



National College for  
Teaching & Leadership

# **Ms Lesley Haslam: Professional Conduct Panel outcome**

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

**January 2015**

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

<b>Teacher:</b>	Ms Lesley Haslam (also known as Ms Lesley Maddock)
<b>Teacher ref no:</b>	86/73751
<b>Teacher date of birth:</b>	30/03/1965
<b>NCTL Case ref no:</b>	11513
<b>Date of Determination:</b>	9 January 2015
<b>Former employer:</b>	Christian Malford Church of England Primary School

### **A. Introduction**

A Professional Conduct Panel (“the Panel”) of the National College for Teaching and Leadership (“the National College”) convened on 8 to 9 January at 53-55 Butts Road, Earlsdon Park, Coventry, CV1 3BH to consider the case of Ms Lesley Haslam.

The Panel members were Ms Carolyn Robson (Teacher Panellist), Mr Melvyn Kershaw (Teacher Panellist) and Mr Ian Hughes (Lay Panellist – in the Chair).

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

The Presenting Officer for the National College was Ms Michelle Lau of Browne Jacobson LLP Solicitors.

Ms Lesley Haslam was not present was not represented.

The hearing took place in public and was recorded.

## **B. Allegations**

The Panel considered the allegation set out in the Notice of Proceedings dated 5 September 2014:

"The Panel will hear an allegation that you are guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute in that whilst applying for the position of Head teacher at Christian Malford Church of England Primary School:

1. You failed to declare when applying to work at the school that you had been dismissed from the post of Head teacher at Haveley Hey Community School, Wythenshawe;
2. That your conduct in regard to the particulars was dishonest in that you deliberately sought to mislead others, and were aware of this at the time doing so."

## **C. Preliminary applications**

### Proceeding in Absence

The NCTL applied to proceed in the absence of Ms Haslam. The Panel considered carefully the representations of the Presenting Officer. It accepted the advice of the Legal Advisor. Having considered the Notice of Proceedings dated 5 September 2014 the Panel was satisfied that the service requirements in Rules 4.11 and 4.12 were satisfied.

The Panel next considered whether it should exercise its discretion to proceed in the absence of Ms Haslam. In light of the clear declaration in the 'Notice of Proceedings Form' signed and dated 29 September 2014 by Ms Haslam that she would not be attending the hearing nor that she would be represented at the hearing, the Panel concluded that she had voluntarily waived her right to attend and/or be represented. The Panel noted that despite further correspondence from the NCTL's solicitors there has been no further engagement from Ms Haslam.

The Panel has exercised its discretion with great care and caution. The Panel did not consider that it was in the public interest to adjourn the case to a later date as there was nothing to indicate that Ms Haslam would be likely to attend on a future occasion. The Panel considered that the teacher would not be so prejudiced by her absence such that the case could not be disposed of fairly. The Panel is conscious that two witnesses have attended to give evidence and that there is a public interest in serious allegations being determined expeditiously.

## Application to Amend the Allegations

The Presenting Officer made an application to make two amendments to the allegations pursuant to paragraph 4.56 of the Disciplinary Procedures:

Firstly, to insert the words ("the School") " before the colon at the end of the preamble to the allegations.

Secondly, to amend particular 2 to read "that your conduct in regard to particular 1 above was dishonest in that you deliberately sought to mislead others".

The Panel was conscious of the fact that the teacher was neither present nor represented and therefore was neither on notice of the application nor able to make representations.

The Panel considered that it was in the interests of justice to grant the first application on the basis that it clarified which school was being referred to in particular 1, something which would be readily discernible to the teacher on reading the evidence contained within the bundle served on her.

The Panel carefully considered whether to grant the second application. The Panel was concerned that the granting of the application might have the effect of making it easier for the NCTL to prove its case, as on one reading it would no longer need to prove knowledge on the part of the teacher. Nevertheless, the Panel did consider that as currently drafted the allegation was unsatisfactorily worded, as it was not clear exactly what it was being said Ms Haslam was aware of at the material time, and as such it was in the interests of justice for an amendment to be made. The Panel was of the view that the amendment could be made fairly and without injustice because it understood the word "deliberately" to be alleging that Ms Haslam intentionally omitted to declare the fact of her dismissal when applying for the role at Christian Malford Church of England Primary School, and did so in the knowledge that by doing so she would be misleading others.

## **D. Summary of evidence**

### **Documents**

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

1. Chronology (pages 2-3)
2. Notice of Proceedings and Response to Notice of Proceedings (pages 5-15)
3. NCTL Witness Statements (pages 17-21)
4. NCTL Documents (pages 23-56)

## 5. Teacher Documents (pages 58-69)

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

## Witnesses

The Panel heard oral evidence from:

Witness A – Chief Executive Officer

Witness B – Director and Trustee

## 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. The Panel has carefully considered all the evidence, as well as the submissions of the Presenting Officer and the material submitted by Ms Haslam. It has accepted the advice of the Legal Advisor.

The Panel is prepared to treat Ms Haslam as a person of good character. This is relevant in two ways: firstly, it may be supportive of the credibility of any account which she may give; and, secondly, it is relevant to the issue of propensity in that it may mean that she is less likely to have conducted herself in the way in which it is alleged.

The Panel has not drawn any adverse inferences against Ms Haslam by virtue of the fact that she has not attended the hearing.

This case arises from an application made by Ms Haslam for the role of Head Teacher at Christian Malford Church of England Primary School ("Malford School") and her subsequent appointment to that position.

Ms Haslam made her application by way of an application form electronically signed and dated 6 October 2013. That application form was accompanied by a covering letter from the teacher. In both the application form and the accompanying letter Ms Haslam made no reference to her dismissal from her role as Head Teacher at Haveley Hey Community School, Wythenshawe, in 2010. That was her most recent teaching experience. This is significant because she was dismissed from her employment at that school for gross misconduct on the grounds of bullying staff and abusing a pupil. It appears that following that dismissal a referral was made to the General Teaching Council ("GTC"). The Investigating Committee of the GTC took the view that there was insufficient evidence for there to be a realistic prospect of a Professional Conduct Committee making a finding of misconduct.

Around the beginning of 2014 these circumstances became known to the management of Malford School. An investigation was commenced and Ms Haslam was suspended on 13 January 2014. A Disciplinary Hearing was convened for 6 February 2014 but on that same day Ms Haslam resigned from her role. The Disciplinary Hearing was reconvened on 3 March 2014. The likely outcome of the original hearing was considered and it was determined that Ms Haslam's failure to disclose her dismissal from her previous place of work amounted to gross misconduct.

The NCTL's case is that Ms Haslam was under a duty to disclose the fact of her dismissal from her previous role, and that by omitting to make any mention of that fact in her application form and its accompanying letter, or in her interview, she breached that duty. The NCTL's case is that in doing so she deliberately and knowingly sought to mislead and in doing so acted dishonestly.

## **Findings of Fact**

Our findings of fact are as follows:

We have found the following particulars of the allegation against Ms Haslam proven, for these reasons:

### **1. You failed to declare when applying to work at the school that you had been dismissed from the post of Head teacher at Haveley Hey Community School, Wythenshawe;**

The Panel is satisfied that Ms Haslam was, in fact, dismissed from her employment with Haveley Hey Community School. That fact is not disputed by Ms Haslam in her email to the NCTL dated 2 May 2014.

The Panel considers that there was a duty on Ms Haslam to disclose the fact of her dismissal. The Panel accepts that the Application Form is somewhat ambiguous and on a strict reading makes no specific requirement for the reason for leaving her last teaching job to be mentioned, although there is a note to applicants that "deliberate omission or falsification of information could lead to the disqualification of your application or later dismissal, if appointed." There is an expectation and duty of openness from professionals in public service, and that must also apply to those in the teaching profession when applying for new jobs. In the Panel's view that is reflected in Part Two of the Teachers' Standards. The need for a relationship of openness and trust between the school and a teacher is particularly acute where the individual in question is applying for such a senior position. To hold otherwise would be to validate professionals deliberately misleading prospective employers about salient matters, which cannot be right. The Panel considers that it is irrelevant that the allegations which were the basis for her dismissal from Haveley Hey Community School were dismissed by the Investigating Committee of the General Teaching Council. The duty to mention something as significant as the fact of a dismissal for gross misconduct when applying for a role as a Head Teacher is not

extinguished because the teacher's regulator does not consider there to be sufficient evidence to bring misconduct proceedings against them in respect of the same matters.

The Panel have very closely read the covering letter which was appended to and referenced in the application form. Whilst there is no requirement on the form to write such a letter, having written the letter it was incumbent on Ms Haslam to ensure that its contents were accurate. Any reasonable reader would conclude from the way in which the letter had been written that the reason for leaving her last role as a Head Teacher in 2010 was because her father had become ill and she had chosen a different career path. The Panel takes the view that the way in which the letter was crafted meant that Ms Haslam deliberately omitted to declare as part of her written application the fact that she was dismissed from her role at Haveley Hay Community School.

The Panel heard evidence from Witness A, the Chief Executive Officer from the Diocese of Bristol Academies Trust, about the information obtained during the course of the investigation. He told the Panel that he spoke to those members of the panel who interviewed Ms Haslam as part of the recruitment process who he was able to speak to. His evidence was that they told him that Ms Haslam had been asked about the gap in her teaching employment between 2010 and 2013 and that she responded by stating that her father had become ill and that she had pursued a non-teaching job elsewhere. That evidence was supported by Witness B, the Director and Trustee of the Diocese of Bristol Academies Trust, who was one of the members of the Disciplinary Tribunal which was to consider whether Ms Haslam was guilty of misconduct. He told the Panel that notes of what took place during Ms. Haslam's interview had been appended to the 'Management Case' document and that they reflected that Ms Haslam had not, when questioned about the gap in her employment history, mentioned that the reason for leaving Haveley Hay Community School was that she was dismissed. The Panel accepted that the evidence given by the witnesses of the answers given by Ms Haslam in her interview was sufficiently accurate for the Panel to rely upon. The fact that her dismissal from her previous employment, when discovered, came as such a surprise to those involved further suggests that she had not communicated this information.

The Panel therefore concluded that Ms Haslam did not, either in her written application or in her interview; mention that she had been dismissed from her employment at Haveley Hay Community School, as she should have done.

## **2. That your conduct in regard to particular 1 was dishonest in that you deliberately sought to mislead others;**

The Panel has concluded that Ms Haslam's actions were a deliberate attempt to mislead those who would be considering her application. It is the clear view of the Panel that the covering letter was specifically crafted to avoid mention of the fact of the dismissal. Having read Ms Haslam's email of 2 May 2014 and the other documents which she has submitted it appears that her case is that she was under no obligation to disclose the fact



of the dismissal – or believed that she was not under any obligation to disclose that fact – because prior to her application the GTC had in her mind cleared her of the allegations which formed the subject matter of the dismissal. She did not seek during the course of the internal investigation or during the course of the NCTL proceedings to suggest that this was an accidental or inadvertent omission.

The Panel has concluded on the balance of probabilities that Ms Haslam did realise that she was under a duty to disclose the fact that she had been dismissed from Havelely Hay Community School. As a result the Panel has concluded that in not disclosing that information she acted dishonestly. She was a very experienced Head Teacher and as such would have been well versed in what matters recruiters would expect to have disclosed in a job application for a teaching role. She would have been aware of the GTC Code of Conduct 2009 which gives as an example of a breach of Section 8 those who have "...falsified qualifications, references or misrepresented the pattern of employment in applying for posts." Although that document was not in force at the time of her application, the core requirements of the ethics and behaviour expected of teachers contained in Section 8 are reflected in Part Two of the Teachers' Standards. It is simply not credible that she would not have appreciated the requirement to disclose such a significant piece of information about her employment history. As the Panel has already observed, the manner in which she crafted her covering letter is, in the Panel's view, clearly calculated to avoid any mention of the fact of her dismissal.

Furthermore, although the format of the application form itself meant that there was no specific box for her to indicate why she had left her employment at Havelely Hay Community School, this in part seems to be because it is assumed that she would still be employed as a teacher, or Head Teacher, at the time of submitting her application. Section 6 of the form contains a column asking the applicant to detail their reasons for leaving all their previous places of employment and this would have been a clear indication to her that that was information which her prospective employers would wish to know. Similarly, the preamble to section 5 would also have indicated to her that any occasions of dismissal or disciplinary action were of particular interest to her prospective employers.

When asked about her employment gap in interview she gave an answer relating to her father's illness. In the Panel's view this clearly indicates an intention to deceive the interviewers as to the true reason for her leaving the employ of Havelely Hay Community School, because the obvious and honest answer would have included direct reference to the fact that she had been dismissed.

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

In the Panel's judgment Ms Haslam's conduct amounts to both unacceptable professional conduct and also conduct that may bring the profession into disrepute. The Panel has

considered the guidance contained in the guidance document 'Teacher misconduct: the prohibition of teachers' ("the guidance").

In the Panel's view, dishonestly misleading a future employer is a breach of Part Two of the Teachers' Standards. The Panel further considers that the nature of such conduct can be properly regarded as behaviours associated with offences of fraud or serious dishonesty which, in accordance with the guidance, are likely to lead a Panel to make a finding of Unacceptable Professional Conduct.

Ms Haslam's actions have demonstrably brought the profession into disrepute. Her appointment to the role of Head Teacher at Malford School when she had not disclosed the fact of her previous dismissal resulted in a substantial adverse reputational impact on Malford School, whose position in the local community was already difficult, and some parents appear to have removed their children from the school as a result. Both as a teacher and, in particular, as a Head Teacher Ms Haslam is a role model for pupils and young people. Her actions fell significantly short of those expected of such a person.

## **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. It has accepted the advice of the Legal Advisor.

The Panel considers that an order is necessary to maintain public confidence in the profession and to declare and uphold proper standards of conduct. The Panel considers that Ms Haslam's conduct was extremely serious and fell substantially below the standards to be expected of a teacher. The guidance recommends that where a case involves fraud or serious dishonesty the Panel should consider making a recommendation that a Prohibition Order be imposed with no provision for the teacher to apply for it to be set aside after any period of time. It is of note that Ms Haslam was not an inexperienced teacher at the beginning of her career; she was a very experienced teacher who had spent a substantial number of years in Head Teacher posts. Her actions led to a number of serious adverse consequences to the management of Malford School and some undoubted disruption to the education of its pupils.

The Panel considered that the mitigating features of this case were Ms Haslam's previous good history and the fact that when Malford School challenged her on the fact of her dismissal she appears to have immediately made full and frank admissions. However, the Panel has difficulty accepting that Ms Haslam has full insight into her actions. Whilst she did make full admissions to Malford School straightaway and did not attempt to try and further cover up her actions, nevertheless she would have struggled to credibly deny what had taken place. In her email of 2 May 2014 to the NCTL she states that she strenuously denies the allegations. She has not appeared before the Panel to answer the allegations and as a result it is difficult for the Panel to be satisfied that she now appreciates the seriousness and impact of her actions, or whether they are likely to be repeated.

For these reasons the Panel is of the view that it would be appropriate and proportionate to recommend to the Secretary of State that a Prohibition Order be imposed.

The Panel then went on to consider whether it was appropriate to allow Ms Haslam to be permitted after a period of time to apply to have the Prohibition Order set aside. The Panel has weighed her interests against the wider public interest in maintaining public confidence in the teaching profession and declaring and upholding high standards in the profession. The Panel noted that this was an isolated act and that the level of her dishonesty, while serious, was very much at the lower end of the scale. There is no suggestion that Ms Haslam is anything other than a competent member of the profession and she has indicated a desire to return to the profession. In the Panel's view it is appropriate and proportionate to recommend that she be permitted to apply for the Prohibition Order to be reviewed after two years. In the Panel's view this would be sufficient time to satisfy the public interest in imposing a Prohibition Order but to permit her to demonstrate that she has learnt from the experience and is an appropriate person to be permitted to return to teaching.

## **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 both allegations proven and have determined that the proven facts amount to both unacceptable professional conduct and conduct that may bring the profession into disrepute.

Ms Haslam's behaviour includes dishonesty in that she sought to deliberately mislead her potential employers by not declaring her previous dismissal.

In deciding whether to recommend a Prohibition Order the panel have properly considered both the public interest and the interests of the teacher. They have referenced the Secretary of State's guidance 'Teacher misconduct: the prohibition of teachers' and have recommended that a prohibition order is an appropriate and proportionate sanction. I agree with this recommendation.

The Panel have gone on to consider whether Ms Haslam should be allowed an opportunity to apply to have the order set aside at a future date. They noted that this was an isolated act and that the level of her dishonesty, while serious, was very much at the lower end of the scale. Ms Haslam is regarded as being a competent member of the profession and she has indicated a desire to return to the profession. In the circumstances I agree with the Panel's recommendation that Ms Haslam be allowed to apply to have the order set aside after a minimum period of 2 years has passed.

**This means that Ms Lesley Haslam 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 19 January 2017, 2 years from the date of this order at the earliest. This is not an automatic right to have the Prohibition Order removed. If she does apply, a panel will meet to consider whether the Prohibition Order should be set aside. Without a successful application, Ms Lesley Haslam remains barred from teaching indefinitely.

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

Ms Lesley Haslam 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: 12 January 2015**

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