



Teaching
Regulation
Agency

Mr John Stanway: Professional conduct panel outcome

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

August 2019

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Professional conduct panel decision

Teacher: John Stanway
Teacher ref number: 0973021
Teacher date of birth: 24 March 1973
TRA reference: 17050
Date of determination: 29 July 2019
Former employer: Hazelwick School, Crawley, West Sussex (the “School”)

A. Introduction

A professional conduct panel (“the panel”) of the Teaching Regulation Agency (“the Agency”) convened on 29 July 2019 at Cheylesmore House, 5 Quinton Road, Coventry, CV1 2WT to consider the case of Mr John Stanway (“Mr Stanway”).

The panel members were Robert Allan (lay panellist – in the chair), Caroline Tilley (lay panellist) and Fiona Tankard (teacher panellist).

The legal adviser to the panel was Kara O’Neill of Eversheds-Sutherland (International) LLP solicitors.

The presenting officer for the Agency was Caroline Dean of DAC Beachcroft LLP solicitors.

Mr Stanway was not present and was not represented.

The hearing took place in public and was recorded.

B. Allegations

The panel considered the allegations set out in the Notice of Proceedings dated 30 April 2019.

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

- 1. On or around 3 November 2017, you attended the School and appeared under and/or were under the influence of alcohol and smelt of alcohol;**
- 2. By your conduct at 1 above you taught in an inappropriate manner by**
 - (a) Leaving a lesson to get a drink and were absent for 10 or more minutes during that lesson**
 - (b) Playing loud music during a lesson**
 - (c) Failing to adhere to an anticipated lesson plan**
 - (d) not controlling the noise levels and behaviour of one of more pupils during a lesson**

The particulars of the allegations as set out in the Notice of Proceedings, refer to the teacher in the third person.

In the absence of/non-response from the teacher, the panel has taken the position of referring to the allegations having not been admitted.

C. Preliminary applications

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

The panel was satisfied that the Agency 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 decided 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 had to be exercised with the utmost care and caution, and that its discretion was a severely constrained one.

In making the decision, the panel noted that the teacher waived 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 was satisfied that the Agency had discharged its statutory obligations regarding service of the notice of proceedings and that, on the balance of probabilities, Mr Stanway was aware of the proceedings. The panel noted that the Agency had made several attempts (via email, post and phone) to contact Mr Stanway. It reviewed evidence that the notice of proceedings had been sent to and signed for at Mr Stanway's latest given address by a Mr [Redacted]. The panel also examined email correspondence sent to Mr Stanway which had received no response although Mr Stanway had responded via the same email address up until the period of March 2019. The panel was satisfied that the Agency had taken appropriate steps to contact Mr Stanway but he had not responded to either email or written communication. He had also not provided any up to date contact details. The panel therefore considered that the teacher had voluntarily waived his right to be present at the hearing.

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. There was no indication that an adjournment might result in Mr Stanway's attendance at the hearing.

The panel considered the extent of the disadvantage to the teacher in not being able to give his account of events, having regard to the nature of the evidence against him. The panel was able to exercise vigilance in making its decision, taking into account the degree of risk of the panel's reaching the wrong decision as a result of not having heard the teacher's account.

The panel had regard to the seriousness of this case. The panel was aware of the potential consequences for the teacher and acknowledged that fairness to the teacher was of prime importance. In addition, the panel believed these were serious allegations and it was in the public interest to proceed with the hearing.

Upon a request from the panel, the presenting officer applied to admit 5 documents. The documents were not served in accordance with the requirements of paragraph 4.20 of the Procedures, and as such the panel was required to decide whether those documents should be admitted under paragraph 4.25 of the Procedures at the discretion of the panel.

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 was satisfied that the documents were relevant to the case as one particular document was the previous panel decision made in December 2018 and the other documents gave clearer evidence of service of documentation to the teacher.

The panel considered whether Mr Stanway had received the documents and had sufficient opportunities to make representations about the documents and was satisfied that the panel decision document had been properly sent to Mr Stanway as evidenced in the proof of service index of papers. The other documents gave clearer evidence related to service and Mr Stanway would have been aware of the attempts to serve the papers on him.

By reason of the above, the panel decided to admit the documents.

D. Summary of evidence

Documents

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

Section 1: Chronology, identification key and list of roles – pages 1 to 3

Section 2: Notice of referral, response and notice of meeting – pages 3a to 3c

Section 3: Agreement statement of facts and presenting officer submissions – pages 3d to 3m

Section 4: Agency witness statements – pages 4 to 75

Section 5: Agency evidence – pages 76 to 396

Section 6: Teacher witness statements – none submitted

Section 7: Teacher documents – none submitted

In addition, the panel agreed to accept the following:

Service documents – pages 399 to 403

Panel decision document of December 2018 – pages 404 to 409

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

Witnesses

There were no witnesses called.

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 that it had read all the documents provided in the bundle in advance of the hearing.

Mr Stanway commenced employment as a science teacher at the School on the 1st September 2017. It was alleged that on the 3rd November 2017, Mr Stanway taught 2 science lessons whilst under the influence of alcohol, one of which was witnessed by two other members of staff. Following on from this incident, an investigation took place by the School and a subsequent disciplinary meeting was held. Mr Stanway was dismissed from the School on 15th January 2018. Mr Stanway appealed the School's decision and an appeal meeting took place on 27th March 2018. On 4th April 2018, the School upheld its decision to dismiss Mr Stanway.

Findings of fact

The panel found the following particulars of the allegations against Mr Stanway proved, for these reasons:

- 1. On or around 3 November 2017, you attended the School and appeared under and/or were under the influence of alcohol and smelt of alcohol;**

The panel assessed all the evidence before it and was mindful at the outset that it only had limited medical evidence from Mr Stanway, despite previously requesting further details in a panel meeting held in December 2018. The panel had not received any further medical evidence from Mr Stanway.

The panel took account of Mr Stanway's varying admissions about this allegation and it was noted that he had changed his explanation for his behaviour on a number of occasions. The panel firstly took into account evidence in which Mr Stanway stated that his behaviour was as a result of a [Redacted]. The panel reviewed evidence in the form of 3 letters from Mr Stanway's GP practice. The first one of these stated that he was diagnosed with [Redacted] when he went to see a doctor on 6th November 2017. The panel also viewed a letter from an occupational health physician dated 2nd October 2017, prior to the incident, which stated, "Mr Stanway has experienced [Redacted] previously which have required some medical input... I do not think he needs any specific medical intervention or support in the workplace in this respect."

The panel went on to examine a letter dated 12th December 2017 from the same occupational health physician, which followed a telephone consultation on 7th December 2017, and stated, "He is experiencing what I would describe as a [Redacted]." The panel was mindful that the majority of the evidence post-dated the incident.

Although Mr Stanway pointed to an [Redacted] as the reason for his behaviour, in the absence of specific medical evidence about the relationship between Mr Stanway's [Redacted] and his use of alcohol, the panel was unable to draw any conclusion that an [Redacted] accounted for his behaviour on the 3rd November 2017.

The panel went on to examine Mr Stanway's more contemporaneous account of events. The panel reviewed email evidence from Mr Stanway to the School's HR manager, which he provided immediately after the incident. In this he stated, "I had drunk alcohol from the previous evening and at the time of leaving home I felt sober and that alcohol had left my system and I was safe to drive. Once out in the air and as the morning progressed I don't know why but I felt the effects coming back on." He also stated, "I realised that I was still feeling the effects of the alcohol." He made further admissions that, "I am not denying that I was under the influence of alcohol when I was in the school last Friday morning."

In the occupational health letter dated 12th December 2017, the physician stated, "[Mr Stanway] described consuming excessive alcohol the night before going into School. Then realising this as the day progressed and divulging to Human Resources."

The panel also reviewed the witness statement of a teaching assistant in which she stated, "He smelt of alcohol." Additionally, the HR manager recalled that Mr Stanway smelt of alcohol and that, "his behaviour in what he was saying to me was consistent with that of a person who was in fact under the influence of alcohol". The panel found that these witness statements and accounts of events were consistent.

By Mr Stanway's own admission, he had drunk alcohol the night before and stated, "I was under the influence of alcohol on 3rd November 2017 after drinking the previous evening because it is possible that alcohol remained in my body from the night before." This was prior to any evidence regarding a [Redacted] being given as a reason. Mr Stanway also put forward the explanation that he may have been hungover, but not under the influence of alcohol. "I woke up late at about 8.05am, got dressed quickly. I did not have time to wash, shower or clean my teeth before I left home. I knew it was past the 7.30am deadline to phone in sick, and I felt too tired and dehydrated to set cover work in time for lesson 1... I didn't have time to take a shower which would explain why there was a strong smell of alcohol on me as I had spilt a lot of drinks on me and my bed the night before." The panel found that Mr Stanway's evidence was jumbled and contradictory.

The panel was of the view, on the balance of probabilities, that Mr Stanway both appeared to be and was under the influence of alcohol on the morning in question and his behaviour could not solely be attributed to a hangover.

On the balance of probabilities, the panel found allegation 1 proved.

2. By your conduct at 1 above you taught in an inappropriate manner by

(a) Leaving a lesson to get a drink and were absent for 10 or more minutes during that lesson

The panel noted at the outset that Mr Stanway admitted that he left the classroom during the lesson, stating, “Before I left the classroom to go and make a cup of coffee, I asked [Redacted] if she would be happy to supervise the class for a few minutes whilst I went to make a drink of coffee.”

The [Redacted] in her witness statement said that Mr Stanway left the classroom approximately halfway through the lesson. She stated, “It was unheard of for a teacher to leave a class to go and make a coffee,” and, “The irregularity of his behaviour was, in my view, noted by the students, many of whom seemed perplexed about what was going on.” The panel noted that in most schools it would be unusual practice for teachers to leave the room to get a drink whilst teaching was ongoing. In this instance, having reviewed evidence that the [Redacted] thought it was abnormal behaviour, the panel concluded that this action would not be considered usual in the normal course of teaching in this School and was therefore inappropriate.

Whilst the panel was mindful that there were inconsistencies as to the length of time that Mr Stanway was absent from the classroom, it was common ground that Mr Stanway absented himself from the classroom.

The panel found the facts of allegation 2 (a) proved.

(b) Playing loud music during a lesson

The panel firstly turned its mind to the evidence of the [Redacted], who stated that Mr Stanway, “used his laptop to play pop music through its speakers”. The [Redacted] also stated, “Some [students] were going up to the laptop and choosing music to put on.” She also described the music as “loud” and this behaviour as “unusual”. The [Redacted] decided to report her concerns to her line manager as she deemed it inappropriate behaviour.

Mr Stanway’s account was that he put the radio on at the end of the lesson as the students had finished marking their tests. Therefore there was no dispute that loud music was put on after the students had finished marking their tests.

The panel concluded that in this instance it was more likely than not to be inappropriate behaviour. The panel was mindful that Mr Stanway’s behaviour demonstrated unusual or unorthodox classroom practice on that particular day and that the [Redacted] stated, “This had certainly never occurred before in any of Mr Stanway’s classes.” Additionally the investigation report also concluded, “Mr Stanway played loud pop music with no explanation.”

Therefore the panel found the facts of allegation 2 (b) proved.

(d) not controlling the noise levels and behaviour of one of more pupils during a lesson

The panel took into account the witness statement of the [Redacted] which stated, “The students were moving around the class, being generally noisy.” The panel also viewed the evidence of a [Redacted] who was acting as a support teacher and observed part of the lesson. In her statement she stated, “Some of the students were still messing around and many were talking amongst themselves as if the lesson had not got underway...In this respect Mr Stanway appeared tired and disorganised. I did not think he was exercising his usual level of control over the class...When I returned, the class was very noisy. It looked more like break-time than a lesson. Mr Stanway was sitting at his desk and seemed to be doing something with his computer. I do not think the class was under any sort of control.”

Whilst the panel noted that it was unable to test the evidence before it, it found, on the balance of probabilities, that the witnesses’ accounts of events were consistent and credible. The panel found that Mr Stanway’s behaviour was inappropriate because he appeared oblivious to the noise levels and behaviour of the students he was teaching at the time of the incident.

On the balance of probabilities, the panel found the facts of allegation 2 (d) proved.

The panel found the following allegation *not* proved for the following reasons:

(c) Failing to adhere to an anticipated lesson plan

In the absence of any witnesses, the panel was unable to test any evidence before it. The panel was mindful that it did not have sight of any lesson plans.

The panel had regard to the statement produced by the [Redacted] which said that at the beginning of the lesson, Mr Stanway told her it was going to be a, “book work lesson” as he, “didn’t feel up to it”. She further stated, “I said that Mr Stanway had previously told the class they were going to be marking an internal examination paper they had recently completed. I think Mr Stanway had forgotten. Mr Stanway then handed out the assessment papers the students had completed in a previous lesson.”

The panel concluded that this evidence in fact indicated that he did follow the intended plan for the lesson, having been reminded of it by the [Redacted].

On the balance of probabilities, the panel found allegation 2 (c) not proved.

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

Having found a number of the allegations to have been proved, the panel went on to consider whether the facts of those proved allegations amounted to unacceptable professional conduct and/or conduct that may bring the profession into disrepute.

In doing so, the panel had regard to the document Teacher Misconduct: The Prohibition of Teachers, which the panel refers to as “the Advice”.

The panel was satisfied that the conduct of Mr Stanway in relation to the facts found proved, involved breaches of the Teachers’ Standards. The panel considered that by reference to Part Two, Mr Stanway was in breach of the following standards:

- Teachers uphold public trust in the profession and maintain high standards of ethics and behaviour,
- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach.

The panel concluded that the conduct of Mr Stanway in relation to allegation 1 amounted to misconduct of a serious nature which fell significantly short of the standards expected of the profession.

However, the panel decided that whilst the conduct of Mr Stanway in relation to the facts found proved at allegation 2 did involve breaches of the Teachers’ Standards, it was not ‘conduct of a serious nature falling significantly short of the standard of behaviour expected of a teacher’. Whilst the panel found Mr Stanway’s behaviour in the classroom was inappropriate in that he demonstrated poor classroom management skills, it did not find that there was any significant evidence that students had been adversely affected.

The panel was satisfied that the conduct of the teacher fell significantly short of the standards expected of the profession in regard to allegation 1. Teaching a class whilst under the influence of alcohol demonstrated a disregard for the wellbeing and safeguarding of students and amounted to significant unprofessional conduct.

The panel also considered whether the teacher’s conduct displayed behaviours associated with any of the offences listed on pages 8 and 9 of the Advice. The panel found that none of these offences was relevant.

The panel took 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 took into account 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. Teaching students whilst under the influence of alcohol, or appearing to be under the influence of alcohol, would have a negative impact on Mr Stanway’s

status as a teacher. It could damage the public's perception of him and therefore bring the profession into disrepute.

Having found the facts of particulars 1 and 2 proved, the panel further found that Mr Stanway's conduct in relation to allegation 1 amounted 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 was 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 had to consider whether it would be an appropriate and proportionate measure, and whether it would be 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 considered the particular public interest considerations set out in the Advice and having done so, 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.

In light of the panel's findings against Mr Stanway, which involved being under the influence of alcohol whilst teaching, there was a strong public interest consideration in declaring proper professional standards of conduct in the profession as well as the protection of students. The panel found that the conduct of Mr Stanway was outside that which could be reasonably tolerated.

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

- 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;

Having found that 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 a

prohibition order, particularly taking into account the nature and severity of the behaviour in this case. The panel first considered whether it would be proportionate to conclude the case without a recommendation of prohibition, considering whether the publication of findings made by the panel would be sufficient.

The panel noted that Mr Stanway had some experience as a science teacher. The panel had not seen any evidence of any previous conduct issues.

As far as the panel was aware, this was an isolated incident. His conduct, in being under the influence of alcohol, was not done deliberately to harm students. Indeed, the panel was mindful that following on from teaching on the morning of the incident, Mr Stanway did report himself to the HR manager as unfit to continue to teach, showing some self-awareness. However, the panel was of the view that Mr Stanway's conduct demonstrated disregard for professional standards in that he chose to come to school regardless of being under the influence, having drunk alcohol heavily the night before. An aggravating factor for the panel was Mr Stanway's jumbled and contrasting explanation of events post-incident, showing a lack of insight into his actions.

There was no evidence that the teacher was acting under duress.

The panel noted Mr Stanway's recent lack of engagement with the regulatory process. The teacher chose to not submit any further documentation, despite requests for further medical evidence from the panel at a meeting in December 2018. This denied the panel any ability to properly explore Mr Stanway's insight into his misconduct, his remorse into his actions or what progress he was making to remediate his behaviour. The panel, therefore, could not be satisfied that there would not be a continuing risk to students or to the reputation of the profession.

The panel carefully considered whether, under these circumstances, prohibition was proportionate and appropriate. The panel concluded, on balance, that the public interest considerations outweighed the interests of Mr Stanway.

The panel concluded 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 would be sufficient in the case would unacceptably compromise the public interest considerations, despite the severity of consequences for the teacher of prohibition. Accordingly, the panel made a recommendation to the Secretary of State that a prohibition order be imposed with immediate effect.

The panel went on to determine whether or not it would be appropriate for it 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 proved, would militate against the recommendation of a review period. The panel determined that none of these behaviours was relevant and therefore it would be appropriate in the circumstances to have a review period.

The panel noted that whilst this was serious misconduct, no pupils appeared to have been harmed although the panel considered that there was a risk of harm by the nature of his conduct. The panel could not discount that there were underlying health conditions on Mr Stanway's part that could have accounted for some of his actions; however, it did not negate the fact that it was unacceptable to attend work and teach students whilst under the influence of alcohol. The panel considered that, given time for reflection and to work on his underlying health conditions, Mr Stanway should have the opportunity to demonstrate to a future panel his fitness to return to the profession.

The panel felt the findings indicated a situation in which it would be appropriate and proportionate in all the circumstances to a prohibition order to be recommended with provisions for a review period of 2 years.

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 both sanction and review period.

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 some of the allegations proven and found that some of those proven facts amount to unacceptable professional conduct and conduct that may bring the profession into disrepute. In this case, the panel has also found some of the allegations not proven, and has found that some of the proven allegations do not amount to unacceptable professional conduct or conduct likely to bring the profession into disrepute. I have therefore put those matters entirely from my mind.

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

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

- Teachers uphold public trust in the profession and maintain high standards of ethics and behaviour,
- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach.

The panel also concluded that the conduct of Mr Stanway in relation to allegation 1 amounted to “misconduct of a serious nature which fell significantly short of the standards expected of the profession”.

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 Stanway, 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, “ Teaching a class whilst under the influence of alcohol demonstrated a disregard for the wellbeing and safeguarding of students and amounted to significant unprofessional conduct.”

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, “ An aggravating factor for the panel was Mr Stanway’s jumbled and contrasting explanation of events post-incident, showing a lack of insight into his actions.” In addition the panel felt that they did not have, “ any ability to properly explore Mr Stanway’s insight into his misconduct, his remorse into his actions or what progress he was making to remediate his behaviour.”

In my judgement, the lack of full insight means that there is some risk of the repetition of this behaviour and this puts at risk the 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, “ Teaching students whilst under the influence of alcohol, or appearing to be under the influence of alcohol, would have a negative impact on Mr Stanway’s status as a teacher. It could damage the public’s perception of him and therefore bring the profession into disrepute.”

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 Stanway himself. The panel comment, "The panel noted that Mr Stanway had some experience as a science teacher. The panel had not seen any evidence of any previous conduct issues. As far as the panel was aware, this was an isolated incident."

A prohibition order would prevent Mr Stanway from teaching and 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 full insight or remorse.

I have given less weight in my consideration of sanction therefore, to the contribution that Mr Stanway 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, in light of the circumstances in this case, 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 intended aims of a prohibition order.

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 whether a 2 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.

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

This means that Mr John Stanway 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 2021, 2 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 John Stanway remains prohibited from teaching indefinitely.

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

Mr John Stanway has a right of appeal to the Queen's Bench Division of the High Court within 28 days from the date he is given notice of this order.

A handwritten signature in black ink, appearing to read 'Alan Meyrick', written in a cursive style.

Decision maker: Alan Meyrick

Date: 14 August 2019

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