THE TEACHING AGENCY

Decision of a Professional Conduct Panel and the Secretary of State

Teacher: Mr Liam Harron

Teacher date of birth:

TA Case ref no: 2898

Date of Determination: 11th January 2013

Former Employer: All Saints Catholic College, Huddersfield

A. Introduction

A Professional Conduct Panel (“the Panel”) of the Teaching Agency convened on 14th-19th September 2012, 29th-30th October 2012 and 10th-11th January 2013 at 53-55 Butts Road, Earlsdon Park, Coventry, CV1 3BH to consider the case of Mr Liam Harron.

The Panel members were Dr Roland Kitchen (Lay Panellist– in the Chair), Dr Lel Meleyal (Lay Panellist) and Mrs Fiona Tankard (Teacher Panellist) for the dates in September. Mr Andrew Potts (Lay Panellist) replaced Dr Roland Kitchen for all dates from 29th October 2012. Mrs Fiona Tankard became Chair of the panel from 29th October 2012 onwards.

The Legal Adviser to the Panel was Mr Nick Leale of Blake Lapthorn Solicitors.

The Presenting Officer for the Teaching Agency was Ms Sarah Knight of Bevan Brittan Solicitors.

Mr Liam Harron was present and represented by Mr Andrew Faux of Counsel.

The hearing took place in public, other than during the parts as described below when the hearing was conducted in private. The whole hearing was recorded.

B. Allegations

The Panel considered the allegations set out in the Notice of Proceedings dated 3rd November 2011.

It was alleged that Mr Liam Harron was guilty of unacceptable professional conduct, in that whilst employed as joint Head Teacher at All Saints Catholic College between 2004 and 2008, he:

1. Behaved inappropriately towards staff, for example:
   (b) Witness F between about April 2007 and August 2007.
2. Dealt inadequately with a pupil, Pupil A, who suspected that she was pregnant in that:

(a) He interviewed Pupil A on about 30 April 2007 and in June 2007 alone and/or in the presence of her Head of Year, Witness E, but without a female present.
(b) During interview, asked Pupil A inappropriate personal questions.
(c) He failed to provide appropriate care and guidance for Pupil A.

3. Failed to ensure that the School's finances were adequately managed, for example:

(b) The School's Governors were not sufficiently involved in budget preparation or monitoring.
(c) Between about 2006 and 2008 the School was not achieving its intended reduction of its budget deficit.
(d) Financial responsibility was not delegated to senior managers.
(e) There was inadequate communication with senior managers about the School's finances.
(f) A business manager or bursar was not recruited.

4. Gave misleading information to Governors regarding the School's financial situation, for example:

(a) During a meeting of the Finance and Premises Committee (FPC) on 13 December 2006, he indicated that the School's finances were "very healthy".
(b) During a meeting of the Full Governing Body on 24 January 2007, he informed the Governors that the financial situation of the School was "healthy".
(c) During a meeting of the FPC on 21 June 2007, he indicated that the School's finances were "very healthy".

At the start of the hearing Mr Harron made admissions in relation to factual particulars 1 (f), 3 (a)-(f) and 4 (a)-(c). Although these admissions were made, no admissions were made in relation to the stems of set of factual particulars 1, 2, 3 or 4. Mr Harron also made no admission in relation to the overriding allegation of unacceptable professional conduct.
C. **Summary of Evidence**

**Documents**

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

Section 1 – Anonymised pupil list – page 1  
Section 2 – Notice of Proceedings and Teacher's Response – pages 2-11  
Section 3 – Agreed facts and witness statements – pages 12-181  
Section 4 – Teaching Agency Documents – pages 182-986  
Section 5 – Teacher's Documents – pages 988-1119.

The Panel Members confirmed that they had read all of the documents in advance of the hearing.

**Brief summary of evidence given**

The following witnesses attended to give live evidence:

Witness A – Assistant Headteacher at All Saints Catholic College - evidence given in relation to receipt of numerous e-mails at all hours of the day and how this caused difficulties for staff. He also referred to the general atmosphere created by the school's SLT and how things had changed since leading personnel at the school had changed. He further described Mr Harron as undermining him and causing teachers to feel ill-prepared at meetings.

Witness B – Head of Learning Support at All Saints Catholic College - criticised Mr Harron's management style, particularly in relation to the use of unscheduled meetings.

Witness C – formerly Assistant Headteacher at All Saints Catholic College - criticised Mr Harron's lack of attention with regard to his achilles tendon injury. He also criticised timetabling, the blame culture created by senior personnel and Mr Harron's e-mail habits and expectations. He also felt humiliated concerning his treatment concerning a booked late summer holiday which resulted in a change of role, and his treatment on other occasions.

Witness D – formerly Assistant Headteacher at All Saints Catholic College - described his concerns concerning Mr Harron's management of finances. Detail of available money was never made clear. He further said that the approach to meetings was inconsistent and teachers were subtly and unsubtly criticised at meetings. Mr Harron was described as being vociferously critical of staff. He further stated that Mr Harron was quick to belittle people when he did not like something. Mr Harron's behaviour was described as unrelenting and like a control game. He also provided evidence in relation to the situation concerning Pupil A.

Witness E – formerly a teacher at All Saints Catholic College - described the blame culture and Mr Harron's approach to the annual Lourdes trip. He disputed that voluntary work distracted him too much from his school role and responsibilities. He
criticised Mr Harron's e-mail habits and expectations. He described Mr Harron as the 'daily dragon threat'. He confirmed all other matters referred to in his statement including relevant issues in relation to matters concerning Pupil A.

Pupil A – formerly a pupil at All Saints Catholic College - described events as per her statement, although with some uncertainty as to the dates/times of the relevant meetings.

Witness F – formerly Assistant Headteacher at All Saints Catholic College - provided evidence in relation to the management of her by Mr Harron and the circumstances surrounding the school's handling of Pupil A's pregnancy.

Witness G – Accountant and Audit Manager at Kirklees Council - provided evidence concerning the audit of the school's finances as conducted in December 2008.

Witness H – Governor and member of the Finance and Premises Committee of All Saints Catholic College – provided evidence in relation to relevant meetings of the school's Governing Body and Finance and Premises Committee.

Liam Harron – Headteacher at All Saints Catholic College, Huddersfield 2004-2008. Prior to the start of Mr Harron's evidence on 29th October 2012 Dr Kitchen was replaced as a panel member by Mr Andrew Potts by way of paragraph 4.3 of the Disciplinary Procedures. All parties, including Mr Faux, confirmed that they were content for the proceeding to continue with Mr Potts in Dr Kitchen's place on the panel and that there was no requirement to take another course in the interests of justice. Also prior to the start of Mr Harron's evidence, the Presenting Officer Ms Knight submitted a further statement in support of the Teaching Agency's case from Individual A. The admission of this document in evidence was not opposed and the statement became pages 1120-1121 of the Teaching Agency's bundle of documents. Ms Knight had also submitted her 'summary of evidence with reference to allegations' to Mr Faux as per the earlier direction of the panel. This document was provided to the panel in advance of any further evidence being heard. A transcript of the previous days of the hearing had also been made available to the panel. A significant part of the evidence of Witness D had not been included in the transcript: however this issue was resolved by 30th October, enabling all parties to have access to a full transcript of the previous days of the hearing as required. At the end of Mr Harron's evidence the statement of Individual B was submitted by Mr Faux to be added to the bundle of documents. This was not opposed and the document was accepted into evidence at pages 1122-1127.

Submissions followed from both representatives.

D. Decision and Reasons

The Panel announced its decisions and reasons as follows:

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

We confirm that we have read all the documents provided in the bundle in advance of the hearing and all other documents provided to us since the hearing began.
This case relates to a Headteacher who it is alleged treated a number of staff in an inappropriate way, as well as dealing with a pregnant pupil inappropriately and failing to manage the school's finances in an appropriate way, in relation to which he allegedly misled the school's governors.

Findings of fact

Our findings of fact are as follows:

1 (a)
We find this allegation proved. The decision to drop Witness E from the Lourdes trip we accept was Mr Harron's to make but the way in which Witness E was told was inappropriate and the way the matter was subsequently addressed was likewise inappropriate. Mr Harron also pressurised Witness E to step down from a management role without invoking any relevant governor policy. This was also inappropriate.

1(b)
We find this allegation proved. We accept the evidence given in relation to the incident on 21st June 2007 and specifically the comments made by Mr Harron to Witness F, which were highly inappropriate in the circumstances.

1(c)
We find this allegation proved. Witness D was treated inappropriately in SLT meetings. It was Mr Harron's responsibility to deal with Witness D appropriately and not become over-critical in the SLT setting, despite Witness D's apparently confident nature. It is also clear that there were inappropriately frequent changes to Witness D's roles and responsibilities which were inconsistent and did not follow required discussion with him.

1(d) & (e)
We find these allegations proved. It is clear that Mr Harron was upset that Witness C had not completed the expected results analysis; however Witness C had informed him he would be on holiday. Mr Harron's way of dealing with this issue was therefore inappropriate. There is also clear evidence presented from several witnesses that Mr Harron spoke to Witness C inappropriately in the relevant staff meeting. There may well have been an issue of importance to be raised but Mr Harron raised the relevant issue in an inappropriate manner. Mr Harron chose to criticise Witness C at an event marking his leaving the school.

1(f)
This allegation was admitted. We find this allegation proved. Sending the e-mails was inappropriate due to the fact that there was frequently a clear expectation that they would be read and acted upon before the school day began. We do accept that the number of such inappropriate e-mails reduced after concerns had been raised with Mr Harron.

1(g)
We find this allegation proved. Numerous staff were criticised at staff meetings to a wide extent and frequently. Staff felt publically humiliated. The frequency of criticisms
and number of people criticised in this forum was inappropriate. Mr Harron's behaviour went beyond robust management style.

2(a), (b) and (c)
We find these allegations proved. There clearly should have been a female present due to nature of the relevant conversations. It was inappropriate to conduct the discussions without a female present. Mr Harron then inappropriately asked Pupil A how she knew she was pregnant and who the father was. These were unnecessary and insensitive questions. He provided no appropriate care or guidance. No counselling was made available to Pupil A and she could only have then spoken to Individual B, which did not assist Pupil A in the circumstances that presented.

3(a)
This allegation was admitted. We find this allegation proved.

3(b)
This allegation was admitted. We find this allegation proved.

3(c)
This allegation was admitted. We find this allegation proved.

3(d)
We find this allegation not proved. We find that there is evidence that Mr Harron did delegate some financial responsibility to senior managers.

3(e)
We find this allegation proved. We base this finding on Witness G's report and the evidence of Individual C and Witness B that there was inadequate communication with senior managers in relation to the school's finances.

3(f)
This allegation was admitted. We find this allegation proved.

We find that the above amounts to a failure on Mr Harron's part to ensure that the school's finances were adequately managed. He had accepted responsibility for the school's finances and the matters found proved as outlined above are clear failures in financial management that must therefore lie with Mr Harron. The Financial Management Action Plan prepared by Witness G supports the contention that the above matters found proved amount to financial management failures on Mr Harron's part.

4(a)
This allegation was admitted. We find this allegation proved.

4(b)
This allegation was admitted. We find this allegation proved.

4(c)
This allegation was admitted. We find this allegation proved.
We find that although Mr Harron undoubtedly misled the Governors as admitted, he did not do this knowingly.

**Findings as to Unacceptable Professional Conduct**

We find Mr Harron guilty of unacceptable professional conduct. The proved facts, in our view, indicate misconduct of a serious nature and conduct that falls significantly short of the standard of behaviour expected of a teacher.

Complaints in relation to Mr Harron's management style with staff were numerous. There was clear and widespread discontent in relation to his approach. He wholly failed to develop effective and productive professional relationships with his colleagues. This demonstrates an inability to fulfil a key wider professional responsibility of being a Headteacher. As a leader Mr Harron had a critical role to play in supporting teachers in the school to meet their obligations and develop their practice. He clearly failed in this regard. He was undermining and insufficiently respectful, inclusive or fair. This extended into his management of finances and dealings with the Governing Body in relation to the financial issues facing the school.

Furthermore, in his dealings with Pupil A that form the subject of set of factual particulars 2, Mr Harron failed to use his professional expertise and judgement to do his best for Pupil A. He did not take all reasonable steps to ensure the wellbeing of Pupil A. He undermined her personally and failed to treat her with required dignity.

**Panel's Recommendation to the Secretary of State**

Despite finding that there were significant failures in Mr Harron's management style we recommend against the imposition of a Prohibition Order in this case.

Mr Harron is clearly an extremely hardworking and dedicated teacher who, we believe, genuinely intended to manage the school in an appropriate manner. In attempting to do so he made poor judgements. We are, however, satisfied that he was not motivated by improper or malicious considerations. He appears to have lacked insight and sensitivity into the impact of his management style but he was remorseful about his behaviour and in our view would be unlikely to repeat it.

His activity and numerous references since his suspension indicate that Mr Harron has a great deal to offer the teaching profession.

The above factors are both mitigation and public interest considerations against the recommendation of a Prohibition Order. In our view such a sanction in this case would be disproportionate and unnecessarily punitive in its effect. We do not believe such an Order is required in the public interest as it is not, in our view, required to protect children or the public, maintain public confidence in the profession or declare and uphold proper standards of conduct.

**Secretary of State’s Decision and Reasons**

I have given careful consideration to this case and to the recommendation of the panel.
Mr Harron has been found guilty of unacceptable professional conduct over a number of areas and the panel has found that this conduct fell short of that expected of a teacher.

Nonetheless the panel has also given very careful consideration to the purpose of a sanction and the public interest. It is evident that Mr Harron made poor judgements but that there was no malicious intent to his behaviour. The panel also believe that he has shown some understanding and that there is little likelihood of repetition.

I support the recommendation of the panel that there should be no Prohibition Order in this case.

NAME OF DECISION MAKER: Alan Meyrick
Date: 14 January 2013