



National College for
Teaching & Leadership

Heather Anne Bartlett: Professional Conduct Panel outcome

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

07 October 2013

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Professional Conduct Panel decision and recommendations, and decision on behalf of the Secretary of State

Teacher:	Ms Heather Anne Bartlett
Teacher ref no:	10/49162
Teacher date of birth:	18 October 1985
NCTL Case ref no:	9778
Date of Determination:	7 October 2013
Former employer:	Hitchin Boys' School, Hitchin

A. Introduction

A Professional Conduct Panel ("the Panel") of the National College for Teaching and Leadership ("the National College") convened on 7 October 2013 at 53-55 Butts Road, Earlsdon Park, Coventry, CV1 3BH to consider the case of Ms Heather Anne Bartlett.

The Panel members were Ms Nicole Jackson (Lay Panellist– in the Chair), Mr Kevin Nolan (Teacher Panellist) and Ms Sheba Joseph (Teacher Panellist).

The Legal Adviser to the Panel was Mr Graham Miles of Morgan Cole LLP solicitors.

The meeting took place in private and was recorded.

B. Allegations

The Panel considered the allegations set out in the Notice of Proceedings dated 11 September 2013.

It was alleged that Ms Heather Anne Bartlett was guilty of unacceptable professional conduct/ conduct that may bring the profession into disrepute, in that:

1. Whilst employed at Hitchin Boys' School, Hitchin, between September 2011 and March 2013 acted inappropriately with Pupil A in that she:
 - (a) Met him on 3 occasions between May 2012 and June 2012 outside of school, including at her house;
 - (b) Kissed him on 3 occasions.

2. Were cautioned by Hertfordshire Constabulary on 29 January 2013 for sexual activity with a male aged 13 to 17 abuse of a position of trust.

The teacher admitted the facts of the allegations against her and also that they amounted to unacceptable professional conduct/conduct that may bring the profession into disrepute. The teacher signed a statement of agreed facts to that effect.

C. Preliminary applications

None

D. Summary of evidence

Documents

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

- Section 1 - Anonymised pupil list on page 2
- Section 2 - Notice of referral and response at pages 3 to 9B
- Section 3 - Statement of agreed facts/representation at pages 10 to 15
- Section 4 - NCTL documents at pages 16 to 28
- Section 5 - Teacher's documents at pages 29 to 43

The Panel Members confirmed that they had read all of the documents in advance of the hearing.

E. 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.

Ms Bartlett was employed as a newly qualified teacher of Geography at the Hitchin Boys' School, Hitchin, between September 2011 and March 2013.

Ms Bartlett admits meeting 16 year old male pupil, (Pupil A) on three occasions before Pupil A left school. Ms Bartlett admits kissing Pupil A several times on these occasions.

Ms Bartlett admits that to engage in this activity is wholly inappropriate and amounts to an abuse of a position of trust.

Ms Bartlett was formally cautioned by Hertfordshire Police on 29 January 2013 for “*Sexual Activity with male 13 – 17 (offender does not believe victim is 18 or over) Abuse of a Position of Trust*” in respect of activity which took place on 26 May 2012.

Findings of Fact

Our findings of fact are as follows:

1. Whilst employed at Hitchin Boys’ School, Hitchin, between September 2011 and March 2013 acted inappropriately with Pupil A in that she:
 - (a) Met him on 3 occasions between May 2012 and June 2012 outside of school, including at her house;
 - (b) Kissed him on 3 occasions.

We find the facts proved based on Ms Bartlett’s admission and the content of the Statement of Agreed Facts.

2. Were cautioned by Hertfordshire Constabulary on 29 January 2013 for sexual activity with a male aged 13 to 17 abuse of a position of trust.

We find the facts proved based on Ms Bartlett’s admission, the content of the Statement of Agreed Facts and the extract from the Police National Computer.

Findings as to Unacceptable Professional Conduct and/or Conduct that may bring the profession into disrepute

Ms Bartlett admits that her conduct amounts to unacceptable professional conduct and conduct that may bring the profession into disrepute, but we have made our own determination.

Ms Bartlett breached the personal and professional conduct elements of the latest Teachers’ Standards in that:

- she failed to uphold public trust in the profession and maintain high standards of ethics and behaviour in that she did not observe proper boundaries appropriate to a teacher’s professional position.
- she failed to act within the statutory framework which set out her professional duties and responsibilities.

We are satisfied that this conduct fell significantly short of the standards of behaviour expected of a teacher and is directly related to her suitability to be a teacher. Ms Bartlett's conduct amounts to unacceptable professional conduct and conduct that may bring the profession into disrepute.

Panel's recommendation to the Secretary of State

This was a serious departure from the personal and professional conduct standards of the latest Teachers' Standards and misconduct which affected the well-being of the pupil concerned. Ms Bartlett's actions involved abuse of a position of trust. This was compounded by her initial denials on separate occasions to both the police and the school. Although the criminal offence was dealt with by way of Caution, the offence was a serious one for a teacher.

The Panel have had regard to the numerous testimonials provided in support of Ms Bartlett, including one from the pupil's mother. We note that Ms Bartlett is regarded as a good teacher and we have noted her own submissions including expressions of remorse and her insight. However, her actions were deliberate and she was not acting under duress.

We have concluded that it is necessary in the public interest to recommend a Prohibition Order. This is necessary to maintain public confidence in the teaching profession and to declare and uphold proper standards of conduct.

We considered very carefully whether to recommend that Ms Bartlett be allowed to apply to have the Prohibition Order reviewed after a specified period of time or that there be no provision for review.

We have concluded that we should recommend that there should be no provision to apply for the Prohibition Order to be set aside in this case due to the sexual misconduct combined with Ms Bartlett's initial repeated denials to the school and the police. The concealment exacerbated the abuse of position of trust.

Decision and reasons on behalf of the Secretary of State

I have given very careful consideration to the findings and recommendations of the panel in this case.

Ms Bartlett has admitted all the allegations and that they amount to unacceptable professional conduct and conduct that may bring the profession into disrepute. The panel have concluded the same.

Ms Bartlett's behaviour was a serious departure from the personal and professional conduct standards of the latest Teachers' Standards and misconduct

which affected the well-being of the pupil concerned. Ms Bartlett's actions involved abuse of a position of trust and was compounded by her initial denials on separate occasions to both the police and the school.

The panel have noted the testimonials in support of Ms Bartlett and that she has shown insight and remorse. However in view of the seriousness of this case, particularly the presence of sexual misconduct, I agree with the panel's recommendation that Ms Bartlett should be prohibited without the opportunity to have the sanction reviewed.

This means that Ms Heather Anne Bartlett 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 her, I have decided that Ms Heather Anne Bartlett shall not be entitled to apply for restoration of her eligibility to teach.

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

Ms Heather Anne Bartlett has a right of appeal to the Queen's Bench Division of the High Court within 28 days from the date she is given notice of this Order.

A handwritten signature in black ink, appearing to read 'P Heathcote', with a large, sweeping flourish at the end.

NAME OF DECISION MAKER: Paul Heathcote

Date: 7 October 2013

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