



National College for
Teaching & Leadership

Mr Jonathan Layfield: Professional Conduct Panel outcome

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

November 2014

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

Teacher:	Mr Jonathan Layfield
Teacher ref no:	11/64612
Teacher date of birth:	21 August 1989
NCTL Case ref no:	0011960/LAYFIELD
Date of Determination:	7 November 2014
Former employer:	Vandyke Upper School

A. Introduction

A Professional Conduct Panel (“the Panel”) of the National College for Teaching and Leadership (“the National College”) convened on 7 November at 53-55 Butts Road, Earlsdon Park, Coventry, CV1 3BH to consider the case of Mr Jonathan Layfield.

The Panel members were Mr Ian Hughes (Lay Panellist – in the Chair), Mrs Gill Goodswen (Teacher Panellist) and Ms Sarah Evans (Teacher Panellist).

The Legal Adviser to the Panel was Mr Guy Micklewright of Blake Morgan LLP Solicitors.

The Presenting Officer for the National College was Ms Lucy Coulson of Browne Jacobson LLP Solicitors.

Mr Jonathan Layfield was not present was not represented.

The meeting took place in private and the decision was announced in public.

B. Allegations

The Panel considered the allegation set out in the Notice of Proceedings dated 27 October 2014:

"You are guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute, in that whilst employed at Vandyke Upper School, Leighton Buzzard between July 2012 and May 2014, you:

1. Entered into an inappropriate relationship with Student A, a sixteen year old female pupil, in that you:
 - a) Engaged in inappropriate email conversations with Student A
 - b) Encouraged a relationship beyond a normal teacher/pupil relationship
 - c) On 14 March 2014 kissed Student A whilst at school

2. In doing so your conduct was sexually motivated."

C. Preliminary applications

There were no preliminary applications.

D. Summary of evidence

Documents

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

1. Notice of Referral, Response, and Notice of Meeting (pages 5-11b)
2. Chronology (page 2)
3. Anonymised Pupil List (page 3)
4. Statement of Agreed Facts and Presenting Officer Representations (pages 13-16)
5. NCTL Documents (pages 18-100)
6. Teacher Documents (pages 102-104)

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

Witnesses

There were no witnesses who gave oral evidence as the hearing was dealt with by way of a Meeting.

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.

This case concerns an alleged inappropriate relationship between Mr Layfield and a 16 year old female student, Student A. At the material time Mr Layfield was a history teacher at Vandyke Upper School, Bedfordshire. It is alleged that between July 2012 and May 2014 in a series of emails between Mr Layfield and Student A, he significantly transgressed appropriate professional boundaries between teacher and student. The nature and content of those emails is alleged to have been sexualised and inappropriate. It is further alleged that on 14 March 2014 the relationship became physical in that Mr Layfield and Student A kissed whilst on school property.

Over the weekend of 15 to 16 March 2014 Student A's parents became aware of the relationship. Shortly thereafter, on 18 March 2014, Mr Layfield's employer became aware that an inappropriate relationship may have been taking place. The school interviewed Student A on 21 March 2014 where she initially denied the relationship. When shown the emails between them which the school had obtained copies of she accepted that a relationship had indeed taken place and said that she felt very guilty about it. She was extremely worried that Mr Layfield might lose his job. The school Principal immediately suspended Mr Layfield.

During a formal 'Investigatory Meeting' on 31 March 2014 at the school Mr Layfield admitted that he had been in inappropriate email contact with Student A over a period of time. He also admitted that they had kissed on 14 March 2014. On 12 May 2014 Mr Layfield resigned from his post.

Findings of Fact

Our findings of fact are as follows:

We have found the following particulars of the allegation against Mr Layfield proven, for these reasons:

1. Entered into an inappropriate relationship with Student A, a sixteen year old female pupil, in that you:

a) Engaged in inappropriate email conversations with Student A.

The Panel's findings and reasons in relation to this particular are as follows:

The Panel has taken into account and accepts the contents of the Agreed Statement of Facts signed by Mr Layfield and dated 26 September 2014. There is no dispute that the email correspondence was between Mr Layfield and Student A. The Panel accepts that the transcription of the email messages in the bundle is accurate as far as it can tell. In the Panel's view the emails which it has seen sent by Mr Layfield, dated between the 4 and 16 March 2014, are entirely inappropriate in content and nature for correspondence between a teacher and a student, in addition to the fact that they were sent from his personal email address rather than the school email address.

b) Encouraged a relationship beyond a normal teacher/pupil relationship

The Panel's findings and reasons in relation to this particular are as follows:

In finding this particular proved the Panel found that the contents of the emails were clearly not related to school matters; that the emails were sent with unusual frequency; that the times at which the correspondence was taking place was also out of the ordinary, in particular that it was often taking place late at night. The Panel also accepted the admissions made by Mr Layfield in the Statement of Agreed Facts, and took into account the admissions made during the Investigatory Meeting on 31 March 2014.

c) On 14 March 2014 kissed Student A whilst at school

The Panel's findings and reasons in relation to this particular are as follows:

In finding this particular proved the Panel rely, in particular, on the admission made by Mr Layfield in the signed Agreed Statement of Facts. The Panel finds that it is more probable than not that Mr Layfield would not have made this admission were the allegation not true.

The Panel notes that Mr Layfield accepted in the Investigatory Meeting held by the Principal on 31 March 2014 that he kissed Student A, the minutes of which appear in the bundle.

In light of our findings in respect of particulars 1 a), 1 b) and 1 c), we therefore find proved that Mr Layfield entered into an inappropriate relationship with Student A for a period between July 2012 and May 2014.

2. In doing so your conduct was sexually motivated

The Panel's findings and reasons in relation to this particular are as follows:

The Panel notes that Mr Layfield accepts the facts of the allegations against him in the Agreed Statement of Facts.

The language and contents of the emails sent by Mr Layfield was undoubtedly sexualised and on one occasion revealed that he had fantasies of having sexual intercourse with Student A.

The Panel therefore finds that the conduct of Mr Layfield alleged in particulars 1a), 1b), and 1c) was sexually motivated.

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

In the Panel's judgment Mr Layfield's conduct amounts to both unacceptable professional conduct and also conduct that may bring the profession into disrepute. This is accepted by Mr Layfield.

Mr Layfield's conduct was clearly serious misconduct and contravenes a number of sections of Part 2 of the Teachers' 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 regards 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."

Mr Layfield's actions both in and outside the school grossly traversed the boundaries of an acceptable relationship between a student and a teacher. Teachers are in a significant position of trust. It is the responsibility of the teacher to manage and ensure that their relationships with students remain appropriate. Parents and society at large are entitled

to expect that those young persons who are in the care of teachers will not be subject to sexualised attention and that professional boundaries will be maintained.

In the Panel's judgment the conduct of Mr Layfield may well bring the profession into disrepute. This is also accepted by Mr Layfield. A teacher crossing professional boundaries into a sexualised relationship with a student can only damage the public's perception and confidence in the profession.

Panel's recommendation to the Secretary of State

The Panel went on to consider the issue of prohibition. The Panel has considered the 'Teacher misconduct: the prohibition of teachers' guidance dated July 2014.

The Panel note that Mr Layfield has not sought to dispute the allegations made against him nor that his actions were inappropriate. However, the Panel is concerned that Mr Layfield appeared to initially try to cover up his actions by arranging for emails to be deleted once he knew that Student A's parents had become aware of the relationship. The Panel remains concerned that there currently does not appear to be a full appreciation by Mr Layfield of the importance of maintaining boundaries and where those boundaries lie. There is, unfortunately, currently no evidence of remediation or learning undertaken by Mr Layfield to improve his understanding of maintaining boundaries. Mr Layfield's actions are undoubtedly seriously inappropriate. A Prohibition Order will inevitably have an adverse effect on Mr Layfield's life and employability. The Panel considers that Mr Layfield still poses a risk to female students were he to return to teaching immediately. An order is necessary to protect the public, to maintain public confidence in the profession, and to declare and uphold proper standards of conduct.

It is the Panel's view that, balancing his interests against the wider public interest, it is appropriate and proportionate to recommend to the Secretary of State that a Prohibition Order is imposed.

However, the Panel do recognise the fact that Mr Layfield was only twenty-four at the time of his actions and that he would appear to have the potential to become a good teacher. It notes the positive letter sent by Student A's parents to the school during the disciplinary process. In the Panel's view Mr Layfield needs time to develop the maturity and skills to be able to manage boundaries and his relationships with his pupils appropriately.

The Panel is therefore of the view that it would be proportionate and appropriate to recommend to the Secretary of State that Mr Layfield be permitted to apply to set aside the Prohibition Order in five years' time. This is in the Panel's view the minimum time required for Mr Layfield to develop the appropriate attitude and skills.

Decision and reasons on behalf of the Secretary of State

I have carefully considered the findings and recommendations of the panel in this case.

The allegations concern an inappropriate relationship with a student. Mr Layfield has admitted the allegations and the panel have found them proven. Mr Layfield has also admitted that the proven facts amount to unacceptable professional conduct and conduct that may bring the profession into disrepute. The panel agree with this judgement.

In determining whether a prohibition order is an appropriate and proportionate sanction the panel have considered both the interests of the public and those of the teacher. Mr Layfield's actions are a serious departure from the standards expected of a teacher. Whilst a prohibition order will have an adverse effect on Mr Layfield, the panel consider that he still poses a risk to students. There does not appear to be a full appreciation by Mr Layfield of the importance of maintaining boundaries and where those boundaries lie. I agree with the panel's recommendation that a prohibition order is an appropriate and proportionate sanction.

The Panel have recognised that Mr Layfield was only twenty-four at the time of his actions and that he would appear to have the potential to become a good teacher. They believe that Mr Layfield needs time to develop the maturity and skills to be able to manage boundaries and his relationships with his pupils appropriately and are of the view that five years would be the minimum time for him to develop the appropriate attitude and skills. I agree with their recommendation.

This means that Mr Jonathan Layfield 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 17 November 2019, 5 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 Jonathan Layfield remains barred from teaching indefinitely.

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

Mr Jonathan Layfield 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: 10 November 2014

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