



Teaching
Regulation
Agency

Mr Dean Collins: Professional conduct panel outcome

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

January 2020

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

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| Teacher: | Mr Dean Collins |
| Teacher ref number: | 9541083 |
| Teacher date of birth: | 15 October 1969 |
| TRA reference: | 18166 |
| Date of determination: | 24 January 2020 |
| Former employer: | Eversfield Preparatory School, Solihull |

Introduction

A professional conduct panel (“the panel”) of the Teaching Regulation Agency (“the TRA”) convened on 23 January to 24 January 2020 at Cheylesmore House, 5 Quinton Road, Coventry, CV1 2WT, to consider the case of Mr Dean Collins.

The panel members were Ms Alison Walsh (teacher panellist), Mr Steve Woodhouse (teacher panellist) and Mr Martin Pilkington (lay panellist – in the chair).

The legal adviser to the panel was Mr James Danks of Blake Morgan LLP.

The presenting officer for the TRA was Mr Luke Berry of Browne Jacobson LLP.

Mr Collins was not present and was not represented.

The hearing took place in public and was recorded.

Allegations

The panel considered the allegations set out in the notice of proceedings dated 28 November 2019.

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

1. Whilst applying for the role of games teacher at Eversfield Preparatory School and / or following your appointment, he provided false and / or misleading information including by:
 - a. stating in his application from that he had achieved a lower second class honours degree from Northumbria University when in fact he had achieved a third class degree;
 - b. providing a document which appeared to demonstrate that he had achieved a lower second class honours degree from Northumbria University.
2. Whilst applying for the role of games teacher at Cadbury College and / or following your appointment, he provided false and / or misleading information including by stating in his application from that he had achieved a lower second class honours degree from Northumbria University when in fact he had achieved a third class degree;
3. His conduct, as may be found proven at 1 and / or 2 above, lacked integrity and / or was dishonest.

Mr Collins accepted the underlying facts of allegations 1a and 2 only. The panel therefore proceeded on the basis that he denied the remaining allegations and, therefore, also denied unacceptable professional conduct and conduct that may bring the profession into disrepute.

Preliminary applications

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

The panel accepted the legal advice provided in relation to this application and took account of the various factors referred to it, as derived from the guidance set down in the case of *R v Jones* [2003] 1 AC 1 (as considered and applied in subsequent cases, particularly *GMC v Adeogba*; *GMC v Visvardis* [2016] EWCA Civ 162).

The panel was satisfied that the Notice of Proceedings ("the Notice") had been sent in accordance with Rules 4.11 and 4.12 of the Teacher Misconduct: Disciplinary Procedures for the Teaching Profession ("the Procedures") and that the requirements for service had been satisfied.

The panel went on to consider whether to proceed in Mr Collins's absence or to adjourn, in accordance with Rule 4.29 of the Procedures.

The panel had regard to the fact that its discretion to continue in the absence of a teacher should be exercised with great caution and with close regard to the overall fairness of the proceedings. The panel has given careful consideration to the fact that Mr Collins is not in attendance and will not be represented at this hearing, should it proceed, and the extent of the disadvantage to him as a consequence.

The panel noted that Mr. Collins had been consistent, in a number of emails to the Presenting Officer's firm and his formal Responses to documents, in his request that this matter be determined without the need for a hearing. Whilst that had not been possible, this stance was indicative of an expectation that he would not be in attendance to put forward his position in person.

The panel did, however, also take account of a number of pieces of correspondence that had been sent to Mr. Collins. In particular, there was a Notice of Referral dated 24 December 2019, which the panel noted was generally the first correspondence sent to a teacher when a concern is received by the TRA. This Notice of Referral had been sent to Mr. Collins after the formal Notice of Proceedings and there was some concern that a formal document being received out of its normal sequence may have created some confusion with Mr. Collins as to whether the hearing was proceeding on the arranged dates.

On balance, the panel has decided that the hearing should continue in the absence of Mr. Collins for the following reasons:

- From the Notice of Proceedings and later correspondence sent by Mr Collins, he was aware of the hearing date
- Mr Collins has not sought an adjournment and there is no medical evidence before the panel which indicated that he was unfit to attend the hearing due to ill-health.
- Whilst the Notice of Referral dated 24 December 2019 had the potential to cause some confusion to Mr Collins, he had not raised any queries regarding the hearing date;
- Mr Collins had sent a response to the Notice of Referral and an email of 3 January 2020 to the Presenting Officer's firm, which again asked for the matter to be *"...expedited"* and *"...I have requested no hearing in order to speed up the panel's decision."*
- The panel was therefore satisfied that Mr Collins's absence was voluntary and he had waived his right to attend.

- The risk of reaching the wrong conclusion and the disadvantage to Mr Collins in not being present are mitigated by the fact that the TRA's case was fundamentally based on documentary evidence, the content of which Mr Collins accepted;
- Mr Collins had provided a written response to the allegations, which, whilst serious, were narrow in nature
- There was no indication that Mr Collins might attend at a future date such that no purpose would be served by an adjournment.
- There is a public interest in hearings taking place within a reasonable time.
- There is a burden on all professionals who are subject to a regulatory regime to engage with their regulator.

Having decided that it is appropriate to proceed, the panel will strive to ensure that the proceedings are as fair as possible in the circumstances, bearing in mind that Mr Collins is not present or represented.

The panel also heard an application from Mr Berry for a document, not served in accordance with Rule 4.20, to be entered into evidence and its decision is below:

"We have considered the application from Mr Berry for the witness statement of Witness A, dated 13th January 2020, to be entered into evidence despite it not being included with the Notice of Proceedings or served in accordance with Rule 4.20.

Mr Berry explained that notice of Witness A giving evidence was given to Mr Collins within the Notice of Proceedings. It had been hoped that this matter would be dealt with by way of a Meeting but, once it became apparent that a Statement of Agreed Facts could not be finalised with Mr Collins, a witness statement was obtained from Witness A.

In Mr Berry's submission, the witness statement exhibits the documents already contained within the bundle and provides some context to the circumstances of Mr Collins's application to Eversfield Preparatory School ('Eversfield'). The statement had been served on Mr Collins by email of 14th January 2020 but no response, either agreeing or objecting, had been received from him. No further contact of any sort had been attempted to obtain an answer from Mr Collins as to whether he agreed, or objected, to the evidence being before the panel.

The panel reviewed the statement and also had in mind that Mr Collins accepted the facts of allegation 1a. It was clear that the evidence related to Mr Collins's application to Eversfield and was relevant to the case in hand.

However, in respect of fairness, whilst Mr Collins accepted the facts of allegation 1a, there was no similar acceptance in respect of allegation 1b (and the part of allegation 3

relating to 1b). There is specific evidence within the statement as to the circumstances of Mr Collins's submission of the degree certificates to Eversfield, which goes directly to the possible dishonest conduct in respect of the same. This was new evidence that Mr Collins had not been given a proper opportunity to answer, and also evidence served after he provided his response to the allegations.

The panel accepted that the Notice of Proceedings included a statement of intent for Witness A to give evidence but a teacher must be entitled to know the evidence upon which a case is made. The allegations were, of course, prepared without the benefit of the TRA knowing the content of any evidence from Witness A, and were answered by Mr Collins. The statement in question is short in length and should have been prepared in better time and served when appropriate.

In the circumstances, the panel allowed the application to the extent that Witness A's evidence related to allegation 1a. The unfairness to Mr Collins was significantly mitigated by his acceptance of the allegation.

However, the panel refuses the application in respect of any evidence from Witness A, written or oral, regarding allegation 1b. The provision of the sole witness statement in a case, nine days before a hearing, which introduces new evidence on allegations of integrity and dishonesty, that a teacher does not admit, is fundamentally unfair especially when a response to the allegations has been provided. It would, in effect, reverse the burden of proof. In consideration of fairness, this must be even more the position when there has been no effort made to secure a teacher's position on the application and the panel is surprised that no effort has been made to obtain this, save for the original email.

Witness A's witness statement is admitted into evidence, save for paragraphs 5, 7 and the latter references in paragraphs 8 and 10. For clarity, the exhibits referred to within those paragraphs, which have been properly served, remain in evidence."

Summary of evidence

Documents

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

Section 1: Chronology – page 2

Section 2: Notices of Referral and Proceedings and responses – pages 4 to 23

Section 3: Teaching Regulation Agency documents – pages 13 to 78

Section 4: Teacher documents – page 80

In addition, the panel agreed to accept the following:

- Witness statement of Witness A dated 13 January 2020 (albeit not in its entirety).

The panel members confirmed that they had read all of the documents within the bundle, in advance of the hearing and the additional document that the panel decided to admit.

Witnesses

The panel heard oral evidence from:

- Witness A, [Redacted].

Decision and reasons

The panel announced its decision and reasons as follows:

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

Mr Collins had been employed as a PE and Mathematics Teacher at Cadbury College since September 2012. In October 2018, he successfully applied for a new position at Eversfield Preparatory School, and commenced employment in January 2019. As part of this new employment, Mr Collins was asked to provide confirmatory certificates for his academic qualifications stated on his application form.

When Mr Collins provided these certificates, he provided two in respect of his university degree, one that stated he achieved a Third Class Degree and another that stated he achieved a Lower Second Class Degree. His application form was reviewed and it was noted that this stated he had achieved a 2:2.

Upon questioning on the discrepancy during a disciplinary meeting, Mr Collins accepted that he had achieved a Third Class degree and had wrongly stated obtaining a Lower Second Class degree. He explained that his salary at a previous employment had been reduced due to this Third Class degree. Mr Collins was dismissed from his role at Eversfields Preparatory School in January 2019.

Upon review, it also became apparent that Mr Collins had also stated on his application form to Cadbury College that he had obtained a Lower Second Class Degree.

Findings of fact

The findings of fact are as follows:

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

1. Whilst applying for the role of games teacher at Eversfield Preparatory School and / or following your appointment, you provided false and / or misleading information including by:

a. stating in your application form that you had achieved a lower second class honours degree from Northumbria University when in fact you had achieved a third class degree;

b. providing a document which appeared to demonstrate that you had achieved a lower second class honours degree from Northumbria University.

The panel heard live evidence on these allegations from Witness A, [redacted]. Witness A explained to the panel that, in October 2018, Eversfield received an employment application form from Mr Collins in respect of a role at the school. Within this form, Mr Collins stated that he qualified from (the precursor to) Northumbria University in 1991 with a 2:2 degree in 'Sport'.

Witness A informed the panel that, whilst a particular grade of university degree was not a pre-requisite for the role applied for, Eversfield would ask for evidence of all qualifications included on an applicant's form. In January 2019, Witness A explained that Mr Collins delivered a 'manila' envelope to Eversfield, which included a signed certificate from Northumbria University dated 2nd July 1991 stating that Mr Collins, in fact, obtained a 'Third Class Honours' degree. Accompanying this certificate, was a second certificate that stated Mr Collins had actually achieved a 2:2. This certificate was similar in appearance to the first, albeit the logo was different and no authorising signatures were present.

The panel also had the benefit of an email from The Open University, which confirmed that Mr Collins obtained a Third Class Degree from Northumbria University on 2nd July 1991. These details corresponded to those contained on the first certificate that was before the panel.

The panel also had sight of Mr Collins's application form to Eversfields, which clearly stated that he had obtained a 2:2 for the relevant course at Northumbria University.

Whilst Mr Collins did not attend the hearing, he did provide a written response to the allegation as well as a formal response form. In these responses, he accepted stating on his application form that he had a 2:2 degree, when this was incorrect.

On the basis of the irrefutable documentary evidence, which Mr Collins accepted, it was clear that Mr Collins had obtained a Third Class, rather than Second Class, degree from Northumbria University. Stating within an application form and providing a document after his employment, which purported to be a university certificate, that he had obtained a 2:2 is clearly false information, which is therefore misleading.

The panel therefore found both parts of the allegation proved.

2. Whilst applying for the role of games teacher at Cadbury College and / or following your appointment, you provided false and / or misleading information including by stating in your application from that you had achieved a lower second class honours degree from Northumbria University when in fact you had achieved a third class degree

The panel did not receive any live evidence on this allegation. However, for the same reasons as for allegation 1, the panel accepted that Mr Collins had achieved a Third Class degree.

The panel also had sight of Mr Collins's application form dated 20 September 2012 for his role at Cadbury College. Again, this form, which had been signed by Mr Collins to confirm the accuracy of its contents, stated that he had obtained a 2:2 in 1991.

There was no evidence before the panel relating to Mr Collins providing any information to Cadbury College regarding his degree after he commenced his role at Cadbury College in 2012, where he was employed until December 2018.

Within his written responses, Mr Collins accepted the facts of this allegation.

For the same reasons as for allegation 1, the panel found this allegation proved in respect of his application for employment. In the absence of any evidence, it was not proved for any time 'following his appointment'.

3. Your conduct, as may be found proven at 1 and / or 2 above, lacked integrity and / or was dishonest.

In the panel's view, Mr Collins was clearly aware, and had accepted, achieving a Third Class degree from Northumbria University rather than the 2:2 that he stated on the two application forms for the roles at the respective schools. The panel also noted that, on both application forms, Mr Collins had signed a declaration at the end to confirm that the contents were true.

The signed forms were applications for Mr Collins to be employed in professional roles at two different schools. A degree qualification is memorable and not something that could be misremembered or mistakenly recorded. In the panel's view, Mr Collins would have been clearly aware that he was stating an incorrect qualification in order to obtain some

benefit. It mattered not that the class of degree was apparently not a factor, influencing or otherwise, for his application.

Regrettably, it is an inherent inference that such grade inflation can only be seen as dishonest and lacking in integrity and the panel found the allegation proved on both elements of the charge with respect to the application forms.

With regard to Mr Collins's submission of the 'fake' certificate, the panel reminded itself that the charge was not in respect of its production, but rather the provision of the document along with Mr Collins's original degree certificate, which correctly stated his degree. In such circumstances, it was unclear what Mr Collins's motive could be in the provision of the disputed document.

The panel did not consider that there was adequate evidence to allow a sufficient inference to be drawn that the provision of the document, when accompanied by the real certificate stating his qualification was a Third Class degree, was dishonest and this part of the allegation is not proved.

However, teachers do have a responsibility to ensure that their conduct is more than just honest. The provision of a document, which misrepresents an important qualification, can only be seen as a serious failure and the panel is content that it does amount to Mr Collins lacking integrity. The panel does therefore find this part of the allegation proved.

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

Having found a number of the allegations 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 is referred to as "the Advice".

The panel was satisfied that the conduct of Mr Collins, in relation to the facts found proved, involved breaches of the Teachers' Standards. The panel considered that, by reference to Part 2, Mr Collins was 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;
- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach.

The panel considered whether Mr Collins's conduct displayed behaviours associated with any of the offences listed on pages 10 and 11 of the Advice and 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 also took account of the uniquely influential role that teachers can hold in pupils' lives and the fact that pupils must be able to view teachers as role models in the way that they behave.

In the panel's view, Mr Collins had, on three different occasions, provided information that was false and misleading, which amounted to dishonest conduct for two of these incidents. A school must be able to rely on information provided by a teacher to ensure that the most appropriate person is employed for the role and ensure that pupils are suitably protected from any risk. A deliberate act, of which there were three, to circumvent such a necessity can only be seen as a serious failure.

The panel was therefore satisfied that the conduct of Mr Collins amounted to misconduct of a serious nature which fell significantly short of the standards expected of the profession and 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 had regard to 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;
- declaring and upholding proper standards of conduct;

- the interest of retaining the teacher in the profession.

In the light of the panel's findings against Mr Collins, which involved his deliberate misrepresentation of his university grade on two application forms for employment at schools, there was a strong public interest consideration in respect of the protection of pupils. Schools need to rely upon the accuracy of an applicant's background in order to employ the most appropriate teacher.

Similarly, the panel considered that public confidence in the profession could be seriously weakened if conduct such as that found against Mr Collins was not treated with the utmost seriousness when regulating the conduct of the profession considering that he provided a fabricated document purporting to be his university certificate.

The panel was also of the view that a strong public interest consideration in declaring proper standards of conduct in the profession was also present as the conduct found against Mr Collins was outside that which could reasonably be tolerated.

However, the panel did also decide that there was some public interest consideration in retaining Mr Collins in the profession, since no doubt had been cast upon his abilities as an educator and he is able to make a contribution to the profession. The panel noted that the references provided, when Mr Collins applied to Eversfield, were wholly positive. By way of example:

- *"His teaching practice and attitude to young people, is certainly second to none."*
- *"Dean has a positive working attitude and builds good rapport with his students. He is dedicated to offering students the support they require in order to achieve best possible outcomes."*

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

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 Collins. 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 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;
- dishonesty especially when...it has been repeated and/or covered up.

Even though some of the behaviour found proved in this case indicated that a prohibition order would be appropriate, the panel went on to consider the mitigating factors.

Mitigating factors may indicate that a prohibition order would not be appropriate or proportionate.

In the light of the panel's findings, the panel determined that Mr Collins's actions were deliberate and there was no evidence that he was acting under duress. The panel did, however, note that he had a previously good record, which was of some length.

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 was of the view that, applying the standard of the ordinary intelligent citizen, it would not be a proportionate and appropriate response to recommend no prohibition order. Recommending that the publication of adverse findings would be sufficient would unacceptably compromise the public interest considerations present in this case, despite the severity of the consequences for Mr Collins of prohibition.

The panel was of the view that prohibition was both proportionate and appropriate. The panel decided that the public interest considerations outweighed the interests of Mr Collins. Mr Collins had, on three occasions, clearly and deliberately misrepresented his degree classification to two schools as part of his application for employment.

Dishonesty is inherently serious behaviour and, accordingly, the panel made a recommendation to the Secretary of State that a prohibition order should be imposed with immediate effect.

The panel went on to consider whether or not it would be appropriate for it to decide to recommend a review period of the order. 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 two years.

The panel had no evidence before it that Mr Collins's actions negatively impacted on any person. Perversely, he did not actually appear to benefit as his degree qualification was irrelevant for the two jobs that he was applying for. The panel also noted the positive references that had been provided, which praised Mr Collins's attitude and capabilities as a teacher.

Whilst Mr Collins had admitted a number of allegations, which potentially indicates some insight into his behaviour, there was no substantive remorse offered by him at any stage of either the internal proceedings or the TRA hearing. Whilst there was some reference in his written representations that he accepts 'full responsibility' for his actions, the majority of this response appeared to be essentially diverting blame from himself and therefore the panel gave his apparent apology less weight than it would have otherwise done.

Whilst dishonesty is inherently serious, the panel did consider Mr Collins's behaviour to be at the lower end of the seriousness spectrum. Apparently, no person was materially affected save for Mr Collins, nor was there a suggestion that any pupils had been impacted by his conduct.

The panel did consider that Mr Collins's behaviour was remediable but that he required some time to properly develop his insight before possibly being allowed to teach again.

The panel decided that the findings indicated a situation in which a review period would be appropriate and, as such, decided that it would be proportionate, in all the circumstances, for the prohibition order to be recommended with provision for a review period after three 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 those proven facts amount to unacceptable professional conduct and conduct that may bring the profession into disrepute. In this case, the panel has found, "For the same reasons as for allegation 1, the panel found this allegation proved in respect of his application for employment. In the absence of any evidence, it was not proved for any time 'following his appointment'." I have therefore put those matters entirely from my mind.

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

In particular, the panel has found that Mr Collins 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;
- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach.

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 Collins, 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, “A school must be able to rely on information provided by a teacher to ensure that the most appropriate person is employed for the role and ensure that pupils are suitably protected from any risk.” 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, “ Whilst Mr Collins had admitted a number of allegations, which potentially indicates some insight into his behaviour, there was no substantive remorse offered by him at any stage of either the internal proceedings or the TRA hearing. Whilst there was some reference in his written representations that he accepts 'full responsibility' for his actions, the majority of this response appeared to be essentially diverting blame from himself and therefore the panel gave his apparent apology less weight than it would have otherwise done.”

In my judgement, the lack of full insight means that there is some risk of the repetition of this behaviour. 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 that it, “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 also took account of the uniquely influential role that teachers can hold in pupils’ lives and the fact that pupils must be able to view teachers as role models in the way that they behave.”

I am particularly mindful of the finding of both dishonesty and lack of integrity 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 Collins himself. The panel comment “The panel had no evidence before it that Mr Collins's actions negatively impacted on any person. Perversely, he did not actually appear to benefit as his degree qualification was irrelevant for the two jobs that he was applying for. The panel also noted the positive references that had been provided, which praised Mr Collins's attitude and capabilities as a teacher.”

A prohibition order would prevent Mr Collins 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 where it has said, “Mr Collins had, on three occasions, clearly and deliberately misrepresented his degree classification to two schools as part of his application for employment.”

I have given less weight in my consideration of sanction therefore, to the contribution that Mr Collins 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 full 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 3 year review period.

I have considered the panel’s comments “ Whilst dishonesty is inherently serious, the panel did consider Mr Collins's behaviour to be at the lower end of the seriousness spectrum. Apparently, no person was materially affected save for Mr Collins, nor was there a suggestion that any pupils had been impacted by his conduct.

The panel did consider that Mr Collins's behaviour was remediable but that he required some time to properly develop his insight before possibly being allowed to teach again.

The panel decided that the findings indicated a situation in which a review period would be appropriate and, as such, decided that it would be proportionate, in all the circumstances, for the prohibition order to be recommended with provision for a review period after three years.”

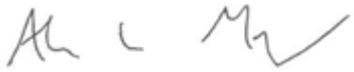
I have considered whether a 3 year review period reflects the seriousness of the findings and is a proportionate period to achieve the aim of maintaining public confidence in the profession. In this case, the factors which mean that a two-year review period is not sufficient to achieve the aim of maintaining public confidence in the profession are the dishonesty, the lack of integrity and the lack of full remorse or insight.

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

This means that Mr Dean Collins 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 07 February 2023, 3 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 Dean Collins remains prohibited from teaching indefinitely.

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

Mr Dean Collins 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', with a vertical line at the end of the signature.

Decision maker: Alan Meyrick

Date: 7 February 2020

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