



Teaching
Regulation
Agency

Mrs Karen Parker: Professional conduct panel outcome

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

April 2018

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

Teacher:	Mrs Karen Parker
Teacher reference number:	0001916
Teacher date of birth:	9 April 1963
TRA case reference:	15680
Date of determination:	30 April 2018
Former employer:	Robert Bruce Middle School, Bedford

A. Introduction

A professional conduct panel (“the panel”) of the Teaching Regulation Agency (“the Agency”) convened on 19 to 23 March, 26 March and 30 April 2018 at 53 to 55 Butts Road, Earlsdon Park, Coventry CV1 3BH to consider the case of Mrs Karen Parker and Mr Paul Henry.

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

The legal adviser to the panel was Ms Patricia D’Souza of Eversheds-Sutherland (International) LLP.

The presenting officer for the Agency was Mr Ian Perkins of Browne Jacobson LLP.

Mrs Karen Parker was present and was not represented. Mr Paul Henry was present and was represented by Ms Katherine Fudakowski of Old Square chambers.

The hearing took place in public and was recorded.

B. Allegations

The panel considered the allegations set out in the Notice of Proceedings 7 December 2017.

It was alleged that Mrs Karen Parker was guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute in that whilst employed as headteacher at the Robert Bruce Middle School, she:

1. Acted with a lack of professional integrity in relation to the preparation for and/or administration of the Key Stage SATs examinations in 2015, in that she:
 - a. provided more assistance to one or more pupils sitting the examinations than she knew or ought to have known was appropriate and/or in accordance with exam requirements;
 - b. instructed staff members to provide more assistance to pupils than that which she knew or ought to have known is permitted under normal exam circumstances;
 - c. bribed one or more pupils to carry out her instructions and/or answer questions correctly in exchange for a reward;
 - d. set the fire alarm off to meet with staff members, knowing that examinations were taking place;
 - e. placed unreasonable pressure on colleagues to take measures to secure examination results regardless of whether these were an accurate reflection of the cohort of pupils undertaking the Key Stage 2 examinations.
2. Acted with a lack of professional integrity in that she:
 - a. advised staff members the School would only stay open if good SATS results were achieved in 2015, or used words to that effect;
 - b. advised staff members that whoever reported the SATs maladministration;
 - i. was not thinking of the pupils;
 - ii. would cause the school to close;
 - iii. was accountable for all staff members losing their jobs;
 - c. attempted to intimidate and/or put fear into staff members to keep quiet about the SATs maladministration during the investigation process.

3. Her conduct as may be found proven at allegations 1.a. and/or 2. c. above was dishonest in that she sought to unfairly influence the exam results obtained by pupils, and then to conceal her actions when subject to investigation.

Mrs Parker confirmed in the hearing that none of these allegations is admitted.

C. Preliminary applications

Postponement Application

At the start of the hearing, the panel was asked to consider a postponement application on behalf of Mrs Parker. Mrs Parker was concerned that Mr John Matharu, who replaced a panel member on this case last week, had not had sufficient time to read the papers in this case. Mrs Parker was concerned that she was notified at 4.55pm on Tuesday, 13 March that Mr Matharu would replace a previous panellist in the case. Mrs Parker considered it would take some time to understand the background to this matter. Mr Henry's representative confirmed that Mr Henry shared Mrs Parker's concerns as Mr Matharu would not have had five working days to review the bundle and this was a case where the, "devil is in the detail". Therefore, Mrs Parker submitted that a new five day listing for this matter should be sought in this case. Mr Henry's representative supported this.

Mr Matharu assured those present at the hearing that he received the bundle around midday on 15 March and he spent the whole of 16 March reading the bundle and spent large parts of both days of the weekend prior to the hearing reviewing the bundle. Mr Matharu stated that he was confident to proceed as a panellist on this case; he had read the bundle in detail and had made annotations.

The presenting officer submitted that it was up to an individual panellist to declare in the pre-meeting between the panel members and legal advisor, prior to the start of a hearing, whether they had had sufficient time to review the papers. The presenting officer said that the rules do stipulate that a bundle should be provided five working days in advance, however a panellist is required to read and interrogate the papers in order to be aware of the content and he considered that Mr Matharu's comments showed there was no detriment to proceeding with the hearing.

The panel had regard to the advice from the legal advisor with regard to paragraph 4.54 of Teacher Misconduct: Disciplinary Procedures for the Teaching Profession ("the Procedures"). The panel determined not to exercise its discretion under Paragraph 4.54 of the Procedures to adjourn the hearing.

The panel took account of the various factors drawn to its attention from the case of R v Jones [2003] 1 AC1.

In addition, the panel noted that the right to a fair trial under Article 6 of the European Convention on Human Rights includes the right to participate effectively. However, the right is not absolute and can be waived by the conduct of the defendant, if that waiver is unequivocal, meaning 'clear and unqualified'.

The panel had regard to the extent of the disadvantage to Mrs Parker and Mr Henry and whether they would be able to effectively give their account of events, having regard to the nature of the evidence against them. Although the Procedures may state that panel members should have the bundle five working days in advance, a panellist is unlikely to need to spend an entire five working day period reviewing the papers. Mr Matharu confirmed he had read the bundle over a three day period. The panel was content that he had had sufficient time to consider the content and detail. The panel balanced the public interest against the interest of Mrs Parker and Mr Henry and decided to continue with the hearing.

The panel has noted that all witnesses relied upon are to be called to give evidence and the panel can test that evidence in questioning those witnesses, considering such points as are favourable to the teachers, as are reasonably available on the evidence. The panel considered it would be inconvenient and distressing for them to return again.

The panel has had regard to the seriousness of this case, and the potential consequences for Mrs Parker and Mr Henry has accepted that fairness to them is of prime importance. However, given that there was no concern amongst the panel that Mr Matharu was not ready to proceed and the inconvenience an adjournment would cause to the witnesses; on balance, these are serious allegations and the public interest in this hearing proceeding within a reasonable time is in favour of continuing this hearing today. The panel therefore rejected Mrs Parker's postponement application.

Request for video evidence

The presenting officer made an application for a witness from the relevant school to give evidence via video link on the basis that he is currently a primary carer for a relative who is vulnerable, his wife who is the usual primary carer is ill, and the witness was unwell at this time. This witness did not wish to be seen by Mrs Parker or Mr Henry either and wished to give evidence via video link on 20 March 2018.

Mr Henry's representative vehemently opposed this application. It was submitted that it is imperative that witnesses who may give factual evidence should attend in person as Mr Henry wished to cross examine him fully. Mr Henry's representative submitted that it would be highly unsatisfactory if video link were to be used as subtleties/nuance and body language would not be detected. It was further submitted that this witness could source childcare for half a day to enable him to attend in person. Mrs Parker submitted that she wished to put to this witness some of the difficult allegations that had been made

by this witness and wished to physically see and engage with him in order to elicit evidence in her defence.

Further to the advice provided by the legal advisor, the panel noted that pursuant to paragraph 4.18 of the Procedures, the panel may admit any evidence where it is fair to do so, which may reasonably be considered to be relevant to the case.

The panel therefore considered it had a discretion as to whether to allow the witness subject to this application to give evidence by video-link. In exercising that discretion, the panel balanced its obligation to ensure that Mrs Parker and Mr Henry were not put at an unfair disadvantage, as against the panel's duty in the public interest to investigate the allegations in so far as possible consistent with fairness to Mrs Parker and Mr Henry. The panel also took into account that there may be subtleties of tone or body language that might be lost via the medium of video link.

The panel was not satisfied on the evidence presented that there had been sufficient explanation as to how this witness' family commitments or health would be a barrier to his attending in person. The panel noted that this witness may live approximately 1.5 to 2 hours travel time away from the hearing venue and therefore the panel did not consider that the travel time or cost would be unusual.

Allowing this witness' evidence to be given in person would ensure that Mrs Parker and Mr Henry be fully able to present their case, and fairness required that all parties should be given the opportunity to ask questions of witnesses.

The panel therefore rejected the presenting officer's application.

Proceeding in absence

Mrs Parker was present during the hearing on 19 to 23 March 2018, when oral evidence was heard and she was not required to be present when the panel met on 26 March 2018 for deliberation. Mrs Parker was, however, absent from the final day of the hearing listed on 30 April 2018. This was the date that the panel planned to announce its findings of fact in this case. As Mrs Parker was not present, the panel was advised that it should consider whether it was appropriate to proceed in Mrs Parker's absence.

The panel determined to exercise its discretion under Paragraph 4.29 of the Procedures to proceed with announcing its decision on findings of fact in the absence of Mrs Parker.

The panel understood that its discretion to continue a hearing in the absence of a teacher had to 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 a teacher may waive her right to participate in the hearing. The panel had taken account of the various factors drawn to its attention from the case of R v Jones [2003] 1 AC1. The panel recalled that on 23 March 2018 Mrs

Parker also stated to the panel that she did not wish to attend the public announcement of the findings of fact. The panel therefore considered that Mrs Parker had waived her right to be present at the hearing in the knowledge of when and where the hearing was taking place.

The panel had regard to the requirement that it is only in rare and exceptional circumstances that a decision should be taken in favour of the hearing's taking place or continuing without a teacher present. However, there was no indication that an adjournment might result in Mrs Parker's attending the public announcement of the findings of fact at a future date. As Mrs Parker represented herself during 19 to 23 March 2018, there was no indication that she wished to be legally represented at the hearing on 30 April.

The presenting officer submitted that Mrs Parker was told on the final day of the oral evidence stage on 23 March that the hearing would now be adjourned until 30 April and she was asked if she wished to attend. The presenting officer submitted that she unequivocally stated that she did not wish to attend.

The panel considered that Mrs Parker was not disadvantaged by the panel's decision to proceed in her absence on 30 April, as she had been able to give her account of events, question witnesses and provide mitigation evidence, having regard to the nature of the evidence against her, during 19 to 23 March 2018. The panel was also able to exercise vigilance in making any further necessary decisions, in this case, taking into account the degree of risk of the panel's reaching the wrong decision as a result of not having heard from Mrs Parker on 30 April, as it heard from her during 19 to 23 March.

The panel considered that in light of Mrs Parker's waiver of her right to appear and there being no indication that Mrs Parker would attend the public announcement of the findings of fact on another date if today's hearing were adjourned, it was content to proceed with the hearing on 30 April in Mrs Parker's absence.

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 1 to 5

Section 2: Notice of Proceedings and response – pages 6 to 11

Section 3: Teaching Regulation Agency's witness statements – pages 12 to 38

Section 4: Teaching Regulation Agency documents – pages 39 to 541

Section 5: Karen Parker's documents – pages 542 to 1011

Section 6: Paul Henry's documents – pages 1012 to 1183

Application for late admissibility of documents

Mr Henry's representative applied to admit to the bundle further character statements on behalf of Mr Henry, an additional witness statement for Henry and a copy of the up-to-date Ofsted report for Mr Henry's current school. This was not opposed by the presenting officer or Mrs Parker.

Mrs Parker also applied to admit before the panel a copy of a confidential agreement as she had indicated in the documents already included in the bundle that this would be made available to the panel at the hearing. This contained a confidentiality clause. In addition, she requested one page from a disciplinary investigation report was included in the bundle.

In the course of the hearing, the panel requested a copy of the test guidance for the SATs papers in 2015 to be added to the bundle to facilitate panel deliberations in this case.

Under paragraph 4.18 of the Procedures, the panel may admit any evidence, where it is fair to do so, which may reasonably be considered to be relevant to the case. The panel considered it was both fair and relevant to admit the documents subject to Mrs Parker and Mr Henry's respective applications. Therefore, these were admitted and paginated as follows:

- One page from an appendix included in the disciplinary investigation report dated 23 March 2016 relating to Mrs Parker– page 1011a;
- Updated character statement pages 1147a – 1147b;
- English reading paper – pages 1184 to 1187;
- English grammar: Paper 1 – pages 1188 to 1191;
- English grammar: Paper 2 – pages 1192 to 1195;
- Mathematics tests – Paper 1 – pages 1196 to 1199;
- Mathematics tests – Paper 2 – pages 1200 to 1203;
- 2014 – key stage 2 - test administrators' guide – pages 1204 to 1251;
- Ofsted report relating to Alameda Middle School - pages 1252 to 1261;
- Bundle 2: Confidential document - read by the panel before the hearing.
- Additional character statements for Mr Henry - pages 1262 to 1267;

- Additional witness statement for Mr Henry - pages 1268 to 1272;
- Additional statement from a relative - page 1273.

The panel confirmed it had read all of the documents supplied in advance of the hearing and read all other documents admitted in the course of the hearing.

Witnesses

The panel heard oral evidence from the following witnesses on behalf of the Agency from the relevant school:

- Witness A – former head of mathematics
- Witness B – former information technology teacher
- Pupil A – former pupil
- Witness C – former deputy head of mathematics

Mrs Parker and Mr Henry also gave oral evidence.

E. Decision and reasons

The panel announced its decision and reasons as follows:

The panel carefully considered the case before it and reached a decision.

The panel confirmed it had read all of the documents supplied in advance of the hearing and read all other documents admitted in the course of the hearing.

Mrs Parker had been employed at Robert Bruce Middle School (“the School”) as the headteacher since 1 September 2012. In May 2015, a parent of a pupil raised an anonymous allegation of cheating during the key stage 2 SATs test with the Standards Testing Agency (“STA”). A SATs monitoring visit took place at the School on 14 May 2015 and an investigation was conducted in June 2015. On 16 July 2015, the STA notified the School that it had found maladministration involved with the key stage 2 SATs tests and all results were annulled. Mrs Parker was suspended from her role as headteacher on 07 July 2015. The governors of the School commissioned an independent investigation, which concluded on 13 November 2015. Following further investigations, Mrs Parker left her role by mutual agreement on 31 May 2016.

Findings of fact

The panel’s findings of fact are as follows:

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

Whilst employed as headteacher at the Robert Bruce Middle School, you

- 1. Acted with a lack of professional integrity in relation to the preparation for and/or administration of the Key Stage 2 SATs examinations in 2015, in that you:**
 - a. provided more assistance to one or more pupils sitting the examinations than you knew or ought to have known was appropriate and/or in accordance with exam requirements;**

In his opening statement, the presenting officer submitted that the School was in a deprived area. This was corroborated by Witness B's oral evidence, which confirmed that many of the children did not have computers or support at home, and so their only time to revise was in the classroom.

Witness C stated that the school was challenging but the children were there to work and everyone did their best to teach the children well. The other adult witnesses stated, in oral evidence, that the School was challenging in many ways and there was a lot of pressure on the School to perform well in the SATs tests for Year 6 pupils. Witness B stated, in oral evidence, that the School had falling numbers on its admissions roll and there was concern amongst the staff when redundancies at the School were mentioned in 2014 that the School could close. The panel had sight of an Ofsted report from March 2015, which said that the School was in the category "requires improvement." Mrs Parker's oral evidence was that many of the pupils had difficult lives and most people would not be able or willing to come to school if they had to experience what most of the pupils experienced at home. Nonetheless, Mrs Parker's and Mr Henry's oral evidence was that there was no more pressure on this School than any other to perform well. Mr Henry was the assistant headteacher from September 2013.

In the course of the hearing, Mrs Parker suggested that it had been her understanding that she had been unable to call witnesses due to the terms of her settlement agreement. The panel asked Mrs Parker to confirm whether she felt able to continue her defence of these proceedings and she confirmed, on more than one occasion, that she was content for the hearing to proceed. She now understood that she was in a position to call witnesses to these proceedings if she wanted to but did not wish to do so.

When cross-examined by the presenting officer, Mrs Parker acknowledged that as headteacher of the School she was required to be familiar with the test procedures in place for the SATs and to ensure that all staff complied with these. The panel had regard to the document in the bundle, which sets out a headteacher's responsibility for key stage 2 tests. This states, "*Anyone administering a test on their own is more vulnerable to allegations of maladministration as they don't have another adult to verify the test administration procedures. We recommend having at least 2 test administrators in each test room. If this will be difficult for your school, you should consider using a timetable variation...*"

In his statement, Pupil A stated that he took his Year 6 SATs in May 2015. He further stated, and confirmed in his oral evidence, that he undertook the SATs test in a small room on his own with Mrs Parker present. This room was no bigger than a nursery classroom and was between Mrs Parker's office and the conference room in the School. He further stated in oral evidence that no other pupil was present when he was with Mrs Parker and she only left the room to fetch him a glass of water. Otherwise, Mrs Parker just sat in the room with him to keep "an eye on him."

When questioned by the panel, Pupil A's oral evidence was that Mrs Parker told him the answers to the mathematics questions on his SATs paper. He further stated either Mrs Parker would tell him the answer to write down or if he were close to the correct answer, she would say, "little bit higher," and, "little bit lower." At the time, he thought she was just being nice and trying to help him achieve a good grade. Pupil A accepted, in oral evidence, that at the time he was "mischievous" as he had previously ripped up three SATs test papers, as he did not wish to complete the test.

Upon further questioning by the panel, Pupil A stated that he did not write all the answers for the SATs tests himself as sometimes Mrs Parker acted as a scribe for him in his English test. Sometimes, he told her part of the answer and when Mrs Parker went to write the answer down she corrected it and did not write what he said.

In her statement, included in the bundle, Mrs Parker denies this allegation as she states that she followed the guidelines in the blue and yellow booklets that were issued by Mr Henry and another member of the senior leadership team. The panel was advised during the hearing that the blue and yellow booklets were the SATs test guidance booklets, which were simply printed on blue and yellow paper. Mrs Parker reiterated this in her oral evidence during the hearing. She further stated that she was in a room on her own with Pupil A for one SATs test on one occasion. The door of this room was wedged open. She did not lock the door as was suggested by Pupil A in his oral evidence.

She further stated both in her witness statement and in her oral evidence, which she scribed for Pupil A for one day and wrote down exactly word for word what he said.

During her oral evidence, Mrs Parker denied helping Pupil A with his answers on the SATs script. She did confirm that she had spent significant time with him to encourage him to sit the SATs test given that he had ripped up other tests scripts in practice SAT examinations. Mrs Parker's oral evidence was that Pupil A was the type of individual who liked the "limelight" and had a tendency to boast and tell untruths. In her closing submissions, Mrs Parker invited the panel to consider Pupil A as a non-credible witness. She drew the panel's attention to a statement in the bundle, which indicated that pupils in the self-esteem and emotional development centre ("SEED unit") in the School were prone to boasting and in his oral evidence Pupil A gave an inaccurate description of the physical appearance of Mr Henry, which indicated his account was unreliable.

The presenting officer submitted that there was no need for Mrs Parker to sit one to one with Pupil A, as there was a multitude of staff that could supervise him. The presenting officer submitted that Pupil A was a borderline pupil as had been outlined by Mr Henry in an email to staff and there were minutes of a governing body meeting in the bundle, which the panel had seen, which indicated that Mrs Parker wanted the results of the pupils in the SEED unit discounted. This was evidence, in the presenting officer's view, that Mrs Parker wanted to provide assistance to Pupil A that she knew was inappropriate and against examination requirements.

The panel noted that Pupil A had not provided any evidence about the SATs maladministration until two years after the SATs had taken place. In that time, he had seen media coverage of this, and recognised his friend from a newspaper report. He gave evidence that he had felt surprised to hear that maladministration had taken place, as he had not been aware of any at that point. The panel did not consider that Pupil A's oral evidence was credible and therefore the panel was reluctant to prefer his evidence over Mrs Parker's regarding the level of assistance she may or may not have provided to him. The panel therefore took no further account of Pupil A's evidence in relation to this allegation.

In his oral evidence, Mr Henry stated that he went to collect the mental mathematics test scripts and he saw Pupil E's test script on the top of the pile and it showed many crosses down the side. Mr Henry asked the staff who had invigilated this pupil in the library what had happened. He found out that Pupil E had been in the examination room with her head down on the desk and in tears. He therefore judged that she had not been well during the test and should have been removed by the invigilators. After she had completed paper 1, Mr Henry took Pupil E to Mrs Parker's office to continue the mental mathematics test from the point where she had ceased to put answers on her test script. The STA report describes, "12 answer boxes with crosses in them but then an answer is recorded."

When questioned by the presenting officer, Mrs Parker confirmed she was aware that Pupil E had been removed from the examination room in which she had originally sat a SATs test. She further stated that she was in her office with her personal assistant who was administering SATs tests for more than one pupil when Mr Henry brought Pupil E to her office. She further stated that Mr Henry then told Mrs Parker that Pupil E needed to pick up from a certain numbered question and the test script was face down on her desk. Mrs Parker told the panel that she gave Mr Henry a nod to allow Pupil E to come into the room to complete the rest of her mental mathematics test. Mrs Parker said that Pupil E came in and finished the mental mathematics test. Later in her oral evidence, she suggested that she must have started the mental mathematics test after the mathematics paper 1. The panel found her account inconsistent and illogical. If pupils in her office had been taking the mental mathematics test second rather than first, after a break, as she suggested, then there would have been an opportunity for pupils to confer with other

pupils who had already taken the test. Neither teacher provided a credible explanation for the timings of Pupil E's re-test.

The panel considered it extremely unlikely that Mrs Parker was conducting the mental mathematics test at the same time as Mr Henry brought Pupil E to her and Pupil E could not possibly have entered the room without causing any disruption or pausing of the test, which is against SATs guidelines. There is no doubt that Pupil E heard all or some of the mental mathematics test twice, which is a clear breach of the regulations.

The panel noted that the STA test administrator's guide 2014 states, "*if a child is unwell stop the test for the individual child and note the time. After a rest break, if the child is well enough, he or she should be given the correct amount of remaining time to continue with the test. The test must be completed on the same day. If the child is too ill to continue the test, send the partially completed test script for marking.*" The presenting officer notified the panel that the 2015 version of this guide was not available but the 2014 version was largely the same. Either Mrs Parker or Mr Henry did not contest this.

Mrs Parker attempted to distance herself from the fact that Pupil E was repeating the mental mathematics test rather than restarting it from a point she left the room. The panel did not find any of Mrs Parker's accounts credible.

The presenting officer submitted that Mrs Parker's and Mr Henry's conduct towards Pupil E related to providing her with more assistance than they knew or ought to have known was appropriate or in accordance with examination requirements. The panel agreed that allegation 1.a. was proven, as it was clear that Mrs Parker had provided Pupil E with more assistance than was appropriate as she received the chance to sit at least part of the mental mathematics test twice.

b. instructed staff members to provide more assistance to pupils than that which you knew or ought to have known is permitted under normal exam conditions;

In her witness statement, Witness A stated that Mr Henry gave instructions to staff members at two briefing meetings which she attended in 2015 relating to the 2015 SATs tests. She further stated that Mr Henry and another member of staff led these meetings. Mr Henry gave staff some guidelines and told staff members in general what they could do as opposed to, "what they could not do."

In her witness statement, Witness A stated that she and other staff members were informed by Mr Henry that pupils were not to turn the page of their examination paper until the member of staff in the classroom had looked at the answers and checked the answers were correct. If the pupil had answered the question incorrectly, the staff member was to point to the question. Once the pupil had corrected their answer, they could continue their examination.

Mrs Parker's oral evidence was that she did not instruct staff to provide any assistance to pupils, which was not permitted – she said that all staff were rigorously trained in accordance with the SATs test procedures printed on yellow and blue paper.

When questioned by the panel, Mrs Parker stated that she was aware that pupils were putting their hands up before turning the page in the SATs examinations. This was a suggestion of the senior leadership team and she stated that she listened to this and naively considered this was appropriate information to provide to staff to ensure pupils did not turn over two pages. She said that the SATs administration rules did not state that pupils could not turn the page over without a member of staff stating that they could. However, the panel noted that the SATs administration rules, admitted in the course of the hearing, stated that staff members should not look at the test answers and if a pupil put their hand up to be able to turn over the page, the panel considered there was a likelihood that the staff looked at their answers. Mrs Parker stated that staff did not look at the answers, they simply watched whilst the pupil turned over the page to check they were not turning over two pages.

The panel was deeply concerned that Mrs Parker still appeared to believe that this practice was acceptable.

The panel had regard to Witness B's statement, which stated that Mrs Parker called him and other staff members to a briefing and she said that pupils were to raise their hands at the end of each page of their examination.

The panel considered that even though there was limited evidence that Mrs Parker herself instructed staff members to provide more assistance to pupils than was permitted under the normal SATs examination conditions, as headteacher she was responsible for the administration and integrity of the SATs. The panel considered it was more likely than not that Mrs Parker either knew or ought to have known that asking pupils to put their hand up in order to prevent them turning over two pages at a time was a breach of SATs guidelines. The panel found Witness B's oral evidence relating to this allegation credible. This allegation was found proven.

The panel noted the advice of the legal advisor and a recent Court of Appeal judgement of *Wingate & Anr v SRA* and *SRA v Malins* (two separate appeals heard together). The panel further noted that the concepts of dishonesty and want of integrity are separate and distinct and that integrity connotes adherence to the ethical standards of one's own profession that involves more than mere honesty. However, it is linked to the manner in which the profession professes to serve the public.

The panel considered that its findings in relation to 1.a. and 1.b. are examples of a lack of professional integrity, a failure to adhere to ethical standards on the part of Mrs Parker in relation to the preparation for and/or administration of the key stage 2 SATs examinations in 2015.

2. Acted with a lack of professional integrity in that you:

a. advised staff members the School would only stay open if good SATS results were achieved in 2015, or used words to that effect;

Mrs Parker denied this allegation. She confirmed that during one morning briefing for the May 2015 SATs she said to staff, "Come on we can do this, if we do well and the children do well, we will get a big banner and put this outside the School to tell everybody." She stated that another member of the senior leadership team admitted in his witness statement that he told staff the School was at risk of closure. The panel had regard to the statement included in this bundle, which is unsigned. However, it is attributed to this member of the senior leadership team. It stated that when staff raised concerns about the number of mock tests and the impact it was having on the timetable, this staff member explained that the SATs were very important and that the School needed to hit "floor targets" and a potential consequence of this could be that the School could close if it did not.

The panel noted that Witness A's statement indicates that Mrs Parker reinforced Mr Henry's comments to staff by repeating what he had said, that the School would close if the results were not above "floor targets". Witness C's statement indicates that Mrs Parker and Mr Henry said if results were poor there would be no school left next year.

When cross-examined by the presenting officer, Mrs Parker denied ever having said anything like the wording stated in allegation 2.a. to the staff. She stated she was not at the briefing when the member of the senior leadership team said this and it was reported to her that this member of staff had said this.

When further cross-examined by the presenting officer, Mrs Parker's attention was drawn to the statement of Witness A, which stated that Mrs Parker said to staff, "I am sorry but we need to do everything to get these results up ASAP." Mrs Parker's oral evidence was that she did not remember the meeting referred to in Witness A's statement.

Witness B's statement stated that Mrs Parker made it known on a number of occasions in briefings that if the SATs results were not good enough staff members would lose their jobs.

The panel considered that it was more likely than not that Mrs Parker stated to staff that the School could close if the SATs results were not good.

Mrs Parker's oral evidence was that she knew all along that the School would close regardless. The panel considered that if Mrs Parker knew before the May 2015 SATs that the School would close; her suggesting that the School would not close if the SATs results were good was disingenuous. Therefore, the panel considered that Mrs Parker stated something, which she knew, was not true and in the panel's view, this amounted to a lack of professional integrity, as there had been a failure to abide by the ethical standards of the profession. This allegation is therefore found proven.

The panel has found the following particulars of the allegations against you not proven, for these reasons:

1. Acted with a lack of professional integrity in relation to the preparation for and/or administration of the Key Stage 2 SATs examinations in 2015, in that you:

c. bribed one or more pupils to carry out your instructions and/or answer questions correctly in exchange for a reward;

In his oral evidence, Pupil A stated that Mrs Parker offered him free food if he took his SATs tests. As he had previously ripped up his practice SATs test, he decided to accept the offer of food, as he would be able to sit the test and hopefully get to another school thereafter. He said that after he took the SATs tests Mrs Parker said to him that he deserved the food as he had completed the tests. Pupil A's further oral evidence was that he felt happy as he received the food he loved. In his written statement, he refers to having received KFC and Dominos once and McDonalds' food twice.

Mrs Parker's oral evidence was that she did not bribe pupils to either carry out her instructions or answer questions in exchange for a reward. She agreed that the pupils had been bought food out of the School's reward budget to motivate them to do the tests. She did not consider this a bribe.

The panel found that Pupil A had been given food in order to encourage him to sit the SATs test and he was rewarded for sitting the test. However, the panel did not consider this amounted to a bribe in the pejorative sense of the word. Therefore, the panel did not find the specific wording of this allegation proven.

d. set the fire alarm off to meet with staff members, knowing that examinations were taking place;

In her oral evidence, Witness A stated that the fire alarm at the School went off at approximately 12.05pm when she was invigilating the Year 8 exit examinations. These were tests being conducted for the School to have information to pass on to the pupils' next school. The data to be captured by these tests related to mathematics transfer data. When questioned by Mr Henry's representative, Witness B's oral evidence was that he believed the fire alarm went off when pupils were undertaking a formal SATs test. Witness B went on to state that after the fire alarm, all pupils in the School and staff were taken out on to the playground and non-teaching staff were left to supervise the children, whilst all teaching staff were called to the hall to attend an emergency meeting.

He stated that Mrs Parker reminded the staff how important the exams were and to ensure that all students do their very best. He recalled that staff were also told that they needed to keep an eye on pupils answering questions and the pupils were not to go on until they had answered every question. Witness C could not recall the fire alarm going off on or around the time of the SATs tests.

Mrs Parker admitted in her oral evidence that she did set off the fire alarm in the School and recorded it as a fire drill. She admitted this was not her "finest hour". However, this

was two weeks after the SATs tests, on the day that she received official notification of a maladministration investigation. She said she urgently needed to tell all the staff and as she was not allowed to arrange a meeting at lunchtime or after school, due to union advice, she felt she had no option but to ring the fire bell. She further stated in oral evidence that there was an examination that day but this was held off site at another school. Therefore, in her oral evidence, no examination was taking place on the School site when she set the fire alarm off. She provided advice to staff regarding the maladministration investigation that was about to take place. She wanted staff to be aware that they could have their union representative present at meetings.

Mr Henry's oral evidence was that Mrs Parker was entirely correct to set off the fire alarm in order to gather all the staff together.

The panel considered that the evidence relating to whether examinations were taking place at the time of the fire alarm was unclear, as Witness A's, Witness B's and Mrs Parker's evidence on this point was contradictory. The panel therefore considered that even though Mrs Parker admitted setting off the fire alarm it was unable to make a finding of fact that Mrs Parker knew that examinations were taking place at that time on the School site.

This allegation was therefore found not proven.

e. placed unreasonable pressure on colleagues to take measures to secure examination results regardless of whether these were an accurate reflection of the cohort of pupils undertaking the Key Stage 2 examinations;

In her oral evidence, Mrs Parker denied that she placed any unreasonable pressure on colleagues to take measures to secure examination results. She considered that the mathematics department at the School was not placed under any more pressure than other departments to perform well. She did not consider that Mr Henry placed unreasonable pressure on colleagues and stated, in oral evidence, that he was not an aggressive person.

When questioned by the panel, Mrs Parker stated that she was aware that staff having to provide extra classes or Saturday classes for SATs practice could be regarded as extra pressure but she did not consider that this amounted to measures to secure examination results that were not an accurate reflection of pupils' ability. Mrs Parker was aware that Witness A did not consider Witness A had a good relationship with Mr Henry and this may have impacted upon her judgment of his communications or provision of data relating to pupils' possible attainment levels.

Whilst there was no doubt from the evidence that staff at the School felt under extreme pressure to improve the SATs results, the panel considered that the Agency had failed to provide sufficient evidence to establish on the balance of probabilities that it was

pressure to achieve results beyond those that pupils were capable of. The panel therefore found this allegation not proven.

2. Acted with a lack of professional integrity in that you:

b. advised staff members that whoever reported the SATs maladministration;

- i. was not thinking of the pupils;**
- ii. would cause the school to close;**
- iii. was accountable for all staff members losing their jobs;**

Both in her written statement and oral evidence, Mrs Parker denied this allegation.

In her statement, Witness A said that after the fire alarm went off and all staff were convened in the hall (on the occasion referred to in allegation 1.d.), Mrs Parker and Mr Henry stood at the front of the hall. Mrs Parker led the meeting and said that there were concerns of maladministration of the SATs. Witness A went on to state that Mrs Parker told the staff and she and Mr Henry had been reported for cheating during the SATs whereby Mr Henry had, “gone round telling pupils the answers” and Mrs Parker was “coughing” when a pupil she was invigilating had written the wrong answer. Witness A also stated that Mrs Parker said that whoever had done this was not thinking of the pupils and that this would definitely cause the School to close. Witness A’s statement went on to say that Mrs Parker said that all staff members would be out of a job.

When questioned by the panel, Mrs Parker stated that she was shocked by the maladministration allegation and she was acting on “auto-pilot” when she spoke to the staff. She denied stating to staff that whoever reported this matter was not thinking of the pupils. In her oral evidence, she stated she was confident that she did not say it as the minutes of the meeting did not reflect her stating this.

The panel had regard to a copy of the minutes relating to this matter which Mrs Parker stated in oral evidence had been handwritten by another member of staff and were typed up by Mrs Parker several months later at the request of one of the maladministration investigators. This stated that at 12.30pm, Mrs Parker told staff that the School was being investigated for maladministration of the key stage 2 SATs and she knew that people would feel very disappointed with this, as all of the staff had worked so hard, as had the children all year including all of the extra clubs, holiday classes and Saturday School. There was no reference in these minutes to any similar information about this incident as contained in Witness A’s statement. When questioned by the panel, Mrs Parker accepted that the accuracy of the minutes typed up by her could be called into question given that the handwritten notes from which they were drafted were not before the panel. The panel therefore considered the content of such minutes was unreliable.

The panel noted the witness evidence of Witness A; however, the panel did not consider her evidence credible. Therefore, the panel was not content that the presenting officer

had demonstrated on a balance of probabilities that it was more likely than not that the words referred to in allegation 2.b.i to 2.b.iii were said by Mrs Parker. Accordingly, the panel found this allegation not proven.

c. attempted to intimidate and/or put fear into staff members to keep quiet about the SATs maladministration during the investigation process.

Witness A's witness statement states that Mrs Parker sent an email to all staff members in relation to a visit from the local authority, which was intended to "put fear in staff" and was "just another way to intimidate staff members into keeping quiet." The panel had regard to an email from Mrs Parker to staff stating she was disappointed that two ex-members of staff had been in touch with the School concerning SATs maladministration. The panel did not find the content of this email inappropriate or intimidating.

Witness A's statement went on to indicate that she was suspended by Mrs Parker as she believed that Mrs Parker thought that Witness A had spoken to the two ex-members of staff about the maladministration allegation. However, Witness A's oral evidence was that there was no need for her to be suspended as she was due to leave the School anyway as she was about to commence further studies. The panel did not consider Witness A's evidence on this issue was entirely credible as it was clear that Mrs Parker had suspended Witness A for emailing confidential pupil data to her personal email account.

In her closing submissions, Mrs Parker stated that at no point did she attempt to intimidate or put fear into staff to keep quiet about the SATs maladministration investigation.

The panel considered there was limited documentary evidence in the bundle or oral evidence during the hearing that satisfied it on the balance of probabilities that Mrs Parker had attempted to intimidate or "put fear" into staff members to keep quiet about the SATs maladministration process. The panel therefore found this allegation not proven.

3. Your conduct as may be found proven at allegations 1.a. and/or 2.c. above was dishonest in that you sought to unfairly influence the exam results obtained by pupils, and then to conceal your actions when subject to investigation.

As the panel found allegation 2.c. not proven, the panel only considered allegation 3 in the context of the wording of allegation 1.a. as this allegation was found proven.

The panel took into account the advice from the legal advisor stating that the Supreme Court case of *Ivey v Genting Casinos (UK) Ltd* had changed the application of the test of dishonesty in criminal law proceedings. It is now the case that once the defendant's state of knowledge and belief has been established, whether that state of mind was dishonest or not is to be determined by the application of the standards of the ordinary honest person. It has not yet been considered by the courts whether this test is the correct test to apply in professional discipline cases, but it must be presumed that it is, given that

previous advice provided in relation to dishonesty would have been based on the test in *R v Ghosh* which has now been held not to correctly represent the law.

In his closing submissions, the presenting officer stated that any wilful act by a member of the teaching profession to disrupt the administration of SATs in order to unfairly influence the examination results obtained by pupils is conduct, which is dishonest.

With regard to allegation 1.a. the panel considered that Mrs Parker knew or believed that providing assistance to one or more pupils during the SATs, as was given to Pupil E, was inappropriate but it did not consider that she was aware that her conduct in this regard was dishonest. The panel also agreed that ordinary honest people would not consider it dishonest to permit Pupil E, who had previously been unwell, to restart the test when she had composed herself. It was not clear from the evidence that Mrs Parker was attempting to unfairly influence the outcome of the SATs test. For these reasons, the panel found this allegation not proven.

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

Having found 1.a., 1.b. and 2.a. 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 Mrs Parker in relation to the facts found proven, involved breaches of the Teachers’ Standards. The panel considers that by reference to Part Two, Mrs Parker 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...;
- 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 Mrs Parker amounts to misconduct of a serious nature, which fell significantly short of the standards expected of the profession. As headteacher, she presided over the administration of SATs tests in which practices took place which were clearly against the regulations, and which she still does not accept were inappropriate. She directly provided more assistance to Pupil E than was permitted under the rules and she should have been aware that asking pupils to put their hands up before turning over the page was not consistent with good SATs administration. Mrs Parker, as headteacher was responsible for the integrity of the examinations, which had been breached. This led to the annulment of the results for the entire 2015 cohort.

The panel has also considered whether Mrs Parker's conduct displayed behaviours associated with any of the offences listed on pages 8 and 9 of the Advice. 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 panel has found that none of these offences is relevant.

Nevertheless, the panel is satisfied that Mrs Parker is guilty of unacceptable professional conduct.

The panel has taken into account the way the teaching profession is viewed by others and considered the influence that teachers may have on pupils, parents and others in the community. The panel has taken account of the uniquely influential role that teachers can hold in pupils' lives and that pupils must be able to view teachers as role models in the way they behave.

For all the reasons set out above, the panel found that Mrs Parker's actions constituted conduct that may bring the profession into disrepute. Her actions, as headteacher, led ultimately to the annulment of the 2015 SATs results. This is bound to have had a negative impact on the pupils concerned and the reputation of the School.

Having found the facts of particulars 1.a., 1.b. and 2.a. proved, the panel further found that Mrs Parker's conduct amounted to both unacceptable professional conduct and conduct that may bring the profession into disrepute.

Panel's recommendation to 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 is 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.

There is a potential public interest consideration in respect of the protection of pupils given the findings of fact relating to Mrs Parker contributed to the 2015 Key Stage 2 SATs results of the School being annulled, which must have been distressing for the pupils concerned and their parents. Although, this did not stem solely from the actions taken by Mr Henry or Mrs Parker as it was a result of a practice suggested by the deputy headteacher, it was implemented by the whole senior leadership team in the School, and as the headteacher, Mrs Parker led the senior management team.

Similarly, the panel considered that public confidence in the profession could potentially be weakened if conduct such as that found against Mrs Parker were not treated with seriousness when regulating the conduct of the profession.

The panel considered that a public interest consideration in declaring proper standards of conduct in the profession was also present.

In view of the public interest considerations that were present, the panel considered carefully whether it would be proportionate to impose a prohibition order taking into account the effect that this would have on Mrs Parker.

In carrying out the 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 Mrs Parker. 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. The panel found none of these behaviours or factors relevant.

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 presenting officer submitted to the panel that there were no previous disciplinary proceedings or warnings relating to Mrs Parker. The panel considered there was therefore no indication that Mrs Parker was of previous bad character. The panel considered that there was no evidence that Mrs Parker's actions were not deliberate, although it did not consider her conduct amounted to dishonesty. The panel did not consider that Mrs Parker was acting under duress.

The presenting officer suggested the panel should carefully consider whether Mrs Parker had demonstrated appropriate insight in this case.

The panel noted from Witness B's oral evidence that he was "behind" what Mrs Parker and Mr Henry was trying to achieve at the School, which was in a deprived area. The panel also noted from the character statements submitted by Mrs Parker in evidence that those that provided references in support of her application for the position of headteacher at the School indicated that she had an, "exceptional understanding of how young people learn," she knew how to manage and lead teachers in order that they can enable all students to realise their potential. She worked well with students and colleagues and was an outstanding teacher who was inventive in the ways in which she inspired students and was attentive to personalising experiences for their individual needs.

The panel noted that the character reference from the Education consultation who mentored Mrs Parker as a headteacher stated that Mrs Parker was an imaginative and talented teacher. She worked closely with colleagues at all levels to, "influence the style

and direction of the schools at a time of accelerated change in curricular, legislative and management terms,” and that as head she “led by example and persuasion a team of colleagues in devising an education programme which places the student as central to its purpose; based on strong moral, spiritual values...”

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 would not be a proportionate and appropriate response. Recommending that publication of adverse findings is sufficient in the case would unacceptably compromise the public interest considerations present in this case, despite the severity of consequences for Mrs Parker of prohibition.

Despite Mrs Parker’s previous good history and positive character references, 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 Mrs Parker. Her being the headteacher and ultimately accountable for the approach taken by the senior leadership team in relation to the Key Stage 2 SATs and the fact that she failed to demonstrate to the panel that she had any insight over the inappropriateness of her personal actions, were significant factors in forming that 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 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. The panel found none of these behaviours or factors relevant.

However, the panel did not consider Mrs Parker’s oral or written evidence provided it with any confidence that she had yet understood that her personal actions were inappropriate or that she was accountable for the actions taken by the senior leadership team with regard to SATs practice. There seemed to be no acknowledgement from Mrs Parker that her lack of professional integrity in relation to allegations 1.a., 1.b. and 2.a. contributed to the annulment of the 2015 SATs results. There was a lack of any demonstrable remorse over her actions as a large part of Mrs Parker’s evidence concentrated on her personal concerns over management issues and other matters not covered by the wording of the allegations.

The panel felt its 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 of two years. The allegations found proven were at the lower end of the possible spectrum therefore two years may be a sufficient time period for Mrs Parker to be able to develop insight over the inappropriateness and accountability for her actions.

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 allegations 1a, 1b and 2a to be proven and found that those proven facts amount to unacceptable professional conduct and conduct that may bring the profession into disrepute. For all of the other allegations where the panel has found them not to be proven, I have put the matters from my mind entirely.

The panel has made a recommendation to the Secretary of State that Mrs Karen Parker should be the subject of a prohibition order, with a review period of two years.

In particular the panel has found that Mrs Parker 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...;

Teachers must have an understanding of, and always act within, the statutory frameworks, which set out their professional duties and responsibilities.

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 Mrs Parker, and the impact that will have on her, is proportionate.

In this case I have considered the extent to which a prohibition order would protect children. The panel has observed "Mrs Parker contributed to the 2015 Key Stage 2 SATs results of the School being annulled, which must have been distressing for the pupils

concerned and their parents.” A prohibition order would therefore prevent such a risk from being present in the future for other pupils. I have also taken into account the panel’s comments on insight and remorse which the panel sets out as follows, “the panel did not consider Mrs Parker’s oral or written evidence provided it with any confidence that she had yet understood that her personal actions were inappropriate or that she was accountable for the actions taken by the senior leadership team with regard to SATs practice. There seemed to be no acknowledgement from Mrs Parker that her lack of professional integrity in relation to allegations 1.a., 1.b. and 2.a. contributed to the annulment of the 2015 SATs results. There was a lack of any demonstrable remorse over her actions as a large part of Mrs Parker’s evidence concentrated on her personal concerns over management issues and other matters not covered by the wording of the allegations.”

In my judgement the lack of insight means that there is some risk of the repetition of this behaviour and this risks the future well-being of pupils. 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, “Her actions, as headteacher, led ultimately to the annulment of the 2015 SATs results. This is bound to have had a negative impact on the pupils concerned and the reputation of the School.”

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 Mrs Parker herself. I have taken into account the positive comments about Mrs Parker, including, “she had an, “exceptional understanding of how young people learn,” she knew how to manage and lead teachers in order that they can enable all students to realise their potential. She worked well with students and colleagues and was an outstanding teacher who was inventive in the ways in which she inspired students and was attentive to personalising experiences for their individual needs.”

A prohibition order would prevent Mrs Parker from teaching for the period that it is in force and deny the public the benefit of her experience.

In this case I have placed considerable weight on the panel's comments concerning the lack of insight or remorse. The panel has said, "There was a lack of any demonstrable remorse over her actions as a large part of Mrs Parker's evidence concentrated on her personal concerns over management issues and other matters not covered by the wording of the allegations."

I have given less weight in my consideration of sanction therefore, to the contribution that Mrs Parker has made and 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 2 year review period.

I have considered the panel's comments "The allegations found proven were at the lower end of the possible spectrum therefore two years may be a sufficient time period for Mrs Parker to be able to develop insight over the inappropriateness and accountability for her actions."

I have considered whether a 2 year period reflects the seriousness of the findings and is a proportionate period to achieve the aim of maintaining public confidence in the profession.

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

This means that Mrs Karen Parker is prohibited from teaching indefinitely and cannot teach in any school, sixth form college, relevant youth accommodation or children's home in England. She may apply for the prohibition order to be set aside, but not until 2020, 2 years from the date of this order at the earliest. This is not an automatic right to have the prohibition order removed. If she does apply, a panel will meet to consider whether the prohibition order should be set aside. Without a successful application, Mrs Karen Parker remains prohibited from teaching indefinitely.

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

Mrs Karen Parker has a right of appeal to the Queen's Bench Division of the High Court within 28 days from the date she is given notice of this order.

Al C M

Decision maker: Alan Meyrick

Date: 4 May 2018

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