



National College for  
Teaching & Leadership

# **Nicholas George Flower**

## **Professional Conduct Panel outcome**

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

**September 2014**

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

**Teacher:** Mr Nicholas George Flower

**Teacher ref no:** 93/50490

**Teacher date of birth:** 10 August 1962

**NCTL Case ref no:** 11142

**Date of Determination:** 18 September 2014

### **A. Introduction**

A Professional Conduct Panel (“the Panel”) of the National College for Teaching and Leadership (“the National College”) convened on 18 September 2014 at 53-55 Butts Road, Earlsdon Park, Coventry, CV1 3BH to consider the case of Mr Nicholas George Flower.

The Panel members were Ian Hughes (Lay Panellist – in the Chair), Janet Draper (Lay Panellist) and Peter Cooper (Teacher Panellist).

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

The meeting took place in private, save that the Panel’s decisions on facts and conduct that may bring the profession into disrepute were announced in public and were recorded.

This decision has been redacted.

### **B. Allegations**

The Panel considered the allegations set out in the Notice of Proceedings dated 21 May 2014.

Mr Flower admitted the alleged facts and also signed a Statement of Agreed Facts in which he admitted that the facts alleged against him amount to conduct that may bring the profession into disrepute.

## **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 : Chronology on pages 1 to 2**

**Section 2 : Notice of referral, response and notice of meeting on pages 3 to 8b**

**Section 3: Statement of Agreed Facts and Presenting Officer Representations on pages 9 to 12**

**Section 4 : NCTL documents on pages 13 to 29**

**Section 5 : Teacher documents on pages 30 to 32**

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

### **Statement of Agreed Facts**

The Panel was presented with a Statement of Agreed Facts signed by Mr Flower on 23 July 2014.

## **E. Decision and reasons**

### **Findings of Fact**

The Panel has considered the particulars of the allegations set out in a Notice of Referral dated 4 August 2014.

Mr Flower admitted the alleged facts and signed a statement of agreed facts which cover all of the particulars of the allegations. The Panel has reviewed the information provided in the bundle and has noted that the information provided supports the admissions made by Mr Flower. We, therefore, find the facts proved.

## **Findings as to unacceptable professional conduct and/or conduct that may bring the profession into disrepute and/or conviction of a relevant offence**

The Panel noted that Mr Flower agrees that his admitted actions constitute conduct that may bring the profession into disrepute.

The Panel agrees that the facts admitted and found proved constitute conduct that may bring the profession into disrepute.

This decision and our reasons will be confirmed in writing to Mr Flower.

## **Panel's recommendation to the Secretary of State**

The Panel has considered this case very carefully.

Mr Flower's admitted behaviour as a teacher represents a serious departure from the personal and professional conduct elements of the Teachers' Standards.

The Panel has, therefore, concluded that the teacher's behaviour is incompatible with being a teacher and recommends that prohibition would be a proportionate sanction in this case in order to maintain public confidence in the teaching profession and to uphold proper standards of conduct.

The Panel noted the health issues which had been raised by Mr Flower, but in the absence of firm medical evidence of the extent or nature of these issues, was not able to take account of these in considering our recommendation.

The Panel considered whether to recommend that there be provision for Mr Flower to apply for the prohibition order to be set aside or that there be no review period set. The Panel has found that this was serious misconduct which breaks one of the fundamental tenets of teaching. In the light of the guidance in *Teacher Misconduct: the prohibition of teachers*, the Panel recommends that there be no provision for Mr Flower to apply for the prohibition to be set aside.

## **Decision and reasons on behalf of the Secretary of State**

I have carefully considered the findings and recommendations in this case. Mr Flower has admitted to, and the panel have found proven, behaviour that represents a serious departure from the professional and personal conduct expected of a teacher. Mr Flower has admitted that his behaviour constitutes conduct that may bring the profession into disrepute and the panel agree.

Whilst the panel noted the health issues raised by Mr Flower but in the absence of firm medical evidence were not able to take account of these in considering their recommendation.

Having due regard to the Secretary of State's advice '*Teacher misconduct: the prohibition of teachers*', the panel have recommended that a prohibition order is a proportionate and appropriate sanction and that there should be no opportunity for Mr Flower to apply to have the order set aside. I agree with the panel's recommendations.

**This means that Mr Nicholas George Flower 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 Nicholas George Flower 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 Nicholas George Flower 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**

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

**Date: 23 September 2014**

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