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# Disciplinary and Appeals Policy

**2023 - 2024**

For the purposes of this document, the term ‘trainee’ refers to all WMC Associate Teachers.

## Disciplinary Procedure

A trainee may be removed from the Course by the Director of ITT because of misconduct or any other substantial reason. Examples of reasons why a trainee might be required to leave the Course are:

* failure to complete assignments satisfactorily or on time
* consistent lateness
* not conforming to Health and Safety procedures to the extent that pupils or colleagues are put at risk
* unprofessional behaviour in terms of conduct, language or dress
* violence, child abuse, alcohol and/or drug abuse, criminal activities, racial or sexual harassment, whether inside or outside of school hours

The above examples are not an exhaustive list and each case will need to be dealt with on its own merits. The Disciplinary Procedure set out is, therefore, for guidance only as it may be varied, amended or departed from on a case-by-case basis. There is no contractual right to be disciplined according to this procedure.

In the event of a disciplinary procedure being invoked, the trainee will be called to a   
disciplinary meeting. Reasonable notice would be given of what is to be discussed, who will be present and who can accompany the trainee. The trainee will be provided with all written evidence in advance of the meeting.

At the disciplinary meeting, the trainee may

* be informed of the complaint
* state his or her case and call a reasonable number of witnesses
* be accompanied by a friend or colleague of their own choice who may speak on behalf of the trainee

The Director of ITT, Course Tutor and, if appropriate, Mentor will be present. The   
Director of ITT will be entitled to adjourn a disciplinary meeting if this is thought to be appropriate. The trainee would also be allowed to adjourn the meeting if appropriate reasons are given. After considering all of the evidence, the Director of ITT may decide to remove a trainee from the Course. If so, the trainee would be notified in writing setting out brief reasons for the decision. The Director of ITT will be entitled to issue a written warning instead of a removal if this is considered to be more appropriate.

Appeals Procedure

A trainee wishing to appeal against a decision to be removed from the Teacher   
Training Course must write to the West Midlands Consortium Chairperson within 10 days of receiving written notice of removal from the Training Course lodging his/her appeal. The letter should state that the trainee wishes to appeal and must be accompanied by a statement setting out the grounds of that appeal. However, there is no automatic right to an appeal.

In the case of an appeal, an Appeals Panel consisting of two Head Teachers from schools in the Consortium (other than that in which the trainee is placed) and a Professional Tutor (other than that in which the trainee is placed) will be set up.

The Appeals Panel would notify the Director of ITT who would, as soon as reasonably practicable, send to the Panel a statement of reasons for removal from the Training Course together with any applicable written evidence. At the same time, a copy would be sent to the trainee.

The trainee would be invited to attend an Appeals Panel within 10 working days. In the case of non-attendance by the trainee (without medical notification), the appeal will be held in the absence of the trainee, although a representative may attend in his/her place.

The trainee would be entitled to be represented at the Appeals Panel by a friend/colleague of his/her choice. The name of that representative should be notified to the Panel in advance.

At the hearing the normal procedure would be as follows:

* The Director of ITT would, in the presence of the trainee and representative, explain to the Appeals Panel the reasons for removal from the Training Course and, if appropriate, would call witnesses. The trainee or representative could then ask the Director of ITT and the witnesses’ questions.
* After that the trainee or representative could address the Appeals Panel. The Director and Assistant Director of ITT would be entitled to ask the trainee and witnesses’ questions.
* The Appeals Panel could ask any persons present questions at any time. Both parties could then sum up their case without bringing forward further evidence.

After hearing the evidence from both sides, the Appeals Panel would discuss the matter in private and would notify all parties concerned of their decision within 10 working days.

The Appeals Panel, the Consortium representatives and the trainee can request an   
adjournment if appropriate reasons are given. There can be changes made to the procedure to suit specific circumstances.

No one is entitled to make a video or audio recording of either a disciplinary meeting or an Appeals Panel meeting.

The decision of the Appeals Panel would be final.

## PGCE Appeals Regulation

### Grounds

A candidate, who believed he or she has been incorrectly graded, or incorrectly failed, has in certain circumstances the right of appeal.

The only legitimate grounds for appeal shall be one of more of the following.

* that grades have been incorrectly recorded or incorrectly aggregated or that the procedure for the collation of grades has been incorrectly followed
* that there has been an irregularity in the conduct of assessment and that this has adversely affected the candidate's performance.
* that there have been circumstances which affected the candidate's performance which he/she could not or did not, for valid reasons, divulge prior to the meeting of the Award Board.

### Procedures

A candidate wishing to appeal must give notice in writing to the Academic Registrar at Staffordshire University (Winton Square, Stoke campus) as soon as possible and not later than within two weeks of the despatch of the confirmed results.

Where an appeal is lodged against a decision regarding an award from Staffordshire University or failure to complete the requirements for an award, the appeal will be forwarded to the Academic Registrar to be processed through the appeals mechanism of Staffordshire University.

In the case of other appeals, the Registrar in consultation with the Chair of the Award Board shall investigate the claim and report the findings, together with a recommendation to remedy the grievance with appropriate action.

If the matter is not resolved but a prima facie case for appeal has nevertheless been established, an Appeal Board shall be established by Staffordshire University. The Appeal Board shall have authority to determine the case put to it, and its decision shall be final.

**Data will be processed in line with the requirements and protections set out in the UK General Data Protection Regulation.**