



National College for
Teaching & Leadership

Mr Martin Nicholas Myers: Professional conduct panel outcome

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

January 2018

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

Teacher: Mr Martin Nicholas Myers

Teacher ref number: 0600900

Teacher date of birth: 9 January 1971

NCTL case reference: 15394

Date of determination: 12 January 2018

Former employer: Ecton Village Primary School, Northampton

A. Introduction

A professional conduct panel (“the panel”) of the National College for Teaching and Leadership (“the National College”) convened on 10 January 2018 to 12 January 2018 at 53 to 55 Butts Road, Earlsdon Park, Coventry CV1 3BH to consider the case of Mr Myers.

The panel members were Ms Fiona Tankard (teacher panellist – in the chair), Mr Martin Greenslade (lay panellist) and Mr John Matharu (lay panellist).

The legal adviser to the panel was Ms Surekha Gollapudi of Eversheds Sutherland (International) LLP solicitors.

The presenting officer for the National College was Mr Andrew Cullen of Browne Jacobson LLP solicitors.

Mr Myers was not present and was not represented.

The hearing took place in public and was recorded, save for when evidence relating to sensitive personal information was mentioned and the hearing went into private session.

B. Allegations

The panel considered the allegations set out in the Notice of Proceedings dated 26 October 2017.

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

1. In the academic year 2014/2015 he failed to properly administer Key Stage 2 SATS in that he altered and/or allowed to be altered, one or more answers in the tests;
2. His actions in respect of allegation 1 above were dishonest in that they were intended to improve the performance of one or more pupils in the SATS tests;
3. On or around 1 June 2015 he refused to participate in the moderation of his assessments of Year 6 pupils;
4. Mr Myers took his sock off and wiped Pupil A's mouth with it and/or put his sock in Pupil A's mouth;
5. On or around 1 June 2015, before he was dismissed from his post, he
 - a. Told pupils to ask their parents to write letters to save his job if the pupils wanted him to stay;
 - b. Asked a class of pupils to stand up from their seats and sit down if they wanted him to leave his post and/or asked a class of pupils to put their hands up if they wanted him to stay in his post.

Mr Myers does not admit the facts of the allegations.

C. Preliminary applications

The panel considered an application from the presenting officer to proceed in the absence of Mr Myers.

The panel was satisfied that NCTL complied with the service requirements of paragraph 19 a to c of the Teachers' Disciplinary (England) Regulations 2012, ("the Regulations").

The panel was also satisfied that the Notice of Proceedings complied with paragraphs 4.11 and 4.12 of the Teacher Misconduct: Disciplinary Procedures for the Teaching Profession ("the Procedures").

The panel determined to exercise its discretion under paragraph 4.29 of the Procedures to proceed with the hearing in the absence of the teacher.

The panel understood that its discretion to commence a hearing in the absence of the teacher must be exercised with the utmost care and caution, and that its discretion was a severely constrained one.

In making its decision, the panel noted that the teacher may waive his right to participate in the hearing. The panel took account of the various factors drawn to its attention from the case of *R v Jones* [2003] 1 AC1. The panel noted that the teacher responded to NCTL on two occasions and explicitly indicated he would not attend. The teacher provided some information in writing which the panel was able to consider. The panel therefore considered that the teacher voluntarily waived his right to be present at the hearing in the knowledge of when and where the hearing was to take place.

The panel had regard to the seriousness of this case, and the potential consequences for the teacher and accepted that fairness to the teacher is of prime importance. However, it considered that in light of the teacher's waiver of his right to appear, on balance, these were serious allegations and the public interest was in favour of the hearing's continuing.

The panel heard an application by the presenting officer for an additional witness statement to be included within the documentary evidence. The panel noted that the witness would be present to give oral evidence and that the teacher had no objection to the statement being included within the documentary evidence. The panel allowed the statement to be included.

D. Summary of evidence

Documents

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

Section 1: Chronology and anonymised pupil list – pages 2 to 4

Section 2: Notice of Proceedings and response – pages 6 to 12

Section 3: NCTL witness statements – pages 14 to 34

Section 4: NCTL documents – pages 36 to 1240

Section 5: Teacher documents – pages 1242 to 1246

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 vice principal of Sir Christopher Hatton Academy who had been seconded to Ecton Village Primary School ("the School") in a leadership

support capacity. The panel also heard evidence from the acting headteacher of the School, a teaching assistant at the School and Pupil A and Pupil B, called on behalf of the presenting officer.

The teacher was not present and called no witnesses.

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.

Mr Myers was employed at the School from September 2010 as a teacher of Year 4, Year 5 and Year 6 pupils. It is alleged that Mr Myers administered the SATS exams for Year 6 pupils incorrectly, specifically through providing assistance and answers to pupils during the exams. It is also alleged that Mr Myers behaved inappropriately with pupils through asking them to ensure their parents wrote letters to the School governors in support of Mr Myers and also through a specific incident when Mr Myers is alleged to have put his sock in a pupil's mouth.

Findings of fact

Our findings of fact are as follows:

The panel has found the following particulars of the allegation against you proven, for these reasons:

- 1. In the academic year 2014/2015 you failed to properly administer Key Stage 2 SATS in that you altered and/or allowed to be altered, one or more answers in the tests**

The former vice principal of Sir Christopher Hatton Academy, who was seconded to the School from 1 June 2015 to the end of that term in July 2015, gave oral evidence as the School's investigating officer into this allegation.

As investigating officer, she confirmed that she first became aware of a potential issue with the administration of the exams when a member of staff approached her to say she had concerns that Mr Myers had assisted year 6 pupils during their SATS exams.

The investigating officer spoke to the nine pupils who were affected and confirmed that initially, two pupils provided information that may have indicated that Mr Myers had provided them with inappropriate assistance during the examinations. Whilst the other pupils denied any assistance was provided, the investigating officer confirmed that she was not satisfied that the pupils were being honest at this stage, possibly because they were afraid of getting in trouble or being disloyal to Mr Myers.

The investigating officer went on to say that she was then notified by two members of staff that Pupil C had made remarks to them independently which suggested the pupil was concerned about how the exams had been undertaken. Therefore the investigating officer spoke to Pupil C again, in the presence of his mother. During this meeting, Pupil C confirmed that Mr Myers read out the questions and then whispered the answers when carrying out the mental maths paper. Pupil C went on to say that Mr Myers had told them the answers to another maths paper. Pupil C then confirmed that Mr Myers provided the spelling answers to the pupils.

The investigating officer said she was then approached by Pupil D, who admitted that during a maths paper she had asked Mr Myers for help and he gave her assistance in working out the answer to a question.

The investigating officer then downloaded the exam scripts (as the School no longer had access to the original copies) and noted a number of papers where she felt there had been additional notations made by an adult's hand which would have assisted the pupils in answering the questions.

The panel heard oral evidence from the acting headteacher in which she stated that she reviewed Mr Myers' assessments and indications of grade achievements and noted that on his analysis, all pupils were at level 4 or above.

The acting headteacher then engaged with the local authority to carry out a moderation exercise on the pupils' writing examples on which their teacher writing assessment had been based. The local authority representative confirmed the acting headteacher's marking was correct and that Mr Myers' marks were inflated.

The acting headteacher also asked all pupils to repeat their SATS examination using the 2014 previous paper. When the pupils carried out this further examination, she noted that their marks were considerably lower than those achieved in the examinations invigilated by Mr Myers. The panel was satisfied that this further test was undertaken under usual examination conditions and the pupils were aware of its importance and were motivated to succeed in it.

Both the acting headteacher and investigating officer confirmed that where teachers gain good results within the SATS examinations, there can be performance related pay rises and this could have been a motivation for Mr Myers. The panel also noted that Mr Myers could have benefited from being able to state the pupils' exceptionally good results on his CV in the future.

Mr Myers stated in writing to NCTL, "I have never received any financial gain from above average results in testing but the Head may have, I do not have access to this information."

The panel also saw evidence that indicated Mr Myers agreed that the papers had been altered but he denied he was the person who altered them. Mr Myers stated within the

School's disciplinary process that, "I did not help any children with their answers to questions or guide them to the answers; I did not change, alter or add to any answers and would have nothing to gain by doing so as the only person who gains either by financial incentive or kudos is the headteacher. I have always had the best interests of the children as my first concern." Mr Myers indicated within his statements to the School during its investigation that the headteacher had more to gain from inflated grades.

The investigating officer confirmed in oral evidence that the papers were sealed once the exams had been completed by the pupils and were then placed in a locked cabinet. The investigating officer did not believe that the headteacher had tampered with the papers after they were locked in the cabinet as the majority of assistance provided appeared to have been through providing pupils with information to help them reach the correct answer. The investigating officer believed this meant the papers could only have been altered during the examinations, rather than afterwards.

The panel carefully reviewed the SATS papers. In particular the panel noted that the same handwriting was present on multiple papers and these notes clearly provided assistance to pupils during the examinations.

The panel was satisfied that Mr Myers did alter the SATS papers through providing pupils with hints and answers which changed what their answers would have been, had he not assisted.

The panel found allegation 1 proven on the balance of probabilities.

2. Your actions in respect of allegation 1 above were dishonest in that they were intended to improve the performance of one or more pupils in the SATS tests

The panel considered the test for dishonesty as set out in the case of Supreme Court in the case of *Ivey v Genting Casinos (UK) Ltd*.

The panel therefore first considered the actual state of Mr Myers' knowledge or belief as to the facts. The panel went on to consider whether Mr Myers' conduct was dishonest, using the standards of ordinary decent people. The panel noted that there is no requirement that Mr Myers must appreciate that what he has done is by those standards, dishonest.

Having found allegation 1 proven, the panel found that, applying the test in *Ivey v Genting Casinos (UK) Limited*, Mr Myers' actions in providing assistance during the course of the SATS were dishonest.

The panel therefore found allegation 2 proven on the balance of probabilities.

3. On or around 1 June 2015 you refused to participate in the moderation of your assessments of Year 6 pupils

The acting headteacher confirmed in oral evidence that on two occasions, Mr Myers was offered the opportunity to undertake a moderation exercise with teachers from another school and that on both occasions Mr Myers said he was confident in his marking ability and so he did not need to participate.

The panel considered the evidence carefully and noted that Mr Myers was not given a direct work instruction to participate in moderation of the assessments and instead, this question was framed as a choice for him to make. However the panel found that on the balance of probabilities, his motivation for not taking part in the moderation exercise was to avoid any criticism of his marking. Mr Myers made a choice not to engage in this process and effectively refused to participate.

The panel found allegation 3 proven on the balance of probabilities.

4. You took your sock off and wiped Pupil A's mouth with it and/or put your sock in his mouth

The panel heard from Pupil A and Pupil B. Pupil A gave evidence that Mr Myers had asked him to, "shut up" during class as Pupil A had been talking during a reading lesson. Pupil A went on to say that after a further warning, Mr Myers took off his shoe and his sock and then put his sock in Pupil A's mouth. Pupil A interpreted Mr Myers' intention as humorous but he admitted he felt embarrassed by the incident.

Pupil B gave evidence that corroborated Pupil A's account and provided further detail that Mr Myers had placed the sock on his hand before forcing it in Pupil A's mouth.

The panel found Pupil A and Pupil B's evidence to be credible and reliable. The panel also found their evidence to be consistent with their previous accounts of the incident, provided to the acting headteacher during her investigation on behalf of the School.

The panel saw evidence that Mr Myers acknowledged there had been an incident with a sock, however this related to his throwing a sock across the room and his saying to Pupil A "put a sock in it."

The panel did not find Mr Myers' explanation to be credible, and preferred the evidence of Pupil A and Pupil B.

The panel found allegation 4 proven on the balance of probabilities.

5. On or around 1 June 2015, before you were dismissed from your post, you:

- a. Told pupils to ask their parents to write letters to save your job if the pupils wanted you to stay**

b. Asked a class of pupils to stand up from their seats and sit down if they wanted you to leave your post and/or asked a class of pupils to put their hands up if they wanted you to stay in your post

The teaching assistant gave oral evidence that Mr Myers asked pupils to vote on whether they wanted him to leave and also to ask pupils to ask their parents to write in if they wanted him to stay. The teaching assistant stated that this was done in a lighthearted way but that some of the pupils may have taken it quite seriously.

The teaching assistant further confirmed that Mr Myers often allowed students to 'vote' on issues in class and this was quite common.

Pupil B gave oral evidence that Mr Myers asked the class to vote if they wanted him to stay, and to ask their parents to write letters of support to the School.

The panel found Pupil B and the teaching assistant to be credible, reliable witnesses and preferred their evidence to the explanation provided by Mr Myers within the School's disciplinary process. Mr Myers suggested that the idea of voting came from the students, and that he only provided them with details of a contact at the School to complain about his departure because they asked for one.

The panel found that Mr Myers encouraged the pupils to take action on his behalf and to feel responsible for not preventing his departure from the School.

The panel found allegations 5.a. and 5.b. proven on the balance of probabilities.

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

Having found the allegations to have been proven, the panel has gone on to consider whether the facts of those proven allegations amount to unacceptable professional conduct and/or conduct that may bring the profession into disrepute.

In doing so, the panel has had regard to the document Teacher misconduct: The prohibition of teachers, which the panel refers to as "the Advice".

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

- Teachers uphold public trust in the profession and maintain high standards of ethics and behaviour, within and outside school, by
 - treating pupils with dignity, building relationships rooted in mutual respect, and at all times observing proper boundaries appropriate to a teacher's professional position

- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach
- Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities

The panel is satisfied that the conduct of Mr Myers amounts to misconduct of a serious nature which fell significantly short of the standards expected of the profession.

The panel has also considered whether Mr Myers' conduct displayed behaviours associated with any of the offences listed on pages 8 and 9 of the Advice. The panel has found that the offence of serious dishonesty may be relevant in this case given the impact his actions could have on pupils' education and the integrity of the SATS examination system.

The Advice indicates that where behaviours associated with such an offence exist, a panel is likely to conclude that an individual's conduct would amount to unacceptable professional conduct.

The findings of misconduct are serious and the conduct displayed would likely have a negative impact on the individual's status as a teacher, potentially damaging the public perception.

Having found the facts of particulars 1, 2, 3, 4 and 5 proved, we further find that Mr Myers' conduct amounts to both unacceptable professional conduct and conduct that may bring the profession into disrepute.

Panel's recommendation to the Secretary of State

Given the panel's findings in respect of unacceptable professional conduct and conduct that may bring the profession into disrepute, it is necessary for the panel to go on 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 would be an appropriate and proportionate measure, and whether 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 are likely to have a punitive effect.

The panel has had regard to the particular public interest considerations set out in the Advice and having done so has found a number of them to be relevant in this case, namely the protection of pupils; the maintenance of public confidence in the profession; and declaring and upholding proper standards of conduct.

The panel's findings against Mr Myers involved maladministration of SATS exams and inappropriate conversations and actions when teaching pupils. There is a strong public interest consideration in respect of the protection of pupils given these serious findings.

Similarly, the panel considers that public confidence in the profession could be seriously weakened if conduct such as that found against Mr Myers were not treated with the utmost seriousness when regulating the conduct of the profession.

The panel noted there is a strong public interest consideration in declaring proper standards of conduct in the profession as the conduct found against Mr Myers was outside that which could reasonably be tolerated.

In view of the clear public interest considerations that were present, the panel considered carefully whether or not it would be proportionate to impose a prohibition order, taking into account the effect that this would have on Mr Myers.

In carrying out this balancing exercise, the panel has had regard to the public interest considerations both in favour of and against prohibition as well as the interests of Mr Myers. The panel took further account of the Advice, which suggests that a prohibition order may be appropriate if certain behaviours of a teacher have been proven. In the list of such behaviours, those that are relevant in this case are:

- serious departure from the personal and professional conduct elements of the Teachers' Standards;
- misconduct seriously affecting the education and/or well-being of pupils, and particularly where there is a continuing risk;
- abuse of position or trust (particularly involving vulnerable pupils) or violation of the rights of pupils;
- dishonesty especially where there have been serious consequences, and/or it has been repeated and/or covered up.

Even though there were behaviours that would point to the appropriateness of a prohibition order, the panel went on to consider whether or not there were sufficient mitigating factors to militate against the appropriateness and proportionality of the imposition of a prohibition order, particularly taking into account the nature and severity of the behaviour in this case.

The teacher did have a previously good history; however, the panel did not find that any other mitigating factors were present.

The panel did not have the benefit of any character statements or references provided by Mr Myers and heard considerable evidence that Mr Myers was not an effective teacher in the classroom. The panel had concerns that Mr Myers had not demonstrated any insight into his actions, and as such, a similar set of circumstances could arise in the future.

Furthermore, the panel was concerned that Mr Myers sought to apportion blame onto the headteacher for the alteration of the SATS papers.

The panel first considered whether it would be proportionate to conclude this case with no recommendation of prohibition, considering whether the publication of the findings made by the panel would be sufficient.

The panel is of the view that, applying the standard of the ordinary intelligent citizen, recommending no prohibition order is not a proportionate and appropriate response. Recommending that publication of adverse findings is sufficient would unacceptably compromise the public interest considerations present in this case, despite the severity of consequences for the teacher of prohibition.

The panel is of the view that prohibition is both proportionate and appropriate. The panel has decided that the public interest considerations outweigh the interests of Mr Myers. The maladministration of the SATS would seriously undermine the public's confidence in the assessment system, and this was a significant factor in forming this opinion. Accordingly, the panel makes a recommendation to the Secretary of State that a prohibition order should be imposed with immediate effect.

The panel went on to consider whether or not it would be appropriate to decide to recommend that a review period of the order should be considered. The panel was mindful that the Advice states that a prohibition order applies for life, but there may be circumstances in any given case that may make it appropriate to allow a teacher to apply to have the prohibition order reviewed after a specified period of time that may not be less than 2 years.

The Advice indicates that there are behaviours that, if proven, would militate against the recommendation of a review period. One of these behaviours is serious dishonesty. The panel carefully considered whether Mr Myers' actions amount to serious dishonesty. Whilst the panel found that Mr Myers' dishonesty was serious in a school setting, the panel did not find this dishonesty on a par with the behaviours listed on pages 8 and 9 of the Advice. The panel went on to note that Mr Myers' behaviour had negative consequences for both the School and the individual pupils affected.

The panel felt the findings indicated a situation in which a review period would be appropriate and as such decided that it would be proportionate in all the circumstances for the prohibition order to be recommended with provision for a review period after 5 years. The panel felt this review period would appropriately reflect the seriousness of its findings.

Decision and reasons on behalf of the Secretary of State

I have given very careful consideration to this case and to the recommendation of the panel in respect of sanction and review period.

In considering this case, I have also given very careful attention to the Advice that is published by the Secretary of State concerning the prohibition of teachers.

In this case, the panel has found the allegations proven and found that those proven facts amount to unacceptable professional conduct and conduct that may bring the profession into disrepute. The panel has made a recommendation to the Secretary of State that Mr Myers should be the subject of a prohibition order, with a review period of five years.

In particular the panel has found that Mr Myers is in breach of the following standards:

- Teachers uphold public trust in the profession and maintain high standards of ethics and behaviour, within and outside school, by
 - treating pupils with dignity, building relationships rooted in mutual respect, and at all times observing proper boundaries appropriate to a teacher's professional position
- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach
- Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities

The panel finds that the conduct of Mr Myers fell significantly short of the standards expected of the profession.

The findings of misconduct are particularly serious as they include a finding of maladministration of SATS exams and dishonesty.

I have to determine whether the imposition of a prohibition order is proportionate and in the public interest. In considering that for this case I have considered the overall aim of a prohibition order which is to protect pupils and to maintain public confidence in the profession. I have considered the extent to which a prohibition order in this case would achieve that aim taking into account the impact that it will have on the individual teacher. I have also asked myself whether or not a less intrusive measure, such as the published finding of unacceptable professional conduct and conduct that may bring the profession into disrepute, would itself be sufficient to achieve the overall aim. I have to consider whether the consequences of such a publication are themselves sufficient. I have considered therefore whether or not prohibiting Mr Myers, and the impact that will have on him, is proportionate.

In this case I have considered the extent to which a prohibition order would protect children. The panel has observed, "There is a strong public interest consideration in respect of the protection of pupils given these serious findings." A prohibition order would therefore prevent such a risk from being present. I have also taken into account the panel's comments on insight and remorse which the panel sets out as follows, "The panel had concerns that Mr Myers had not demonstrated any insight into his actions, and as such, a similar set of circumstances could arise in the future." In my judgement the lack of insight means that there is some risk of the repetition of this behaviour and this risks I have therefore given this element considerable weight in reaching my decision.

I have gone on to consider the extent to which a prohibition order would maintain public confidence in the profession. The panel observe, "public confidence in the profession could be seriously weakened if conduct such as that found against Mr Myers were not treated with the utmost seriousness when regulating the conduct of the profession." I am particularly mindful of the finding of dishonesty in this case and the impact that such a finding has on the reputation of the profession.

I have had to consider that the public has a high expectation of professional standards of all teachers and that failure to impose a prohibition order might be regarded by the public as a failure to uphold those high standards. In weighing these considerations I have had to consider the matter from the point of view of an "ordinary intelligent and well-informed citizen."

I have considered whether the publication of a finding of unacceptable professional conduct, in the absence of a prohibition order, can itself be regarded by such a person as being a proportionate response to the misconduct that has been found proven in this case.

I have also considered the impact of a prohibition order on Mr Myers himself. The panel comment that Mr Myers "did have a previously good history" but went on to say, "The panel did not have the benefit of any character statements or references provided by Mr Myers and heard considerable evidence that Mr Myers was not an effective teacher in the classroom."

A prohibition order would prevent Mr Myers from continuing in the teaching profession. A prohibition order would also clearly deprive the public of his contribution to the profession for the period that it is in force.

In this case I have placed considerable weight on the panel's comments concerning the lack of insight or remorse.

I have also placed considerable weight on the finding of the panel that Mr Myers, "sought to apportion blame onto the headteacher for the alteration of the SATS papers."

I have given less weight in my consideration of sanction therefore, to the contribution that Mr Myers has made to the profession. In my view it is necessary to impose a prohibition

order in order to maintain public confidence in the profession. A published decision that is not backed up by remorse or insight does not in my view satisfy the public interest requirement concerning public confidence in the profession.

For these reasons I have concluded that a prohibition order is proportionate and in the public interest in order to achieve the aims which a prohibition order is intended to achieve.

I have gone on to consider the matter of a review period. In this case the panel has recommended a 5 year review period.

I have considered the panel's comments, "Whilst the panel found that Mr Myers' dishonesty was serious in a school setting, the panel did not find this dishonesty on a par with the behaviours listed on pages 8 and 9 of the Advice. The panel went on to note that Mr Myers' behaviour had negative consequences for both the School and the individual pupils affected."

The panel has also said it felt, "the findings indicated a situation in which a review period would be appropriate and as such decided that it would be proportionate in all the circumstances for the prohibition order to be recommended with provision for a review period after 5 years. The panel felt this review period would appropriately reflect the seriousness of its findings."

I have considered whether a 5 year review period reflects the seriousness of the findings and is a proportionate period to achieve the aim of maintaining public confidence in the profession. In this case, there are three factors that in my view mean that a two year review period is not sufficient to achieve the aim of maintaining public confidence in the profession. These elements are the serious nature of the misconduct, the dishonesty found and the lack of either insight or remorse.

I consider therefore that a five year review period is required to satisfy the maintenance of public confidence in the profession.

This means that Mr Martin Myers 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 26 January 2023, 5 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 Myers remains prohibited from teaching indefinitely.



Decision maker: Dawn Dandy

Date: 19 January 2018

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