



Teaching
Regulation
Agency

Mr Richard Glenn: Professional conduct panel outcome

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

April 2021

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

Teacher:	Mr Richard Glenn
Teacher ref number:	0352035
Teacher date of birth:	27 December 1965
TRA reference:	18779
Date of determination:	7 April 2021
Former employer:	Longridge Towers School, Northumberland

Introduction

A professional conduct panel (“the panel”) of the Teaching Regulation Agency (“the TRA”) convened on 6 and 7 April 2021, remotely, to consider the case of Mr Richard Glenn.

The panel members were Ms Caroline Tilley (lay panellist – in the chair), Ms Kulvinder Sandal (teacher panellist), and Mr Chris Major (teacher panellist).

The legal adviser to the panel was Mr Phil Taylor of Eversheds Sutherland (International) solicitors.

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

Mr Glenn was present and was not represented.

The hearing took place in public and was recorded.

Allegations

The panel considered the allegation(s) set out in the notice of proceedings dated 2 February 2021.

It was alleged that Mr Glenn was guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute, in that whilst employed at the Longridge Towers School:

1. he engaged in inappropriate and/or unprofessional behaviour by way of his consumption of alcohol whilst attending a School trip to Costa Rica between 5 July 2019 and 11 July 2019, in that he:
 - a. consumed alcohol with one or more pupils on more than one occasion;
 - b. made inappropriate comments to and/or threatened one or more pupils whilst he was under the influence of alcohol, by:
 - i. saying to one or more pupils “I’m not in trouble – you’ll be in trouble” or words to that effect;
 - ii. saying to one or more pupils “I’m going to kick your fucking head in” or words to that effect;
 - iii. saying to one or more pupils “I’ll fucking kill you” or words to that effect;
 - iv. approaching Pupil A after being aggressive towards him and grabbing his head whilst kissing his forehead and saying “you’re alright” or words to that effect;
 - v. saying to Pupil B “at least you are the only one that is worth it” or words to that effect;
 - c. taking one or more pupils to a strip club;
 - d. allowing one or more pupils to consume alcohol when they were under the legal age;
 - e. acting aggressively towards the female leader of the trip when she tried to help him get back into his tent;
 - f. exposing his naked body to the female leader of the trip in their shared hotel room.
2. his conduct as may be found proven at 1 above placed one or more pupils in his care at risk.

Mr Glenn has admitted the facts of allegations and accepted that in undertaking these actions he failed to maintain appropriate professional boundaries. Mr Glenn has admitted allegation 2 in full. This is confirmed in the Statement of Agreed Facts signed by Mr Glenn on 14 December 2020.

Mr Glenn has admitted that the facts of allegations 1 and 2, which he has admitted, amount to unacceptable professional conduct and/or conduct that may bring the profession into disrepute.

Preliminary applications

There were no preliminary applications

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 4 to 6

Section 2: Notice of proceedings, response and Statement of Agreed Facts – pages 7 to 23

Section 3: Teaching Regulation Agency witness statements – pages 24 to 69

Section 4: Teaching Regulation Agency documents – pages 70 to 137

Section 5: Teacher documents – pages 138 to 200

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

Witnesses

No witnesses gave oral evidence.

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 Glenn had been employed at the Longridge Towers School (the “School”) as Head of Sixth Form and Teacher of Computer Science from 1 September 2007 to 12 August 2019.

Mr Glenn accompanied a number of Sixth Form pupils on a school trip to Costa Rica between 5 and 11 July 2019. The trip was led by an external expedition company. Mr Glenn was due to accompany the trip until 28 July 2019. However, on 11 July 2019, the headteacher of the School received a call from the expedition company informing him that Mr Glenn was being sent back to the UK due to his behaviour on the trip.

The headteacher met with Mr Glenn on 17 July 2019, and again on 31 July 2019, when the allegations were discussed. Mr Glenn accepted the allegations at a disciplinary hearing on 9 August 2019 and was dismissed on the grounds of gross misconduct. The School made a referral to the Teacher's Regulation Agency on 14 October 2019.

Findings of fact

The findings of fact are as follows:

The panel found the following particulars of the allegation(s) against you proved, for these reasons:

Whilst employed at the Longridge Towers School:

- 1. you engaged in inappropriate and/or unprofessional behaviour by way of your consumption of alcohol whilst attending a School trip to Costa Rica between 5 July 2019 and 11 July 2019, in that you:**

- a. consumed alcohol with one or more pupils on more than one occasion;**

The panel noted that it was agreed that some personal consumption of alcohol by staff was permitted during the trip, but that the allegation related to consuming alcohol with pupils. This allegation was admitted and was supported by evidence presented to the panel, notably the statement of agreed facts in which Mr Glenn admitted the facts of the allegation, and other written accounts contained in the hearing bundle. The allegation was therefore found proved.

- b. made inappropriate comments to and/or threatened one or more pupils whilst you were under the influence of alcohol, by:**

- i. saying to one or more pupils "I'm not in trouble – you'll be in trouble" or words to that effect;**
- ii. saying to one or more pupils "I'm going to kick your fucking head in" or words to that effect;**
- iii. saying to one or more pupils "I'll fucking kill you" or words to that effect;**

iv. approaching Pupil A after being aggressive towards him and grabbing his head whilst kissing his forehead and saying “you’re alright” or words to that effect;

v. saying to Pupil B “at least you are the only one that is worth it” or words to that effect;

The allegation was admitted and was supported by evidence presented to the panel, including the statement of agreed facts signed by Mr Glenn. The panel noted that Mr Glenn could not recall the events in question, or making the statements as alleged, due to his state of intoxication at the time, but that he did not dispute the recollection of those present. The panel carefully and thoroughly considered the available independent evidence, and assessed the weight and reliability of that evidence. This included a witness statement provided by the trip leader, an independent contemporaneous log kept by the trip company, and notes from the school’s disciplinary process. On the balance of probabilities the panel found the allegation to be proved.

c. taking one or more pupils to a strip club;

The allegation was admitted and was supported by evidence presented to the panel, notably the statement of agreed facts signed by Mr Glenn, as well as Mr Glenn’s own further written accounts, the written statement of the trip leader, notes from the school’s disciplinary process, and photographic evidence submitted by the trip leader of drink tickets obtained at the club. The panel noted that it was agreed between the parties that there was no malice or sexual intent on the part of Mr Glenn in taking the students to the venue in question, but Mr Glenn admits that it was inappropriate and unprofessional for him to fail to control the situation by allowing students to attend the venue. On the balance of probabilities, the allegation was therefore found proved.

d. allowing one or more pupils to consume alcohol when they were under the legal age;

The allegation was admitted and was supported by evidence presented to the panel, including the statement of agreed facts signed by Mr Glenn, the witness statement of the trip leader and notes from the school’s disciplinary process. Mr Glenn acknowledges that the pupils on the trip were aged between 16 and 18, and that the drinking age in Costa Rica is 18, as in the United Kingdom. The allegation was found proved.

e. acting aggressively towards the female leader of the trip when she tried to help you get back into your tent;

The allegation was admitted and was supported by evidence presented to the panel, notably the statement of agreed facts signed by Mr Glenn and the written witness statement of the trip leader. Mr Glenn cannot recall his actions towards the trip leader on the night in question but does not dispute or challenge her evidence. The panel assessed the weight and reliability of the evidence available to it, and took into account that they

did not have the opportunity to test the evidence of the trip leader. After careful consideration, the panel decided that the incident as alleged was more likely than not to have occurred and therefore the allegation was found proved.

f. exposing your naked body to the female leader of the trip in your shared hotel room.

The allegation was admitted and was supported by evidence presented to the panel, including the statement of agreed facts signed by Mr Glenn. It was agreed between the parties that the act was not malicious or sexually motivated. Mr Glenn cannot recall the relevant circumstances but does not dispute the account of the trip leader. The panel noted that Mr Glenn stated he often sleeps naked when at home, and accepted the explanation that there was no malice or sexual intent involved. The panel carefully assessed the weight and reliability of the evidence available to it, again taking into account that it did not have the opportunity to test the evidence of the trip leader. On the balance of probabilities, it believed that the incident as alleged was more likely than not to have occurred, and the allegation was therefore found proved.

2. your conduct as may be found proven at 1 above placed one or more pupils in your care at risk.

The allegation was admitted in full by Mr Glenn, including in the statement of agreed facts which he has signed, and was supported by evidence presented to the panel, including Mr Glenn's written accounts, the written statement provided by the trip leader and the independent contemporaneous log kept by the trip company. The panel considered that Mr Glenn had a duty of care to the pupils and had breached this duty, and that given the conduct found proven at 1 above, there was clear evidence that the pupils in Mr Glenn's care had been placed at risk. The allegation was found proved.

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

Having found all 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 Glenn, in relation to the facts found proved, involved breaches of the Teachers' Standards. The panel considered that, by reference to Part 2, Mr Glenn 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, 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;
- not undermining fundamental British values, including the rule of law; and
- ensuring that personal beliefs are not expressed in ways which exploit pupils' vulnerability or might lead them to break the law.

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

The panel also noted the Preamble to the Teachers' Standards, which includes the statement that "Teachers make the education of their pupils their first concern, and are accountable for achieving the highest possible standards in work and conduct", and that teachers "forge positive professional relationships".

The panel was satisfied that the conduct of Mr Glenn amounted to misconduct of a serious nature which fell significantly short of the standards expected of the profession.

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

The panel found that the offence of "serious offences involving alcohol" was relevant.

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 considered that some such behaviours existed in this case.

The panel noted that the allegations took place outside the education setting. However, this was an educational visit organised by the School, and (as the only member of School staff on the trip) Mr Glenn had a duty of care towards the pupils.

The panel considered that Mr Glenn's conduct would have affected the way he fulfilled his teaching and pastoral roles. The panel noted that his conduct had become generally known in the School and apparently in the wider community. The panel also considered that Mr Glenn's conduct may have led to pupils being exposed to, or influenced by, his behaviour in a harmful way. Mr Glenn was, at various times during the school trip, under the influence of alcohol, and therefore not in a position to adequately take decisions or act *in loco parentis* should the need arise. This was in circumstances where pupils under his care were in an unfamiliar country, far from home, and relying on him for guidance and protection. Mr Glenn was an experienced teacher and pastoral leader who would have been expected to lead an overseas trip safely, and would have been well aware of the conduct expected of him.

Accordingly, the panel was satisfied that Mr Glenn was guilty of unacceptable professional conduct.

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.

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

The panel therefore found that Mr Glenn's actions constituted conduct that may bring the profession into disrepute.

Having found the facts of particulars 1 and 2 proved, the panel further found that Mr Glenn'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

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 a 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, and the interest of retaining the teacher in the profession.

The panel's findings against Mr Glenn involved failing to adhere to professional boundaries and engaging in conduct which placed pupils in his care at risk. There was a strong public interest consideration in respect of the protection of pupils, the maintenance of public confidence in the profession, and declaring and upholding proper standards of conduct. This was particularly the case given the serious findings of consuming alcohol with pupils, allowing students to attend an adult venue, and permitting one or more pupils to consume alcohol when they were under the legal age.

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

The panel was 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 Glenn was outside that which could reasonably be tolerated.

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

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 Glenn. 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;
- misconduct seriously affecting the education and/or well-being of pupils;
- abuse of position or trust or violation of the rights of pupils; and
- deliberate behaviour that undermines pupils, the profession, the school or colleagues.

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.

There was no evidence that Mr Glenn's actions were not deliberate. There was no evidence to suggest that Mr Glenn was acting under duress.

It was noted that Mr Glenn had a previously good history, had cooperated with the TRA and the panel including by making full and frank admissions where he had been able to, and had shown considerable insight into his behaviour. The panel was referred to a number of character references in the hearing bundle, including from colleagues and ex-colleagues, as well as former pupils. These statements referred to previous residential school trips in which Mr Glenn had been involved without incident, and indicated that the referees knew Mr Glenn to be honest, supportive and insightful. The statements also attested to Mr Glenn's abilities as a teacher and mentor.

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 Glenn 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 Glenn. The fact that Mr Glenn had been responsible for placing children in a position of real risk while acting as sole representative of the School during a trip to a foreign country and the effect his actions will have had on the pupils, and others, were significant factors in forming that opinion. 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 2 years.

The Advice indicates that there are behaviours that, if proved, would militate against the recommendation of a review period. The panel found that none of these behaviours applied.

The panel considered written and oral statements made by Mr Glenn, in which he took responsibility for his actions, expressed his remorse, and showed considerable insight into his actions and the personal circumstances which may have influenced his actions. The panel took account of Mr Glenn's previous good history, the time during which Mr Glenn has already been away from teaching, the steps he has taken to address the issues he has experienced and the improvements he has made in that regard to date, as well as Mr Glenn's own recognition that he will need to take steps to rebuild the trust of others. The panel is of the view that Mr Glenn has more to offer to the teaching profession. However, the panel considered that an appropriate period of time is needed during which Mr Glenn should further reflect on his conduct and continue with his recovery.

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 provisions for a review period of no less than 3 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 all of the allegations proven and found that those proven facts amount to unacceptable professional conduct and conduct that may bring the profession into disrepute.

The panel has made a recommendation to the Secretary of State that Mr Richard Glenn should be the subject of a prohibition order, with a review period of 3 years.

In particular, the panel has found that Mr Glenn 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;
- not undermining fundamental British values, including the rule of law; and
- ensuring that personal beliefs are not expressed in ways which exploit pupils' vulnerability or might lead them to break the law.

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

The panel also state that it has "noted the Preamble to the Teachers' Standards, which includes the statement that "Teachers make the education of their pupils their first concern, and are accountable for achieving the highest possible standards in work and conduct", and that teachers "forge positive professional relationships".

The panel "was satisfied that the conduct of Mr Glenn amounted to misconduct of a serious nature which fell significantly short of the standards expected of the profession."

The findings of misconduct are particularly serious as they include a finding of misconduct involving alcohol.

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 Glenn, 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 made, “findings against Mr Glenn involved failing to adhere to professional boundaries and engaging in conduct which placed pupils in his care at 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, “he took responsibility for his actions, expressed his remorse, and showed considerable insight into his actions and the personal circumstances which may have influenced his actions. The panel took account of Mr Glenn’s previous good history, the time during which Mr Glenn has already been away from teaching, the steps he has taken to address the issues he has experienced and the improvements he has made in that regard to date, as well as Mr Glenn’s own recognition that he will need to take steps to rebuild the trust of others.”

I have therefore given this element considerable weight in reaching my overall 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 findings of misconduct are serious, and the conduct displayed would be likely to have a negative impact on the individual’s status as a teacher, potentially damaging the public perception.”

I am particularly mindful of the findings that the misconduct involved alcohol 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 Glenn himself. The panel comment “ Mr Glenn has more to offer to the teaching profession.” The panel also noted

references which, “referred to previous residential school trips in which Mr Glenn had been involved without incident, and indicated that the referees knew Mr Glenn to be honest, supportive and insightful. The statements also attested to Mr Glenn’s abilities as a teacher and mentor.”

A prohibition order would prevent Mr Glenn 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 serious findings of consuming alcohol with pupils, allowing students to attend an adult venue, and permitting one or more pupils to consume alcohol when they were under the legal age.”

I have given less weight in my consideration of sanction therefore, to the contribution that Mr Glenn 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, where, as the panel observe, “Mr Glenn’s own recognition that he will need to take steps to rebuild the trust of others” is not taken into full account, is not in my view in the public interest.

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 as set out above. 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 involvement of alcohol, the visit to an adult club with pupils and the need to allow time to rebuild confidence.

I consider therefore that a 3 year review period is required to satisfy the maintenance of public confidence in the profession.

This means that Mr Richard Glenn 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 16 April 2024, 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 Richard Glenn remains prohibited from teaching indefinitely.

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

Mr Richard Glenn 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 grey ink, appearing to read 'Alan Meyrick', followed by a vertical line.

Decision maker: Alan Meyrick

Date: 8 April 2021

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