

The legal requirement for teachers to be registered with the Institute of Learning (IfL) in accordance with the Further Education Teachers Continuing Professional and Registration (England) Regulations 2007, only applies to teachers at further education institutions, (that is, FE colleges run by FE corporations established under the Further and Higher Education Act).

It does not apply to private training providers.

# **Teachers and trainers who should not be employed in the further education and skills sector**

**Issued on behalf of Toni Fazaeli, Chief Executive of the Institute for Learning**

7 December 2012

Dear colleague

## **Updated list of teachers who must not be employed in the further education and skills sector**

Following information sent widely to leaders of the further education sector in April 2011, I am writing to update you further on the Institute for Learning's (IfL) code of professional practice, developed by IfL's elected Council in 2008. IfL as the professional body is determined to protect and increase the status of professional teachers and trainers. The code of professional practice was developed with teachers and trainers and sets out the standards of professionalism we expect each other to uphold. Having a code and abiding by it demonstrates further education teachers' and trainers' proper professional status, aligned with normal expectations of being a professional in this country and the codes operated by professional bodies. The code complements but is distinctive from the areas that CRB checks cover or the competence issues that an employer covers.

Over the last two weeks, the outcome of case hearings has included three teachers being given an expulsion from membership of IfL. The adjudication of cases is by an independent Committee, advised by an independent legal adviser.

The Committee's reasons, in summary, were that they found in each case that the evidence established a serious breach of the Code of Conduct or the Disciplinary Rules of IfL. An expulsion order has no limit of time but in one case the Committee decided that the Member could reapply after five years and in the other two cases the Committee decided the teacher could reapply after two years.

You are aware from IfL's previous correspondence with you that if a teacher or trainer has been given an interim suspension from IfL membership or an expulsion from the IfL membership, this is very serious indeed. It is not legal for this individual to be employed as a teacher or trainer in our

further education and skills sector. Colleges and other providers funded by the Skills Funding Agency should not employ these individuals. It is important that employers check the IfL website before employing individuals to make sure that they are not prevented from teaching in our sector. For the up-to-date list of case hearings and the outcomes [http://www.ifl.ac.uk/data/assets/pdf\\_file/0009/26289/Prof-Stands-hearing-decisions-2011-12-06-Autosaved-final.pdf](http://www.ifl.ac.uk/data/assets/pdf_file/0009/26289/Prof-Stands-hearing-decisions-2011-12-06-Autosaved-final.pdf)

IfL's upholding of the code of professional practice protects learners, our sector and its reputation and the public, and through full membership of teachers and trainers in our sector IfL gives such protection.

Occasionally, there are individuals who do not uphold the code of professional practice, and in fact are found through an independent legal process to be seriously in breach of it. If these individuals remain in the profession of further education teachers and trainers and were allowed to continue to teach or train this can put learners at significant risk which is wholly unacceptable, and they bring our profession overall and the sector into disrepute. Sadly, in all professions there are a few individuals who operate outside of behaviours expected of a professional.

Where there are allegations of a breach of the code, the individual is entitled to and receives a fair hearing from IfL's independent professional practice committee, conducted with a legal adviser. Where possible and appropriate, individuals are supported back into practice and abiding by the code, but serious breaches, are treated with properly tough sanctions. This is not pleasant for anyone but is the right and proper thing to do.

If you would like to know more about our code of professional practice for teachers and trainers see <http://www.ifl.ac.uk/membership/professional-standards>. Having this code and abiding by it, which we all aim to do at all times, is part of teachers and trainers being a self-regulating profession, worthy of recognised professional status by any measure.

IfL does receive referrals about potential breaches of the code from a number of colleges and providers in appropriate cases. However, we are concerned that some may not yet be referring potential breaches of the code to IfL. A referral is essential before the IfL investigation process can be commenced, and if you have concerns making a referral helps ensure that the public interest and the reputation of the sector is safeguarded. This cannot be achieved by other teachers or individuals alone, and therefore I do urge colleges to refer to IfL those cases where there may be a potential breach of the code <http://www.ifl.ac.uk/membership/professional-standards/dealing-with-concerns>.

**Best wishes**

**Toni Fazaeli**  
Chief Executive

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