
STATUTORY INSTRUMENTS

2012 No. 560

The Teachers' Disciplinary (England) Regulations 2012

Consideration of cases

- 5.—(1) This paragraph applies where the Secretary of State considers that a teacher—
- (a) may be guilty of unacceptable professional conduct or conduct that may bring the teaching profession into disrepute; or
 - (b) has been convicted (at any time) of a relevant offence⁽¹⁾.
- (2) Where paragraph (1) applies the Secretary of State must—
- (a) inform the teacher of the allegation that has been made against the teacher; and
 - (b) give the teacher an opportunity to—
 - (i) submit evidence and make representations in writing; and
 - (ii) comment on any other relevant evidence.
- (3) The Secretary of State may require any person to produce documents or other material evidence for the purposes of making the decision referred to in paragraph (4).
- (4) The Secretary of State must consider all relevant evidence, representations and comments and decide whether the case should be—
- (a) discontinued; or
 - (b) considered by a professional conduct panel,
- and must inform the teacher of such decision.
- (5) Where the Secretary of State decides that the case should be discontinued, the Secretary of State must at the request of the teacher publish a statement to that effect.

(1) See section 141B(4) Education Act 2002 for the definition of “relevant offence”