



National College for
Teaching & Leadership

Ms Siobhan McHugh Professional conduct panel outcome

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

February 2017

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Professional conduct panel decision and recommendations, and decision on behalf of the Secretary of State

Teacher: Ms Siobhan McHugh
Teacher ref number: 3449458
Teacher date of birth: 14 July 1984
NCTL case reference: 15361
Date of determination: 7 February 2017
Former employer: Haileybury College

A. Introduction

A professional conduct panel (“the panel”) of the National College for Teaching and Leadership (“the National College”) convened on 6 to 7 February 2017 at the Study Inn Conference Centre, 175 Corporation Street, Coventry, CV1 1GU, to consider the case of Ms Siobhan McHugh.

The panel members were Mr Tony Woodward (former teacher panellist – in the chair), Mrs Kathy Thomson (teacher panellist) and Ms Hilary Jones (lay panellist).

The legal adviser to the panel was Mr Tom Walker of Blake Morgan LLP.

The presenting officer for the National College was Ms Alexandra Tampakopoulous, counsel, instructed by Nabarro LLP.

Ms Siobhan McHugh was not present and was not represented.

The hearing took place in public and was recorded.

B. Allegations

The panel considered the allegation(s) set out in the Notice of Proceedings dated 6 December 2016.

It was alleged that Ms McHugh was guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute, in that she:

1. On one or more occasions said, wrote or implied she had a medical degree when she did not to:
 - a. Pupil(s)
 - b. Colleague(s)
 - c. Parent(s)
2. Failed to maintain professional boundaries in that:
 - a. On or prior to 9 November 2015 invited pupil(s) and/or allowed pupil(s) to attend her accommodation at the School;
 - b. Attended a member of staff's accommodation with a pupil;
 - c. Spent inappropriate lengths of time with pupil(s)
3. Her actions at 2.c. above continued after she had received warning(s) and/or advice from colleague(s)
4. On one or more occasions disclosed confidential information about a pupil;
5. Her conduct set out above at 1 was dishonest in that she knew she was making representations(s) which were not true.

Ms McHugh responded to the Notice of Proceedings and denied the allegations. The panel noted that Ms McHugh engaged in subsequent correspondence with the NCTL in which partial admissions were made. However, the panel proceeded on the basis that the allegations in the case had not been admitted.

C. Preliminary applications

The presenting officer applied to proceed with the hearing in the absence of Ms McHugh. After hearing submissions from the presenting officer, and receiving legal advice, the panel announced the decision as follows:

The panel is satisfied that the Notice has been served in accordance with Rule 4.11.

The panel is satisfied that Ms McHugh is aware of the proceedings and has voluntarily absented herself from the hearing. Ms McHugh has responded to the Notice by way of a signed form dated 8 January 2017 (page 11 of the Bundle) and has confirmed that she does not wish to attend the hearing.

The panel has had regard to the public interest in these proceedings taking place reasonably promptly and is satisfied that there is no useful purpose in not proceeding today.

In accordance with Rules 4.11 and 4.27 to 4.29 the panel has decided to proceed in the absence of Ms McHugh.

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 – pages 2 to 3

Section 2: Notice of Proceedings and Response – pages 5 to 11

Section 3: NCTL witness statements – pages 13 to 32

Section 4: NCTL documents – pages 34 to 78

Section 5: Teacher documents – pages 80 to 86

The panel members confirmed that they had read all of the documents in advance of the hearing.

In the course of the hearing, the NCTL made applications to put the following documents before the panel:

Statement of Individual A (pages 87 to 88) disclosed by the NCTL as unused material.

Staff handbook extract pages 89 to 92.

The panel received legal advice in relation to the admission of such documents and accepted that advice. The panel was satisfied that the documents were relevant to the case and that Ms McHugh had had sight of such documents. The panel was thus satisfied that it was fair to admit the documents in accordance with Rules 4.18 and 4.19.

Witnesses

The panel heard oral evidence from:

1. Witness A (House Mistress)

2. Witness B (Deputy Master)
3. Witness C (Head of English)
4. Witness D (Head of Biology)
5. Witness E (English Teacher)

The panel received a signed statement from Individual A, but he did not attend to give oral evidence.

Ms McHugh did not attend the hearing but set out her response to the allegations in a detailed statement which was before the panel.

E. Decision and reasons

The panel announced its decision and reasons as follows:

The panel has carefully considered the case before us and has reached a decision.

The panel confirms that it has read all the documents provided in the bundle in advance of the hearing.

This case relates to Ms McHugh who started employment at the Haileybury College ("the school") on or around 1 September 2015 as a Biology teacher. The school offered boarding facilities, and Ms McHugh was expected to undertake a range of pastoral duties with pupils, and indeed lived in school accommodation near the main school site. In the course of her employment, a number of concerns were reported about representations Ms McHugh had made about her educational qualifications (Allegations 1 and 5). Other concerns were reported which related to her relationships and interactions with pupils, to include specific concerns about the way in which she interacted with specific pupils (Allegations 2 and 3) and managed information in relation to such pupils (Allegation 4).

Findings of fact

Our findings of fact are as follows:

The panel has found the following particulars of the allegation(s) against you proven, for these reasons:

1. On one or more occasions said, wrote or implied you had a medical degree when you did not to:

a. Pupil(s)

b. Colleague(s)

c. Parent(s)

The panel commenced its deliberations by assessing the chronology of the evidence put before it by the NCTL. Ms McHugh set out her qualifications when she made an application to the school (pages 49 to 56 of the Bundle). There is no reference to Ms McHugh having completed a medical degree. Ms McHugh also accepts in her statement that she had not completed a medical degree (page 83 of the Bundle). The panel is satisfied that Ms McHugh had not in fact completed such a degree.

The panel had sight of an email from Individual B who stated that Ms McHugh informed her that she had completed medical training during her medical examination in June 2015 (page 65 of the Bundle). Although Individual B did not give oral evidence in these proceedings, the panel is satisfied that this representation was made to Individual B as described.

Ms McHugh wrote a letter addressed and sent to parents dated 4 September 2015 in which she described herself as, "having completed a medical degree" (page 66 of the Bundle). This communication is of relevance to each of the particulars on the basis that it provided information to parents, who in turn would be likely to pass such information on to their children. Similarly, this communication was also available to the colleagues of Ms McHugh and indeed was copied in to Witness A.

The panel heard evidence from Witness A and Witness D that a number of pupils had the impression that Ms McHugh had a medical degree and had been so informed by Ms McHugh. The fact that a number of pupils had this impression does not necessarily lead to the finding that it was Ms McHugh that informed them. However, the panel did hear oral evidence from Witness E that Ms McHugh did describe herself, in her presence and in the presence of pupils, as someone who had completed medical training and was a "qualified medical doctor". This representation, in the presence of pupils, does imply that she had completed a medical degree. The panel is thus satisfied that Ms McHugh implied to pupils that she had completed a medical degree, and that this was not the case. In consequence, the panel is satisfied on the balance of probabilities that Allegation 1.a. is proved.

In oral evidence, Witness A and Individual C referred to colleagues who had the belief that Ms McHugh had a medical degree. However, it was not clear whether those colleagues had been so informed by Ms McHugh directly or by others. However, the panel heard evidence from Witness D that Ms McHugh informed him that she had completed a medical degree. The panel also heard evidence from Witness E that she told her, in the presence of pupils, that she had completed her medical training which clearly implies that she has completed a medical degree. Witness A was also copied in to the email in which Ms McHugh describes herself as having completed a medical degree. In consequence, the panel is satisfied on the balance of probabilities that Allegation 1.b. is proved and that Ms McHugh wrote, said, or implied to colleagues that she had completed a medical degree, and that this was not the case.

By virtue of the evidence outlined above to include, in particular, the email letter dated 4 September 2015 referred to above, the panel is satisfied, on the balance of probabilities, that Allegation 1.c. is proved and that Ms McHugh wrote to parents stating that she had completed a medical degree, and that this was not the case.

2. Failed to maintain professional boundaries in that:

c. Spent inappropriate lengths of time with pupil(s)

The panel heard extensive oral evidence from Witness A, Witness D and Witness E that Ms McHugh was observed on numerous occasions in the company of particular pupils. A number of these pupils, and in particular A, B and D, were pupils whom she did not teach. The panel heard oral evidence that there was no professional reason for Ms McHugh to be regularly spending long periods of time with pupils who she did not teach unless she had some other connection with them, for example in relation to sport or music activities.

However, whilst there was evidence of extensive concerns as to the amount of time Ms McHugh was spending with certain pupils, much of the evidence before the panel was generic in nature, and the panel therefore sought to assess whether there was evidence that Ms McHugh had specifically spent inappropriate lengths of time with specific pupils. There was no evidence put before the panel of any particular interaction between Ms McHugh and any pupils other than pupils A, B, C and D.

The panel heard evidence that both Ms McHugh and pupil C had common involvement with musical activities at the school and thus there would be some cause for their interaction outside teaching activities on that basis. The panel was not satisfied that there was evidence that Ms McHugh spent inappropriate lengths of time with pupil C.

There was no clear or specific evidence that Ms McHugh had spent lengths of time with pupil B which could be described as inappropriate.

Witness D gave specific evidence that in March 2016 he had witnessed Ms McHugh alone with pupil D, working, in the Biology laboratory on a Saturday evening at around 8pm. Witness D stated that, given the location of the Biology laboratory, the timing of the meeting, the fact that they were alone, and she did not teach pupil D, this action was inappropriate. Witness D observed a further such inappropriate meeting between pupil D and Ms McHugh in May 2016.

The panel accepts this evidence and notes that, by this stage, Ms McHugh had already received advice, which we turn to below, in relation to interactions with pupils in such circumstances. By virtue of such advice, and having regard to the context of such meetings, the panel is satisfied that both the March and May meetings represented inappropriate lengths of time spent with pupil D.

As regards pupil A, the panel notes that Ms McHugh had in fact raised concerns about this pupil with Witness A and described her as, "clingy" in November 2015. Following this, Witness A advised Ms McHugh to establish strategies to distance herself from pupil A. Notwithstanding this advice, Ms McHugh failed to distance herself from pupil A; indeed there was evidence in particular that Ms McHugh spent lengths of time at a ceilidh with pupil A that were inappropriate given the context. Ms McHugh was spending periods of time with pupil A alone, in a separate area to others present and whilst all the other pupils were dancing. In all the circumstances, the panel is satisfied that Ms McHugh did spend inappropriate lengths of time with pupil A.

The panel is satisfied on the balance of probabilities that Allegation 2 (c) is proved in relation to pupils A and D alone.

3. Your actions at 2 (c) above continued after you had received warning(s) and/or advice from colleague(s)

The panel heard evidence from Witness A, Individual C and Witness D that Ms McHugh received warnings and/or advice from them that she should avoid spending so much time with particular pupils. However, the panel was not satisfied that it could be said that Ms McHugh spent inappropriate lengths of time with pupils B and C, or indeed with other pupils, other than A and D.

The panel is satisfied that Ms McHugh was given both advice and warnings in relation to how she interacted with pupils to include advice in relation to the lengths of time she should spend with such pupils. Specific advice was given to Ms McHugh by Witness A in November 2015. This advice was in relation to pupil A in particular. However, Ms McHugh continued to spend inappropriate lengths of time with pupil A after this advice, in particular at the ceilidh in February 2016.

The Panel also heard that Witness D had advised Ms McHugh that she should avoid meetings with pupils she did not teach at particular locations and at unusual times. In March 2016 Witness D had discovered Ms McHugh and pupil D meeting in the Biology laboratory. The panel is not clear whether this advice was given by Witness D prior to the March 2016 incident. However, Witness D did give such advice to Ms McHugh in March and again in April 2016. Notwithstanding this, Ms McHugh was observed by Witness D meeting Pupil D in May 2016.

The panel is satisfied that warnings and advice were given to Ms McHugh that she should avoid spending time with particular pupils on the basis that this was inappropriate, and that Ms McHugh continued to spend inappropriate lengths of time with pupils A and D after receiving this advice. In consequence, the panel is satisfied, on the balance of probabilities, that Allegation 3 is proved.

4. On one or more occasions disclosed confidential information about a pupil;

The panel heard evidence that Ms McHugh gave information verbally about pupil A to colleagues, Witness E and Individual D, principally that pupil A had touched her (Ms McHugh's) leg during a dinner. This information is clearly relevant to safeguarding concerns in respect of both this pupil and Ms McHugh herself. The panel heard (and accepted) evidence that the practice at the school was that such information should only be shared with the school safeguarding team, and not to colleagues in general, and was confidential in this sense. The panel is therefore, satisfied that this information should have been treated as confidential. The panel is of the view that, by virtue of Ms McHugh's telling colleagues about pupil A's alleged actions, confidential information was disclosed about a pupil, namely pupil A, on one occasion. In consequence, the panel is satisfied, on the balance of probabilities, that Allegation 4 is proved.

5. Your conduct set out above at 1 was dishonest in that you knew you were making representations(s) which were not true.

The panel has received legal advice in relation to the approach to take to dishonesty and has accepted that advice. It is clear that Ms McHugh represented, by writing, saying and/or implying to pupils, colleagues and parents that she had completed a medical degree when she knew she had not done so. The panel is satisfied that this was with the intention to cause each of these three categories of persons to believe that she had completed a medical degree, and that this was done with a dishonest intention. In consequence, the panel is satisfied on the balance of probabilities that Allegation 5 is proved in relation to Allegations 1.a. to c.

2. Failed to maintain professional boundaries in that:

a. On or prior to 9 November 2015 invited pupil(s) and/or allowed pupil(s) to attend your accommodation at the School;

b. Attended a member of staff's accommodation with a pupil;

The panel is satisfied that Ms McHugh did invite pupils to attend her home on or prior to 9 November 2015. The panel accepted the evidence, to include the statement of Ms McHugh, that the meeting related to the organisation of the girls' rugby team. The panel noted that the guidance in the staff handbook (page 92 of the Bundle) does not contain an express prohibition on pupils attending staff accommodation in every circumstance. Ms McHugh stated in writing that this meeting was with the approval of, and indeed was attended by, other staff members, and the panel heard no evidence to suggest that this was not the case. In consequence, the panel is not satisfied that this represented a failure to maintain professional boundaries. In consequence, the panel is not satisfied, on the balance of probabilities, that Allegation 2.a. is proved.

The panel is satisfied that Ms McHugh attended another member of staff's accommodation with a pupil on the basis of the evidence, to include the statement of Individual A. This visit took place on or around 23 April 2016 after a dog show and

comprised a conversation held at the entrance door to Individual A's accommodation. The panel has had regard to the oral evidence of Witness A and Witness C that visits by pupils to staff accommodation with pupils were ill-advised. However the panel noted that the guidance in the school handbook does not contain an express prohibition on such visits in every circumstance. More particularly, Individual A stated that he did not regard the visit as untoward in all the circumstances. There was no other evidence before the panel in relation to this visit. The panel is thus not satisfied that the actions of Ms McHugh represented a failure to maintain professional boundaries. In consequence, the panel is not satisfied, on the balance of probabilities, that Allegation 2.b. is proved.

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

Having found a number of the allegations to have been proven, the panel has gone on to consider whether the facts of those proven allegations amount to unacceptable professional conduct and/or conduct that may bring the profession into disrepute.

In doing so, the panel has had regard to the document Teacher Misconduct: The Prohibition of Teachers, which the panel refers to as “the Advice”.

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

As regards Allegations 1 and 5, the panel finds that Ms McHugh has failed to uphold high standards of ethics and behaviour by deliberately acting in a way which resulted in 1.a. pupils, 1.b. colleagues and 1.c. parents being misled, and that she did so dishonestly (Allegation 5). The panel is satisfied that Ms McHugh 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 pupils' lives and that pupils must be able to view teachers as role models in the way they behave.

The findings of misconduct in relation to Allegations 1 and 5 are serious and the conduct displayed would be likely to have a negative impact on the individual's status as a teacher, potentially damaging the public perception. The panel therefore finds that Ms McHugh's actions in this regard also constitute conduct that may bring the profession into disrepute.

As regards Allegation 2.c. the panel is satisfied that Ms McHugh has failed to observe proper boundaries appropriate to a teacher's professional position and has done so in a way which falls significantly short of the expected standards. The panel is satisfied that Ms McHugh is guilty of unacceptable professional conduct.

As regards Allegation 3, the panel has found that Ms McHugh failed to follow the advice of her colleagues in relation to the lengths of time she spent with pupils. The panel is satisfied that Ms McHugh has departed significantly from each of the following standards:

- 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.

The panel is therefore satisfied that Ms McHugh is guilty of unacceptable professional conduct in relation to Allegation 3.

As regards Allegation 4, the panel has found that Ms McHugh made the disclosure in question to colleagues, but that she did so in a private environment and on one occasion only. The panel is satisfied that this departed from the expectations of the school with regards to preserving the confidentiality of any information relevant to safeguarding. However, the panel is not satisfied that the threshold for unacceptable professional conduct has been reached in this particular allegation.

The panel has also considered whether Ms McHugh's conduct displayed behaviours associated with any of the offences listed on pages 8 and 9 of the Advice. One of the associated behaviours is serious dishonesty.

As regards Allegations 1 and 5, the panel is satisfied, having regard to the nature of the actions of Ms McHugh, that her dishonesty was serious in nature and was intended to

enhance the standing of Ms McHugh in the eyes of pupils, parents and colleagues alike. Ms McHugh's misrepresentations were pre-meditated and were made persistently to pupils, colleagues and parents. Ms McHugh also, on at least one occasion, purported to act as a pitch-side medic during sporting fixtures on the basis that she was medically qualified. Whilst there was no evidence of any actual harm, such misrepresentations had the potential for serious consequences as individuals could have relied upon Ms McHugh's purported status as medically qualified.

Panel's recommendation to the Secretary of State

Given the panel's findings in respect of unacceptable professional 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.

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 Advice and having done so has found a number of them to be relevant in this case, namely: the 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 Ms McHugh which involved findings of dishonesty towards pupils, colleagues and parents; inappropriate behaviour with pupils; and a failure to follow the advice of colleagues, there is a strong public interest consideration in respect of the protection of pupils.

Similarly, the panel considers that public confidence in the profession could be seriously weakened if conduct such as that found against Ms McHugh were not treated with the utmost seriousness when regulating the conduct of the profession.

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 Ms McHugh.

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 Ms McHugh.

The panel took further account of the 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, those that are relevant in this case are:

- serious departure from the personal and professional conduct elements of the Teachers' Standards;
- misconduct seriously risking the well-being of pupils, and particularly where there is a continuing risk;
- a deep-seated attitude that leads to harmful behaviour;
- abuse of position or trust ... or violation of the rights of pupils;
- dishonesty especially where there have been serious consequences, and/or it has been repeated and/or covered up;

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 militate 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.

The panel has had careful regard to the statement of Ms McHugh. The panel is satisfied that Ms McHugh lacked experience and was not fully used to a boarding school setting. However, whilst this afforded some mitigation in relation to Allegations 2.c. and 3, none of these factors mitigated to any extent Allegations 1 and 5. Indeed, her misconduct in relation to these allegations commenced before she had even started work within the boarding school setting, in June 2015 by virtue of her misrepresentation to Individual B .

The panel accepts that Ms McHugh had a previously good record, but was not provided with any character references. The panel also noted that Witness A and Witness E had a number of positive comments to make about Ms McHugh's initial contribution to school life. There was though no evidence to suggest that Ms McHugh was acting under duress.

As regards Allegations 2.c. and 3, Ms McHugh acted contrary to regular, clear and consistent advice given by colleagues and her line manager. Ms McHugh thus demonstrated a wilful disregard of reasonable management instructions which cannot be explained or justified by her lack of familiarity with the boarding school environment.

The panel found that Ms McHugh's actions were deliberate and sustained in relation to Allegations 1 and 5, and the dishonesty was serious in nature. The panel has had regard to the most recent statement of Ms McHugh in which she describes her conduct as regards Allegations 1 and 5 as "a significant oversight ".The panel did not accept this as an explanation for Ms McHugh's conduct and furthermore is of the view that Ms McHugh's statement demonstrates a lack of insight, regret or remorse.

The panel is of the view that prohibition is both proportionate and appropriate. The panel has decided that the public interest considerations outweigh the interests of Ms McHugh.

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 Advice advises 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 2 years.

The Advice indicates that there are behaviours that, if proven, would militate against a review period being recommended. One of these behaviours includes fraud or serious dishonesty. The panel has found for the reasons set out above that Ms McHugh has exhibited such behaviours, namely serious dishonesty.

The panel felt the findings indicated a situation in which a review period would not be appropriate and as such decided that it would be proportionate in all the circumstances for the prohibition order to be recommended without provisions for a review period.

Decision and reasons on behalf of the Secretary of State

I have given very careful consideration to this case and to the recommendations made to me by the panel in respect of both sanction and review period.

In this case I have seen that the panel did not find all of the allegations proven. Where the allegations were not proven I have put those matters from my mind. I have also taken careful consideration of those matters where the panel found matters proven but that unacceptable professional conduct was not found.

Furthermore I note that in some of the allegations the panel found matters proven to be both unacceptable professional conduct and conduct that was likely to bring the profession into disrepute. In addition the panel has commented that allegations 1 and 5 were found to be serious. This includes of course the finding of dishonesty.

I have also taken into account the need to balance and weigh the public interest and the interest of the teacher. I have considered the possibility that a finding of unacceptable professional conduct or conduct that may bring the profession into disrepute may, in some cases, be sufficient to deal with the matter. However in this case that is not the recommendation of the panel, nor my own judgement.

I have noted that the panel found, by reference to Part Two, that Ms McHugh 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 are satisfied that the conduct of Ms McHugh fell significantly short of the standards expected of the profession.

I have also noted that the panel took further account of the 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, those that are relevant in this case are:

- serious departure from the personal and professional conduct elements of the Teachers' Standards;
- misconduct seriously risking the well-being of pupils, and particularly where there is a continuing risk;
- a deep-seated attitude that leads to harmful behaviour;
- abuse of position or trust ... or violation of the rights of pupils;
- dishonesty especially where there have been serious consequences, and/or it has been repeated and/or covered up;

I have myself taken into account the guidance published by the Secretary of State. I have been alert to the need to be proportionate and to consider the mitigation and record of the teacher.

Having taken all of those matters into consideration I support the recommendations of the panel in respect of both sanction and review period. This was a case of serious dishonesty. In addition I note that the panel was of the view that Ms McHugh's statement demonstrates a lack of insight, regret or remorse.

This means that Ms Siobhan McHugh 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 her, I have decided that Ms Siobhan McHugh shall not be entitled to apply for restoration of her eligibility to teach.

This order takes effect from the date on which it is served on the teacher.

Ms Siobhan McHugh 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 'Alan Meyrick', with a stylized flourish at the end.

Decision maker: Alan Meyrick

Date: 10 February 2017

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