



National College for
Teaching & Leadership

Mr Daniel Laurikietis: Professional Conduct Panel outcome

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

October 2014

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

Teacher:	Mr Daniel Laurikietis
Teacher ref no:	0762023
Teacher date of birth:	13 January 1982
NCTL Case ref no:	11990
Date of Determination:	27 October 2014
Former employer:	Haslingden High School, Lancashire

A. Introduction

A Professional Conduct Panel (“the Panel”) of the National College for Teaching and Leadership (“the National College”) convened on 27 October 2013 at 53-55 Butts Road, Earlsdon Park, Coventry, CV1 3BH to consider the case of Mr Daniel Laurikietis in a meeting.

The Panel members were Ms Nicolé Jackson (Lay Panellist – in the Chair), Mr Colin Parker (Teacher Panellist) and Mr Melvyn Kershaw (Teacher Panellist).

The Legal Adviser to the Panel was Mr Nick Leale of Blake Morgan Solicitors.

The Presenting Officer for the National College was Ms Michelle Lau of Browne Jacobson. She was not present as this matter was disposed of by way of a meeting.

Mr Laurikietis was not present and was not represented.

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

B. Allegations

The Panel considered the allegations set out in the Notice of the meeting dated 13 October 2014.

It was alleged that Mr Daniel Laurikietis was guilty of unacceptable professional conduct in that he:

1. Failed to maintain professional boundaries towards Pupil A in that he:
 - a. Instigated a relationship with Pupil A through messaging namely Facebook, Instagram, Tumblr and text messaging;
 - b. Met with Pupil A alone on one or more than one occasion;
 - c. Shared inappropriate personal information about his own health and relationships with Pupil A;
 - d. Shared personal information about another student with Pupil A on Facebook;
 - e. In March 2013:
 - i. invited Pupil A to his house;
 - ii. supplied her with a large quantity of alcohol; and
 - iii. performed a sexual act on her.
2. His behaviour in regard to allegation 1 (e) was sexually motivated.
3. He attempted to support Pupil A in respect to her health issues despite the fact that he was not qualified to do so.
4. Despite being aware of Pupil A's health issues he failed to share this sensitive information with the senior management team and relevant authorities; and in so doing his conduct was dishonest in that he sought to conceal relevant information from his employers.
5. Subverted reasonable management instructions provided in October 2012 relating to inappropriate contact with students on Twitter, by creating an alias Twitter profile with which to maintain contact with students.

By way of a Statement of Agreed facts, signed by Mr Laurikietis on 9 September 2014 and the Presenting Officer on 15 September 2014, Mr Laurikietis admitted all of the facts alleged and the overall allegation of unacceptable professional conduct.

C. Preliminary applications

There were no preliminary applications to consider.

D. Summary of evidence

Documents

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

1. Notice of Referral, response and Notice of Meeting (pages 5-10c);
2. Statement of Agreed Facts and Presenting Officer Representations (pages 12-18);
3. NCTL Documents (pages 20-85);
4. Teacher Documents (pages 87-96).

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

Witnesses

The Panel did not hear any oral evidence as the case 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.

We confirm that we have read all the documents provided in the bundle in advance of the hearing.

This case relates to an inappropriate relationship that developed between a pupil and teacher that was instigated through social media and text message channels when the pupil was 15 years of age. Inappropriate personal information was exchanged between the parties relating to the teacher's health and his knowledge of another pupil. The teacher became aware of significant health issues affecting the pupil which were withheld from the school's senior management team. The teacher proceeded to develop a close personal relationship with the pupil during which the health issues affecting the pupil were frequently discussed. Around 3 years after the start of the relationship the pupil attended the teacher's house, significant alcohol was consumed and sexual contact took

place, including the performance of a sexual act by the teacher on the pupil. All of the facts are admitted.

Findings of Fact

Our findings of fact are as follows:

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

1. That you failed to maintain professional boundaries towards Pupil A in that you:

a. Instigated a relationship with Pupil A through messaging namely Facebook, Instagram, Tumblr and text messaging;

b. Met with Pupil A alone on one or more than one occasion;

c. Shared inappropriate personal information about your own health and relationships with Pupil A;

d. Shared personal information about another student with Pupil A on Facebook;

e. In March 2013:

i. invited Pupil A to your house;

ii. supplied her with a large quantity of alcohol; and

iii. performed a sexual act on her.

2. Your behaviour in regard to allegation 1 (e) was sexually motivated.

3. You attempted to support Pupil A in respect to her health issues despite the fact that you were not qualified to do so.

4. Despite being aware of Pupil A's health issues you failed to share this sensitive information with the senior management team and relevant

authorities; and in so doing your conduct was dishonest in that you sought to conceal relevant information from your employers.

5. Subverted reasonable management instructions provided in October 2012 relating to inappropriate contact with students on Twitter, by creating an alias Twitter profile with which to maintain contact with students.

All of the above particulars were admitted by Mr Laurikietis by way of the Statement of Agreed Facts, signed by him on 9 September 2014. We accept and take into account the entirety of the content of that document. We were further assisted by the documents in the bundle which corroborated the allegations and admissions made. We were particularly assisted by the evidence of the safeguarding training attended by Mr Laurikietis in 2011 and 2012; the record of the video recorded interview of Pupil A by Lancashire Constabulary on 27 March 2013 and the various social media and text messages exchanges between Mr Laurikietis and Pupil A as documented at pages 44-77 of the bundle.

Findings as to unacceptable professional conduct

Having found all of the alleged facts proved we have further concluded that those facts amount to unacceptable professional conduct, that is misconduct of a serious nature that falls significantly short of the standard of behaviour expected of a teacher.

You have admitted and it has been found proved that you are guilty of conduct of a dishonest and sexually motivated nature.

Despite earlier warnings as to your previous inappropriate contact with students through social media you embarked on a relationship with a vulnerable student (Pupil A) that stepped way beyond appropriate professional boundaries. She confided in you significant health issues which, rather than being issues that you would draw to the attention of others more suitable to assist with them, became a vehicle for further inappropriate contact with her. This led to you inviting Pupil A to your house at a particularly vulnerable time and proceeding to drink in excess with her. Amongst other things, the situation developed to you performing a sexual act on her.

You are guilty of widespread breaches of Part Two of the 'Teachers' Standards'. You have extensively abused your position of trust in relation to a vulnerable pupil with a history of self-harm. You exploited that position of trust for your own purposes. You failed to treat Pupil A with dignity and mutual respect. Your conduct amounted to a blatant disregard to the need to safeguard Pupil A's well-being. Her well-being was affected and put at risk. You ignored the policies and practices of the school at which you were employed, despite an earlier warning.

Panel's recommendation to the Secretary of State

The Panel went on to consider the issue of prohibition. The Panel recommends to the Secretary of State that a Prohibition Order be imposed. The Panel further recommends that Mr Laurikietis's Prohibition Order be imposed with no provision for him to apply for it to be set aside.

The Panel carefully considered mitigation put forward and concluded that the teacher's actions were deliberate and did not take place under any form of duress. The Panel took into account the teacher's good history and also noted his mental health issues at the relevant time. However, as stated above, the misconduct demonstrated was particularly serious in this case. The case involves a wholly inappropriate relationship between teacher and pupil that led to the consumption of alcohol and subsequent sexual activity, at the teacher's instigation, with a vulnerable pupil. The sexual activity took place long after the pupil's mental health issues had been revealed to the teacher and should have been referred on to those more qualified to help.

In the Panel's view a Prohibition Order with no opportunity to review is an appropriate and proportionate measure in this case. It is the only course that fully protects pupils from Mr Laurikietis's conduct; properly protects the public interest; ensures the maintenance of public confidence in the profession and declares and upholds proper standards of conduct in the teaching profession. Mr Laurikietis' behaviour demonstrates widespread departures from Part Two of the 'Teachers' Standards' that stems from a significant abuse of his position of trust in relation to a vulnerable pupil that has sexual motivation at its heart. The adverse effect on the pupil's well-being is clearly evidenced.

Mr Laurikietis has acknowledged his mistakes and accepted the facts alleged but has shown little regard for the effect his behaviour had on the pupil and her future well-being.

In our view, such behaviour should be marked by lifetime exclusion from teaching.

Decision and reasons on behalf of the Secretary of State

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

Mr Laurikietis has admitted to, and the panel have found proven, a range of allegations relating to an inappropriate relationship with a pupil. The panel have determined that his actions amount to unacceptable professional conduct.

This case involves extensive abuse of a position of trust and a blatant disregard for the need to safeguard Pupil A's wellbeing. The actions show a disregard for the school's policies and practices.

I agree with the panel's recommendation that a prohibition order is a proportionate and appropriate sanction.

Mr Laurikietis's conduct was particularly serious. It involved a wholly inappropriate relationship with a vulnerable student that culminated in the consumption of alcohol and sexual activity. Whilst he has acknowledged his mistakes he has shown little regard for the effect his behaviour had on the pupil concerned.

In all the circumstances I agree that the order should be without provision for an application to apply for it to be set aside.

This means that Mr Daniel Laurikietis 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 Daniel Laurikietis 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 Daniel Laurikietis 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: Alan Meyrick

Date: 28 October 2014

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