



National College for
Teaching & Leadership

Mrs Rebecca Noble: Professional conduct panel outcome

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

April 2016

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

Teacher: Mrs Rebecca Noble
Teacher ref number: 9761682
Teacher date of birth: 23 July 1969
NCTL case reference: 14263
Date of determination: 29 April 2016
Former employer: St Augustine's School, Scarborough

A. Introduction

A professional conduct panel ("the panel") of the National College for Teaching and Leadership ("the National College") convened on 28 and 29 April 2016 at 53 to 55 Butts Road, Earlsdon Park, Coventry CV1 3BH to consider the case of Mrs Rebecca Noble.

The panel members were Mr Martin Greenslade (lay panellist – in the chair), Dr Robert Cawley (teacher panellist) and Mrs Kathy Thomson (teacher panellist).

The legal adviser to the panel was Ms Patricia D'Souza of Eversheds LLP solicitors.

The presenting officer for the National College was Ms Laura Hackney of Browne Jacobson LLP.

Mrs Noble was not present and was not represented.

The hearing took place in public and was recorded.

B. Allegations

The panel considered the allegations set out in the Notice of Proceedings dated 6 January 2016:

It was alleged that Mrs Noble was guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute, in that she:

1. Engaged in maladministration of coursework in 2008 for missing moderator deadlines, for which she received an informal warning.
2. Engaged in maladministration of coursework in 2009 for missing moderator deadlines, for which she received a formal written warning.
3. Engaged in maladministration of coursework in 2015, by:
 - a. Missing moderator deadlines,
 - b. Submitting false coursework marks to OCR,
 - c. Falsifying students' coursework that she intended to submit to OCR.
4. In doing 3(c) she acted dishonestly in that she knowingly falsified students' coursework so that the standard was consistent with the marks submitted to OCR

No response to these allegations has been received from Mrs Noble, therefore these allegations are taken to have not been admitted.

C. Preliminary applications

The presenting officer made an application for this hearing to proceed in the absence of Mrs Noble.

The presenting officer confirmed the Notice of Proceedings was sent on 6 January 2016 and no response was received from Mrs Noble in relation to this. The Notice of Proceedings was sent to the address provided to the National College by St Augustine's School.

The panel is satisfied that the National College has complied with the service requirements of paragraph 19 a to c of the Teachers' Disciplinary (England) Regulations 2012, (the "Regulations").

The panel is also satisfied that the Notice of Proceedings complies with paragraphs 4.11 and 4.12 of the Teacher Misconduct: Disciplinary Procedures for the Teaching Profession, (the "Procedures").

The panel has determined to exercise its discretion under Paragraph 4.29 of the Procedures to proceed with the hearing in the absence of Mrs Noble.

The panel understands that its discretion to commence a hearing in the absence of Mrs Noble has to be exercised with the utmost care and caution, and that its discretion is a severely constrained one.

In making its decision, the panel has noted that Mrs Noble may waive her right to participate in the hearing. The panel has taken account of the various factors drawn to its attention from the case of R v Jones [2003] 1 AC1.

The panel had regard to further correspondence from the presenting officer dated 11 September 2015, 19 January 2016, 9 March 2016 and 31 March 2016. It was clear to the panel that this course of correspondence was intended to seek Mrs Noble's engagement in these proceedings, for example, seeking her view on whether any of the facts could be agreed and her agreement to the content of the hearing bundle. The panel also had regard to a print out from Companies House which indicates that the address that the Notice of Proceedings was sent to is also an address for a director of a registered company with the same surname as Mrs Noble. As a result of this correspondence, the panel is satisfied that Mrs Noble is actually aware of the proceedings.

The panel has had regard to the requirement that it is only in rare and exceptional circumstances that a decision should be taken in favour of the hearing taking place. There is no indication that an adjournment might result in Mrs Noble attending the hearing.

The panel considers that Mrs Noble has waived her right to be present at the hearing in the knowledge of when and where the hearing is taking place.

The panel has had regard to the extent of the disadvantage to Mrs Noble in not being able to give her account of events, having regard to the nature of the evidence against her. The panel will hear evidence from the witnesses relied upon by the National College and is able to ascertain the lines of defence. The panel has noted that all witnesses relied upon by the National College are to be called to give evidence and the panel can test that evidence in questioning those witnesses, considering such points as are favourable to Mrs Noble, as are reasonably available on the evidence. Due to her non-engagement in the proceedings to date, there is no indication that Mrs Noble wished to rely on any oral evidence.

The panel is also able to exercise vigilance in making its decision, taking into account the degree of risk of the panel reaching the wrong decision as a result of not having heard Mrs Noble's account.

In addition, the panel notes that there are two witnesses present at the hearing, who are prepared to give evidence, and that it would be inconvenient for them to return again.

The panel has had regard to the seriousness of this case, and the potential consequences for Mrs Noble and has accepted that fairness to Mrs Noble is of prime importance. However, the panel considers that Mrs Noble has waived her right to be present at the hearing in the knowledge of when and where the hearing is taking place.

By taking such measures referred to above to address any potential unfairness insofar as is possible, and taking account of the inconvenience an adjournment would cause to the witnesses, the panel considers that on balance, these are serious allegations and the public interest in this hearing proceeding within a reasonable time is in favour of this hearing continuing today.

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 1 to 4

Section 2: Notice of Proceedings and Response – pages 5 to 8

Section 3: National College's witness statements – pages 9 to 15

Section 4: National College's documents – pages 16 to 77

Section 5: Teacher documents – blank

In addition, the panel agreed to accept the following:

Section 6: Additional documents

- Letter dated 11 September 2015 from Browne Jacobson LLP to Mrs Noble (page 79)
- Letter dated 19 January 2016 from Browne Jacobson LLP to Mrs Noble (page 80)
- Letter dated 9 March 2015 from Browne Jacobson LLP to Mrs Noble (page 81)
- Letter dated 31 March 2015 from Browne Jacobson LLP to Mrs Noble (page 82)

- Extract from Companies House (page 83 to 84)

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

Witnesses

The panel heard oral evidence on behalf of the National College from:

- Witness A – headteacher of St Augustine’s School
- Witness B – investigating officer, HR Services for North Yorkshire County Council

E. Decision and reasons

The panel announced its decision and reasons as follows:

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

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

Mrs Noble began teaching at St Augustine’s School (“the School”) from September 2002. On 21 May 2015, Mrs Noble admitted to a colleague that she had spent the previous 24 hours adding to pupils’ work to bring it up to the standard of the OCR examination board mark sheets. An investigation was commenced by the School and on 30 June 2015, Mrs Noble resigned. On 2 July 2015, following a disciplinary hearing, Mrs Noble was dismissed for gross misconduct.

Findings of fact

The panel’s findings of fact is as follows:

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

You are guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute in that whilst employed as a teacher at St Augustine’s School between July 2008 and June 2015, you:

- 1. Engaged in maladministration of coursework in 2008 for missing moderator deadlines, for which you received an informal warning.**

In her opening statement, the presenting officer submitted to the panel that the School held limited information relating to this informal warning. Witness A’s oral evidence was that he was not the headteacher at the School in 2008 and in his statement he indicated that the warning expired by the time he joined the School. However, further in his oral

evidence he said that the School were not aware of this matter from Mrs Noble's personnel file. A record of this warning was only found after events in 2015.

Witness A further indicated in his statement that Mrs Noble had received an informal warning in 2008 for similar action that led to the formal warning referred to in allegation 2 i.e. for not meeting moderator deadlines for GCSE coursework.

However, the panel had regard to the letter from the School to Mrs Noble, dated 26 June 2009, which she has signed and which states that she was given an informal warning for similar action in 2008. The presenting officer submitted that this evidence establishes that this allegation of maladministration of coursework in 2008 for missing moderator deadlines for which Mrs Noble received an informal warning, is proven.

The panel found this allegation proven.

2. Engaged in maladministration of coursework in 2009 for missing moderator deadlines, for which you received a formal written warning.

The panel noted from the record of Mrs Noble's disciplinary meeting at which Witness B asked questions on behalf of the School, that Mrs Noble was asked if she, "had any previous warnings with headteachers" and Mrs Noble replied, "no". It was Witness A's opinion that Mrs Noble lied when she gave this response.

The panel had further regard to the letter from the School to Mrs Noble dated 26 June 2009. This states that an allegation was made against Mrs Noble that she did not meet the moderator deadlines for coursework for GCSE Applied Science 2009. This letter states that the governing body considered that the complaint was accurate. As a result of this, a formal written warning was given to Mrs Noble in accordance with the School's governing body's disciplinary procedures.

This letter stated that in the future, Mrs Noble was required to comply with all of the proper procedures in respect of GCSE legislation and that if there were any further incidents of this nature that further disciplinary steps would be taken.

The panel also noted that the final paragraph of this letter states that 'this warning' (referring to the formal written warning) will 'normally be disregarded in any further disciplinary proceedings once a period of one year has elapsed from the date' of the letter. When questioned by the panel, Witness B stated that when she asked Mrs Noble if she had previous warnings she expected Mrs Noble to elaborate on the issues in 2009 but she did not do so. Although Witness B was not fully aware, at that time, of the issues that had been encountered in 2008 and 2009 (as reflected in the wording of allegations 1 and 2).

The panel asked Witness B whether Mrs Noble would have considered that this warning had lapsed and therefore it would be disregarded in any subsequent disciplinary action and that was why she said she had no previous warnings. Witness B considers that it

was possible for Mrs Noble to interpret the question asked of her in this way. However, despite the stress of the situation, Witness B considered that the events in 2015 (as referred to in allegation 3) was not the first time that Mrs Noble had failed to provide coursework marks and missed moderator deadlines.

In her closing statement, the presenting officer submitted that as Mrs Noble had signed the letter from the School of 26 June 2009, which referred to the reasons for the formal written warning in 2009, this was sufficient evidence that this allegation is proven. The panel agreed with the presenting officer and found that Mrs Noble had engaged in maladministration of coursework in 2009 for missing moderator deadlines for which she received a formal written warning. This allegation is therefore found proven.

3. Engaged in maladministration of coursework in 2015, by:

a. Missing moderator deadlines

The panel had regard to the HR report included in the bundle which states that the School's examination officer sets an internal deadline for teachers to submit their science grades to her, for the students' internally assessed coursework, in advance of sending the grades to the OCR awarding body by a separate deadline. For the academic year 2014/15 the examination officer set an internal deadline of 8 May 2015 which was a week before the 15 May 2015 deadline to submit the marks to OCR. Mrs Noble did not meet the 8 May 2015 deadline for the relevant 27 students' work. The presenting officer submitted that this was followed up by the headteacher, Witness A, on 18 May 2015. Witness A asked Mrs Noble if she had sent the marks and Mrs Noble confirmed that she had not. The presenting officer further submitted that the marks had been sent to OCR after the 15 May 2015 deadline.

The panel found this allegation proven.

b. Submitting false coursework marks to OCR

The presenting officer submitted that the marks provided by Mrs Noble after the 15 May 2015 deadline to OCR were false. The marks were inaccurate and this was admitted by Mrs Noble in her disciplinary interview on 10 June 2015.

Witness A stated, both in oral evidence and in his statement, that Mrs Noble indicated to him that there would be discrepancies between the marks recorded and the actual marks for the work received from students.

The panel noted from the record of the resulting disciplinary interview with Mrs Noble of 10 June 2015, that Mrs Noble was asked if she had falsified marks submitted to OCR. Mrs Noble responded stating that she had skimmed over the marks provided by another member of staff and had looked at the work from the children. She admitted she had not checked the marks thoroughly, and had just accepted the marks. The record of the interview shows that she stated, "When a sample of work came in", she realised the

marks were not, “sound”. The record of the disciplinary interview further reflects Mrs Noble stating that she did not change the marks she, “made sure the work matched the marks that had been put in.” The panel considered that although this appears to simply be an admission of falsifying coursework, there would have been no need to do this, had the marks been recorded accurately. The panel found that false coursework marks had been submitted by Mrs Noble to OCR.

This allegation is therefore found proven.

c. Falsifying students’ coursework that you intended to submit to OCR

The panel noted from the record of Mrs Noble’s disciplinary interview of 10 June 2015 that Mrs Noble was asked why she had told Witness A that she had spent, “the last 24 hours adding to the students work to bring it up to the submitted mark”. The panel noted that, in her responses to this question, Mrs Noble did not deny making this statement to Witness A.

The panel further noted that when asked to respond to the allegation that her conduct was an example of malpractice, Mrs Noble said, “I know”. Mrs Noble admitted in the disciplinary interview that she had falsified students’ coursework.

The panel therefore found this allegation proven.

4. In doing 3(c) you acted dishonestly in that you knowingly falsified students’ coursework so that the standard was consistent with the marks submitted to OCR

The panel was advised by the legal advisor that the case of R v Ghosh set out the relevant test for dishonesty. The first question the panel must ask itself is, were Mrs Noble’s actions dishonest by the standards of reasonable and honest teachers (the objective test). If the panel considers that her actions were dishonest by those standards then, and only then, must the panel ask itself the second stage of the test, i.e. the subjective test. The panel has to consider whether Mrs Noble must have known that what she did was dishonest by those standards, although a person should not escape a finding of dishonesty because she sets her own standards of dishonesty.

The panel found the objective test established under R v Ghosh was met. A reasonable teacher would consider that Mrs Noble’s failure to submit correct marks and falsifying coursework was dishonest.

The panel also considered that Mrs Noble was subjectively aware that her conduct in relation to falsifying students’ coursework that she intended to submit to OCR was dishonest. It was notable that Mrs Noble changed the coursework at home, which the panel considers may have been an attempt to prevent her conduct being detected by the School. This, in the panel’s view, was evidence of Mrs Noble’s knowingly falsifying

students' coursework so that the standard was consistent with the marks submitted to OCR.

The panel therefore found Mrs Noble's conduct in relation to the facts set out at allegation 3(c) was dishonest. This allegation is found proven.

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

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

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

The panel is satisfied that the conduct of Mrs Noble in relation to the facts found proven, involved breaches of the Teachers' Standards. The panel considers that by reference to Part Two, Mrs Noble 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, and maintain high standards in their own attendance and punctuality.
- Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities.

The panel has also considered whether Mrs Noble's conduct displayed behaviours associated with any of the offences listed on pages 8 and 9 of the Advice. The panel has considered whether the offence of serious dishonesty may be 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 the National College has proven that Mrs Noble has committed dishonesty in relation to the conduct referred to in allegation 3(c) and 4; however, in the panel's view, the National College had not satisfied itself that such conduct amounted to serious dishonesty.

In addition, the panel considered that the allegations against Mrs Noble relate to conduct within the education setting as her conduct in marking examination work falls within the assessment duties expected of teachers. It has become working practice within the profession for teachers to take work home to mark. Therefore, the fact that Mrs Noble changed coursework at home did not, in the panel's view, render her conduct outside of the education setting.

Nevertheless, the panel is satisfied that the conduct of Mrs Noble fell significantly short of the standards expected of the profession. The panel considered her sustained malpractice over the period of 2008 to 2015 in regularly engaging in maladministration and missing moderator deadlines had the potential to seriously undermine the integrity and credibility of the examination system and cause embarrassment to the School. In addition, the panel considered that Mrs Noble's knowingly falsifying students' coursework and submitting false coursework marks in 2015 went further, as it had the potential to affect seriously the educational progress for the 27 pupils concerned. The pupils were faced with potentially not receiving a science grade which risked the reputation of the School and had the potential to undermine public confidence.

Accordingly, the panel is satisfied that Mrs Noble is guilty of unacceptable professional conduct.

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. Failing to submit accurate coursework marks and falsifying students' coursework is not the behaviour expected of a teacher.

The panel therefore finds that Mrs Noble's actions constitute conduct that may bring the profession into disrepute.

Having found the facts of particulars 1 to 4 proven, the panel further finds that Mrs Noble's conduct amounts 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 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 maintenance of public confidence in the profession and declaring and upholding proper standards of conduct.

The panel considers that public confidence in the profession could be weakened if conduct such as that found against Mrs Noble were not treated with the utmost seriousness when regulating the conduct of the profession.

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

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 Mrs Noble.

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 Mrs Noble. 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 proven. In the list of such behaviours, those that are relevant in this case are:

- serious departure from the personal and professional conduct elements of the Teachers' Standards;
- misconduct seriously affecting the education and/or well-being of pupils, and particularly where there is a continuing risk;
- abuse of position or trust...;
- dishonesty especially where there have been serious consequences, and/or it has been repeated and/or covered up;

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 mitigate 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.

The panel had no evidence that Mrs Noble had anything other than a previous good history prior to 2008. The presenting officer confirmed to the panel that there are no previous disciplinary orders from the Secretary of State or any other relevant body in relation to Mrs Noble.

Mrs Noble's teaching capability, as confirmed by Witness A in his oral evidence, was of note. Witness A commented that Mrs Noble was an effective teacher in the classroom, however, he considered she had weak organisational skills and was a teacher that tried to get away with doing minimal work and was in effect, "lazy" and tried to, "wing it".

There was very little mitigation evidence before the panel; however, the presenting officer drew the panel's attention to a section of the record of disciplinary interview of 10 June

2015. This section refers to Mrs Noble's highlighting multiple family health issues that impacted on her at the time of the events in 2015, which the panel took into account.

However, despite such family issues, there was no evidence either in the bundle or before the panel that suggested that Mrs Noble's actions were anything other than deliberate. In addition, there was no evidence to suggest that Mrs Noble was acting under duress. In fact, the panel found Mrs Noble's actions to be calculated and motivated. The panel was concerned that Mrs Noble had tried to blame another member of staff for the completion of and submission of inaccurate marks that were sent to OCR.

On balance, the panel is of the view that prohibition is both proportionate and appropriate. The public interest considerations outweigh the interests of Mrs Noble. Mrs Noble's submission of false course marks to OCR, which risked the educational progress of her pupils, was a significant factor in forming that opinion. Accordingly, the panel makes 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 them to decide to recommend that a review period of the order should be considered. The panel was mindful that the Advice states that a prohibition order applies for life, but there may be circumstances in any given case that may make it appropriate to allow a teacher to apply to have the prohibition order reviewed after a specified period of time that may not be less than two years.

The Advice indicates that there are behaviours that, if proven, would militate against a review period being recommended. One of these behaviours includes serious dishonesty. However, as outlined under the panel's finding of unacceptable professional conduct, it is the panel's view that the National College had not persuaded it that Mrs Noble's conduct amounted to serious dishonesty. Therefore, the panel went on to consider whether a review period should be recommended.

Mrs Noble received an informal and formal warning for missing moderator deadlines which, in the panel's view, was an appropriate sanction given the minor nature of such conduct. Therefore, the panel considered that in taking all of the allegations together it would be disproportionate to recommend no provision for a review period in light of the fact that, Mrs Noble's conduct in 2008 and 2009, as referred to in allegations 1 and 2, being at the less serious end of the possible spectrum.

The panel noted from the record of the disciplinary interview in the bundle, that Mrs Noble had expressed how sorry she was for her conduct and she acknowledged that she had let the relevant 27 pupils down. This, in the panel's view, indicated that Mrs Noble had started to develop some understanding of the impact of her actions. The panel considered that it may be possible for Mrs Noble to reflect on her actions and gain insight.

In the panel's experience, awarding bodies have often imposed a restriction on marking for at least two years in circumstances of examination malpractice of this nature. Whilst the panel took account of this, it was also mindful that Mrs Noble's actions had the potential to seriously undermine public confidence in the examination system. Also, the panel considered that Mrs Noble required more time to reflect and gain insight into her actions. Therefore Mrs Noble's conduct warranted the consideration of a more serious sanction.

On balance, the panel decided it would be reasonable and proportionate, in all the circumstances, for the prohibition order to be recommended with provision for a review period of three years.

Decision and reasons on behalf of the Secretary of State

I have considered very carefully the findings and recommendations of the panel in this case. The panel has found all the allegations proven, and the panel is satisfied that Mrs Noble is guilty of unacceptable professional conduct and conduct that may bring the profession into disrepute.

The panel is satisfied that the conduct of Mrs Noble fell significantly short of the standards expected of the profession. The sustained malpractice over the period of 2008 to 2015 in regularly engaging in maladministration and missing moderator deadlines had the potential to seriously undermine the integrity and credibility of the examination system and cause embarrassment to the School. I note the panel also considered that Mrs Noble's knowingly falsifying students' coursework and submitting false coursework marks in 2015 went further, as it had the potential to affect seriously the educational progress for the 27 pupils concerned.

I note that the panel took account of the Advice, which suggests that a prohibition order may be appropriate if certain behaviours of a teacher have been proven. I agree with the panel's view that the following Teachers' Standards are relevant to this case:

- 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, and maintain high standards in their own attendance and punctuality.
- Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities.

I have noted the panel's consideration of the public interest in this case, and that public confidence in the profession could be seriously weakened if the conduct found proved in this case was not treated with the utmost seriousness. I note the panel's careful

consideration of the public interest both in favour of and against prohibition as well as the interests of Mrs Noble. The panel found Mrs Noble's actions were deliberate, and there was no evidence to suggest that she was acting under duress.

In fact, the panel found Mrs Noble's actions to be calculated and motivated. The panel was concerned that Mrs Noble had tried to blame another member of staff for the completion of and submission of inaccurate marks that were sent to OCR.

The panel concluded that the public interest considerations outweighed the interests of Mrs Noble, and that prohibition is both proportionate and appropriate. I agree with that view.

I now turn to the matter of the review period. The panel has set out very clearly their thinking on this matter, and has recommended a review period of three years.

I note from the record of the disciplinary interview, that Mrs Noble had expressed how sorry she was for her conduct and she acknowledged that she had let the relevant 27 pupils down. This, in the panel's view, indicated that Mrs Noble had started to develop some understanding of the impact of her actions. The panel considered that it may be possible for Mrs Noble to reflect on her actions and gain insight.

I note how the panel have considered that awarding bodies have often imposed a restriction on marking for at least two years in circumstances of examination malpractice of this nature. Whilst the panel took account of this, it was also mindful that Mrs Noble's actions had the potential to seriously undermine public confidence in the examination system. I agree with the panel that Mrs Noble required more time to reflect and gain insight into her actions, and therefore Mrs Noble's conduct warranted the consideration of a more serious sanction.

For the reasons set out above, I agree with the panel that it would be reasonable and proportionate, in all the circumstances, for the prohibition order to be recommended with provision for a review period of three years.

This means that Mrs Rebecca Noble is prohibited from teaching indefinitely and cannot teach in any school, sixth form college, relevant youth accommodation or children's home in England. She may apply for the prohibition order to be set aside, but not until 12 May 2019, 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, Mrs Noble remains prohibited from teaching indefinitely.

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

Mrs Noble 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.

Handwritten signature of Alan Meyrick in black ink.

Decision maker: Alan Meyrick

Date:

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