



National College for
Teaching & Leadership

Mr Andrew Little: Professional Conduct Panel outcome

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

April 2014

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

Teacher:	Mr Andrew Little
Teacher ref no:	0959114
Teacher date of birth:	12 November 1985
NCTL Case ref no:	0009783
Date of Determination:	29 April 2014
Former employer:	Thomas Telford School

A. Introduction

A Professional Conduct Panel (“the Panel”) of the National College for Teaching and Leadership (“the National College”) convened on 12 December 2013 and 28-29 April 2014 at 53-55 Butts Road, Earlsdon Park, Coventry, CV1 3BH to consider the case of Mr Andrew Little.

The Panel members were Mr Michael Sanderson (Lay Panellist – in the Chair), Ms Mick Levens (Teacher Panellist) and Mrs Mel Gunstone (Lay Panellist).

The Legal Adviser to the Panel was Miss Patricia D’Souza of Eversheds LLP.

The Presenting Officer for the National College was Ms Melinka Berridge of Kingsley Napley Solicitors.

Mr Andrew Little was present and was represented by Mr Robert Mundy of St Philips Chambers.

The hearing took place in public and was recorded.

B. Allegations

The Panel considered the allegations set out in the Notice of Proceedings dated 9 October 2013, and as amended at the hearing on 12 December 2013.

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

1. Whilst employed at Thomas Telford School in 2012, he did not observe proper boundaries appropriate to a teacher's professional position, in that he:
 - a) engaged in a romantic relationship with Pupil A;
 - b) went on holiday with Pupil A to Scotland whilst Pupil A was still a registered pupil at Thomas Telford School;
 - c) whilst in Scotland with Pupil A, shared a room with Pupil A;
 - d) went on holiday with Pupil A to Egypt whilst Pupil A was still a registered pupil at Thomas Telford School; and
2. His conduct at points 1(a) to 1(d) was sexually motivated.

Mr Little in the course of giving evidence admits the facts referred to in allegations 1(b) to (d) referred to above, however he does not admit this amounts to unacceptable professional conduct and/or conduct that may bring the profession into disrepute. He does not admit allegation 1(a) and 2.

C. Preliminary applications

The Panel considered an application from Mr Little's representative that the hearing should be adjourned or discontinued under paragraph 4.53 of the Teacher misconduct - Disciplinary procedures for the regulation of the teaching profession, due to the allegations set out in the Notice of Proceedings being insufficiently particularised. The Panel were also referred to paragraph 4.55 of the procedures which indicates that the Panel may, in the interest of justice, amend an allegation or the particulars of an allegations before making its decision about whether the facts of the case have been proved. The Panel decided that the facts behind the allegations set out in the notice of proceedings dated 9 October 2013 were not clear and should be amended. The Parties agreed the wording of amended allegations which were accepted by the Panel. These amended allegations are referred to previously in this decision.

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, with page numbers from 1 to 4;
- Section 2: Notice of Proceedings and response, with page numbers from 5 to 11;
- Section 3: Witness Statements, with page numbers from 12 to 21;
- Section 4: National College for Teaching and Leadership Documents with page numbers from 22 to 92;
- Section 5: Teacher documents with page numbers from 93 to 99.

In addition, the Panel agreed to accept the following documents for the National College for Teaching and Leadership:

- Supplementary statement of Witness C, with page numbers 21a – 21b;
- Witness statement of Pupil B, with page numbers 21c – 21e;
- Policy regarding Social Networking website dated July 2012, with page numbers 92a – 92c;
- Policy regarding Social Networking websites (prior to July 2012), with page numbers 92d – 92f;
- Copy email from Individual E to Witness C, with page numbers 92g – 92h;
- Facebook profile for Pupil A, with page numbers 92i – 92l;
- Facebook profile for Andrew Little, with page numbers 92m – 92w;
- Note of conversation with Pupil B regarding messaging conversation between Pupil A and Pupil B, with page numbers 92x – 92bb.

In addition, the Panel agreed to accept the following Teacher's documents (Section 5):

- Witness statement of Andrew Little, with page numbers 100 – 103;
- Letter from Parent A, with page numbers 104;
- Character reference, page number 105;
- Certificate of Mr Little's attendance at Level 1 training in Child Protection, page number 106;
- Certificate of Mr Little's attendance at Level 1 training in Child Protection, page number 107;
- Witness statement of Pupil A, with page numbers 108 to 111.

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

Witnesses

The Panel heard oral evidence from Witness C, the former Senior Deputy Headteacher of Thomas Telford School (“the School”), Mr Little’s line manager at the time of the allegations, and Pupil B (who notified Witness C of a rumour that Mr Little was in a relationship with Pupil A). Both of these witnesses were called by the Presenting Officer.

Mr Little’s representative called both Mr Little and Pupil A (who is referred to in the allegations) to give oral evidence.

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. The Panel also read all additional documents provided.

Summary of Evidence

Mr Andrew Little was employed at Thomas Telford School between September 2010 and 16 August 2012 as an Information Communication Technology (“ICT”) teacher. Mr Little taught ICT to all years including sixth form pupils whilst he was employed at Thomas Telford School. Pupil A was one of students that he taught in Year 12. Pupil A was a registered pupil at Thomas Telford School until 31 August 2012.

The Panel were provided with two Certificates of attendance confirming Mr Little had attended two Level 1 Safeguarding Training sessions in June and November 2010. Witness C explained in her evidence that Mr Little attended a 6 hour statutory training course run by the local authority on child protection in June 2010, he then undertook an hour and a quarter child protection training during his induction for his newly qualified teacher position in the School. In November 2010 he completed a further 6 hour course on child protection. Witness C confirmed in her statement that during that training it would have been made clear that teachers are not to engage in relationships with pupils.

The Panel heard evidence from Pupil B, who was in the same year group as Pupil A. Pupil B told the Panel that she was part of a group of 7 or 8 friends which included Pupil A. During the academic year 2010/2011, Pupil B became aware of a rumour that she (Pupil B) was in a relationship with a teacher. Pupil B was concerned that others had this impression of her and it was not true. Pupil B told the Panel that Pupil A had told her openly in the course of conversation with Pupil B and their friendship group that Pupil A

was in a relationship with Mr Little. Pupil A told the Panel that she had joked with those in her friendship group (which included Pupil B) that when Mr Little attended her house to visit her father's gym that Mr Little was "helping her with her homework", indirectly implying a relationship. Pupil A told the Panel this was only banter and not true.

On 26 January 2012, Pupil A was referred to Witness C by the Head of Year at the School due to the fact that Pupil A had raised concerns that Pupil B had been spreading rumours that Pupil A was having a relationship with Mr Little. Witness C indicated to the Panel that Pupil A denied the rumours and had suggested that Pupil B was simply being spiteful due to rumours about Pupil B's own behaviour at Pussycats Nightclub. Pupil B was alleged to have tried to put her arms around Mr Little.

Pupil B notified Witness C of her concerns about these rumours during a meeting on 29 January 2012. Upon Witness C's request for evidence of her concern that Pupil A and Mr Little were in a relationship, Pupil B produced a copy of a conversation on Facebook between Pupil A and Pupil B, which is included in the bundle. In the Facebook conversation supplied, Pupil B says that the rumour about Mr Little and Pupil A was true.

Mr Little advised the Panel that he had been made aware of rumours circulating about him being in a relationship with a pupil by a friend who worked at the local supermarket and other employees and students at the School. He believed the rumours indicated that two female pupils were fighting over him. Mr Little knew that he risked losing his job over these rumours but did not seek advice from senior colleagues about what to do in light of these "silly" rumours as he hoped they would fade away.

Mr Little confirmed that he met with Witness C on 29 January 2012 and during this meeting he confirmed that he had sent a Facebook message to Pupil B the day after a night out at Pussycats nightclub. Pupil B confirmed she left the nightclub drunk and Mr Little advised the Panel that he was concerned whether she had gotten home safely.

Mr Little also told the Panel that he had been introduced to Pupil A's father by Pupil A's mother. Following a knee injury, Pupil A's father agreed to Mr Little training in his makeshift gym contained within the garage of Pupil A's house. Mr Little attended Pupil A's home on or off for over a year. He confirmed that during this period he only ever saw Pupil A in passing if her father invited him into the house for a social drink after working out in the garage. During the meeting of 29 January 2012, Witness C confirmed to the Panel that she advised Mr Little that he could compromise his position by having a relationship with a pupil and referred him to the child protection training that he had received. Mr Little expressed a desire not to compromise his career.

During July 2012 the School received an email complaint referring to Pupil A and Mr Little being in a relationship. This email stated that Mr Little had just returned from a week's holiday with Pupil A and they were due to travel to Egypt together for a holiday. Witness C confirmed to the Panel that the complainant declined to meet with the School to provide further details due to the impact that the complaint may have on their daughter.

On this basis, it was assumed by Witness C that the complainant was a parent of a pupil in the School. Witness C told the Panel that the School knew the name of the complainant, but had not ascertained their identity.

Mr Little has admitted to the Panel that he attended a festival in Scotland with his family and said that his sister had invited Pupil A along to attend. Despite his initial reservation about whether this was appropriate, Mr Little advised the Panel that he considered that as Pupil A's family were happy for her to attend, as she had arranged to attend with his sister and not himself, and the fact that he believed she was no longer a registered pupil of the School, her attendance on the trip was not inappropriate. Mr Little admitted to the Panel that he shared a room with Pupil A in addition to his cousin and his sister. Mr Little advised the Panel he did not make Witness C aware of the fact that others shared the room at the same time as he did not believe it was necessary to do so.

During his oral evidence, Mr Little confirmed that he booked a trip to Egypt many months back and during the trip to Scotland he became aware that Pupil A had booked a last minute trip to the same resort in Egypt but a different hotel. He advised the Panel that he travelled with his housemate and Pupil A travelled with a friend. They travelled to Egypt on the same flight and saw each other on the beach once a day. Both Pupil A and Mr Little told the Panel they did not meet up in the evenings. Witness C indicated during her meeting with Mr Little on 16 August 2012 that someone would not go on holiday and share a room with somebody unless they were having a relationship. Witness C said that Mr Little did not deny having a relationship at this point. When the Panel asked why he did not explicitly deny having a relationship with Pupil A during the meeting with Witness C, Mr Little explained that the question had not been put to him explicitly by Witness C.

Mr Little confirmed in his evidence that he was aware that it was not appropriate to have a relationship with a registered pupil of the School whilst they were at the School. However, he did admit that he was unclear at which point a pupil in Year 13 would no longer be registered as a pupil. He denied that he had engaged in a romantic relationship with Pupil A prior to November 2012 or that his conduct was sexually motivated.

Findings of Fact

Our findings of fact are as follows:

We have found the following particulars of the allegations against you proven, for these reasons:

1 Whilst employed at Thomas Telford School, in 2012 he did not observe proper boundaries appropriate to a teacher's professional position, in that he:

a. engaged in a romantic relationship with Pupil A

In considering this particular allegation, the Panel were mindful of Mr Little's admission of the facts relating to allegations 1(b) to 1(d). In her evidence before the Panel, Pupil B confirmed that Pupil A had stated in her presence that Mr Little and Pupil A were in a relationship, that they would meet up outside of School and that they had had sexual relations. The Panel took note of Witness C's evidence in which she confirmed that she had said to Mr Little that he would not have shared a room with Pupil A in Scotland if he had not been in a relationship with Pupil A. The Panel also took particular note of the fact that Mr Little neither chose to challenge Witness C's statement nor offered his subsequent explanation that the room was shared. Mr Little also advised the Panel that he did not see anything wrong in a close association with a pupil once they had left the School.

The evidence presented by Witness C and Pupil B conflicted with Mr Little's account in which he denies having a romantic relationship with Pupil A prior to November 2012. The Panel reflected on Mr Little's admission that in hindsight when he found out that his sister had invited Pupil A to go on holiday with his family to Scotland, he should have indicated that this was not appropriate. He indicated that he should have also, upon learning that Pupil A was also going to Egypt at the same time as him, have raised a concern that this was not appropriate even if she had left the School.

The Panel also took on board the fact that in his evidence Mr Little confirmed that whilst he was working out in Pupil A's father's garage, Pupil A spoke to him whilst no-one else was present and they discussed the fact that Witness C had spoken to Mr Little about the rumours relating to his having a relationship with Pupil A. The Panel were concerned that in her oral evidence, Pupil A initially denied that this discussion had taken place prior to the first day of the Panel hearing in December 2013. On being directed to the evidence in the bundle, Pupil A admitted that the conversation had taken place in January 2012.

Witness C had indicated in her evidence that Mr Little has received over 13 hours of child protection training during his employment at the School. Yet despite this he deemed it appropriate to discuss this matter directly with Pupil A and that he did so without a third party present in her father's garage. The Panel were also surprised that he had not realised sooner that it was inappropriate to travel on holiday with Pupil A to Scotland and meet up with her during a holiday in Egypt.

The Panel therefore found that whilst he was employed at Thomas Telford School in 2012, Mr Little certainly did not observe the proper boundaries appropriate to a teacher's

professional position. The Panel found it more likely than not that his relationship with Pupil A during this time was romantic in nature. This allegation is therefore proven.

1 b. went on holiday with Pupil A to Scotland whilst Pupil A was still a registered pupil at Thomas Telford School.

Mr Little admitted the facts of this allegation and on considering all the evidence provided, the Panel find this allegation proven.

1 c. whilst in Scotland with Pupil A, shared a room with Pupil A

Mr Little admitted the facts of this allegation and on considering all the evidence provided, the Panel find this allegation proven.

1 d. went on holiday with Pupil A to Egypt whilst Pupil A was still a registered pupil at Thomas Telford School

Whilst Mr Little admitted the facts of this allegation his case as put by his representative was that, although they had not planned to travel to Egypt together, they were there at the same time and frequently saw each other.

The Panel found that based on the evidence of Mr Little and Pupil A, they were at the same resort, having travelled on the same flight together and that they frequently saw each other and went on a joint excursion.

From Pupil A's evidence and from what she told the Panel it was clear that her choice of holiday destination was influenced by the fact that Mr Little would be at this resort. It was also clear that Mr Little was aware of her intentions. The Panel do not find it credible that Pupil A's and Mr Little's attendance at the same resort had not been pre-planned or co-ordinated between them. The Panel therefore finds this allegation proven.

2. His conduct at points 1(a) to 1(d) was sexually motivated.

The Panel find that Mr Little's conduct in relation to each allegation at 1(a) to 1(d) is sexually motivated and the Panel's reasoning is as follows:

The Panel considered Pupil B's evidence that Pupil A had said in Pupil B's presence that she (Pupil A) had had sexual relations with Mr Little. The allegation is denied by Pupil A. Even though Mr Little has admitted sharing a room with Pupil A on the trip to Scotland, both he and Pupil A have consistently confirmed both in their documentary and oral evidence that Mr Little's sister and cousin were present at the same time. The Panel took into account Mr Little's evidence that the sleeping arrangements were consistent with a large family holiday as members of his family all shared rooms in his grandmother's house during this time. However, the Panel were mindful of the fact that he had failed to provide this information to Witness C when he discussed this issue with

her on 16 August 2012. The Panel also found it surprising that given his earlier expressed concern about the rumours, that Mr Little still chose to go on holiday and share a room with Pupil A (albeit with others).

On the balance of probability the Panel find evidence that Mr Little's relationship with Pupil A was sexually motivated. Therefore this allegation is found proven.

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

In considering the allegations that the Panel has found proven, the Panel has had regard to the definitions in The Teacher Misconduct – Prohibition of Teachers Advice, which we refer to as the 'Guidance'.

The Panel is satisfied that the conduct of Mr Little in relation to the facts found proven, involved breaches of the Teachers' Standards. The Panel considers that by reference to Part Two, Mr Little 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 the conduct of Mr Little fell significantly short of the standards expected of the profession.

Having found the allegations at paragraphs 1(a) to (d) and 2 proven, the Panel has taken into account that Mr Little has received child protection training which would have made it clear that it was inappropriate for a teacher to have any personal relationship with a pupil. When rumours first arose, the Panel would have expected Mr Little to have sought advice about how to deal with those rumours and find it surprising that Mr Little chose to continue to work out with Pupil A's father at her home, despite the rumours.

Whilst the Panel accepted that it was not made explicitly clear to Mr Little during his training or employment at the School when a Year 13 pupil may cease to be a registered

pupil of the School, the Panel considered that it would have been reasonable for Mr Little to conclude that it was inappropriate for him to share a room with a pupil that may have only recently left the School at which he was teaching, and/or that he should have notified his line manager of the fact that Pupil A was present in the same holiday destination. This is particularly true given the allegations of a romantic or sexual relationship raised previously by Witness C with Mr Little and his own expressed concern for his career. The Panel found that on the allegations proven, Mr Little had a romantic relationship with Pupil A whilst she was a registered pupil of the School and that his conduct towards Pupil A was sexually motivated.

The Panel notes that the allegations took place outside of the education setting. Mr Little's conduct relates to his holidays with Pupil A in both Scotland and Egypt and sharing a room with her whilst in Scotland. The Panel notes the concern expressed by a parent in the email to the School that this type of behaviour may lead to pupils being exposed to a risk of harm in that they should be safe whilst at School in the presence of teachers and not be viewed as potential partners. The Panel agree with these concerns and were surprised about the School's handling of this matter in failing to follow up all initial concerns raised by Pupil A and B which were dismissed as a product of acrimony. Further, a teacher's report that she had witnessed Pupil A and Mr Little walking together hand in hand does not appear to have been followed up with sufficient vigour.

The Panel consider that Mr Little's conduct has shown a flagrant disregard for his safeguarding responsibilities as a teacher and has not treated Pupil A with the dignity that is appropriate to a teacher's professional position. Mr Little has also not heeded advice from his senior line manager and he has failed to comply with the policies and practices of the School in which he taught. Together this conduct indicates that Mr Little has not acted consistently with the statutory frameworks which befall his professional duties and responsibilities, particularly in relation to safeguarding or communication with pupils.

Accordingly, the Panel is satisfied that Mr Little 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 pupil's lives and that pupils must be able to view teachers as role models in the way they behave.

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

The Panel's Recommendation to the Secretary of State

Given the Panel's findings in respect of unacceptable unprofessional 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.

The Panel were provided with a letter from Individual D, the Headteacher of the School at which Mr Little is currently employed. This letter clearly indicates that Individual D has no concerns with regard to Mr Little being clear about the professional working relationships between staff and the students. The Panel had regard to the supportive letter from Pupil A's mother in the hearing bundle and her view that Mr Little's conduct towards Pupil A demonstrated no cause for concern.

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 Teacher Misconduct – Prohibition of Teachers Advice, and having done so has found a number of them to be relevant in this case, namely protection of pupils, the protection of other members of the public, the maintenance of public confidence in the profession and declaring and upholding proper standards of conduct.

In light of the Panel's findings against Mr Little, in that Mr Little had travelled to Scotland and Egypt with Pupil A for a holiday and that he had shared a room with Pupil A whilst in Scotland, there is a strong public interest consideration in respect of the protection of pupils given the serious findings of an inappropriate romantic relationship with Pupil A.

Similarly, the Panel considers that public confidence in the profession could be seriously weakened if conduct such as that found against Mr Little 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 Mr Little, namely that he entered a romantic relationship with a pupil and that his conduct was sexually motivated, 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 Mr Little. In forming a judgement in this respect, the Panel took particular account of the mitigation evidence that was presented to it by Mr Little's representative. Mr Little was a relatively newly

qualified teacher who had not long completed his training and that his conduct in forming a romantic relationship with Pupil A, which the Panel found proven, is not an example of pre-planned predatory behaviour of a Teacher preying on a vulnerable pupil, but a one off relationship with Pupil A. Mr Little's representative indicated that Mr Little's conduct related to a pupil who was aged 18 at the time and it was clear there was mutual attraction between two consenting adults. The Panel also took into account the letter provided by Individual D and the submission that he has impressed him with his teaching ability.

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 Little. The Panel also took further account of the Teacher Misconduct – Prohibition of Teachers 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 (which are relevant to this matter) 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
- evidence of a deep-seated attitude that leads to harmful behaviour
- abuse of position or trust (particularly involving vulnerable pupils) or violation of the rights of pupils
- sexual misconduct, e.g. involving actions that were sexually motivated or of a sexual nature and/or that use or exploit the trust, knowledge or influence derived from the individual's professional position;

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. In light of the Panel's findings, the Panel considered there was no evidence to suggest that Mr Little was acting under duress. His actions were most certainly deliberate as he chose to go on holiday to Scotland knowing Pupil A had arranged to travel with his family, and he chose to go on holiday to Egypt when he knew that Pupil A had also booked to travel there at the same time. He also chose to share a room with Pupil A even though members of his family were present. The Panel found that Mr Little's actions were calculated and motivated by sexual intent. He had previously been subject to disciplinary warnings regarding his conduct towards other young members of staff and taken together, this is evidence of a serious lack of insight and poor judgement in Mr Little's conduct towards a Sixth Form Pupil.

The Panel is of the view that Prohibition is both proportionate and appropriate. We have decided that the public interest considerations outweigh the interests of Mr Little. Mr Little's serial lack of insight and poor judgement in how he behaved towards both Pupil A and Pupil B, and that he had seriously breached the appropriate standards expected of a teacher, particularly in terms of safeguarding and the fact that he had failed to openly explain his conduct to his senior colleagues, were all significant factors 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 were mindful that the Teacher Misconduct – Prohibition of Teachers Advice indicates 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 Teacher Misconduct – Prohibition of Teachers Advice indicates that there are behaviours that, if proven, would mitigate against a review period from being recommended. One of these behaviours includes serious sexual misconduct, e.g. where the act was sexually motivated and resulted in, or had the potential to result in, harm to a person or persons, particularly where the individual has used their professional position to influence or exploit a person or persons. The Panel has found that Mr Little has shown some limited insight into his actions in that he accepts that he has contributed to this situation by not preventing Pupil A from travelling with his family to Scotland with him. Even if there had been no rumours of a relationship, this was not appropriate and it was not acceptable that both he and Pupil A were present in Egypt at the same time. However, the Panel found that on the whole he did not accept that overall his conduct was wrong.

All sexual conduct between teachers and pupils is misconduct of a serious nature. Even though the Panel considered Mr Little's conduct was sexually motivated and he had failed to either co-operate with senior colleagues, or appreciate the gravity of his behaviour, or acknowledge that his behaviour was inappropriate and had breached the standards expected of teachers, it did not consider that there was a sufficiently close match between his conduct and the definition of "serious sexual misconduct" as set out in the Guidance. The Panel did not find evidence that his conduct towards Pupil A was of a pre-planned and/or predatory nature that would suggest that Mr Little had intended to exploit Pupil A or cause her harm, even though harm was caused by his actions.

The Panel therefore felt the findings indicated a situation in which a review period would be appropriate and as such decided that it would be appropriate and proportionate in all the circumstances, for the Prohibition Order to be recommended with provisions for a review period of 5 years. This period would enable Mr Little to reflect on his actions and judgements, in relation to what his representative described as a chastening experience.

Decision and reasons on behalf of the Secretary of State

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

The panel have found all the allegations proven and determined that together they amount to unacceptable professional conduct and conduct that may bring the profession into disrepute.

Mr Little's behaviour has fallen significantly short of the standards expected of a teacher. Despite having received child protection training, Mr Little has shown a flagrant disregard for his safeguarding responsibilities. He failed to heed the advice of his senior line manager and failed to comply with the policies and practices in place at his school.

The panel have found a number of the public interest considerations to be relevant in this case and have judged that Mr Little's actions should be treated with the utmost seriousness. They have given proper consideration to the interests of Mr Little and in particular that a prohibition order should not be given simply in order to be punitive, although it is likely to have a punitive effect.

The panel have recommended that a prohibition order is an appropriate and proportionate sanction and I agree with their recommendation.

The panel have given proper consideration to the issue of a review period. The panel have judged that Mr Little's behaviour amounts to sexual misconduct rather than serious sexual misconduct. He has shown some limited insight and provided a positive testimonial as to his teaching ability. Mr Little was a relatively newly qualified teacher at the time of the events and the panel have recommended that Mr Little be given time to reflect on his actions and judgements. In the circumstances I agree that Mr Little should be allowed to apply to have the order set aside after a minimum period of 5 years has elapsed.

This means that Mr Andrew Little 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 8 May 2019, 5 years from the date of this order at the earliest**. If he does apply, a panel will meet to consider whether the Prohibition Order should be set aside. Without a successful application, Mr Andrew Little remains barred from teaching indefinitely.

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

Mr Andrew Little 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 'P Heathcote', with a large, sweeping flourish at the end.

NAME OF DECISION MAKER: Paul Heathcote

Date: 30 April 2014

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