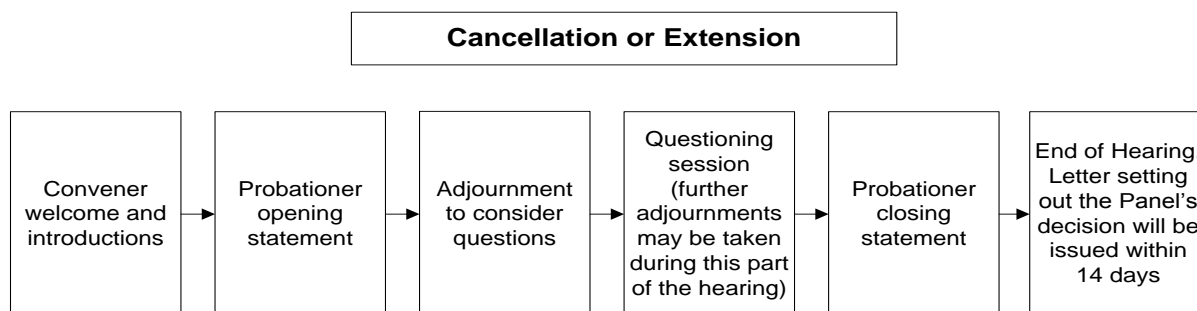
When you arrive you will be signed in by the reception staff, provided with a visitor's badge and shown to a waiting room. As you may be required to wait for periods while the Panel is in private session, we recommend that you bring any snacks and refreshments with you that you think you might need (there are no catering facilities at Clerwood House). You may also want to bring a laptop, some work or other reading material with you.

The Panel's Servicing Officer will come and see you shortly after you arrive to have a chat with you about what to expect and answer any queries that you may have. When the Panel are ready for you, the Servicing Officer will come and show you to the hearing room. In the hearing room you will be shown to a seat behind a desk. Water will be available to you in the hearing room.

The default position is that probationary service hearings are held in private and the following parties will usually be present at the hearing:

- **The Panel** comprising: a Convener and two other Panel members (there will always be 2 Registered Teacher members and one lay member).
- **The Servicing Officer** who is there to support the Panel by providing procedural advice, administrative support (including assistance with drafting their decision) but takes no part in the decision making process
- **The Probationer** (who can bring a representative or supporter with them)
- **Representatives from the local authority** (usually this is the Head Teacher who made the recommendation and the Local Authority Probation Manager).

Hearings generally follow the below order of proceedings. Although we cannot guarantee how long the hearing will take and how long you will be required to attend, the stages described below usually conclude by around lunchtime. The decision of the Panel will not be issued on the hearing day; it will follow in writing within 14 days.



Questioning Session

The purpose of the Fitness to Teach Panel is to obtain as much information as possible about the probationer and his/her probationary period. This means that the Panel will have questions for both you and the probationer. The questioning session will be managed by the Panel's Convener and all responses should be directed to the Panel rather than at the probationer. If you disagree with any statements made by the probationer, rather than interrupting the probationer, you should make a note and provide your response to that point when asked a relevant question. Although you do not have the opportunity to provide an opening and closing statement in the same way as the probationer, Panels include some broad, open ended questions to allow you to give an overview/summary of your recommendation and why it was made as well as address any matters raised by the probationer in his/her documents or opening statement. In addition, Panels try to ask similar questions to both the local authority representatives and probationer in order to try and gain as full an understanding as possible.

6. Decision

The decision of the Panel will be sent to the Probation Manager and probationer within 14 days from that decision being made. The probationer will also be informed of his/her right of appeal.

7. Further Information and Feedback

If you have any questions about probationary service hearings you should contact LAS by email at hearings@gtcs.org.uk or by telephone on 0131 314 6000. We would also be grateful to receive any feedback that you may have in relation to the information and support materials available for probationary service hearings.