



Adopted Guidance for

**Schools and
Academies**

Induction for Newly Qualified Teachers

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Induction for Newly Qualified Teachers

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a specialist school for cognition and learning - enabling inclusion in the community

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1. Introduction

- 1.1 This guidance document has been updated to reflect the changes introduced by the Education (Induction Arrangements for School teachers) 2012 and the DfE guidance document "Statutory Guidance on Induction for Newly Qualified Teachers in England" (2012). These apply to NQTs starting their induction on or after 1st September 2012, and NQTs who, on 1st September 2012 have started but not completed their induction.
- 1.2 The Statutory guidance details how NQTs should be monitored, supported and assessed during their induction programme. To assist with this the LA (Partnership and Workforce Development) have developed a Continuing Professional Development Profile (CPDP) which brings this information together to assist schools in managing the induction process. This will be sent to schools once they are registered on Pro Forma 1 (available from Finstall Centre or EduLink). The NQT Steering Group will provide training and support for NQTs and Induction Tutors throughout the Induction Period. Details are contained within the CPDP.
- 1.3 The majority of Newly Qualified Teachers complete their Induction Period without problems. This document is aimed at providing guidance should questions or problems arise during the period and is therefore intended to support the documentation, training and advice issued by the NQT Steering Group.

2. Scope of Document

- 2.1 This document is specifically aimed at providing guidance to schools employing Newly Qualified Teachers (NQTs) who start their induction on or after 1st September 2012 and NQTs who, on 1st September 2012 had started but not completed their induction, by whatever route. All such NQTs must complete an Induction Period if they are to continue to work in maintained schools or in non-maintained special schools in England. NQTs who are awarded QTS but do not satisfactorily complete a statutory Induction Period will not be eligible for such employment. They will NOT, however, lose their QTS.
- 2.2 Statutory induction is not a legal requirement to teach in the FE or independent sector, including Academies and Free Schools, but may be served in these settings. Where statutory induction is offered by these schools, they must adhere to the regulations and statutory guidance.
- 2.3 The document is laid out in terms of questions that are most commonly asked under specific headings to assist Headteachers. However further advice may be sought from the NQT Steering Group and HR Consultancy for Schools.

3. Principles of the Induction Period

3.1 *Who is eligible for the Induction Period?*

No-one may start induction until they have QTS, i.e. they have successfully met all QTS standards, including passing the skills tests. It is essential that Headteachers check and confirm the individual's QTS with the National College for Teaching and Leadership and Appropriate Bodies (LA) must confirm that the NQT's QTS has been checked when registering the NQT. A teacher reference number does not mean the NQT has been awarded QTS. Teachers completing initial teacher training after May 2001 must pass all relevant skills tests before they can be awarded QTS. If an individual does not have QTS they cannot start induction.

This applies equally if a non-traditional route to QTS is followed such as a flexible programme, an employment-based training programme or an overseas trained teacher programme. If any part of the induction is completed prior to gaining QTS, the individual will have to restart their Induction Period. Induction cannot commence until QTS has been awarded and any service prior to gaining QTS does not count towards statutory induction.

Headteachers must check the status of any cohort/teachers before appointing to complete statutory induction, i.e. those who gained QTS in England and Wales between 1st May 2000 and 30th April 2001, must additionally pass the numeracy skills test before they can complete induction satisfactorily. A cohort/teacher gaining QTS between these dates who has not passed the numeracy test cannot lawfully be employed as a teacher in a relevant school. Such teachers can teach on short-term supply basis.

3.2 *Where can the Induction Period be served?*

Induction may be served in maintained schools, maintained or non-maintained nurseries, Pupil Referral Unit, independent schools, Academies, city technology colleges; further education colleges and sixth form colleges (with certain stipulations). A school requiring special measures cannot host induction except where the induction had already started or where Ofsted deem it suitable.

3.3 *What is the National Career Entry and Development Profile (CEDP)?*

The CEDP offers structured guidance to teachers at three Transition Points in their professional development: towards the end of their initial training programme; at the start of their Induction Period and towards the end of their Induction Period. The profile is designed to enable the teacher to make constructive connections between the various stages of their careers.

3.4 *What does the Induction Period involve?*

The induction support programme will involve a combination of monitoring, support and assessment tailored to individual needs. It will involve the Headteacher or Induction Tutor and the NQT in discussions using the Career Entry Development Profile (CEDP) which result in short, medium and long term objectives relating to identified individual needs, the specific school context and the requirements for satisfactory completion. Each component should be addressed early in planning the individual NQT's induction programme to ensure that the NQT is fully supported and the assessment is fair and well-founded. The programme of assessment is quite prescriptive under the regulations and comprehensive guidance is provided in the LA Continuing Professional Development Profile (CPDP).

- 3.5 *What happens if the school does not adhere to the Induction Programme?*
As the Headteacher of a school taking on NQTs you are responsible with Appropriate Bodies for the supervision and training of NQTs, ensuring that the NQT has an appropriate induction support programme. If the Appropriate Body has cause for concern about the programme on offer the School Improvement Adviser (SIA) will raise this with the Headteacher. If there is cause for concern about a NQT's standard of performance and the school recommend that they fail their induction, the Appropriate Body may be forced to disagree on the basis that the induction programme was not carried out appropriately.

4. Who's Who

4.1 *The Appropriate Body*

The Appropriate Body has the main quality assurance role within the induction process. Their role is to ensure that schools provide adequate support for their NQTs and that their assessment is fair and consistent across all institutions. The Appropriate Body may be a Local Authority or a teaching school. The Headteacher must notify the Appropriate Body in advance of the NQT taking up post.

The Headteacher and the Appropriate Body are jointly responsible for a NQTs training and supervision to meet their development needs. The duties assigned and the conditions under which the NQT works should facilitate a fair and effective assessment of the NQT's conduct and efficiency as a teacher. The Appropriate Body is also responsible for deciding whether a NQT has met the Induction Standards based on the Headteacher's recommendation.

4.2 *The Induction Tutor*

The Induction Tutor is the member of staff identified in the school to support and monitor the NQT on a day-to-day basis through the Induction Period. The Induction Tutor must have QTS and have the necessary skills and knowledge to provide effective coaching and mentoring. They should have considerable contact with the NQT, such as the NQT's line manager or a senior member of staff. The Headteacher may be the Induction Tutor if there is no other member of staff available or suitably experienced to fulfil the role. If this is the case then the school may choose to involve a person from outside the school, such as the SIA, to assist with the monitoring and assessment to ensure that the process is moderated. This is particularly applicable where a NQT is experiencing difficulties.

5. During the Induction Period

5.1 *How long is the Induction Period?*

The Induction Period for a full-time NQT will usually be one academic year (i.e. the Induction Period for a part-time NQT is calculated on a pro rata basis so that the same number of school sessions are covered as for a full-time NQT. Thus for a person who works 50% of the full hours at a school operating a three term year, the Induction Period would be six terms.

Some teachers may already have significant teaching experience when they enter the maintained sector for the first time (e.g. having worked in the independent sector); in such cases, appropriate bodies have the discretion to reduce the length of the induction period to a minimum of one term. They must take account of advice from the Headteacher and gain agreement of the NQT. If the NQT wishes to serve the full induction period, they must be permitted to do so.

The appropriate body also has discretion to allow a reduction in the prescribed induction period by up to 29 days where this falls short of a full year (for example to account for ad hoc absences or where they are unable to complete their induction in the same school the following term.)

5.2 *Is there a time limit for starting or completing induction?*

NQTs are encouraged to start their induction as soon as possible after gaining QTS; there is no set time limit for starting or completing an Induction Period. However, once 5 years has elapsed, they are unable to undertake short-term supply in a maintained school without completing induction (see 5.6)

5.3 *What happens if our NQT goes on maternity leave?*

If a NQT has a break in her induction for statutory maternity leave SHE MAY CHOOSE whether or not to have induction extended by the equivalent period of her absence.

Any outstanding assessments should not be made until she returns to work and has had the opportunity to consider whether to extend her induction, and any such request MUST be granted. If an NQT chooses not to extend her Induction Period her performance will still be assessed against the Teacher standards. An NQT in this situation should seek advice from her Headteacher, Induction Tutor or trade union representative before making such a decision.

5.4 *What happens if our NQT is absent due to sickness during the Induction Period?*

If the NQT is absent from work for 30 school days or more during the Induction Period then the Induction Period is automatically extended by the aggregate total of days absent, e.g. if an NQT is absent for a total of 35 days the Induction Period is extended by 35 days. Headteachers should inform the LA when absences aggregate to 30 days. Before the Induction Period is extended for this reason the Headteacher should discuss the reasons with the NQT and confirm this in writing. When the NQT works part-time only absences when the NQT is contracted to work should be counted.

5.5 *Are there other reasons which could justify an extension to the induction period?*

The appropriate body has the option, when making its decision at the end of the induction period, to extend the period where this can be justified. This may be due to insufficient evidence to make a decision; issues around support during induction; personal crises, illness or disability.

5.6 *We wish to employ a NQT for a term, do the induction arrangements apply?*

Any period of one term or more counts towards induction whether full or part-time and therefore induction arrangements would have to be in place. A term reflects the need for a stable environment and planned induction programme as well as giving sufficient time for a fair and reasonable assessment to be made. Therefore, where part way through an engagement which had been expected to last less than a term, it becomes apparent that the post will last for another term or more, then the NQT and the Headteacher will have to agree at that point that the remainder of the period of employment will count towards induction. The induction support programme cannot be 'backdated'.

5.7 *Will we have to provide an induction for NQTs who provide supply cover in our school?*

Prior to offering short-term supply work to a teacher who has not completed an Induction Period, the Headteacher must ensure the individual has not exceeded the limit on such work. An NQT can only undertake short term supply without undertaking an Induction Period for 5 years from the point of award of QTS. This period cannot be extended.

Once the 5 years has elapsed, an NQT cannot undertake supply work unless it is for a placement of at least a term and counts towards their Induction Period or the teacher is working part-time on a supply basis and serving induction concurrently on a part-time basis in another post.

The induction arrangements do not apply to NQTs who are employed for periods of less than a term as a supply teacher. If a short-term supply contract is extended beyond one term, the Induction Period cannot be backdated but should be put in place as soon as possible, once agreed that the contract will last a term or more.

5.8 *Can our NQT take a break during the Induction Period?*

NQTs can take a break but they are not allowed to teach in a maintained school during that break. They can, however, do non-inductable short term supply teaching during a break, provided the 5 year period (see 5.5 above) has not expired.

5.9 *We have employed a NQT who has undertaken two terms of the Induction Period at another school, what are our obligations?*

You should obtain copies of any assessment forms from the NQT's previous appropriate body and continue with the induction arrangements for the remaining period, ensuring that any copies of previous assessments are forwarded to the Appropriate Body. Similarly, it is the responsibility of any school where the NQT has undertaken part of their Induction Period to forward relevant documentation to the new school where the Induction Period is to be completed.

A NQT joining a new school after having completed part of their induction elsewhere may require some additional introductory support, especially if there has been a break in service.

5.10 *We have employed a NQT on a part-time basis and they have a part-time contract at another school, what do we do?*

If each contract is for at least one term, the two Headteachers should work together to ensure that they are fulfilling their responsibilities to the NQT. However, they need to determine which of them will be the 'lead Headteacher' who will then be responsible for liaison and ensuring completion of the relevant documentation and forwarding it to one Appropriate Body, notifying of the completion or failure of the Induction Period.

5.11 *Can a NQT complete their induction in a school requiring special measures?*

A school that has entered special measures cannot normally host induction. Where a teacher has already started an Induction Period in a school, prior to entering special measures, induction can continue. The school and Appropriate Body must ensure that the NQT's needs are met (and not disadvantaged compared to other NQTs serving induction in the area) without jeopardising educational provision in any way. Generally once a school has entered special measures, they are not permitted to recruit new NQTs. An Ofsted inspector may, however, make a judgement on whether a school is suitable to host induction, either during an inspection or by the school applying in writing to Ofsted post-inspection.

6. Assessment and Monitoring

6.1 *Overview*

The induction is designed to be a supportive and developmental process but also requires judgements to be made on the performance of the NQT. Ensuring that this is a fair process requires evidence of support and regular formal assessment. The induction programme provides such a framework, each of the steps in the formal assessment process is briefly described below, this should be supplemented with the guidance provided by the NQT Steering Group.

6.2 *Relevant standards*

The Teachers Standards came into force from 1 September 2012 and replace the relevant professional standards. **The new standards will apply to all teachers regardless of their career stage**, and define the minimum level of practice expected of teachers from the point of being awarded QTS.

NQTs should be assessed against the standards to a level that is consistent with what should reasonably be expected of a teacher in the relevant role and at the relevant stage of their career. The professional judgement of head teachers and induction tutors will therefore be central to assessment against these standards.

That judgement should reflect the expectation that NQTs have effectively consolidated their training, and are demonstrating their ability to meet the standards consistently over a sustained period in their practice.

6.3 *How often should lesson observations take place?*

The NQT should be observed at regular intervals throughout the Induction Period i.e. at least once each half term. To ensure early identification of potential problems it is important that there is at least one observation of the NQT's teaching during the first four weeks of their employment. This will also help inform discussions about the NQT's developmental needs at an early stage.

6.4 *What if the NQT is employed on a part-time basis?*

The interval between lesson observations would normally be elongated to take account of part-time working. However, for developmental purposes it would still be important to undertake an observation of the NQT's teaching in the first six to eight weeks.

6.5 *What should be observed?*

Observations should be supportive and developmental focussing on particular aspects of the NQT's teaching to be agreed in advance between the NQT and the observer. The choice of focus should be informed by the requirements of the Teachers' Standards and the NQT's personal objectives for career development.

6.6 *Who should observe the NQTs teaching?*

Lesson observations would usually be carried out by the Induction Tutor. However, to assist the development of the NQT the Induction Tutor may co-ordinate observations by other people holding QTS both from within or from outside the school, for example, teachers with particular specialisms or responsibilities as mentors, Leading Practitioners or the SIA.

6.7 *Should we keep written records?*

Part of the induction process is to form judgements on the NQTs performance; this requires formal information on which to make an assessment and lesson observations will form part of this. The LA's guidance contains direction on how to carry out a lesson observation to ensure maximum benefit for both the NQT and observer. After each observation the NQT and the observer should have a follow up discussion and a brief written record made. Feedback should be prompt and constructive. This record should relate to the NQTs objectives for development. Lesson observation records along with other evidence of progress, e.g. pupil work, will be presented at professional review meetings.

6.8 *Professional reviews of progress. How often? What about part-timers? Who should do it?*

There should be at least one scheduled professional review meeting every half term. Where the NQT works part-time, the intervals between professional review meetings should be adjusted accordingly, but the first meeting should take place in the first half term and after that there should be a meeting at least once a term. The professional review will normally be carried out by the Induction Tutor. At the meeting objectives will be reviewed and action plans completed.

6.9 *Formal Assessment Meetings, what are they and what is the role of the Governing Body?*

Formal Assessment Meetings are intended to identify the progress that has been made towards the expected standards. There will be three Formal Assessment Meetings during the Induction Period usually near to the end of term, involving the NQT and either the Headteacher or the Induction Tutor.

These meetings should be informed by written reports from at least two observations and two progress review meetings held that term. Judgements should be based on evidence gained during the Induction Period and should relate directly to the Teachers' Standards. NQTs should be regularly updated as to their progress and this meeting should hold no surprises.

Headteachers should keep their Governing Body informed about arrangements for the induction and support of NQTs as well as the results of termly Formal Assessment Meetings. At the first and second assessments the Headteacher recommends to the LA whether the NQT's progress indicates that he/she **will be able to meet** the requirements for the satisfactory completion of induction. In the third assessment the Headteacher recommends to the LA whether the NQT **has met** the standards for the satisfactory completion of the Induction Period.

Model assessment forms can be downloaded from EduLink following the route *Teaching and Learning/School Workforce/NQT/Assessment information and Forms* and they are also available from the DfE website. Further details can be found in the LA Continuing Professional Development Profile.

6.10 *Who should carry out the Formal Assessment Meetings?*

As it is on the basis of these meetings that decisions will be made about whether the NQT will successfully complete their induction, consideration should be given to who the most appropriate person would be to be involved in the Formal Assessment Meetings. It would usually be the Headteacher who would conduct the meetings with the assistance of the Induction Tutor. However, if the Headteacher has undertaken all the responsibilities of the Induction Tutor, consideration should be given to involving a third party to provide evidence, e.g. lesson observations by the SIA. The Headteacher will need to be confident that the assessment can be shown to be fair. After the first two Formal Assessment Meetings the Headteacher should complete the relevant DfE form indicating whether the NQT is making satisfactory progress. The NQT should be encouraged to add their comments on the summary of progress; they have ten days in which to do this. The Headteacher, Induction Tutor and NQT should all sign the form, which should be forwarded to the Appropriate Body within ten working days of the meeting. A calendar of relevant deadline dates is issued by the NQT Steering Group.

6.11 *How frequently should they take place?*

For full-time NQTs the assessment meetings should be held towards the end of each term. This will result in an interim assessment. For those NQTs working part-time and undertaking an Induction Period over a longer period it will still be important to have the initial assessment meeting at the end of the first term. The length of time between meetings should then be in direct relation to the hours worked. For instance, for a NQT employed half time, that is with an Induction Period of six terms, then the second meeting could be at the end of the third term and the final meeting in the last term. A review meeting should be held at least once each term to ensure the NQT remains on track.

7. Support, Development and the role of NQTs

7.1 *Where can the school receive guidance on the support they should provide?*

The guidance issued by the NQT Steering Group highlights the support, training and development that the NQT can expect during the Induction Period. It is important to ensure that the support is directly related to the professional development needs of individual NQTs taking account of their school context and completed Career Entry and Development Profile brought from Initial Teacher Training. NQTs should be given opportunities to observe experienced teachers to help develop good practice in specific areas of teaching.

7.2 *How should the time be allocated?*

The Schoolteachers' Pay and Conditions Document places a duty on Headteachers to ensure that teachers serving Induction Periods under the Induction Regulations teach for no more than 90% of the time a teacher in the school without responsibility points would be expected to teach.

This time must be protected and not used simply as 'non-contact time'. It must be planned and used as part of a coherent induction support programme and distributed appropriately throughout the Induction Period as best suits the NQT and their school.

NQTs are also entitled to Planning, Preparation and Assessment (PPA) time.

7.3 *What should a NQT's role and Job Description include?*

NQTs should not be given a Job Description that makes unreasonable demands. This is equally relevant if the NQT is working on a part-time or long term supply basis.

Headteachers should ensure that NQTs have appropriate workloads, taking into consideration a reasonable work/life balance and their personal health and welfare. The Governing Body must be satisfied that the school can support the NQT and that the Headteacher is fulfilling their responsibilities to provide a suitable post and necessary support, monitoring and assessment.

NQTs should normally expect that their post:

- should not demand teaching outside the age range and/or subjects for which they have been employed to teach
- must not present them on a day-to-day basis with unreasonably demanding discipline problems
- must involve the NQT regularly teaching the same class(es)
- must involve similar planning, teaching and assessment processes to other teachers working in similar substantive posts in their school
- must not involve additional non-teaching responsibilities without the provision of appropriate preparation and support
- must not make unreasonable demands upon the NQT
- must provide the NQT with a reduced timetable to enable them to undertake activities in their induction programme
- must provide the NQT with the necessary employment tasks, experience and support to enable him or her to continue to meet the QTS standards, and to meet the relevant standards by the end of the Induction Period.

7.4 *What should you ensure that NQTs are provided with?*

- a schedule for formal assessment meetings
- timetabling of lessons and support arrangements
- an Induction Tutor and a named contact at your Appropriate Body
- entitlements to pay during sickness absences, contacts for other absences, e.g. maternity leave, arrangements for salary payments, provisions for pensions and any other entitlements
- school health and safety and equal opportunity policies
- other relevant school policies including arrangements for cover, child protection, etc.
- the nature of the contract of employment, a list of duties and management arrangements.

8. Unsatisfactory Progress

8.1 *What do we do if there are concerns about the NQT's progress?*

The vast majority of NQTs will complete the Induction Period satisfactorily. If, however, a NQT is not making satisfactory progress or feels themselves they are not progressing as they would wish, early action should be taken in order to provide the NQT with the opportunity to make any necessary improvements to his or her performance. The following is a guide on the action to take but should be supplemented with discussions with the NQT Steering Group, SIA and HR Consultancy for Schools.

8.2 *Acting early in the event of unsatisfactory progress*

All NQTs must be monitored in accordance with this guidance. This process should enable the Headteacher to identify any difficulties experienced by the NQT in making progress towards the relevant standards at an early stage.

The Headteacher and Appropriate Body should act promptly in circumstances where an NQT experiencing difficulties has served part of their induction in another institution, and where at the time of the latest appointment there is only a small proportion of the Induction Period left to serve. It is also important in these circumstances that the Headteacher has (as required, on appointment) contacted the previous Appropriate Body to obtain copies of earlier assessment reports, including any interim assessments and details of any absences. This will ensure any previously identified support needs are met as quickly as possible.

Putting in place additional monitoring and support

If it becomes apparent that an NQT is not making satisfactory progress, the Headteacher must ensure that additional monitoring and support measures are put in place immediately. **Action to improve performance must not be delayed until a formal assessment meeting has taken place.**

Additional action might include setting more specific or shorter-term objectives, and closer monitoring and recording of progress. It is important that concerns are communicated quickly to all those with responsibilities in the induction process, including the NQT, Induction Tutor and the Appropriate Body. It is especially important that the NQT is made aware of the area(s) in which they need to improve their practice, and that he or she is given every opportunity to improve his or her performance and go on to meet the relevant standards. There will be a need for additional meetings at agreed intervals to monitor progress. It may also be helpful to contact HR Consultancy for Schools at this stage for advice on the information required to form a judgement on the outcome of the induction.

Where there is concern about the NQT's progress, both the Headteacher and the Appropriate Body should be satisfied that:

- the assessment of the NQT is well founded and accurate
- areas in which improvement is needed have been correctly identified
- appropriate objectives have been set to guide the NQT towards meeting the relevant standards, and
- an effective support programme is in place to help the NQT improve and to address identified areas for development.

Arranging a professional review by a third party

In cases where the Induction Tutor in a school is not the Headteacher, the Headteacher must observe the teaching of any NQT considered not to be making satisfactory progress, in addition to the observations which take place as part of the induction process, and review the available evidence. Where the Induction Tutor is the Headteacher, the Headteacher should ensure that a third party who holds QTS reviews the evidence and observes the NQT (for example, an AST or other experienced teacher in the school or, in small schools, the SIA).

In many cases the additional monitoring and support measures mentioned above will have the desired effect and the NQT will go on to be formally assessed at the end of the period as having met the relevant standards.

However, in some cases improvement will not be enough. Where there are still concerns about the NQT's progress at the next assessment point (and this is not the final assessment), the Headteacher should explain to the NQT the consequences of failure to complete the Induction Period satisfactorily and discuss fully with the NQT:

- the identified weaknesses
- the agreed objectives previously set in relation to the requirements for the satisfactory completion of induction, updating these as necessary
- details of additional monitoring and support put in place
- the evidence used to inform the judgement, and
- details of the improvement plan for the next assessment period.

Following the discussion the Headteacher must complete the relevant assessment form and send it to the Appropriate Body, indicating to the Appropriate Body that, at their current rate of progress, the NQT is at risk of not completing their induction satisfactorily. In addition to comments on progress, the completed assessment form should, in these circumstances, include brief details of the issues discussed.

The NQT should as normal sign the assessment form to confirm that he or she is aware of the contents of the form. The Headteacher should then give the original copy of the completed form to the NQT, send a copy to the Appropriate Body and retain a copy.

Where performance remains unsatisfactory at the point of the final assessment the Headteacher should follow the guidance and take action as set out in paragraph 10.

Throughout this process it is important to maintain a dialogue with the NQT and keep the SIA informed of progress.

9. What action should be taken in the event of serious capability problems?

9.1 In a few particularly serious cases, it may become apparent that the education of the children being taught by the NQT is being seriously affected. **In such instances the Headteacher may wish to consider instigating a capability procedure at any stage before the end of the Induction Period, which may lead to dismissal before the end of the Induction Period.** If this is the case, for as long as the NQT remains at the school the induction procedure must continue **in parallel** with the capability procedure.

9.2 Before proceeding to the formal stages of the capability procedure, it is important that the Headteacher is assured that the following has taken place:

- (i) the NQT's performance has been monitored;
- (ii) the NQT has been clearly advised about the aspects of their practice which are causing concern and understands the improvements which are expected;
- (iii) a reasonable and time limited period (of four weeks as an absolute minimum) of careful and structured support, training, monitoring, evaluation and evidence gathering has taken place, giving the NQT every opportunity to improve; and
- (iv) the NQT has been given an informal warning that failure to improve may lead to instigation of the formal capability procedure and that this may lead to dismissal.

Advice should be sought from HR Consultancy for Schools before embarking on the capability procedure with a NQT.

The induction procedure (enhanced as necessary) should provide the appropriate structure to cover the requirements of points (i) to (iii) above. It is essential that the warning about the capability procedure and the possibility of dismissal [point (iv)] is given in addition.

- 9.3 If a NQT is dismissed on grounds of capability before the end of the Induction Period, they may still be allowed to complete induction at another school as all NQTs must complete a full Induction Period before they can be judged to have failed induction. The Headteacher and Appropriate Body will, however, need to pass on any induction records, documentation and assessments, including interim assessments, to the new school and Appropriate Body when, asked to do so.

10. Action at the end of the Induction Period

10.1 *We have come to the end of the Induction Period, what do we do now?*

Within 10 working days of the final completion of a NQT's induction support programme, the Headteacher must send in the final DfE form to the Appropriate Body to recommend whether or not the NQT has met the requirements for the satisfactory completion of their induction and send a copy to the NQT.

10.2 *What action must the Appropriate Body take?*

Within 20 working days of receipt of the recommendation, the Appropriate Body must decide whether the NQT has:

- satisfactorily completed their induction support programme
- requires an extension of the Induction Period
- has failed to satisfactorily complete the induction support programme.

The Appropriate Body must have regard to any written representations received from the teacher within 10 working days of the Headteacher's recommendation.

N.B. Where an NQT is deemed not to have completed their induction satisfactorily the school should retain the evidence for that judgement until the appeal process is completed and the National College for Teaching and Leadership have confirmed that the NQT has either had full registration confirmed, been de-registered, or has had their Induction Period extended.

Within 3 working days of the decision being made and recorded, the Appropriate Body must write to the NQT, the Headteacher in whose school the NQT was working at the end of their induction, the employer (if other than the Appropriate Body itself) and the National College for Teaching and Leadership.

10.3 *What right of appeal does the NQT have?*

If the Appropriate Body decides to extend the period of induction or concludes that the NQT has failed to complete their Induction Period satisfactorily the Appropriate Body must inform the NQT of their right to appeal, with the name and address of the Appeal Body and the deadline for appeals.

The NQT must say if they will be exercising their right to appeal within 20 working days of receiving this notification. The right to appeal expires after 20 days, except in exceptional circumstances, where not to extend the time limit would result in substantial injustice to the NQT.

10.4 *Who is the Appeal Body?*

The National College for Teaching and Leadership is the Appeal Body and they can allow or dismiss the appeal against failure to satisfactorily complete induction.

Where an extension has been imposed the Appeal Body can extend the period for as long as they see fit (which may mean substituting a different extension to that imposed by the Appropriate Body).

11. **Can we continue to employ the NQT if they fail?**

11.1 *If they do not appeal or the appeal is rejected*

If the NQT chooses not to appeal or the National College for Teaching and Leadership rejects their appeal, then the employer must dismiss the NQT within 10 working days from the date the NQT gave notice that they did not intend to exercise their right to appeal, or from the date when the time limit of 20 working days for appeal has expired.

11.2 *Whilst an appeal is pending*

If the NQT chooses to appeal then the school may continue to employ the NQT but on limited duties. He/she must not take responsibility for a class or teach a subject to a group of children where there is no other experienced and qualified teacher present. If the appeal is rejected, the employer must proceed to dismiss the NQT.

See Guidance for Schools "NQTs: Dismissal for failure to satisfactorily complete the induction period".

12. **Other Considerations**

12.1 *Can we terminate a NQT's contract?*

Although NQTs are subject to a fixed length Induction Period, it is still possible to terminate their contract during that period as long as it is for a fair reason, such as for performance, redundancy, gross misconduct or termination on the grounds of incapability in accordance with procedures for Managing Sickness Absence. If the school is facing a redundancy situation, the NQT can be considered along with other members of staff. The process undertaken to achieve this end should be comprehensive and reasonable. If you are considering this please contact HR Consultancy for Schools for further advice.

12.2* *What are the notice provisions?*

During the induction period, a NQT will be entitled to statutory notice from the employer of 1 week for each year of continuous service with the employer (up to a maximum of 12 weeks).

If an NQT wishes to resign from their post, he/she is required to give normal notice as outlined in the Burgundy Book. However, in many circumstances, the NQT and the Headteacher and Governors may reach agreement on an earlier date.

12.3 *If a NQT fails their induction support programme, can they retake it?*

No, there is only one chance to complete induction and whilst it cannot be repeated, there is a right of appeal. A teacher who has failed does not lose QTS, but they cannot legally be employed as a teacher in a maintained school.