

TEACHERS



The teaching profession is regulated on behalf of the Secretary of State, by the Department for Education and Teaching Regulation Agency, formerly the National College for Teaching and Leadership. As you may imagine the rules and regulations on how criminal convictions impact student or fully fledged teachers are extensive. The important thing to remember is that not all criminal convictions render a person unable to become a teacher or see a current teacher in danger of losing their career.

Declaration of spent convictions

Teaching is one of the exempt professions required to undergo advanced disclosure checks by the National Disclosure and Disbarring Service due to nature of most teacher roles involving working with children and young people. Therefore, even minor or spent convictions must be disclosed in the teaching profession.

The Rehabilitation of Offenders Act 1974 outlines certain less serious spent convictions that are not required to be disclosed to future employers.

Offences that would result in a prohibition from teaching

Certain criminal offences will result in a prohibition from teaching. These offences are serious and include robbery involving violence, murder, selling class A drugs and sexual offences. Equally any offence involving violence against a child will also lead to a high probability of being prohibited from carrying on in the profession.

However, other minor offences, which road traffic offences would fall into, would not lead to an automatic prohibition from teaching. Any offences that do not warrant misconduct would not be referred to the Teaching Regulation Agency and would instead be dealt with by the local authority. Should the Teaching Regulation Agency become involved in a matter, then on behalf of the Secretary of State, a panel will decide on whether the conduct of the teacher in question should result in a prohibition from teaching. In respect of potential teachers the Disclosure and Barring Service check carried out when applying for a teaching course, would inform them of any issues with teaching based on the past criminal offences committed.

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What to do if convicted of a criminal offence

Should you be convicted of a criminal offence and you are a teacher, the first step is to consult your contract of employment This should determine whether or not the situation that you find yourself in is reportable to the school at which you work.

From this, should the matter be something which needs reporting, you should speak to the Head teacher at the school who will determine the next steps, be that referring the matter to the Local Authority or dealing with the matter in house.

If reported to the local authority, an investigation by the Department of Education will be carried out. This is used to determine whether or not the matter amounts to misconduct. If the matter does amount to misconduct then it will be referred to the Teaching Regulation Agency who will commence a three stage investigation to determine if the matter warrants a prohibition on teaching being awarded. This procedure is outlined in [the guidance published by the Teaching Regulation Agency](#).

Conclusion

Only very serious criminal offences would result in a total prohibition from teaching. However it is possible that even minor offences may be viewed dimly by the profession as a whole, particularly alcohol and drugs offences that carry with them a significant taboo.

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