

THE TEACHING AGENCY

Decision of a Professional Conduct Panel and the Secretary of State

Teacher: Mr Olatunde Adeniyi Adeleye
Teacher Ref No: 0311339
Teacher Date of Birth: 17 March 1967
TA Case Ref No: 007281
Date of Determination: 21 September 2012
Former Employer: William Edwards School, Grays, Essex

A. Introduction

A Professional Conduct Panel (“the Panel”) of the Teaching Agency convened on 21 September 2012 at 53-55 Butts Road, Earlsdon Park, Coventry, CV1 3BH to consider the case of Mr Olatunde Adeniyi Adeleye.

The Panel members were Mrs Fiona Tankard (Teacher Panellist in the Chair), Mr Michael Sanderson (Lay Panellist) and Mrs Janet Draper (Lay Member).

The Legal Adviser to the Panel was Miss Françoise Snape of Berrymans Lace Mawer LLP Solicitors.

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

Mr Olatunde Adeniyi Adeleye was not present and was not represented.

The hearing took place in private and was recorded.

B. Allegations

The Panel considered the allegations set out in the Notice of Proceedings dated 16 July 2012.

It was alleged that Mr Olatunde Adeniyi Adeleye was guilty of unacceptable professional conduct in that: whilst employed at William Edwards School and Sports College, Grays, Essex (“the school”), between 1 January 2003 and 15 December 2009, he;

1. failed to adequately respond to concerns raised Thurrock Council (Children Education and Public Department);

2. failed to co-operate or communicate with the school during its investigation into concerns raised by social services;
3. used school property inappropriately in that he;
 - a. permitted his wife and children to enter school premises on various occasions including 25 & 26 March 2009 in order to use the school computers and
 - b. logged on to the school computer system to enable his family to use it in March 2009, thereby providing them with the means to access school documentation and records.
4. made demeaning comments to a Year 9 class of pupils in May 2009;
5. falsified pupil absence return sheets in June 2009;
6. failed to arrive at school on time on a number of occasions during the 2008-2009 academic years, such that it was noted as a formal concern in February 2009 and again in June 2009.

Mr Adeleye made no admission of the facts; neither did he make any admission that his conduct amounted to unacceptable professional conduct.

Please note that the allegation above have been redacted pursuant to an order made by the panel that the hearing should be held in private.

C. Summary of Evidence

Documents

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

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| Section 1 | An anonymised pupil list - page 2 |
| Section 2 | Notice of Proceedings and Teacher's Response - pages 4 – 11 |
| Section 3 | Agreed facts and witness statements - pages 13 – 45, including 44a |
| Section 4 | Teaching Agency documents - pages 47 – 351 |
| Section 5 | Teacher's documents – no documents provided |

In addition, the Panel agreed to accept the following:

Absence report sheet, numbered page 40A.

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

Witness evidence was heard by the Panel in private session.

D. Decision and Reasons

The Panel announced its decision and reasons;

Findings of fact

Our findings of fact are as follows:

We find that Mr Adeleye failed to adequately respond to concerns raised by Thurrock Council. We have reached this conclusion because of the fact that he was aware of concerns to which he failed to adequately respond. In reaching that conclusion we have taken into account the evidence of Individual A that Individual B, an employee of Thurrock Council met with Mr Adeleye in May 2009 to discuss her concerns but the issues about which concerns were raised remained outstanding.

Having heard Witness A's evidence, we further find that Mr Adeleye failed to co-operate with the school's investigation into concerns raised by social services.

We also find that Mr Adeleye used school property inappropriately by permitting his wife and children to use the school's computers. We also find that he logged on to the school's computer system in May 2009, thereby providing his family with the means to access school documentation and records. In reaching that conclusion we have taken into account the evidence of Witness B and the contents of the school's IT policy document.

Having heard Witness B's evidence we find that Mr Adeleye made demeaning comments to a Year 9 class in May 2009 and that he failed to arrive at school on time on a number of occasions during the academic year 2008 – 2009. We also find having heard Witness B's evidence that his lateness was noted as a formal concern in February and June 2009.

We have found the following particulars of the allegation against him not proven, for these reasons:

We do not find that Mr Adeleye falsified pupil record sheets deliberately as opposed to completing these inaccurately. Whilst there was no doubt that he was negligent in filling in an important legal document, falsification implies personal advantage or dishonesty and we only find carelessness proved.

Findings as to Unacceptable Professional Conduct

Having found the above allegations proved, we further find that Mr Adeleye's conduct as outlined above in allegations 1 and 2 amounts to unacceptable professional conduct because his conduct would result in his being unable to

respond to incidents of abuse and neglect in pupils exposed to harmful behaviour. Furthermore, we find that Mr Adeleye exercised a lack of professional judgment in allowing family members to use school computers and in creating the potential for accessing confidential data. His continued lateness would have placed a disproportionate pressure on his colleagues and could have left his pupils unsupervised. All of these behaviours suggest a lack of appreciation of the importance of child protection issues and confidentiality.

We do not find that Mr Adeleye's conduct as outlined in allegation 4 to constitute unacceptable professional conduct because this comprised a single incident.

Panel's Recommendation to the Secretary of State

When considering what sanction, if any, to recommend we have had regard to "The Prohibition of Teachers – Teaching Agency advice on factors relating to decisions leading to the prohibition of teachers from the teaching profession".

In particular we have had regard to the maintenance of public confidence in the profession and declaring and upholding proper standards of conduct. We have sought to approach the issue bearing in mind the principle of proportionality. Mr Adeleye's unwillingness to engage with social services, school disciplinary and subsequent proceedings has given us cause for concern as to his capacity to appreciate the significance of his conduct and meet the accepted standards.

We have concluded that in this instance it is appropriate to recommend that a Prohibition Order is made. Mr Adeleye will be eligible to apply for this to be set aside after a minimum of two years. We have found that his conduct constitutes a serious departure from the standards expected of a teacher and also demonstrates lack of insight. Accordingly we conclude that his behaviour is incompatible with being a teacher.

Secretary of State's Decision and Reasons

I have given careful consideration to this case and to the recommendations made by the panel. The panel has found a number of the facts proven, though not all, and also found of the facts proven that some of them amount to unacceptable professional conduct. I have therefore considered carefully those facts that have been found both to be proven and to amount to unacceptable professional conduct.

I concur with the view of the panel that Mr Adeleye's unwillingness to engage with social services, school disciplinary and subsequent proceedings is cause for concern as to his capacity to appreciate the significance of his conduct and to meet acceptable standards of conduct.

The behaviour found proven does represent a serious departure from the standards expected of a teacher.

I therefore support the panel and have determined that Mr Adeleye should be prohibited from teaching.

I have given further consideration to the issue of a period of review. I support the view of the panel that Mr Adeleye may apply for a review of his order after a period of two years.

This means that Mr Olatunde Adeleye 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 01 October 2014, 2 years from the date of this order at the earliest. If he does apply, a panel will meet to consider whether the Prohibition Order should be set aside. Without a successful application, Mr Olatunde Adeleye remains barred from teaching indefinitely.

Mr Olatunde Adeleye 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.

Decision Maker: Alan Meyrick
Date: 24 September 2012