

THE TEACHING AGENCY

Decision of a Professional Conduct Panel and the Secretary of State

Teacher: Paul Cremins
Teacher Ref No: 9908457
TA Case Ref No: 0009487
Date of Determination: 1 March 2013
Former Employer: Arthur Terry School, Sutton Coldfield

A. Introduction

A Professional Conduct Panel (“the Panel”) of the Teaching Agency convened at a Meeting on 1 March 2013 at 53-55 Butts Road, Earlsdon Park, Coventry, CV1 3BH to consider the case of Mr Paul Cremins.

The Panel members were: Ms Mick Levens (Teacher Panellist - in the Chair), Mrs Janet Draper (Lay Panellist) and Mr John Speller (Teacher Panellist).

The Legal Adviser to the Panel was Mr Robin Havard of Morgan Cole LLP, Solicitors.

The meeting took place in private and the Announced Decision was recorded.

B. Allegations

The Panel considered the allegations set out in the letter to Mr Cremins of 13 February 2013.

It was alleged that Mr Paul Cremins was guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute.

Mr Cremins signed a Statement of Agreed Facts in which he stated that he admitted the particulars of the allegation and that they amounted to unacceptable professional conduct and/or conduct that may bring the profession into disrepute in that his conduct was of a serious nature, falling significantly short of the standard of behaviour expected of a teacher.

C. Summary of Evidence

In advance of the meeting, the Panel received a bundle of documents which included:

Section 1 Notice of Referral

pages 1-3

	Response Proforma Notice of Meeting	page 4
Section 2	Statement of Agreed Facts Representations of Presenting Officer Representations of Teacher	pages 5-14 pages 15-17 pages 18-21
Section 3	Teaching Agency documents	pages 22-100
Section 4	Teacher documents Letter from Paul Cremins' GP Email from Faith Ryan of 19.02.13	page 101

D. Panel's Decision and Reasons

The Panel announced its decision and reasons as follows:

We have now carefully considered the case before us and have reached a decision.

We confirm that we have read all the documents provided in the bundle in advance of the hearing.

Findings of fact

We have found the particulars of the allegation(s) against Mr Cremins proven.

The Panel had taken account of: the detailed statement of agreed facts signed by Mr Cremins on 15th January 2013, and the document submitted on his behalf by his Union Representative, Ms Ryan, dated 14th January 2013.

The Panel noted Ms Ryan's application that the content of documents 1, 2 and 9 should not be taken into account in its deliberations. The Panel considered the documents and there are discrepancies between them and the statement of agreed facts. The Panel confirms that, in respect of such discrepancies, the version contained within the Agreed Statement of Facts is preferred.

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

Having found the facts of the particulars of the allegations proved, the Panel further find that Mr Cremins' actions amount to unacceptable professional conduct and conduct that may bring the profession into disrepute.

The Panel notes that Mr Cremins admits that the facts amount to unacceptable professional conduct and that it was conduct that may bring the profession into disrepute.

E. Panel's Recommendation to the Secretary of State

The Panel has considered carefully the guidance contained in the document entitled "Teacher Misconduct - The Prohibition of Teachers".

Taking account of its findings, both in terms of the agreed facts and of unacceptable professional conduct, the Panel considers that it is proportionate and in the public interest that a Prohibition Order is made and therefore makes this recommendation to the Secretary of State. The Panel also recommends that there be no provision for Mr Cremins to apply to set aside the Prohibition Order.

The Panel concluded that Mr Cremins has a propensity for failing to recognise and observe the boundaries that must be maintained by Teachers.

F. Secretary of State's Decision and Reasons

I have considered carefully the facts relating to this case and the recommendations of the Panel. I agree with the Panel's recommendation that a prohibition order is the appropriate sanction in this case without provision for any opportunity for it to be set aside.

This means that Mr Paul Cremins is prohibited from teaching indefinitely and cannot teach in any school, Sixth Form College, relevant youth accommodation or children's home in England. Furthermore, in view of the seriousness of the allegations found proved against him I have decided that Mr Paul Cremins shall not be entitled to apply for restoration of his eligibility to teach.

This Order takes effect from the date on which it is served on the Teacher.

Mr Paul Cremins 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.

NAME OF DECISION MAKER: Paul Heathcote

DATE: 4 March 2013