

To The Chairman of the Board of Governors

Dear Sir/Madam,

Misconduct of Teachers

The letter provides supplementary advice to Boards of Governors on dealing with matters of misconduct of teachers.

Regulation 10 of the Teachers' (Eligibility) Regulations (Northern Ireland) 1997 places a legal duty on employers to report to the Department of Education teachers who have been dismissed for misconduct, whether or not they are convicted of a criminal offence, or who would have been dismissed or considered for dismissal, had it not been for their resignation.

In order to ensure that all such cases are considered fully by the Department, Boards of Governors must inform their Employing Authority, at the earliest possible stage in the proceedings, of the following:

- (i) those cases where an alleged misconduct is considered so serious as to warrant precautionary suspension, or dismissal
- (ii) all the surrounding circumstances that resulted in the precautionary suspension or dismissal
- (iii) those cases where (i) and (ii) would have applied but for the teacher resigning or leaving the school's employment under other circumstances.

The Employing Authority will inform the Department who will consider whether or not to prohibit or restrict the individual's further employment as a teacher.

These requirements apply to all areas of misconduct including those relating to Child Protection matters. This approach is in keeping with the Child Protection document, which explains that schools are expected to do whatever is reasonable, in all the circumstances of a case, to safeguard or promote the safety and well-being of pupils and to maintain a child protection policy statement, which reflects both their legal duties and pastoral responsibilities.

Further advice and guidance is available from the Human Resources Branch.

Yours sincerely

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