

TRAINEE SUPPORT & CAUSE FOR CONCERN POLICY

Approving Body	Trust
Date of Last Review	June 2025
Statutory (Y/N)	N
Responsible Officer	BMAT CEO for and on behalf of the Trust

1. Introduction – scope and purpose

1. NELTA is responsible for setting realistic standards of performance against the NELTA curriculum ensuring that trainees are on the right trajectory to meet the requirements of the Teachers' Standards by the end of their training year.
2. NELTA is responsible for explaining the expectations of the training course clearly to trainees to support them to achieve them. Equally, all trainees are responsible for performing their roles to at least an acceptable standard.
3. NELTA is responsible for making an evidence informed judgement of a trainee's progress against the NELTA curriculum and when making recommendations for Qualified Teacher Status at the end of the training course.

4. This Policy aims to provide a framework for:

- a) Dealing with concerns about an trainees' ability to perform the work required or expected of them to the required standard. 'Ability' may include a trainee's skill, aptitude, health or any other physical or mental quality in relation to their role; and
- b) Managing underperformance against the NELTA curriculum fairly and consistently, by ensuring that the primary focus of capability proceeding is to improve trainee performance to the required standard(s).

5. Scope:

- a) This policy applies to all NELTA trainees.

II. Guiding Principles

6. Responsibility:

- a. All trainees are responsible for fulfilling the requirements of their role to at least a satisfactory standard.
 - b. It is the responsibility of NELTA leaders and representatives to communicate required standards and address performance issues at an early stage and on an informal basis, where appropriate.
 - c. The BMAT Trust Executive is responsible for the overseeing the fair and consistent implementation of this Policy and is accountable to the Board of Trustees.
7. **Timescales:** Reasonable efforts will be made to deal with underperformance matters promptly and in line with the timescales set out in this Policy. Those timescales may be varied in exceptional cases (e.g., due to an unforeseen lack of resource or a particularly complex case). All parties will be informed of any variance to timescales and their consent will be sought.

8. **Equal treatment:** In line with the Equality Act 2010, the Support Plan and Cause for Concern process will not be used to discriminate unlawfully against any individual or group.
9. **Right of Appeal:** Trainees may appeal against any decision taken to remove them from training at the end of the Cause for Concern process.

10. **Records:**

- a. NELTA keeps a written record of Support Plans and Cause for Concern plans and any accompanying evidence required using NELTA's central filing system or online platforms.
- b. Copies of these documents will be shared with the trainee concerned and kept on the trainee NELTA file.
- c. Electronic recordings of formal or informal meetings under this Policy are not permitted.

11. **HR and legal involvement:** HR and legal advice will be obtained as appropriate. Legal and/or HR advisors may attend meetings at the formal stage of this Policy, as appropriate and on notice to all parties. A member of HR or a suitable delegate should attend meetings at the formal stage of this Policy to take a note and provide advice

12. **Statutory Right of Accompaniment:**

Trainees have a right to be accompanied at Cause for Concern hearings (i.e., those that may result in formal termination of training action recorded on an employee's personnel record) by a colleague, trade union representative or an official employed by a trade union ['companion']. They should be advised of this in writing.

13. **Support Plan**

Reasons for a Support Plan following informal support (identified in the procedures below) being introduced may include, but are not limited to sustained challenges meeting the expected standard in the following areas of the NELTA curriculum:

- a. Purpose and Progress
- b. Pupils and Learning
- c. Positive Expectation and attitudes
- d. Pedagogy and Curriculum
- e. Ongoing Professional Development
- f. The NELTA Code of Conduct

Examples of not meeting the expected standard of progress against the curriculum may include, but are not limited to:

- a. Failure to respond to feedback

- b. Unacceptable absence and punctuality
- c. A trainee's teaching is routinely below the expected standard for their point of training
- d. Planning is not being completed in line with expectations of the course
- e. Failure to undertake appropriate administration to support teacher development
- f. A trainee's professional conduct falls short of expectations
- g. A school policy is breached or ignored
- h. Failure to adhere to deadlines
- i. Lack of engagement with the taught programme
- j. Failure to establish effective and professional working relationships
- k. Wider professional conduct does not meet expected standards

14. Cause for Concern plans

- a. A Cause for Concern plan will be initiated if a trainee has undertaken two cycles of a support plan and not yet made adequate progress to meet the targets identified in the curriculum.
- b. However, NELTA staff may exercise academic and professional judgement to undertake a Support Action Plan and Cause for Concern meeting at any stage outlined in the following procedure depending upon the nature of identified concerns.
- c. A review meeting will be held to determine a trainee's progress while on a Cause for Concern plan to determine next steps. (Appendix One)

15. The purpose of a Review Meeting is to:

- a. To determine that the trainee should cease to train in their placement with NELTA;
- b. To determine that the trainee should continue to train with NELTA and that no further formal action under this Policy is required;

15. Both parties should give notice of their intention to call witnesses and a summary of the evidence that they intend to present at the hearing (in the case of NELTA, this should form part of the notification of the hearing; in the case of the trainee, this should be at least two working days before the hearing).

16. The hearing will be chaired by a member of the Trust Executive or a member of BMAT SLT. This should not be the same person who attended the initial Cause for Concern meeting for the trainee.

17. The Review Meeting:

- a. The chair will explain the purpose of the meeting, summarise the training concerns, outline the steps taken so far and remind the trainee that termination of training is a possible outcome.
- b. The trainee's Lead Mentor will present the case.
- c. The trainee will be asked to put their case forward, ask questions and present evidence.
- d. The NELTA administrator who is not involved in the case will take summary notes;
- e. The main points of the hearing will be summed up and the Lead mentor and the trainee will be asked if they have anything further to say.
- f. The hearing should be adjourned before a final decision is taken.
- g. The chair will consider the hearing with legal and HR advice, as appropriate.
- h. The outcome will be confirmed to the trainee in writing within ten working days of the hearing.
- i. The trainee will be informed of the right to appeal.
- j. Where a trainee is persistently unable or unwilling to attend a hearing without good cause, BMAT will make a decision based on the evidence available.
- k. Should the trainee choose to withdraw from training at any point during this process then the Review Meeting will be cancelled

18. Right to appeal the outcome of a Review Meeting:

Where a trainee feels that capability action taken against them is wrong or unjust, then they can appeal the decision. Grounds for appeal may include:

- a. Disproportionality/undue severity;
- b. Inconsistency in decision making;
- c. The decision- or decision-making process was biased;
- d. A material mistake was made on the facts;
- e. The decision making was irrational (i.e., no reasonable person could have come to the decision that was made);
- f. There was a failure to act or investigate the allegation properly;
- g. New and material evidence has come to light.

19. The onus is on the appellant to clearly establish the ground(s) of appeal, materiality to the decision taken and the detriment they have suffered as a result.

20. Within five working days of the decision to cease training, the appellant must submit the NELTA Appeal form to the NELTA Administrator by email

21. Within five working days of receipt of an appeal, a written acknowledgement will be sent to the appellant outlining the next steps.

- 22.** In exceptional cases, appeals may be dismissed on the papers (i.e. without a hearing) if NELTA has reasonable grounds to believe that the appeal is vexatious, baseless and/or inarguable (e.g. because the evidence in favour of termination was very strong and/or because the appellant has made no arguable case in response and/or because the appellant has used the appeal form to attack NELTA and/or the person(s) responsible for enforcing the disciplinary procedure.
- 23.** Malicious appeals may result in disciplinary action.
- 24.** A NELTA appeal panel will be held no later than 20 working days from the submission of the appeal. The Panel will consist of three members of the BMAT Trust Executive or SLT with advice from HR and/or a legal professional, who should attend the panel hearing.
- 25.** Appeals will not take the form of a rehearing; the purpose is to review the decision and the decision making process. Following legal and/or HR advice, exceptions may be made if the appellant submits evidence to suggest that there was bias or discrimination in the decision or decision making process.
- 26.** The details of the hearing and copies of any relevant documentation will be sent to the complainant and panel not less than five working days prior to the date of the hearing.
- 27.** Appeals will be impartial and cannot result in an increase to any sanction
- 28.** At the appeal hearing, the panel will:
- a. Hear the appellant trainee first who shall put the case for appeal forward.
 - b. Deal with individuals fairly, impartially and in line with equality and diversity requirements;
 - c. Aim to reach a consensus;
 - d. Maintain confidentiality, as appropriate
 - e. Consider all relevant materials and give all parties the opportunity to make submissions in person;
 - f. Consider the grounds of appeal and any responses to them;
 - g. Review the record of the entire process;
 - h. Seek clarification from the individuals involved
 - i. Consider whether to admit any new evidence, where applicable.
 - j. See paragraph 12 of this Policy on the statutory right of accompaniment, which applies to appeal hearings
- 29.** Following an appeal hearing, the appeal may be:
- a. Upheld in full or in part, with an appropriate remedy
 - b. or uphold the decision to terminate training, with no change to any decision or action

- 30.** Before reaching a decision, the panel may need to obtain legal or other professional advice. They will normally communicate their decision and its rationale in writing, within ten working days. If they are unable to do so, they will give reasons why not and the date by which a decision is expected.
- 31.** Attendance at each meeting of the panel, issues discussed, and recommendations will be recorded in writing. The Clerk to BMAT keeps a record of appeal hearings, in line with data protection legislation and the BMAT Data Protection Policy.
- 32.** The outcome of the appeal hearing will be final in respect of internal procedures
- 33.** Referral to the Office of the Independent Adjudicator - Should the appellant wish to take the matter further they may contact the Office for the Independent Adjudicator [Office of the Independent Adjudicator for Higher Education - OIAHE](#)

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APPENDIX A – STAGES OF IMPLEMENTATION

Should a trainee be identified as performing below the expected standard for their stage of training over a prolonged period of 2-4 weeks then the support systems below will be enacted.

1. Informal Support

- a. Increased support from Mentor
- b. Inform NELTA via weekly meeting
- c. **Decision Point:** Is the trainee making expected progress against the NELTA curriculum?
 - i. **Yes:** Continue training ☒
 - ii. **No:** Notify NELTA and move to the next step

2. NELTA Formally Notified

- a. NELTA LM observes to support next step decision
- b. **Decision Point:** Is the trainee making the expected progress against the NELTA curriculum?
 - i. **Yes:** Continue training ☒
 - ii. **No:** Initiate Support Plan

3. Support Plan Instigated

- a. Support plan initiated with LM, Mentor, and possibly PCM
- b. Plan (targets and success criteria) shared with all parties monitored each week
- c. NELTA and GM observations included
- d. Support plan recorded in trainee file
- e. Support plan review meeting scheduled two weeks after initiation with Mentor, Lead Mentor and PCM where possible
- f. **Decision Point:** Is the trainee making expected progress against the NELTA curriculum?
 - i. **Yes:** Continue training & inform all parties ☒
 - ii. **No:** Extend support plan

4. Extend Support Plan

- a. Support plan extended
- b. Weekly review with Mentor
- c. Lead Mentor to attend formal review meeting two weeks after extension date with mentor and PCM where possible
- d. **Decision Point:** Is the trainee making expected progress against the NELTA curriculum?
 - i. **Yes:** Continue training & inform all parties ☒
 - ii. **No:** Initiate Cause for Concern Plan

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APPENDIX A – STAGES OF IMPLEMENTATION Continued ..

5. Cause for Concern Plan

- a. Cause for concern plan launched (targets and success criteria)
- b. Formal observation including NELTA Director
- c. Trainee informed of possible outcomes (including potential training termination)
- d. Weekly review with mentor and PCM and Lead Mentor
- e. **Decision Point:** Is the trainee making expected progress against the NELTA curriculum?
 - i. **Yes:** Remove cause for concern & notify all parties ✓
 - ii. **No:** Proceed to Review Meeting

6. Review Meeting

- a. Final review meeting conducted (LM, Mentor, Director NELTA, Head of NELTA) review evidence for trainee concerned presented by Lead Mentor.
- b. Trainee invited to submit evidence 48 hours in advance of Review Meeting
- c. If trainee is not making expected progress, training is terminated
- d. Communication of training termination within 5 working days
- e. Trainee has the right to appeal should refer to the NELTA Appeals Policy

Trainee Teacher Fitness to Train to Teach

APPENDIX B – EXAMPLES OF DISCIPLINARY OFFENCES

Examples of behaviours which constitute the need to consider Fitness to Teach :

- Persistent bad time keeping
- Unauthorised absence
- Damage to the organisation's property
- Failure to observe the organisation's procedures
- Any act which has a negative impact on the reputation of the organisation
- Unreasonable or abusive behaviour
- Unreasonable refusal to follow an instruction issued by a manager or supervisor
- Poor attendance
- Smoking or use of an e-cigarette in non-designated areas of the organisation's premises
- Breaches of legislation.

Examples of behaviours or issues which constitute misconduct:

The following list is neither exclusive nor exhaustive and therefore does not preclude the possibility of dismissal for other offences of similar gravity. BMAT may arrive at a decision other than summary dismissal having regard to all the circumstances.

- Theft, fraud or embezzlement in relation to employment.
- Offences relating to Child Protection.
- Fighting and offences involving violence against others at work.
- Serious bullying or harassment.
- Serious insubordination.

- Serious breach of the DfE Teachers' Standards.
- Misuse of BMAT's property or name and/or bringing BMAT into serious disrepute.
- Serious incapability whilst on duty brought on by alcohol or drugs.
- Acting in an unprofessional manner on any BMAT premises or at any BMAT event.
- Deliberate acts of abuse, discrimination, bullying or harassment on a protected characteristic.
- Victimisation.
- Unauthorised access to, and use of, computer records and electronic data.
- Breach of the IT policies including accessing offensive or pornographic material and attempting to download material likely to damage BMAT IT systems.
- Being convicted of any criminal offence or any action likely to bring BMAT into disrepute.
- Malicious or vexatious claims of any nature.
- Unauthorised use or disclosure of confidential information, including via social media or leaving confidential information unsecured.
- Gross inefficiency or neglect of duty.
- Serious breach of health and safety issues.
- Serious negligence which causes or might cause unacceptable loss, damage or injury.
- Serious breach of confidence (subject to the Public Interest (Disclosure) Act 1998).
- Unauthorised removal of, or malicious damage to, the property of BMAT, of its employees or of persons in relation to whom BMAT and/or its employees are in a position of trust.
- Falsification of time records, travel, subsistence and expense claims in relation to his/her employment.
- Sexual offences and sexual misconduct whilst at work. Serious breaches of safety regulations endangering other persons, including deliberate damage to, neglect of, or inappropriate use of safety equipment