
STATUTORY INSTRUMENTS

2012 No. 560

The Teachers' Disciplinary (England) Regulations 2012

Review of prohibition orders

16.—(1) Subject to regulation 8(2), a teacher in relation to whom a prohibition order has been made may apply to the Secretary of State for the order to be set aside.

(2) An application under paragraph (1) must be made in writing and must specify the grounds upon which it is made.

(3) The Secretary of State may require any person to produce documents or other material evidence for the purposes of an application under paragraph (1).

(4) The Secretary of State must decide whether the application should be —

(a) allowed; or

(b) referred to a professional conduct panel for a recommendation as to whether it should be allowed.

(5) If the Secretary of State refuses an application under paragraph (1), the Secretary of State must specify the period before the end of which no further application may be made for a review of the order.

(6) The period in paragraph (5) must not be less than one year from the date on which the application was refused.

(7) Where the Secretary of State decides that the application should be referred to a professional conduct panel, the Secretary of State must—

(a) appoint such a panel in accordance with regulation 6(2); and

(b) consider any recommendation made by the panel before deciding whether to set aside the prohibition order.

(8) Paragraphs (2) and (3) of regulation 7, and regulations 9 to 12, apply to any reference made by the Secretary of State under paragraph (7) as they apply in relation to a reference to a professional conduct panel under regulation 5(4).