



National College for
Teaching & Leadership

Mr Stephen Goodfellow: Professional conduct panel outcome

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

August 2017

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

Teacher:	Mr Stephen Goodfellow
Teacher ref number:	9300833
Teacher date of birth:	8 March 1968
NCTL case reference:	15587
Date of determination:	3 August 2017
Former employer:	Chigwell School, Essex

A. Introduction

A professional conduct panel (“the panel”) of the National College for Teaching and Leadership (“the National College”) convened on 1 to 3 August 2017 at 53 to 55 Butts Road, Earlsdon Park, Coventry CV1 3BH to consider the case of Mr Stephen Goodfellow.

The panel members were Ms Karen McArthur (lay panellist – in the Chair), Mr Brian Hawkins (teacher panellist), and Ms Hilary Jones (lay panellist).

The legal adviser to the panel was Mr Robin Havard of Blake Morgan LLP solicitors.

The presenting officer was Mr Ben Chapman of Browne Jacobson LLP.

Mr Goodfellow was present and was represented by Ms Wendy Hewitt, counsel.

B. Allegations

The panel considered the allegations set out in the Notice of Proceedings dated 4 May 2017.

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

Whilst employed as Head of Religious Studies at Chigwell School, he:

1. Developed and/or engaged in an inappropriate relationship with Pupil A, including by:
 - a. sending her a message stating, "I can't just stop loving you [Pupil A]", or words to that effect;

- b. exchanging private messages with her via Facebook;
 - c. sending one or more emails:
 - i. to Pupil A's personal email account;
 - ii. to Pupil A from his own personal email account;
 - d. referring to her as "sweetheart" in an email;
 - e. sending her an online birthday card;
 - f. engaging in one to one conversations with her in his classroom.
2. Was dishonest in that he failed to notify the school of his conduct as at allegations 1c-1f during the disciplinary meeting held on 24 February 2016.
3. Failed to safeguard pupils by consuming more alcohol than was appropriate whilst looking after pupils on a school trip to Mersea Island in 2012.
4. Failed to treat pupils with dignity and respect by:
- a. referring to Pupil B as Shrek's wife "Fiona" in or around 2011;
 - b. Laughing at Pupil C when she asked to study R.E. at A Level in or around 2013.

Mr Goodfellow admitted the facts of allegations 1, 3 and 4 and denied allegation 2.

Mr Goodfellow admitted that the facts of allegation 1 constituted unacceptable professional misconduct and conduct that may bring the profession into disrepute.

C. Preliminary applications

Amendment

The presenting officer applied to amend allegation 2 such that the allegation of dishonesty should only relate to the alleged failure on the part of Mr Goodfellow to notify Chigwell School ("the School") of his conduct as at particulars 1.c.-1.f. as opposed to 1.b.to1.f.

There was no objection by Ms Hewitt and therefore the panel granted the application.

D. Summary of evidence

Documents

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

Section 1: Chronology and anonymised pupil list – pages 2 to 4

Section 2: Notice of Proceedings and response – pages 6 to 17

Section 3: NCTL witness statements – pages 19 to 172

Section 4: NCTL documents – pages 174 to 212

Section 5: Teacher documents – pages 214 to 257

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

Witnesses

The panel heard evidence from the following witnesses called on behalf of the NCTL:

- Witness A, headteacher of Chigwell School;
- Mr Goodfellow.

Statement of agreed facts

The panel considered a Statement of Agreed and Disputed Facts which was signed by Mr Stephen Goodfellow and the presenting officer on 14 July 2017.

E. Decision and reasons

The panel announced its decision and reasons as follows.

The panel has carefully considered the case and reached a decision.

The panel confirms that it has read all the documents provided in the bundle in advance of the hearing.

Brief Summary

Mr Goodfellow qualified as a teacher in 1990 and specialised in the teaching of religious studies in secondary education.

In September 2009, Mr Goodfellow became Head of Religious Studies at the School.

Initially, Mr Goodfellow taught Pupil A [redacted] and became her form tutor. He subsequently taught her on the religious studies A-level course.

In or around June 2014, Mr Goodfellow started to communicate with Pupil A by email. The emails included those which were of a personal nature. Mr Goodfellow used both his school and personal email addresses and he also communicated with Pupil A using her personal email address.

Pupil A left the School in the summer of 2015. Following her departure, on or around 19 December 2015, Mr Goodfellow sent to her a message to include the words as set out in Allegation 1.a. below.

Following an investigation into the circumstances in which that message was sent, Mr Goodfellow was given a final written warning.

Subsequently, the School became aware of further communications which had been taking place between Mr Goodfellow and Pupil A at a time when Pupil A was still a pupil at the School. Some of the content of the communications from Mr Goodfellow to Pupil A were inappropriate. A further investigation ensued.

On 23 June 2016, Mr Goodfellow resigned from his position at the School before the disciplinary process had been completed.

Findings of fact

Our findings of fact are as follows:

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

- 1. Developed and/or engaged in an inappropriate relationship with Pupil A, including by:**
 - a. sending her a message stating, "I can't just stop loving you [Pupil A]", or words to that effect;**
 - b. exchanging private messages with her via Facebook;**
 - c. sending one or more emails:**
 - i. to Pupil A's personal email account;**
 - ii. to Pupil A from his own personal email account;**
 - d. referring to her as "sweetheart" in an email;**
 - e. sending her an online birthday card;**

f. engaging in one to one conversations with her in his classroom.

Each of the particulars of this allegation has been admitted and therefore is found proven.

The following admissions are made by Mr Goodfellow in the Statement of Agreed and Disputed Facts:

- "4. After the Summer 2015 examinations, Mr Goodfellow became friends with Pupil A on Facebook amongst other pupils from her class. Mr Goodfellow "blocked" Pupil A, and then unblocked her. Mr Goodfellow sent Pupil A a message on Facebook Messenger which included an apology for blocking her. When Pupil A asked for an explanation as to why Mr Goodfellow had blocked her, Mr Goodfellow sent her a message which included the phrase "I can't just stop loving you Pupil A" as per allegation 1.a.
5. Other messages had also been exchanged with Pupil A via Facebook as per allegation 1.b. These messages were sent after Pupil A had left school.
6. Pupils and staff in the school have school email accounts, including Pupil A and Mr Goodfellow. While Pupil A was in school, Mr Goodfellow sent emails from his personal email account, and to Pupil A's personal email account, as per allegation 1.c.i. and 1.c.ii. respectively. Mr Goodfellow referred to Pupil A as "sweetheart" in one of the emails he sent to her as per allegation 1.d.
7. For Pupil A's 18th birthday, Mr Goodfellow sent her an online birthday card as per allegation 1.e. He did not send online birthday cards to any other pupils.
8. Pupil A attended Mr Goodfellow's classroom on more than one occasion where she and Mr Goodfellow would engage in one-to-one conversations as per allegation 1.f. Pupil A would occasionally work in Mr Goodfellow's classroom during free periods and would revise there during study leave rather than going to the Library. Pupil A would sometimes arrive 5 minutes early to lessons so that she and Mr Goodfellow could chat.
9. The parties are agreed that the particulars of allegation 1 are examples of the way Mr Goodfellow developed and/or engaged in an inappropriate relationship with Pupil A. The parties are also agreed that Pupil A should not be approached to provide evidence if this is avoidable as she has suffered a level of trauma as a result of the actions as alleged above."

The panel accepts Mr Goodfellow's evidence and finds that Pupil A came to rely on him for support. Indeed, Pupil A's mother had asked him to provide Pupil A with support. Pupil A was described as a pupil with health issues and could become isolated from the other class members.

Nevertheless, the panel finds that Mr Goodfellow allowed the inappropriate relationship to develop. It should have been obvious to him that his conduct was inappropriate. It is relevant that, at the time when Mr Goodfellow engaged in the conduct particularised at paragraphs 1.c.to 1.f. above, he was a very experienced teacher, he had received extensive training from the School in relation to safeguarding, he had taught at other schools, and had been a governor at another school for some seven years. He was also competent in IT. His conduct represented a serious breach of the School's code of conduct and also of the national framework for safeguarding in schools. The panel is not impressed by Mr Goodfellow's assertion that he was not aware of many teachers who would know of the requirements of the national framework with regard to communications as between pupils and teachers.

The panel is satisfied that the message Mr Goodfellow sent to Pupil A on 19 December 2015 occurred within a short period of months following her leaving the School in the summer of 2015. Indeed, when giving his evidence, Mr Goodfellow accepted that in the previous message, he had said, "You are a very special person. I have missed you a lot and I am sorry for cutting off contact". Such messages represent the final sequence in the progression and development of a relationship he had formed with Pupil A when she had been a pupil at the School. [Redacted]

In particular, the panel finds that, as from December 2014, the tone and content of the emails sent to Pupil A became more familiar and personal. There are emails that he sent which have no bearing on Pupil A's schoolwork. Furthermore, whilst initially he would end emails with his full initials, Mr Goodfellow also started to sign with just the letter "S". Indeed, he ends the email dated 15 December 2014 in which he refers to Pupil A as, "such a sweetheart" with "S x".

The panel is entirely satisfied that Mr Goodfellow developed and engaged in an inappropriate relationship with Pupil A and finds allegation 1 proved.

3. Failed to safeguard pupils by consuming more alcohol than was appropriate whilst looking after pupils on a school trip to Mersea Island in 2012.

This allegation has been admitted and therefore is found proved.

The following admissions are made by Mr Goodfellow in the Statement of Agreed and Disputed Facts:

- "15. In 2012, Mr Goodfellow attended a Key Stage 4 residential trip to Mersea Island. Staff were drinking alcohol during the evening on this trip.
16. On the first night, Mr Goodfellow drank 4 glasses of wine and a small glass of port. On the second night, Mr Goodfellow drank 4 glasses of wine and a beer.
17. Mr Goodfellow admits that it was inappropriate to consume this amount of alcohol whilst responsible for children on a residential trip. He admits that in doing so, he failed to safeguard pupils."

It is of particular concern to the panel that Mr Goodfellow admits to have consumed an excessive amount of alcohol when responsible for children on the residential trip to Mersea Island in 2012. This is especially so taking account of the fact that he received a warning for precisely the same behaviour following a school trip he attended in 2010. In a letter that was sent to Mr Goodfellow by Individual A, the deputy headteacher, on 10 November 2010, it states that Mr Goodfellow was drinking too frequently on that trip. This had led to rumour and gossip amongst pupils. It states, "I need hardly add that we cannot afford anything like this happening again".

Mr Goodfellow was told that he could neither organise nor attend a residential trip until 2012 at the earliest. The letter says, "This will give the rumour mill a chance to fade away and means that pupils have forgotten what happened on this trip".

Whilst it is stated by Mr Goodfellow that, despite the instruction of Individual A, he attended a trip to Mersea Island in 2011 which passed without incident, the panel noted that the clear warning in Individual A's letter of November 2010 was effectively ignored by Mr Goodfellow in 2012.

On this basis, the panel finds allegation 3 proved.

4. Failed to treat pupils with dignity and respect by:

- a. referring to Pupil B as Shrek's wife "Fiona" in or around 2011;
- b. Laughing at Pupil C when she asked to study R.E. at A Level in or around 2013.

Each of the particulars of this allegation has been admitted and therefore is found proved.

The following admissions are made by Mr Goodfellow in the Statement of Agreed and Disputed Facts:

- "18. In 2011, Mr Goodfellow referred to Pupil B as "Fiona" due to an alleged similarity between Pupil B and Shrek's wife in the film "Shrek". Shrek and Fiona are ogres. This caused Pupil B upset.
19. In 2013 at a meeting about taking subjects in the Sixth Form, Mr Goodfellow was approached by Pupil C and her mother about taking Religious Studies as an A-level subject. Mr Goodfellow laughed and stated "Are you seriously thinking of taking RS?". This caused Pupil C upset.
20. Mr Goodfellow accepts that in his actions, he has failed to treat Pupil B and Pupil C with dignity and respect."

Consequently, the panel is satisfied that Mr Goodfellow failed to treat Pupils B and C with dignity and respect.

The panel found the following allegation not proved.

2. Were dishonest in that you failed to notify the school of your conduct as at allegations 1.c.-1.f. during the disciplinary meeting held on 24 February 2016.

This allegation was denied.

The following facts are taken from the Statement of Agreed and Disputed Facts.

- "10. Pupil A's mother informed the school of the message described at Allegation 1a in January 2016.
11. At a meeting with Witness A (headmaster) and Individual A (deputy head) on 15 January 2016, Mr Goodfellow admitted he had expressed feelings for Pupil A and had spoken to Pupil A's mother.
12. Mr Goodfellow was invited to a disciplinary meeting by a letter dated 16 February 2016. In this letter, it was explained to him that Pupil A's mother had concerns that he may have harboured feelings towards Pupil A while he was teaching her. The letter also explained that the school needed to determine whether Mr Goodfellow's behaviour was a breach of professional conduct either when Pupil A was a pupil or shortly afterwards.
13. Mr Goodfellow accepts that at the disciplinary meeting which took place on 24 February 2016 he did not inform the school about his contact with Pupil A as outlined in allegations 1.c to 1.f., but denies that he was dishonest.

14. Mr Goodfellow asserts that the sole focus of the disciplinary meeting he attended on 24 February 2016 was the message as at allegation 1.a., and that he was not asked about further contact with Pupil A. It did not occur to him to mention such contact. "

The panel has listened carefully to the evidence of the Headteacher, Witness A. The panel considers Witness A to be a witness who gave his evidence in a fair and balanced manner. He accepted that, in January and February 2016, he dealt with the issues that Pupil A's mother had brought to the School's attention, namely the message sent by Mr Goodfellow to Pupil A on 19 December 2015 which forms the basis of particular 1.a. above.

Witness A confirms that Mr Goodfellow had stated that any romantic feelings that he had for Pupil A developed after she had left school. He accepts that the School could have carried out a search for emails exchanged prior to Pupil A's departure from the School but he did not undertake such a search as he had no reason to believe there was a problem or that anything inappropriate had happened when Pupil A was at the School. Pupil A's mother did not think so either. Consequently, Witness A confirms that he kept the investigation within, "tight parameters" and that, in January 2016, the School was simply investigating the Facebook message which was sent by Mr Goodfellow and which forms the facts of particular 1.a.

The chronology is as follows.

Pupil A's mother had contacted Mr Goodfellow on 21 December 2015 and expressed her concern about the content of the message sent on 19 December to her daughter who had brought it to her attention. In the course of that conversation, Mr Goodfellow apologised.

Pupil A's mother then reported the matter to Pupil A's former housemaster, Individual B, on 12 January 2016, as she had not been satisfied with Mr Goodfellow's response when she spoke with him on 21 December 2015. She stated that the content of the message in which Mr Goodfellow said that he was in love with Pupil A came as a shock to Pupil A and that she had been badly affected by it. Pupil A's mother came in to see Individual B and Witness A and outlined her concerns and the effect that Mr Goodfellow's message had had on Pupil A.

An investigatory meeting took place on 15 January 2016 between Witness A and Mr Goodfellow. The discussion was restricted to the message sent by Mr Goodfellow to Pupil A on 19 December 2015. Mr Goodfellow then provided a written account on 18 January 2016. On the following day, in the presence of Witness A, he sent a text containing an apology to Pupil A's mother. It is understood that she did not receive it but

Witness A handed a paper copy of the text to her when she came to the School later that day.

Witness A confirmed that there would have to be a disciplinary hearing and the panel is surprised to note that he intended to conduct that hearing despite the fact that he had carried out the investigation.

There was a delay in arranging the disciplinary hearing to take account of personal issues affecting Mr Goodfellow but, by a letter of 16 February 2016, Mr Goodfellow was informed that the hearing would take place on 24 February 2016. The letter confirms that the reason for the meeting was the message which had been sent to Pupil A. It also states that there was a need to determine whether Mr Goodfellow's behaviour was a breach of professional conduct either when Pupil A was still a pupil or shortly afterwards.

The panel notes that, in answer to a question from the presenting officer, Witness A said that, at the disciplinary meeting on 24 February 2016, "I asked directly whether there was anything else I needed to be aware of". However, in answer to questions from Ms Hewitt, Witness A confirms that the minute of the disciplinary meeting on 24 February 2016 is an accurate record of what was said. In the minutes of the meeting, there is no reference of such a direct question being asked of Mr Goodfellow. The nearest that the minutes come to Witness A making such an enquiry is where it says, "MEP asked SJG if there was anything else that he wanted to say – there was a very long pause".

Witness A accepts that the meeting related to the one comment which Mr Goodfellow admits he sent by way of Facebook and they then went on to discuss issues with which Mr Goodfellow was dealing in his own personal life.

The panel accepts Witness A's evidence when he says that his, and thereby the School's, prime concern was the safeguarding of children but he was also concerned with regard to the reputation of the School. He also hoped that, as stated in the minutes of the disciplinary meeting, the matter, "will stay private" and contained, bearing in mind also that Pupil A's mother had been at pains to insist that Pupil A and her father should not be aware of the fact that Pupil A's mother had brought this to the attention of the School.

Mr Goodfellow maintained in his evidence that he was only asked to provide confirmation that he had sent the message to Pupil A in December 2015. At no stage was he asked about any other matter or communication between him and Pupil A. Had he been asked, Mr Goodfellow said that he would have informed Witness A but, in any event, he does not consider that, subject to three or four exceptions, any of the email exchanges, which had taken place a number of months beforehand, were inappropriate. Whilst accepting now that they are inappropriate, Mr Goodfellow does not consider such emails to be seriously inappropriate.

The panel finds that, whilst the communications between Mr Goodfellow became more personal and informal from December 2014 until Pupil A left the School, his message to Pupil A on 19 December 2015 was markedly different and more serious, hence Pupil A's mother talking of Pupil A's shock in receiving it.

The panel notes that Mr Goodfellow had always accepted that the content of the message amounted to professional misconduct. He also declared in the disciplinary meeting that, "he had taught Pupil A for five years, he was very fond of her, he felt that he had a good relationship with her, and he also worked closely with her. MEP asked SJG if he had had inappropriate feelings for Pupil A when he was teacher her (sic). SJG (Mr Goodfellow) replied that although he was fond of her, he did not have romantic feelings towards Pupil A but that these had developed."

Taking account of all the circumstances, the panel is not satisfied on the balance of probabilities that Mr Goodfellow set out to intentionally conceal from the School his conduct as described at allegations 1.c.-1.f. during the disciplinary meeting held on 24 February 2016.

In reaching its decision on whether or not Mr Goodfellow may have acted dishonestly, the panel has also taken account of the fact that he is a person of previously good character.

Indeed, when the email communications and other activities covered by allegations 1.c.-1.f. became known to the School in or about May 2016, and Witness A commenced an investigation, Mr Goodfellow gave an explanation, providing a written account of what had taken place containing details of his conduct. This includes the facts of particulars 1.e. and 1.f. which Mr Goodfellow volunteered to the School.

Consequently, on the balance of probabilities, the panel finds that, applying the ordinary standards of reasonable and honest people, the NCTL has not proved that Mr Goodfellow acted dishonestly. Therefore, the panel does not find allegation 2 proved.

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

Having found allegations 1, 3 and 4 to have been proven, the panel has gone on to consider whether the facts of those proven allegations amount to unacceptable professional conduct and/or conduct that may bring the profession into disrepute.

In doing so, the panel has had regard to the document Teacher Misconduct: The prohibition of teachers, which the panel refers to as "the Advice", and the Teachers Standards.

The panel is satisfied that the conduct of Mr Goodfellow in relation to the facts found proven, involve breaches of the Teachers' Standards. The panel considers that by reference to Part Two, Mr Goodfellow is in breach of the following standards:

- Teachers uphold public trust in the profession and maintain high standards of ethics and behaviour, within and outside school, by:
 - treating pupils with dignity, building relationships rooted in mutual respect, and at all times observing proper boundaries appropriate to a teacher's professional position;
 - having regard for the need to safeguard pupils' well-being, in accordance with statutory provisions.
- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach,
- Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities.

The panel is satisfied that Mr Goodfellow is guilty of unacceptable professional conduct in that his conduct fell significantly short of the standards expected of the profession. This is in respect of allegations 1, 3 and 4.

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

The findings of misconduct are very serious and the conduct displayed would likely have a negative impact on Mr Goodfellow's status as a teacher, potentially damaging the public perception. The panel therefore finds that Mr Goodfellow's actions constitute conduct that may bring the profession into disrepute.

Panel's recommendation to the Secretary of State

Given the panel's findings in respect of unacceptable professional conduct and conduct that may bring the profession into disrepute, it is necessary for the panel to go on to consider whether it would be appropriate to recommend the imposition of a prohibition order by the Secretary of State.

In considering whether to recommend to the Secretary of State that a prohibition order should be made, the panel has to consider whether it is an appropriate and proportionate measure, and whether it is in the public interest to do so. Prohibition orders should not be given in order to be punitive, or to show that blame has been apportioned, although they are likely to have punitive effect.

The panel has considered the particular public interest considerations set out in the Advice and having done so has found a number of them to be relevant in this case, namely the public interest in the protection of pupils, the maintenance of public confidence in the profession and declaring and upholding proper standards of conduct.

The panel also acknowledged that there is a public interest in a teacher who is able to make a valuable contribution to the profession being able to continue in that profession, as outlined in the judgment in *Wallace v Secretary of State for Education* [2017] EWHC 109 (Admin). The Wallace judgment also stated that a finding of unacceptable professional conduct and the formal publication of the findings of misconduct are of themselves detrimental and illustrate that such misconduct is wholly unacceptable.

The panel's findings against Mr Goodfellow involved an inappropriate relationship with a pupil which extended over a number of months, a failure to safeguard children on a school trip through drinking alcohol despite a clear and recent warning of the exact same behaviour, and a failure to treat pupils with dignity and respect leading to those pupils feeling embarrassed and humiliated. In light of such findings, the panel considers that all three elements of the public interest test are engaged.

There is a strong public interest consideration in respect of the protection of pupils given the serious findings of an inappropriate relationship with Pupil A. The panel has noted that Pupil A is a pupil who had suffered from ill-health and showed a tendency to isolate herself. She had clearly placed substantial trust in Mr Goodfellow who betrayed, and took advantage of, that trust. There is also evidence from Pupil A's mother that Pupil A had suffered much distress as a consequence of Mr Goodfellow's behaviour in sending the message of 19 December 2015.

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

Finally, the panel considers that a strong public interest consideration in declaring proper standards of conduct in the profession is also present as the overall conduct found against Mr Goodfellow is far outside that which can reasonably be tolerated. The behaviour of Mr Goodfellow is not related to one event but the nature of the conduct as found by the panel in respect of allegations 1, 3 and 4 extends over a substantial period, namely from 2010 to 2015, and is different in type, leading to concerns regarding the overall attitude and approach of Mr Goodfellow towards his responsibilities as a teacher. He has shown a cavalier attitude towards adherence to and compliance with the School's policies and the national framework for safeguarding. He has also disregarded clear unambiguous written warnings from senior members of staff.

Notwithstanding 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 Goodfellow.

Whatever the recommendation of the panel, Mr Goodfellow's professional reputation will be adversely affected by these proceedings. In the particular circumstances of this case, the public findings of unacceptable professional conduct and conduct that may bring the profession into disrepute are sanctions in themselves and will be with Mr Goodfellow throughout his future professional life.

In carrying out the balancing exercise the panel has considered the public interest considerations both in favour of and against prohibition as well as the interests of Mr Goodfellow. The panel has taken further account of the Advice, which suggests that a prohibition order may be appropriate if certain behaviours of a teacher have been proven. In the list of such behaviours, those that are relevant in this case are:

- serious departures from the personal and professional conduct elements of the Teachers' Standards;
- misconduct seriously affecting the education and well-being of pupils, and particularly where there is a continuing risk;
- abuse of position or trust.

Even though there were behaviours that would point to a prohibition order being appropriate, the panel went on to consider whether or not there were sufficient mitigating factors to militate against a prohibition order being an appropriate and proportionate measure to impose, particularly taking into account the nature and severity of the behaviour in this case.

However, the panel is satisfied that Mr Goodfellow's actions were deliberate, and that he was not acting under duress.

The panel does not accept that these proceedings relate to an isolated incident. First, in respect of Pupil A, the inappropriate nature of the relationship developed and subsisted for many months. Whilst there has been no suggestion or allegation that his conduct was sexually motivated, Mr Goodfellow has accepted that, shortly after Pupil A left the School, he developed a romantic attachment to her. This is evident from the content of the message that he sent to her in December 2015.

Secondly, the conduct in respect of allegation 3 which occurred in 2012 represented repetition of alleged behaviour in 2010. The panel took into consideration Ms Hewitt's submission that Mr Goodfellow has organised and attended school trips since 2012 with no reports of further transgressions.

As stated, the panel has read the testimonials and references submitted on his behalf. The panel has also read carefully the various accounts and statements provided by Mr

Goodfellow and the representations provided by his counsel in respect of the personal issues faced by Mr Goodfellow. [Redacted]

The references include accounts from his counsellor, Individual C, which provide some useful background. They illustrate that Mr Goodfellow has sought advice through counselling and continues to do so. However, whilst sympathetic to the very difficult personal circumstances with which Mr Goodfellow has had to contend relating to his immediate family, the panel does not accept that this provides an adequate explanation or excuse for Mr Goodfellow's conduct.

The panel is prepared to accept that, prior to the misconduct giving rise to these proceedings, Mr Goodfellow was a person of good character. Furthermore, it is clear from the evidence of Witness A that Mr Goodfellow is a competent and well-regarded teacher.

Nevertheless, the panel is of the view that prohibition is both proportionate and appropriate. The panel has decided that the public interest considerations outweigh the interests of Mr Goodfellow even though he has clearly suffered considerably already as a consequence of his behaviour.

Accordingly, the panel makes a recommendation to the Secretary of State that a prohibition order should be imposed with immediate effect.

The panel has gone on to consider 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 is mindful that the Advice advises 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 recommendation of the panel, whilst not in any way designed to be punitive, must take account of the risk of repetition of the sort of behaviour which has led to these proceedings against Mr Goodfellow.

The panel has not been sufficiently reassured by what it has heard and read to conclude that there is no risk of repetition of the sort of behaviours which have given rise to these proceedings. Over a number of years, Mr Goodfellow has shown a cavalier attitude towards compliance with school policies and warnings from senior members of staff. Even when giving his evidence to the panel, and whilst he had expressed remorse, he did not inspire the panel with confidence that he truly understood the seriousness of the overall nature of his conduct as described in allegations 1, 3 and 4. The conduct which has been found proved in respect of all three allegations related to Mr Goodfellow's inability to recognise how important it is for teachers to maintain proper boundaries, to

treat pupils with dignity and respect, and to set the highest standards of behaviour at all times.

The Advice indicates that there are behaviours that, if proven, would militate against a review period being recommended. However, having considered that guidance, the panel has decided that, whilst serious, this is not a case where it would be proportionate to recommend that there should be no entitlement for Mr Goodfellow to request a review.

The panel considers that it would be proportionate in all the circumstances for the prohibition order to be recommended with provision for a review after a period of two years.

Such a period would adequately mark the seriousness of Mr Goodfellow's conduct. It will also provide a suitable period during which Mr Goodfellow can further reflect on his behaviour and the consequences of his behaviour. Finally, it will enable Mr Goodfellow to continue to seek advice and support that he may need to ensure that the risk of a repetition of such behaviour and poor judgment is minimised.

Decision and reasons on behalf of the Secretary of State

I have given very careful consideration to this case and to the recommendation of the panel in respect of sanction and review period.

In considering this case I have given very careful attention to the advice that is published by the Secretary of State concerning the prohibition of teachers.

In this case, the panel has found three of the four 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 did not find the allegation relating to dishonesty proven. I have therefore put those specific matters from my mind entirely in considering this case. The panel has made a recommendation to the Secretary of State that Mr Goodfellow should be the subject of a prohibition order, with a review period of two years.

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

- Teachers uphold public trust in the profession and maintain high standards of ethics and behaviour, within and outside school, by:
 - treating pupils with dignity, building relationships rooted in mutual respect, and at all times observing proper boundaries appropriate to a teacher's professional position;

- having regard for the need to safeguard pupils' well-being, in accordance with statutory provisions.
- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach,
- Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities.

I have to determine whether the imposition of a prohibition order is proportionate and in the public interest. In considering that for this case I have considered the overall aim of a prohibition order which is to protect pupils and to maintain public confidence in the profession. I have considered the extent to which a prohibition order in this case would achieve that aim taking into account the impact that it will have on the individual teacher. I have also asked myself whether or not a less intrusive measure, such as the published finding of unacceptable professional conduct and conduct that may bring the profession into disrepute, would itself be sufficient to achieve the overall aim. I have to consider whether the consequences of such a publication are themselves sufficient. I have considered therefore whether or not prohibiting Mr Goodfellow, and the impact that will have on him, is proportionate.

In this case I have considered the extent to which a prohibition order would protect children. The panel has observed "that Pupil A is a pupil who had suffered from ill-health and showed a tendency to isolate herself. She had clearly placed substantial trust in Mr Goodfellow who betrayed, and took advantage of, that trust. There is also evidence from Pupil A's mother that Pupil A had suffered much distress as a consequence of Mr Goodfellow's behaviour in sending the message of 19 December 2015."

A prohibition order would therefore prevent such a risk of harm from being present for other pupils in the future. I have also taken into account the panel's comments on insight and remorse which the panel sets out as follows, "has not been sufficiently reassured by what it has heard and read to conclude that there is no risk of repetition of the sort of behaviours which have given rise to these proceedings. Over a number of years, Mr Goodfellow has shown a cavalier attitude towards compliance with school policies and warnings from senior members of staff. Even when giving his evidence to the panel, and whilst he had expressed remorse, he did not inspire the panel with confidence that he truly understood the seriousness of the overall nature of his conduct as described in allegations 1, 3 and 4."

I have therefore given this element of the judgement 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 public confidence in the profession could be seriously weakened if conduct such as that found against Mr Goodfellow was not treated with the utmost seriousness when regulating the conduct of the profession."

I have had to consider that the public has a high expectation of professional standards of all teachers and that failure to impose a prohibition order might be regarded by the public as a failure to uphold those high standards. In weighing these considerations I have had to consider the matter from the point of view of an “ordinary intelligent and well-informed citizen.”

I have considered whether the publication of a finding of unacceptable professional conduct, in the absence of a prohibition order, can itself be regarded by such a person as being a proportionate response to the misconduct that has been found proven in this case.

I have also considered the impact of a prohibition order on Mr Goodfellow himself. The panel observes that, “it is clear from the evidence of Witness A that Mr Goodfellow is a competent and well-regarded teacher.”

A prohibition order would prevent Mr Goodfellow from continuing to teach. A prohibition order 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 insight or remorse. The panel has said, “Over a number of years, Mr Goodfellow has shown a cavalier attitude towards compliance with school policies and warnings from senior members of staff.”

I have given less weight in my consideration of sanction therefore, to the contribution that Mr Goodfellow has made and is making to the profession. In my view it is necessary to impose a prohibition order in order to maintain public confidence in the profession. A published decision that is not backed up by remorse or insight does not in my view satisfy the public interest requirement concerning public confidence in the profession.

For these reasons I have concluded that a prohibition order is proportionate and in the public interest in order to achieve the aims which a prohibition order is intended to achieve.

I have gone on to consider the matter of a review period. In this case the panel has recommended a 2 year review period which is the minimum set out in the legislation.

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 Stephen Goodfellow 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 15 August 2019, 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 Stephen Goodfellow remains prohibited from teaching indefinitely.

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

Mr Stephen Goodfellow 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: 9 August 2017

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