



National College for
Teaching & Leadership

Mr John Poole: Professional conduct panel outcome

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

10 September 2015

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

Teacher:	Mr John Poole
Teacher ref no:	7156622
Teacher date of birth:	28 August 1945
NCTL case ref no:	13284
Date of determination:	10 September 2015
Former employer:	St Aidan's Church of England Technology College, Poulton le Fylde

A. Introduction

A professional conduct panel ("the panel") of the National College for Teaching and Leadership ("the National College") convened in private meeting on 10 September 2015 at 53-55 Butts Road, Earlsdon Park, Coventry CV1 3BH to consider the case of Mr John Poole.

The panel members were Tony Woodward (teacher panellist – in the chair), Alison Walsh (teacher panellist) and Tony Heath (lay panellist).

The legal adviser to the panel was Mr Robin Havard of Blake Morgan LLP Solicitors, Cardiff.

The meeting took place in private and the announced decision was recorded.

B. Allegations

The panel considered the allegations set out in the notice of meeting dated 7 September 2015.

It was alleged that Mr Poole was guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute in that, whilst employed at St Aidan's Church of England Technology College, Poulton le Fylde ("the School") he:-

1. Exchanged personal mobile numbers with a vulnerable ex pupil, Pupil A, whom he had mentored when she was in Year 11;
2. Arranged to meet her at coffee shops in the Lancashire area;

3. Kissed her on the occasion of his last meeting with her; and
4. In doing 1 to 3 above, his behaviour was sexually motivated.

Mr Poole admitted the facts and admitted that such facts amounted to unacceptable professional conduct and conduct that may bring the profession into disrepute.

Mr Poole had requested that the allegations be considered without a hearing.

C. Summary of evidence

Documents

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

Section 1	Chronology, Anonymised Pupil List and List of Key People	Page 4 - 6.
Section 2	Notice of Referral, Response and Notice of Meeting	Pages 8 – 12b.
Section 3	Statement of Agreed Facts and Presenting Officer representations.	Pages 14 – 18.
Section 4	NCTL Documents	Pages 19 – 43.
Section 5	Teacher documents	Pages 44 – 49.

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

D. Decision and reasons

The panel announced its decision and reasons as follows:-

We have now carefully considered the case before us and have reached a decision.

Brief Summary

Mr Poole was born on 28 August 1945. Having retired from a full-time teaching role, he was employed to provide careers advice and mentoring at St Aidan's Church of England Technology College.

Pupil A was a student at the School and was known to be very vulnerable as a result of a difficult home life.

Whilst mentoring Pupil A, Mr Poole allowed the relationship to develop at a personal level, meeting with her for coffee and providing her with his personal mobile telephone number.

The relationship developed and, on the last occasion they met, Mr Poole made attempts to hold Pupil A's hand and also kissed her.

Findings of fact

Our findings of fact are as follows:-

We have found the following particulars of the allegation against Mr Poole proven, for these reasons:-

Whilst employed by Lancashire County Council and assigned to St Aidan's Church of England Technology College, Poulton le Fylde, you:-

1. Exchanged personal mobile numbers with a vulnerable ex pupil, Pupil A, whom you had mentored when she was in Year 11;
2. Arranged to meet her at coffee shops in the Lancashire area;
3. Kissed her on the occasion of your last meeting with her;

Our reason for finding the allegation and particulars 1 to 3 above proved was on the basis that they were admitted by Mr Poole. We had also read the Statement of Agreed Facts which was consistent with the other evidence in the case papers to include the account provided by Pupil A.

4. In doing 1 to 3 above, your behaviour was sexually motivated.

The reason for finding this particular proved was based on the admissions made by Mr Poole and the fact that such an admission was included in the Agreed Statement of Facts. However, in its judgment, the panel was not satisfied that, when Mr Poole and Pupil A exchanged personal mobile numbers, this was sexually motivated on the part of Mr Poole but was satisfied that the facts particularised at paragraphs 2 and 3 above were sexually motivated.

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

The panel was satisfied that the allegation and particulars found proved represented misconduct of a serious nature, falling significantly short of the standard of behaviour expected of a teacher. Consequently, the panel found Mr Poole guilty of unacceptable professional conduct and of conduct that may bring the profession into disrepute.

This case concerned behaviour by Mr Poole which was wholly inappropriate and which continued over a number of months.

In acting in the way that he did, Mr Poole had failed:

1. To demonstrate consistently high standards of personal and professional conduct;
2. To observe proper boundaries appropriate to his position as a teacher; and
3. To have regard for the need to safeguard Pupil A's wellbeing particularly bearing in mind the vulnerability of Pupil A.

Panel's recommendation to the Secretary of State

The panel considered very carefully the submissions put forward by Mr Poole in his statement. It accepted that, when this conduct took place, Mr Poole had been experiencing great difficulty and anxiety in his personal life.

It also took into account that, other than the events relating to Pupil A, there was no evidence to suggest that Mr Poole was a person other than of previous good character.

To that extent, the panel considered that this amounted to a sad case.

In reaching its decision on what to recommend, the panel also had in mind that it had found that, when he exchanged mobile numbers with Pupil A, it was with the aim of providing support to Pupil A. However, it was of concern that, over time, Mr Poole had allowed the relationship to develop in an inappropriate way and, despite knowing that, he had failed to bring it to a halt.

The panel took full account of the fact that Mr Poole recognised the inappropriateness of his conduct. The panel was also prepared to accept that his admissions, his immediate resignation, the concern expressed for both the welfare of Pupil A and the reputation of the school, and his acceptance that his conduct amounted to a gross lapse of judgment represented an appropriate level of insight and remorse which was genuine.

Notwithstanding that, and as accepted by Mr Poole, his conduct towards Pupil A, whom he knew to be vulnerable and a person who had experienced great difficulty in her home life, was completely unacceptable. It did indeed represent a gross lack of judgment.

The panel bore in mind its obligation to act in a way that protected the public interest. This included a responsibility to ensure that the welfare of children was protected, that public confidence in the profession was maintained, and that proper standards of conduct were upheld.

Mr Poole's actions amounted to a serious departure from the personal and professional conduct elements of the Teachers Standards. The panel had no doubt that his behaviour had put Pupil A at risk. Indeed, there was evidence to suggest that Pupil A had been

particularly, and adversely, affected by his conduct. The panel also concluded that his conduct had damaged the reputation of the profession. Teachers must behave as role models and it was critical that they observe proper boundaries with pupils at all times.

The panel concluded that the proportionate and appropriate outcome was for it to recommend to the Secretary of State that a prohibition order should be imposed. Mr Poole had admitted, and the panel had found, that his behaviour was sexually motivated. Whilst the sexual conduct did not fall into the most severe of categories, any such finding was always very serious.

The panel went on to consider whether Mr Poole should be permitted to apply for the prohibition order to be set aside after a certain period.

On balance, the panel recommended that, taking account of the nature and seriousness of the conduct giving rise to the allegations and on the basis of all of the circumstances and reasons outlined above, Mr Poole should be permitted to apply for the prohibition order to be set aside after a period of 2 years has elapsed.

The panel concluded that this length of time was sufficient to mark to the general public and the profession that such behaviour was wholly unacceptable. It would also provide Mr Poole with a period of time to reflect further on the nature of his conduct.

Decision and reasons on behalf of the Secretary of State

I have given very careful consideration to this case and to the recommendation made by the panel regarding both sanction and review.

This case concerns behaviour by Mr Poole which was wholly inappropriate and which continued over a number of months. In acting in the way that he did, Mr Poole failed:

To demonstrate consistently high standards of personal and professional conduct;

To observe proper boundaries appropriate to his position as a teacher; and

To have regard for the need to safeguard Pupil A's wellbeing particularly bearing in mind the vulnerability of Pupil A.

I have noted that the panel took into account that Mr Poole had admitted his misconduct and had shown some level of remorse. He was previously of good character. Nonetheless, the panel did find that his behaviour was sexually motivated. Whilst the sexual conduct did not fall into the most severe of categories, any such finding is always very serious.

I have considered carefully the panel recommendation that, taking account of the nature and seriousness of the conduct giving rise to the allegations and on the basis of all of the circumstances and reasons outlined, Mr Poole should be permitted to apply for the prohibition order to be set aside after a period of 2 years has elapsed.

The panel, in making this recommendation has concluded that this length of time is sufficient to mark to the general public and the profession that such behaviour was wholly unacceptable. It would also provide Mr Poole with a period of time to reflect further on the nature of his conduct.

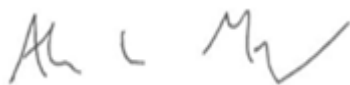
I support that recommendation. The prohibition order is for life and only following a successful review would Mr Poole be able to teach again.

This means that Mr John Poole 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 18 September 2017, 2 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, Mr John Poole remains prohibited from teaching indefinitely.

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

Mr John Poole 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

A handwritten signature in grey ink, appearing to read 'Al Meyrick' with a checkmark at the end.

Date: 11 September 2015

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