



National College for  
Teaching & Leadership

# **Reverend Robert West: Professional conduct panel outcome**

**Panel decision and reasons on behalf of the  
Secretary of State for Education**

**May 2015**

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## **Professional conduct panel decision and recommendations, and decision on behalf of the Secretary of State**

<b>Teacher:</b>	Reverend Robert West
<b>Teacher ref no:</b>	9020857
<b>Teacher date of birth:</b>	11 October 1955
<b>NCTL case ref no:</b>	10951
<b>Date of determination:</b>	1 May 2015
<b>Former employer:</b>	Walton Girls' High School and Sixth Form, Lincolnshire

### **A. Introduction**

A professional conduct Panel (“the panel”) of the National College for Teaching and Leadership (“the National College”) convened on 27 April to 1 May 2015 at 53-55 Butts Road, Earlsdon Park, Coventry CV1 3BH to consider the case of the Reverend Robert West.

The panel members were Mr Michael Lewis (teacher panellist – in the chair), Ms Jean Carter (lay panellist) and Dr Melvyn Kershaw (teacher panellist).

The legal adviser to the panel was Mr Stephen Murfitt of Blake Morgan Solicitors.

The presenting officer for the National College was Mr Andrew Colman of Counsel.

Reverend Robert West was present, and was represented by Mr Patrick Harrington of the Solidarity Trade Union.

The hearing took place in public and was recorded.

## B. Allegations

The panel considered the allegation(s) set out in the Notice of Proceedings, dated 29 July 2014.

It was alleged that Reverend Robert West was guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute in that, whilst working as a supply teacher of history at Walton Girls' High School and Sixth Form:

1. On 8 November 2013 he made inappropriate comments to students whilst teaching a history lesson in that:
  - a. He stated that he was "allergic to Mohammedans", or words to that effect,
  - b. When asked by a student whether there was anything wrong with being a Muslim he stated "yes because we are fighting them", or words to that effect.
2. On 14 November 2013 he made inappropriate comments to students whilst teaching a history lesson in that he stated:
  - a. "I assume you are all Christians", or words to that effect,
  - b. "Any Non-Christian God is demonic" or words to that effect,
  - c. "Muslims worship the devil", or words to that effect,
  - d. "Well there is one god and if not worshipping him, then you are worshipping the devil", or words to that effect;
3. During one of those two lessons he asked students to state their religion to the class and responded:
  - a. Positively, if a student stated that they were Christian,
  - b. Negatively, otherwise;
4. His comments as set out at paragraph 2 above caused two students to leave the lesson early;
5. He knew or ought to have known that his comments and behaviour as described in paragraph 1 to 3 above was capable of causing offence to students;
6. His conduct as described at paragraph 1 to 3 above demonstrates:
  - a. Intolerance for the faith and belief of others;
  - b. Lack of respect for the faith and belief of others

Reverend Robert West denied all of the allegations.

## **C. Preliminary applications**

There were no preliminary applications. Three case management hearings took place namely on the 31 October 2014, 30 March 2015 and 20 April 2015.

## **D. Summary of evidence**

### **Documents**

In advance of the hearing, the panel received a bundle of documents which included:

1. Section 1 Chronology and Anonymised Pupil List.
2. Section 2 Notice of Proceedings and Response.
3. Section 3 National College for Teaching and Leadership Witness Statements.
4. Section 4 National College for Teaching and Leadership Documents.
5. Section 5 Teacher Documents.

The panel members confirmed that they had read all of the documents in advance of the hearing.

### **Witnesses**

The panel heard oral evidence from the following witnesses:

- Pupil A by video
- Pupil B by video
- Pupil C by video
- Pupil F by video
- Witness A - principal
- Witness B – assistant principal
- Witness C – human resources officer
- Witness D – director of sixth form
- Witness E – sixth form mentor
- Witness F – religious studies teacher
- Witness G – assistant principal
- Reverend Robert West

The presenting officer relied on the hearsay evidence of Pupil D.

## **E. Decision and reasons**

The panel announced its decision and reasons as follows:

The panel has carefully considered the case before it and has reached a decision.

Reverend Robert West joined Walton Girls' High School and Sixth Form in October 2013 to teach history and to cover for a teacher who was on maternity leave. The Senior Leadership Team became aware of student complaints arising from Reverend West's A-Level history lesson delivered on 8 November 2013. During Reverend West's history lesson on 14 November 2013 there were further student complaints which led to two students leaving the lesson early. Witness A, the school principal, saw Reverend Robert West on 14 November 2013, and a decision was taken by the school to terminate Reverend West's contract as from that day.

### **Findings of fact**

The findings of fact of the panel are as follows:

This case concerns two history lessons delivered by Reverend West on 8 and 14 November 2013 to a year 12 group of female students. The class consisted of approximately 13 students who were studying for their AS history. The Reverend West was a supply teacher and he was standing in for a teacher who was on maternity leave.

The students sat in a horseshoe and Reverend West placed himself in the middle of the horseshoe. The allegations against Reverend West concern, in part, statements that he is alleged to have made to the students during both classes.

The panel considers it of importance to state clearly at the outset of the decision their approach to the determination of this case. The panel has to determine the factual allegations set out in the Notice of Proceedings dated 29 July 2014, and in the event that factual allegations are proved, to go on and consider whether those proven allegations amount to unacceptable professional conduct, and/or conduct that may bring the profession into disrepute. This case is not about the political or personal religious views of Reverend West or his right to hold them nor the right to academic freedom. Such matters are of considerable importance to Reverend West, and to many others, but the panel has only been concerned with a consideration of those allegations set out in the Notice of Proceedings. The panel is only concerned with what happened at the school in November 2013.

The hearing bundle, agreed between the parties, unfortunately contained documents which had no relevance as to the determination of the allegations set out in the Notice of Proceedings. By way of example the papers relating to the investigation process of Reverend West by the National College were included in the hearing bundle. The papers included an allegation concerning the membership of Reverend West of the British

National Party (BNP). That allegation was not pursued by the National College and forms no part of the allegations set out in the Notice of Proceedings. The panel makes clear that in considering the allegations before them they have put out of their minds completely any documents which they may have seen, and which have no relevance to their determination of the allegations in the Notice of Proceedings. As part of its determination the panel has not considered any material on the internet to which reference has been made during the course of the hearing.

Reverend West delivered a lesson on 8 November 2013 and following student complaints he was seen by Witness B, the assistant principal of the school. Witness B told the panel in evidence that she spoke to Reverend West to remind him that the school was one where the richness of diversity was embraced, and that it was important that he did not express personal opinions in the course of his teaching. Having received explanation and assurance from Reverend West, the school was content for Reverend West to continue teaching, and he taught a further lesson to the same class on 14 November 2013.

The first task of the panel was to determine whether the statements attributed to Reverend West in allegations 1, 2 and 3 in the Notice of Proceedings were in fact stated by him during the lessons. At the beginning of the hearing Reverend West denied all of the allegations. The panel heard evidence from twelve witnesses.

The subject matter of both history lessons was the Crusades. Reverend West made clear in his evidence that in teaching those lessons it was important to understand the connection between the religious beliefs of the parties involved in the Crusades and how that affected the causes of conflict. Reverend West stated that in making this connection any comments made by him to his students during both classes were part of role play; he played the roles of those parties engaged in the Crusades.

A number of pupils (A, B, C and F for example) gave evidence that they considered the comments set out in allegations 1 and 2 attributed to Reverend West were made and in their judgement represented his personal views; this caused some of the members of the class to be upset and angry. Pupil B gave evidence to the panel that in her view if a teacher wanted to go into role play then it was essential to explain to make clear to the class that this was what was happening. Pupil B was clear that Reverend West had given no such notice and that his statements were a personal view.

The panel heard evidence from some witnesses who considered the comments set out in allegations 1 and 2 attributed to Reverend West to be comments about faith disputes in modern day society. Pupil F, called by Reverend West, gave evidence that the use by Reverend West of the historic present tense caused her to conclude that the comments by Reverend West were his personal comments concerning modern day conflicts, as well as those in the Crusades, and were therefore inappropriate. Witness A, the principal, gave evidence that following the school investigation her interpretation of the statements made by Reverend West were that they were capable of being understood as comments

about modern day conflicts as well as about the Crusades. In her view this was inappropriate and showed intolerance in the classroom setting.

Before considering each allegation in turn the panel considered that in view of the divergence of views expressed above, it would be helpful to set out the panel's views as to the credibility of the witnesses. Pupils A, B and F gave oral evidence by video; Pupil C gave evidence by video, but did not complete her oral evidence. These witnesses were important because they had been present in the classroom and were therefore well placed to give evidence about what was said by Reverend West and their reaction. The panel found the pupil witnesses articulate in their views and considered them to be impressive, honest and credible witnesses. The panel found each of the members of the school staff who gave evidence to be similarly honest and credible witnesses. Some members of the school staff were helpful because they dealt with aspects of the evidence that were of greater relevance to the determination of the particulars of the allegations; in particular Witness A, Witness C, Witness F and Witness G.

The panel found Reverend West had some difficulty in giving clear focussed answers to the questions. Reverend West gave long answers, often citing complex historical facts and religious creeds when a much shorter precise answer was called for. In his examination, both by his own representative and the panel, Reverend West did demonstrate some insight during the final re-examination by his representative, accepting that he had 'messed up' and had acted inappropriately. Where there was conflict between what was said by the pupils who gave oral evidence to the panel, and what was said by Reverend West, then the panel preferred the evidence of the relevant pupils. The pupil evidence both in terms of their witness statements and their oral evidence was consistent and compelling.

The panel then considered each allegation of the Notice of Proceedings. Allegation 1: the panel first considered whether the words attributed to Reverend West had been said.

**1 (a). Reverend West stated that he was "allergic to Mohammedans" or words to that effect.**

Pupil A and Pupil B gave oral evidence that Reverend West had said in class that he was 'allergic to Mohammendans'. The principal, Witness A, gave evidence that Reverend West admitted to her that he had used those words.

Reverend West in his investigation interview at the school on 12 November 2013 was asked 'did you say you were allergic to Mohammedans under your breath?' Reverend West replied 'yes - was a throw away remark'. In his witness statement dated 20 April 2014 Reverend West stated 'I did say some form of words similar to this although to the best of my recollection I referred to Mohammedanism rather than Mohammedans and I cannot now recall whether I said we or I'.



The school investigation report at page 67 of the hearing bundle confirmed 'Mr West admits saying he was allergic to Mohammedans .... Mr West states that he used the phrase under his breath'. Finally, in evidence before the panel, Reverend West admitted using those words in the class.

Accordingly the panel finds particular 1a proved.

**1.b On 8 November 2013, when asked by a student if there was anything wrong with being a Muslim, Reverend West stated "yes, because we are fighting them" or words to that effect.**

Pupil B gave oral evidence that she had asked Reverend West whether there was anything wrong in being a Muslim and he had responded 'yes because we are still fighting them'.

Reverend West in his investigation interview at the school was asked 'A student claims the girls asked you if there was anything wrong with Muslims to which you responded Yes, because we're fighting them'. His answer was 'yes-but stated this in reference to history and the contents of the topic in class ie 'we' being 'Christians', fighting them'. At paragraph 11 of his witness statement dated 20 April 2014 Reverend West admitted saying to the class 'yes because we are fighting them' or words to that effect. Finally, in evidence before the panel, Reverend West admitted using those words in class.

Accordingly the panel finds particular 1b proved.

**1.On 8 November 2013 Reverend West made inappropriate comments to students whilst teaching a history lesson**

Reverend West's case, in part, was that the words in question were used exclusively in the context of role play and needed to be understood as such. Whether or not this is the case the result of his teaching confused and angered a number of his students. A teacher has an absolute obligation to manage pupil learning effectively. In this case by his selection of the language used as set out above and by allowing the situation to arise in which his personal religious views were intruding into his teaching or appearing to do so and by failing to make clear beyond doubt that he was adopting role play he behaved inappropriately.

The panel finds allegation 1 proved.

Allegation 2: the panel first considered whether the words attributed to Reverend West had been said.

**2.a On 14 November 2013, he stated "I assume you are all Christians" or words to that effect.**

Pupil A gave oral evidence that Reverend West had stated in the classroom 'I am assuming you are all Christians'.

At paragraph 14 of Reverend West's witness statement he states I did say something like 'I assume you are all Christians'. In his evidence before the panel Reverend West admitted using the words 'I assume you are all Christians' in his class.

Accordingly the panel finds by reference to Reverend West's own admittance that particular 2a is proved.

**2.b On 14 November 2013, he stated "Any Non-Christian God is demonic" or words to that effect.**

At paragraph 15 of Reverend West's witness statement he states I did say that 'any non – Christian God is demonic'. In his evidence before the panel Reverend West admitted using those words in his history lesson.

Accordingly the panel finds by reference to Reverend West's own admittance that particular 2b is proved.

**2.c On 14 November 2013 he stated "Muslims worship the devil" or words to that effect.**

Pupil C and Pupil D gave evidence that Reverend West had used the words 'Muslims worship the devil' when he addressed the class. Witness A gave evidence that Reverend West had admitted to her that he had used those words in the classroom.

At paragraph 16 of Reverend West's witness statement he said 'I did say Muslims worship the devil or words to that effect'. In his evidence before the panel Reverend West admitted using these words in his history lesson.

Accordingly the panel finds by reference to Reverend West's own admittance that particular 2c is proved.

**2.d On 14 November 2013 he stated "Well there is one God, and if you are not worshipping him then you are worshipping the devil" or words to that effect.**

Pupil B gave oral evidence that Reverend West had stated during the lesson 'well there is one God, and if you are not worshipping him then you are worshipping the devil'.

At paragraph 17 of Reverend West's witness statement he states 'I did say 'well, there's one God, and if you're not worshipping him, then you're worshipping the devil' or some similar form of words'. In his evidence before the panel Reverend West admitted using those words in his history lesson.

Accordingly the panel finds by reference to Reverend West's own admittance that particular 2d is proved.

**2. On 14 November 2013 he made inappropriate comments to students whilst teaching a history lesson.**

Reverend West's case, in part, was that the words in question were used exclusively in the context of role play and needed to be understood as such. Whether or not this is the case the result of his teaching confused and angered a number of his students. A teacher has an absolute obligation to manage pupil learning effectively. In this case by his selection of the language used as set out above and by allowing the situation to arise in which his personal religious views were intruding into his teaching or appearing to do so and by failing to make clear beyond doubt that he was adopting role play he behaved inappropriately.

The panel finds allegation 2 proved.

**3.a During one of the two lessons he asked students to state their religion to the class and responded positively if a student stated that they were Christian.**

At paragraph 12 of Reverend West's witness statement he comments that his 'purpose was to identify obstacles to achieving empathy and enrich the lesson. I would agree that I welcomed any student indicating that they had a Faith background as I thought this would help them contribute to the class'.

Pupil A gave oral evidence that Reverend West's tone was 'matter of fact' and he was serious. Pupil D did not give oral evidence and her witness statement records that when a pupil responded that they were a Christian, Reverend West responded 'good'. In his letter to the National College dated 3 January 2014 (page 92) Reverend West stated 'yes I commended them with the word 'good' for disclosing their religious affiliation in a course about religious relations'.

The panel is not satisfied on the balance of probabilities that Reverend West systematically responded positively when students stated that they were Christian. Accordingly the panel does not find particular 3a proved.

**3.b During one of those two lessons he asked students to state their religion to the class and responded negatively if they stated otherwise.**

Pupil B gave evidence to the panel that when Reverend West asked the pupils as to their religion Pupil E responded that she was an atheist. The panel would have found it helpful to have received evidence from Pupil E in written or oral form. Pupil B gave evidence that Reverend West responded 'oh we'll have to work on you'. Pupil C gave evidence that Reverend West had responded 'may as well be a Muslim and worship the devil'.

In evidence Reverend West admitting saying in evidence 'oh we'll have to work on you' to Pupil E. Reverend West gave an explanation that an atheist would have an additional barrier to emphatic understanding. In his witness statement Reverend West stated that this was no indication of intolerance or lack of respect for the faith and belief of others.

The panel finds that Reverend West made the comment in question and also determines that the response 'oh we will have to work on you ' was a negative response.

The panel accordingly finds particular 3b proved.

**4. His comments as set out at paragraph 2 caused two students to leave the lesson early.**

At paragraph 29 of Reverend West's witness statement he states 'two students left the class immediately after the discussion of RS', and it is common ground that two students did leave the classroom before the end of the lesson. Mr Harrington on behalf of Reverend West submitted that in order to find allegation 4 proved the panel had to determine that the students departed early from the lesson because of the particulars set out in allegation 2 of the allegations.

The two students who left the lesson early were Pupils B and C. Pupil B in her witness statement said she left the lesson because she did not want to hear Reverend West teach in a biased manner: 'He was telling us that everything we had learnt in our RS lessons was lies and was incorrect'. Pupil C in her witness statement states she left the lesson early because Reverend West had been teaching about topics which were not relevant to the lesson.

The panel heard considerable evidence as to the contribution made by the pupils' religious studies teacher and the high regard the pupils had for her teaching. The panel is satisfied that some of the pupils were upset as to the challenge made by Reverend West when he made reference to the pupils failing their RS examinations because what they had been taught was 'wrong' and was a lot of 'rubbish'. The panel is also mindful that a number of issues from the first lesson had not been resolved and may have been a factor as to why the pupils left the classroom early.

The panel is therefore not satisfied that the particulars set out in allegation 2 solely caused the two students to leave the lesson early. The panel accepts the submission made by Mr Harrington that there were other reasons why the two pupils left the class including their loyalty towards their RS teacher.

Accordingly the panel does not find allegation 4 proved.

**5. He knew or ought to have known that his comments and behaviour as described in paragraph 1 to 3 above was capable of causing offence to students.**

Pupil B gave evidence that she found the comments of Reverend West 'upsetting' and she was 'angry' with Reverend West because he was discriminatory about different religions and people, and would not accept that people are allowed to have different opinions. Pupil A gave evidence that 'people in the classroom were angry about Mr West's comments'. The panel is satisfied that the effect of what Reverend West said and

how he behaved offended a number of pupils. Furthermore the panel note that Reverend West's comments caused two pupils to leave the second lesson early.

Reverend West is a teacher of some considerable experience as established from his CV within the hearing bundle. Reverend West has taught in a number of educational settings. The panel is satisfied that with his background and experience Reverend West should have understood and appreciated that he was in sensitive territory with his approach to the lesson he was teaching. This is even more the case for the lesson on 14 November in the light of the advice he was given by senior staff at the school following the complaints about the lesson on 8 November. The panel notes that prior to teaching the lesson on the 14 November Reverend West gave specific assurances. Furthermore, the panel notes that in answer to a question from his representative, Reverend West admitted he had 'messed up' in his approach to the lessons. Bearing these considerations in mind, the panel finds that Reverend West ought to have known that his comments and behaviour were capable of causing offence.

Mr Harrington has argued that charge 5 is in breach of The Human Rights Act 1998 and the European Convention on Human Rights. When he was asked to expand on his submission Mr Harrington made reference to Freedom of Expression. The panel received legal advice that Article 10 of the Convention provided for freedom of expression and that right 'shall include freedom to hold opinion and to receive and impart information and ideas without interference by public authority and regardless of frontiers'. The exercise of such freedom 'may be subject to such formalities, conditions, restrictions or penalties as are prescribed by law'.

The panel accepts the advice of the legal adviser that Article 10 is applicable and therefore the issues are whether any interference is legitimate and proportionate. Article 10 has to be considered by reference to the formalities and conditions imposed upon members of the teaching profession. The Teachers' Standards published by the Department of Education requires teachers to treat pupils with dignity and by building relationships rooted in mutual respect. The task of the regulatory body is not to determine what an individual can or cannot do in all aspects of their life, they are only determining the conduct of a teacher by reference to Teachers' Standards.

Accordingly the panel finds allegation 5 proved.

**6a. and b. His conduct as described at paragraph 1 to 3 above demonstrates intolerance for the faith and belief of others and a lack of respect for the faith and belief of others.**

The panel finds that Reverend West, on the balance of probabilities, in expressing the comments set out in allegations 1 and 2, was not in role. The panel is assisted in coming to that determination by a consideration of what Reverend West stated in the meetings on the 12 and 14 November 2013. The meetings were at the time the complaints were first raised, and Reverend West at the time of the school investigation did not suggest to

the senior staff at the school that when he made the relevant comments he was in a particular role. The panel concludes that Reverend West allowed personal views alluding to the modern world to interfere with his teaching of the Crusades. The panel is in no doubt as to the impact upon the pupils who believed they were hearing intolerant and disrespectful opinions as found proved in allegations 1 and 2. The panel is also aware of the impact of the negative comment found proved at allegation 3b.

Pupil B asked Reverend West whether he was saying that everything that she had learnt in RS was wrong 'and whether it was in his opinion or in general'. Pupil B states that Reverend West responded by saying 'it's my opinion and it is true and you should go and ask your teacher about it'. Reverend West maintained that everything they had been taught in RS was 'wrong' and 'rubbish'.

In his email to Witness A on 9 December 2013 Reverend West was scathing in his criticism of the complaint as to his teaching on a religious war. He stated:

*I am not going to bow down to their racist bullying: I am not going to programme my students with utter trash about Mohammedanism – a religion whose textbook, the Koran, has been **burnt for atrocities against humanity**. I am not going to pretend that people really did not fight, and kill, over religion, when they did, and still do.*

*... It is about time that YOU put the teacher back in charge and got off your high horse about the programmed little 16 year olds who are there to learn, and not to lead. I am the educated man who was chosen by you to lead and to teach! That is what I have done according to contract. I do not need you to imply that my sixteen year olds know more than me! ... I am not prepared to teach trash to satisfy politically correct criteria set in the Education Department who are trying to give the false impression in a multi faith (multi conflict) society that the history of religion has been one long saunter written by WALT DISNEY with foxes dancing and singing with chickens instead of eating them!*

The panel has already referred to the credibility of the pupil evidence. The actions of Reverend West clearly had a profound effect upon the pupils which was caused by his lack of tolerance and respect for their views. Pupil B told the panel that there was an 'atmosphere' in the room when some of the pupils attempted to advance views, but not in a way disrespectful to Reverend West. His response according to Pupil B was 'whenever we tried to explain the reasoning for our views or said anything Mr West would just laugh at us'.

Therefore the panel finds that Reverend West's conduct in the classroom has demonstrated intolerance and lack of respect.

Accordingly the panel finds allegation 6 proved.

The panel finds allegations 1a, 1b, 2a, 2b, 2c, 2d, 3b, 5, 6a and 6b proved. The panel does not find allegations 3a and 4 proved.

## **Findings as to unacceptable professional conduct and/or conduct that may bring the profession into disrepute**

The panel is satisfied that the conduct of Reverend West in relation to the facts found proved, involved breaches of the Teachers' Standards. The panel considers that by reference to Part Two, Reverend West is in breach of the following standards:

- A teacher is expected to demonstrate consistently high standards of personal and professional conduct.
- Teachers uphold public trust in the profession and maintain high standards of ethics and behaviour.
- Treating pupils with dignity, building relationships rooted in mutual respect, and at all times observing proper boundaries appropriate to a teacher's professional position.
- Showing tolerance of and respect for the rights of others and in particular for different faiths and beliefs.

The panel is satisfied that the conduct of Reverend West fell short of the standards expected of the profession. Accordingly the panel is satisfied that Reverend West is guilty of unacceptable professional conduct and conduct that may bring the profession into disrepute. The conduct of Reverend West could damage the public's perception of the teaching profession.

## **Panel's recommendation to the Secretary of State**

The panel has made factual findings in relation to the allegations contained in the Notice of Proceedings and it is necessary for the panel to consider whether it would be appropriate to recommend the imposition of a prohibition order by the Secretary of State.

In considering whether to recommend to the Secretary of State that a prohibition order should be made, the panel has to consider whether it is a proportionate measure and if it is in the public interest to do so. Prohibition orders should not be given in order to be punitive, or to show that blame has been apportioned, although they may have a punitive effect.

The panel has considered the public interest, and in particular:

- The protection of children;
- The maintenance of public confidence in the profession;
- Declaring and upholding proper standards of conduct.

The panel has considered the advice on teacher misconduct in relation to the prohibition of teachers, and has concluded that the following are relevant:

- Serious departure from the personal and professional conduct elements of the latest Teachers' Standards, as published by, or on behalf of, the Secretary of State.
- Actions or behaviours that failed to show mutual respect and tolerance of those with different faiths and beliefs.
- A deep-seated attitude that leads to harmful behaviour.

The panel has found that the allegations against Reverend West involved acts of breach of trust, which affect the reputation of the teaching profession. The panel considers that public confidence in the profession could be weakened if such conduct, as the panel has found proved, was not treated with seriousness when regulating the conduct of the profession. The factual findings against Reverend West raise important public interest considerations in declaring proper standards of conduct for the teaching profession. Teachers are at all times role models and are expected to act with integrity, demonstrating impartiality and not allowing personal views and beliefs to intrude into their teaching.

Notwithstanding the public interest considerations that were present, the panel has to consider carefully whether or not it would be proportionate to impose a prohibition order. The panel has taken careful note of the written references handed in by Mr Harrington. Mr Harrington reminded the panel of the work pressures placed upon Reverend West at the school at the relevant time, and the emotional difficulties relating to his elderly mother. Mr Harrington suggested that the risk of repetition was unlikely and that Reverend West needed a period of reflection; a period of two years being an appropriate period. Mr Harrington referred the panel to the case of *Handyside v The United Kingdom* handed down in Strasbourg on 7 December 1976, and sections 2 and 3 of the Human Rights Act.

In carrying out the balancing exercise the panel has decided that the public interest considerations outweigh the interests of Reverend West. Accordingly a consideration of the public interest requires the panel to make a recommendation to the Secretary of State that a prohibition order should be imposed with immediate effect.

The panel has considered whether or not it would be appropriate to recommend a review period of the order. The panel has been mindful that the advice given is that a prohibition order applies for life, but there may be circumstances in any given case that may make it appropriate for a review period of not less than two years to be recommended in order for the teacher to apply to set aside the order. The panel has determined that Reverend West may have a future contribution to make to the teaching profession depending on whether Reverend West can demonstrate an adherence to the personal and professional conduct elements of the Teachers' Standards, and in particular his ability to demonstrate a rigorous separation between his classroom practice and any personal religious or political views he may hold.



Reverend West is a teacher with many years' experience and he was previously of good character in his capacity as a teacher. During the course of the hearing Reverend West did begin to show a limited insight as to his proven conduct. The public interest is paramount to the consideration of a review balanced against a need to be proportionate. Taking all these matters into account the panel recommends that Reverend West should be given the opportunity to make application for a review following the expiration of three years.

## **Decision and reasons on behalf of the Secretary of State**

I have given very careful consideration to this case and to the recommendations made by the panel both in respect of sanction and review.

I have noted that the panel did not find allegations 3a and 4 proven and so I have not taken any account of those allegations when making my decision.

The panel has found that in the facts found proven, the conduct of Reverend West is in breach of the following standards:

- A teacher is expected to demonstrate consistently high standards of personal and professional conduct.
- Teachers uphold public trust in the profession and maintain high standards of ethics and behaviour.
- Treating pupils with dignity, building relationships rooted in mutual respect, and at all times observing proper boundaries appropriate to a teacher's professional position.
- Showing tolerance of and respect for the rights of others and in particular for different faiths and beliefs.

Accordingly the conduct of Reverend West fell short of the standards expected of the profession. This means that Reverend West is guilty of unacceptable professional conduct and conduct that may bring the profession into disrepute. The panel also found that the conduct of Reverend West could damage the public's perception of the teaching profession.

I have taken into account that the panel considered the advice on teacher misconduct in relation to the prohibition of teachers, and concluded that the following are relevant:

- Serious departure from the personal and professional conduct elements of the latest Teachers' Standards, as published by, or on behalf of, the Secretary of State.
- Actions or behaviours that failed to show mutual respect and tolerance of those with different faiths and beliefs.

- A deep-seated attitude that leads to harmful behaviour.

The proven conduct by Reverend West involved acts of breach of trust, which affect the reputation of the teaching profession.

In my view the factual findings made by the panel against Reverend West raise important public interest considerations in declaring proper standards of conduct for the teaching profession. Teachers are at all times role models and are expected to act with integrity, demonstrating impartiality and not allowing personal views and beliefs to intrude into their teaching.

I have balanced the interests of the public with the interest of Reverend West. I have also taken into account the need to be proportionate. On balance it is my view that Reverend West should be prohibited from teaching.

I have gone on to consider the recommendations of the panel in respect of a review period. I have similarly taken into account the need to take the public interest and the interest of Reverend West into account and the need to act in a proportionate way. The panel has recommended a review period of 3 years and for the reasons given I support that recommendation.

**This means that Reverend Robert West is prohibited from teaching indefinitely and cannot teach in any school, sixth form college, relevant youth accommodation or children's home in England.** He may apply for the prohibition order to be set aside, but not until 12 May 2018, 3 years from the date of this order at the earliest. This is not an automatic right to have the prohibition order removed. If he does apply, a panel will meet to consider whether the prohibition order should be set aside. Without a successful application, Reverend Robert West remains prohibited from teaching indefinitely.

This order takes effect from the date on which it is served on the teacher.

Reverend Robert West has a right of appeal to the Queen's Bench Division of the High Court within 28 days from the date he is given notice of this order.

**NAME OF DECISION MAKER: Alan Meyrick**



**Date: 5 May 2015**

This decision is taken by the decision maker named above on behalf of the Secretary of State.