

NATIONAL COLLEGE FOR TEACHING AND LEADERSHIP

Decision of a Professional Conduct Panel and the Secretary of State

Teacher: Mr Christopher Steel

Teacher ref no: 98/52314

Teacher date of birth: 22 April 1964

TA Case ref no: 9483

Date of Determination: 2 April 2013

Former Employer: Lowes Wong Anglican/Methodist Junior School, Nottingham

A. Introduction

A Professional Conduct Panel (“the Panel”) of the National College for Teaching and Leadership convened on 2 April 2013 at 53-55 Butts Road, Earlsdon Park, Coventry, CV1 3BH to consider the case of Mr Christopher Steel at a meeting.

The Panel members were Mr Martin Pilkington (Lay Panellist– in the Chair), Mr Peter Monfort (Teacher Panellist) and Mrs Fiona Tankard (Teacher Panellist).

The Legal Adviser to the Panel was Mr Paul Owston of Berrymans Lace Mawer LLP Solicitors.

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

B. Allegations

The Panel considered the allegations set out in the Notice of Proceedings dated 15 February 2013.

It was alleged that Mr Steel was guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute, in that:

Whilst Mr Steel was employed at Lowes Wong Anglican/Methodist Junior School, Nottingham, despite receiving two warnings in October 2003 and March 2004 about his inappropriate contact with pupils, he failed to follow safeguarding guidelines in that he:

1. Hugged pupils on a regular basis;
2. Kissed pupils on the head during lessons;
3. Picked a pupil up from the floor and placed a pupil on his knee;
4. Kissed a pupil on the lips on the 28 January 2011.

C. Summary of Evidence

Documents

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

Anonymised Pupil list – on pages 1 & 2

Notice of Referral & Response – on pages 3 – 7

Statement of Agreed Facts/Representations – on pages 8 – 20

National College for Teaching and Leadership documents – on pages 21 – 119

Agreed Facts

The Statement of Agreed Facts in the above documents at pages 9 – 12 stated that:

1. Mr Christopher Steel (DOB 22.04.64) was employed at Lowes Wong Anglican/Methodist Junior School from 2001 until December 2011.

The allegations are admitted

2. On 6 October 2003, Mr Steel met with Individual A, Deputy Headteacher and Sheila Street, Headteacher, after a pupil had reported feeling uncomfortable with Mr Steel at times during a residential school trip to Whitby. The pupil told Individual B and Individual A that she had felt uncomfortable when Mr Steel had put his arm around her shoulder and put his hand upon her head. Individual B discussed the need to refrain from further physical contact that could give rise to such a complaint and advised Mr Steel that the meeting constituted a verbal warning. The warning was accepted by Mr Steel.
3. On 12 March 2004, Mr Steel met with Individual B in the presence of Individual C, Chair of the Governing Body. Mr Steel was informed that a parental complaint had been received after a child had reported feeling uncomfortable when Mr Steel put his arm around her shoulder during a teaching session. Mr Steel was advised by Individual B that any physical contact with children can be open to criticism and was warned that he should avoid all physical contact with pupils and maintain an appropriate professional distance. Mr Steel was reminded that this was the second occasion on which he had been formally cautioned about this type of behaviour. Mr Steel confirmed he understood what was required of him.
4. On 31 January 2011, the parents of Pupil A contacted the school and asked Individual D, Headteacher, if he would visit them at home. Individual D did so and was informed by them that Pupil A had informed them that Mr Steel had put his arms around her and kissed her on the lips on or around 28 January 2011. When Pupil A was subsequently interviewed by the police, she stated that the incident had made her feel uncomfortable. She also told them that on other occasions,

Mr Steel had sat her on his knee and had tickled her on the leg. Pupil A also said that Mr Steel had picked her up four or five times. Mr Steel admits that he may have kissed Pupil A on the lips and that she is a truthful child. He also admits that he has sat her on his knee, picked her up and tickled her on the leg on other occasions.

5. In police interview and in an investigator interview with Individual D, Mr Steel accepted that he had kissed other pupils on the cheek or forehead, including Pupil B. He also accepted that he had hugged other pupils, including Pupil B. Mr Steel accepted that this was something he had always done as a teacher.
6. Mr Steel received safeguarding training in June 2009 and subsequently received a Certificate of Attendance. The training provided guidance in relation to safe working practices and appropriate and inappropriate behaviour.

Unacceptable professional conduct and / or conduct that may bring the profession into disrepute

7. Mr Steel admits the facts of the allegation against him and that they amount to unacceptable professional conduct as set out in Rules 2.3 - 2.4 of the Disciplinary Rules for the regulation of a teaching profession and which may be defined as misconduct of a serious nature, falling significantly short of the standard of behaviour expected of a teacher, in accordance with the guidance set out in the Department of Education advice document "The Prohibition of Teachers". Mr Steel also admits that his behaviour amounts to conduct that may bring the profession into disrepute as set out in Rules 2.3 – 2.4 of the Disciplinary Rules for the Regulation of a Teaching Profession and which may be defined as behaviour which is directly related to an individual's suitability to be a teacher and which, if proven, may bring the profession into disrepute, in accordance with the guidance set out in the Department of Education advice document "The Prohibition of Teachers".

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.

We confirm that we have read all the documents provided in the bundle in advance of the hearing.

It is alleged that whilst employed at Lowes Wong Anglican/Methodist Junior School, Nottingham, Mr Steel hugged and kissed pupils and put a pupil on his knee.

Findings of fact

Our findings of fact are as follows:

We have found the following particulars of the allegations against Mr Steel proven, for these reasons:

Whilst Mr Steel was employed at Lowes Wong Anglican/Methodist Junior School, Nottingham, despite receiving two warnings in October 2003 and March 2004 about his inappropriate contact with pupils, he failed to follow safeguarding guidelines in that he:

1. Hugged pupils on a regular basis;
2. Kissed pupils on the head during lessons;
3. Picked a pupil up from the floor and placed a pupil on his knee;
4. Kissed a pupil on the lips on the 28 January 2011.

Mr Steel has admitted the allegations in the Notice of Referral Form signed by him on 26 November 2012. We have also accepted the evidence in the Statement of Agreed Facts signed by Mr Steel on 16 January 2013.

The National College for Teaching and Leadership documents detail a meeting on 6 October 2003 in which Mr Steel was warned about his contact with pupils and also contain a formal record of a second verbal warning on 12 March 2004 about similar behaviour. There is also an extract from the school's child protection policy. In light of these documents we consider it was clear that Mr Steel did receive warnings about inappropriate contact and failed to follow safeguarding guidelines in that regard. His subsequent conduct is well documented in the school and police investigation into the matter.

Findings as to Unacceptable Professional Conduct and/or Conduct that may bring the profession into disrepute

Having found the facts of the allegations proved, we further find these amount to unacceptable professional conduct.

This is because:

Mr Steel's actions constituted misconduct of a serious nature, falling significantly short of the standard of behaviour expected of a teacher.

We have noted Mr Steel's admissions, in the Notice of Referral Form and Statement of Agreed Facts, that his actions amount to unacceptable professional conduct.

Mr Steel's actions breached the GTC Code of Conduct and Practice for Registered Teachers, effective from 1 October 2009. Specifically, he:

Failed to put the wellbeing, development and progress of children and young people first by failing to:

- Use his professional expertise and judgement to do the best for children in his care.
- Take all reasonable steps to ensure the safety and wellbeing of children under his supervision.

- Follow the school's child protection policies and procedures;
- Establish and maintain appropriate professional boundaries in his relationship with children.

He has also failed to uphold public trust and confidence in the teaching profession by failing to maintain reasonable standards in his own behaviour.

Mr Steel's actions were also contrary to the latest Teachers' Standards published by the DfE. Specifically, he:

Failed to demonstrate consistently high standards of personal and professional conduct by failing to:

- Treat pupils with dignity, building relationships rooted in mutual respect, and at all times observe proper boundaries appropriate to a teacher's professional position;
- Have regard for the need to safeguard pupils' well-being, in accordance with statutory provisions.

Physical contact with pupils may not in itself be unprofessional or breach safeguarding guidelines. However, this must be in a supportive context for the benefit of the pupil. The context, manner and frequency of Mr Steel's contact were inappropriate and on occasions appear to have made pupils uncomfortable. Further, he was clearly warned twice that his behaviour was not appropriate.

We do not make a finding of bringing the profession into disrepute because Mr Steel's conduct took place solely in school and therefore this case only relates to unacceptable professional conduct.

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 – DfE advice on factors relating to decisions leading to the prohibition of teachers from the teaching profession". In particular we have had regard to the protection of children, the maintenance of public confidence in the profession and declaring and upholding proper standards of conduct. We have approached the issue bearing in mind the principle of proportionality.

We have concluded that in this instance it is appropriate to recommend that a Prohibition Order be made.

We have carefully considered the documents that we have been provided with and in particular the mitigation submitted by Mr Steel.

Having particular regard to the two clear warnings that he received, Mr Steel's behaviour constitutes a serious departure from the GTC Code of Conduct and Practice and latest Teacher's Standards published by the DfE. Further, his misconduct did on some occasions affect the well-being of pupils, which appears to

be a continuing risk given an apparent deep-seated attitude that leads to harmful behaviour.

We have taken account of the admissions that have been made by Mr Steel, which are to his credit. Nevertheless, his statement does not indicate sufficient insight into his misconduct and we cannot be confident that he has fully understood the consequences of his actions and that he would not repeat them.

We recommend that Mr Steel should be allowed to apply to set aside the Prohibition Order but not before three years have elapsed. This is because, in the context of the allegations we have considered, there was no allegation of serious sexual misconduct and Mr Steel demonstrated that he had some insight into his behaviour which, with a further period of reflection, may develop into a full understanding of his failings such that he may be able return to the teaching profession. We have also noted the recommendation by the England and Wales Cricket Board that he undergo a forensic social worker risk assessment.

Secretary of State's Decision and Reasons

I have given due consideration to both the findings and recommendations of the panel in this case.

Mr Steel has admitted the allegations in this case and that those facts amount to unacceptable professional conduct. He engaged in inappropriate contact with pupils on a number of occasions despite receiving warnings about his behaviour in 2003 and 2004.

Mr Steel's behaviour constitutes a serious departure from standards expected of a teacher. Further, his misconduct did on some occasions affect the well-being of pupils, which appears to be a continuing risk given an apparent deep-seated attitude that leads to harmful behaviour.

In all the circumstances I agree the panel's recommendation that a Prohibition Order is an appropriate and proportionate sanction.

The panel have judged that Mr Steel has shown some insight into his behaviour and that after a period of reflection he may develop a fuller understanding of his failings such that he may be able to return to the teaching profession. Accordingly I agree with the recommendation that Mr Steel should be allowed the opportunity to have the order reviewed after a minimum period of 3 years.

This means that Mr Christopher Steel 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 10 April 2016, 3 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 Christopher Steel remains barred from teaching indefinitely.

This Order takes effect from the date on which it is served on the Teacher.

Mr Christopher Steel 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: Paul Heathcote

DATE: 2 April 2013