



Teaching  
Regulation  
Agency

# **Mr Colin Beckett: Professional conduct panel meeting outcome**

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

**December 2018**

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

**Teacher:** Mr Colin Beckett

**TRA reference:** 0017057

**Date of determination:** 17 December 2018

**Former employer:** Alsop High School, Liverpool

### **A. Introduction**

A professional conduct panel (“the panel”) of the Teaching Regulation Agency (“the TRA”) convened on 17 December 2018 at Cheylesmore House, 5 Quinton Road, Coventry CV1 2WT to consider the case of Mr Colin Beckett.

The panel members were Mr Steve Woodhouse (teacher panellist – in the chair), Ms Hilary Jones (lay panellist) and Mr Michael Lewis (former teacher panellist).

The legal adviser to the panel was Mr Nick Leale of Blake Morgan solicitors.

In advance of the meeting, the TRA agreed to a request from Mr Beckett that the allegations be considered without a hearing after taking into consideration the public interest and the interests of justice. Mr Beckett provided a signed statement of agreed facts dated October 2018. The panel considered the case at a meeting without the attendance of the presenting officer or Mr Beckett.

The meeting took place in private, save for the announcement of the panel’s decision, which was announced in public and recorded.

## **B. Allegations**

The panel considered the allegations set out in the Notice of Meeting dated 10 December 2018.

It was alleged that Mr Colin Beckett was guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute, in that whilst employed as a teacher at Alsop High School he;

1. Engaged in inappropriate and/or unprofessional behaviour towards Pupil A on or around 2 November 2017, including by;
  - a. Grabbing and/or taking hold of Pupil A's rucksack as Pupil A was going upstairs;
  - b. Pulling Pupil A by his rucksack;
2. In relation to his conduct at allegation 1 received a conditional caution from Merseyside Police for Battery (section 39 Criminal Justice Act 1988) on or around December 2017.

Mr Beckett admitted the facts in full by way of the statement of agreed facts.

## **C. Summary of evidence**

### **Documents**

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

Section 1: Anonymised pupil list – page 2

Section 2: Notice of Meeting and Statement of Agreed Facts – pages 3 to 9

Section 3: Teaching Regulation Agency documents – pages 11 to 52

Section 4: Teacher documents – pages 54 to 82.

The panel members confirmed that they had read all of the documents in advance of the meeting.

### **Statement of agreed facts**

The panel considered a statement of agreed facts which was signed by Mr Beckett and the Presenting Officer in October 2018.

## **D. Decision and reasons**

The panel announced its decision and reasons as follows:

We have carefully considered the case and reached a decision.

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

In advance of the meeting, the TRA agreed to a request from Mr Beckett that the allegations be considered without a hearing. We have the ability to direct that the case be considered at a hearing if required in the interests of justice or in the public interest. We did not determine that such a direction is necessary or appropriate in this case.

This is a case in which it was alleged that the teacher made inappropriate physical contact with a year 10 pupil by grabbing and pulling him with force by his rucksack as he went up a flight of stairs. It was further alleged that the conduct led to the acceptance by the teacher of a conditional caution from Merseyside Police for battery (common assault) by way of section 39 of the Criminal Justice Act 1988. The condition was for the teacher to send a sincere apology letter to the pupil involved.

### **Findings of fact**

Our findings of fact are as follows:

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

**1. Engaged in inappropriate and/or unprofessional behaviour towards Pupil A on or around 2 November 2017, including by;**

**a. Grabbing and/or taking hold of Pupil A's rucksack as Pupil A was going upstairs;**

**b. Pulling Pupil A by his rucksack;**

Mr Beckett fully admits these facts by way of the signed statement of agreed facts. We have also taken the opportunity to view the CCTV footage of the incident and this further confirms to us that this is what occurred, as does the written evidence in the bundle. These factual particulars are therefore proved.

**2. In relation to his conduct at allegation 1 received a conditional caution from Merseyside Police for Battery (section 39 Criminal Justice Act 1988) on or around December 2017.**

Mr Beckett fully admits his acceptance of the conditional caution in the signed agreed statement of facts. Page 51 of the bundle is written confirmation of the caution. This factual particular is therefore proved.

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

Having found all of 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 Beckett in relation to the facts found proven, involved breaches of the Teachers’ Standards. The panel considers that by reference to Part Two, Mr Beckett 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;
  - having regard for the need to safeguard pupils’ well-being, in accordance with statutory provisions;
- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach...;

The panel is satisfied that the conduct of Mr Beckett fell significantly short of the standards expected of the profession.

Mr Beckett acted in an inappropriate manner towards a year 10 pupil by grabbing and pulling him by his rucksack while he was climbing a flight of stairs. The physical contact used was not reasonable in the circumstances and was in clear breach of the school's 'Physical Contact to Restrain Students Policy'.

The panel has also considered whether Mr Beckett's conduct displayed behaviours associated with any of the offences listed on pages 10 and 11 of the Advice.

The panel has found that it did, as he has accepted a caution for an offence of violence.

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.

Accordingly, the panel is satisfied that Mr Beckett is guilty of unacceptable professional conduct.

The panel has also taken into account how 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.

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.

The panel therefore finds that Mr Beckett's actions constitute 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/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 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 punitive effect.

The panel has considered the particular public interest considerations set out in the Advice and 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 Beckett.

In carrying out the balancing exercise the panel has considered the public interest considerations both in favour of and against prohibition as well as the interests of Mr Beckett.

The panel has taken into consideration that Mr Beckett has shown significant insight into and remorse for his actions. He deeply regrets that he temporarily and briefly lost control of his behaviour. The panel has concluded that it is satisfied that this was a one off event that was entirely out of character.

The panel has read numerous positive testimonials and other personal mitigation put forward in support of Mr Beckett, who has enjoyed an unblemished 13 year career in teaching.

The panel has carefully and repeatedly viewed the very clear CCTV recordings of the incident. From this the panel has concluded that the inappropriate physical contact used was at the lower end of the scale of seriousness. There is no evidence of any lasting harm caused to the pupil concerned.

In light of the above, the panel 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 is sufficient.

After careful consideration, the panel has formed the view that applying the standard of the ordinary intelligent citizen recommending no prohibition order is a proportionate and appropriate response. Given that the nature and severity of the behaviour is at the less serious end of the possible spectrum and in light of the mitigation considerations that were present in this case, the panel has determined that a recommendation for a prohibition order will not be appropriate in this case. The panel considers that the publication of the adverse findings it has made is sufficient to send an appropriate message to the teacher, as to the standards of behaviour that are not acceptable and meets the public interest requirement of declaring proper standards of the profession.

## **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.

In considering this case, I have also given very careful attention to the Advice that the Secretary of State has published 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 recommended that the findings of unacceptable professional conduct and conduct likely to bring the profession into disrepute should be published and that such an action is proportionate and in the public interest.

In particular, the panel has found that Mr Beckett 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;
  - having regard for the need to safeguard pupils' well-being, in accordance with statutory provisions;



- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach...;

The findings of misconduct include a finding of violence.

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 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 Beckett, and the impact that will have on him, is proportionate and in the public interest.

In this case, I have considered the extent to which a prohibition order would protect children. The panel has observed, "The physical contact used was not reasonable in the circumstances". A prohibition order would therefore prevent such a risk from being present in the future. I have also taken into account the panel's comments on insight and remorse, which the panel sets out as follows, " Mr Beckett has shown significant insight into and remorse for his actions. He deeply regrets that he temporarily and briefly lost control of his behaviour. The panel has concluded that it is satisfied that this was a one off event that was entirely out of character."

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, " 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."

I am particularly mindful of the finding of violence 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 the public might regard a failure to impose a prohibition order 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 Beckett. The panel has said it, “ has read numerous positive testimonials and other personal mitigation put forward in support of Mr Beckett, who has enjoyed an unblemished 13 year career in teaching.”

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

For these reasons, I have concluded that a prohibition order is not proportionate and in the public interest.

I consider that the published findings of this case are proportionate and in the public interest.

A handwritten signature in blue ink, appearing to read 'Alan Meyrick', with a stylized flourish at the end.

**Decision maker: Alan Meyrick**

**Date: 20 December 2018**

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