

THE TEACHING AGENCY

Decision of a Professional Conduct Panel and the Secretary of State

Teacher: Miss Elizabeth Lamb

Teacher ref no: 0662332

Teacher date of birth: 07/02/1984

TA Case ref no: 8962

Date of Determination: 17 September 2012

Former Employer: St Bede's Catholic High School, Lancashire

A. Introduction

A Professional Conduct Panel ("the Panel") of the Teaching Agency convened on 17 September 2012 at 53-55 Butts Road, Earlsdon Park, Coventry, CV1 3BH to consider the case of Miss Elizabeth Lamb.

The Panel members were Mr Peter Cooper (Teacher Panellist, in the Chair), Ms Gail Goodman (Teacher Panellist) and Professor Ian Hughes (Lay Panellist).

The Legal Adviser to the Panel was Mr Douglas Readings, barrister.

The Presenting Officer for the Teaching Agency was Ms Sophie Lister of Kingsley Napley, Solicitors.

Miss Elizabeth Lamb was not present and 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 16 July 2012.

It was alleged that Miss Elizabeth Lamb was guilty of unacceptable professional conduct, in that:

Whilst employed at St Bede's Catholic High School between 2010 and 2011 she:

1. Misrepresented the nature of her absences from school, claiming dishonestly that they were in relation to an illness which she did not have and treatment which she had not received; and

2. Provided a false medical report to her employer.

Miss Elizabeth Lamb made no admission of any of the facts alleged, and made no admission of unacceptable professional conduct.

C. Summary of Evidence

Documents

In advance of the hearing, the Panel received a bundle of documents which contained the Notice of Proceedings, and the witness statement of Witness A, Headteacher at the relevant time of St Bede's Catholic High School, and a witness statement of Shannett Thompson. The 18 exhibits to Witness A's statement included copies of sickness absence records, text messages and blog entries by Miss Lamb, and documents concerning the investigation of the complaint against Miss Lamb, and her suspension, and her letter of resignation on 13th November 2011 from her position as Head of Music at St Bede's Catholic High School. There was also included a copy of a letter from Individual A confirming that a medical report purporting to be written by him was false.

Brief summary of evidence given

The Panel heard the oral evidence of Witness A, who gave evidence in accordance with his witness statement dated 5 July 2012. He said that there were previously no concerns about Miss Lamb's teaching. She had been a good music teacher, very popular, and very involved in charitable work in the community. He told the Panel that Miss Lamb had first told him she had cancer in October 2010, and from then onwards she had taken frequent absences from school on the pretext that she was ill, or having to attend hospital for treatment. She told other members of staff that she had cancer, and she set up a blog on the internet in which she wrote about her illness and her treatment. When Witness A investigated, and proposed to refer her to the local education authority's occupational health advisers, Miss Lamb produced a forged medical report. When it had been confirmed that the report was not genuine, Witness A interviewed Miss Lamb, and she at first repeated that she had cancer, but then admitted that she had lied. She said that in about September 2010 she had detected a lump in her breast, but it had proved to be a cyst. Thereafter, she had fabricated the story of her illness. When the School proposed to take disciplinary proceedings, Miss Lamb resigned from her position on 13th November 2011.

In answer to questions from the Panel about Miss Lamb's absences, Witness A said that, although cover was provided, there was an adverse effect on the quality of teaching which children received. There was, however, no obvious change in the quality of Miss Lamb's own teaching. In public session, Witness A said he thought some of the older pupils had become aware of Miss Lamb's claim to be suffering from cancer. He summed the matter up by saying that the effect on the school of Miss Lamb's behaviour had been devastating, but that everybody was still genuinely glad to know that Miss Lamb was not suffering from a terminal illness.

D. Decision and Reasons

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.

A brief summary of the case is as follows. From 2007 until she resigned in November 2011 Miss Lamb was employed at St Bede's Catholic High School, as a teacher of music, where she originally did a teaching practice as part of her PGCE. In October 2010 she informed the Headteacher Witness A, and other members of staff, that she was suffering from cancer. Thereafter she took frequent absences from school, saying that she was unwell, or that she had to attend hospital for treatment. She set up a blog on the internet in which she wrote about her illness and her treatment. The allegation against Miss Lamb is that she fabricated the history of suffering from cancer, and when she was questioned she forged a medical report to give to the Headteacher, Witness A. Following the discovery of discrepancies between the different accounts of her illness which she had given to different people, Witness A interviewed Miss Lamb, and she at first repeated that she had cancer, but then admitted that she had lied. She said that in about September 2010 she had detected a lump in her breast, but it had proved to be a cyst. Thereafter, she had fabricated the story of her illness. When the School proposed to take disciplinary proceedings, Miss Lamb resigned from her position on 13th November 2011.

Findings of fact

Our findings of fact are as follows:

We have found the following particulars of the allegation against Miss Lamb proven, for these reasons:

Particular 1

Whilst employed at St Bede's Catholic High School between 2010 and 2011 she:

"Misrepresented the nature of her absences from school, claiming dishonestly that they were in relation to an illness which she did not have and treatment which she had not received."

This is proved by the unchallenged evidence of Witness A, to whom Miss Lamb admitted that she had never had cancer, and had fabricated the history of illness and treatment. His evidence is corroborated by the notes of Individual A concerning Miss Lamb's admission to him (page 89 of the Bundle of Documents). Miss Lamb, by her blog and text messages, misled not only colleagues in school, but also a wider audience, probably including vulnerable people. The Panel considered whether Miss Lamb understood what she was doing to be dishonest. It accepts the evidence of Witness A that there was no sign that her state of health in any way clouded her ability to know that what she was doing was wrong. The fabrication of a false medical report to cover up her lies shows that she knew what she was doing was wrong.

Particular 2

“Provided a false medical report to her employer.”

This is proved by the unchallenged evidence of Individual A, Consultant Oncologist, contained in his letter dated 2 July 2012 (page 173 of the Bundle of Documents). The Panel noted that Miss Lamb’s actions were premeditated.

Finding as to Unacceptable Professional Conduct

The Panel notes that in her letter of resignation dated 13 November 2011 Miss Lamb says that she is receiving treatment and therapy for health issues. It notes that she writes that she is sincerely sorry and regrets wholeheartedly the distress arising from her actions. However, Miss Lamb’s actions were a breach of the trust which her colleagues placed in her. She lied, and misled them, causing anxiety and distress over a long period of time. She neglected her duties, and imposed extra work on others, and the standard of teaching which pupils received was adversely affected. There was a fundamental breach of Part Two: Personal and Professional Conduct, in Teachers’ Standards, in particular the first two bullet points:

- “Teachers uphold public trust in the profession and maintain high standards of ethics and behaviour, within and outside school ...”
- “Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach, and maintain high standards in their own attendance and punctuality.”

This behaviour fell far below the standard which fellow professionals expect of a teacher. The Panel has determined that the facts which have been proved constitute unacceptable professional conduct.

Panel’s Recommendation to the Secretary of State

The Panel has applied the principle of proportionality, balancing the interests of the teacher against the interests of the public. There was no prior concern about Miss Lamb’s conduct, and it is possible that ill-health may have contributed to her misconduct. However, there is a risk to the public and to pupils if somebody who lied over a long period of time, who was dishonestly misleading, took advantage of her colleagues’ sympathy, and who damaged children’s education by being absent from school, is permitted to continue to teach children.

There is a serious departure from the personal and professional conduct elements of the latest teachers’ standards, and there has been dishonesty, repeated over a prolonged period, including the deliberate falsification of a medical report.

Miss Lamb expressed regret and remorse when she was interviewed by her Headteacher, and again in her letter of resignation, but has taken no part in these proceedings, and there is therefore no evidence of any real insight into her failings.

Accordingly, the Panel is satisfied and recommends that a Prohibition Order should be made.

The Panel considers that it will be necessary for Miss Lamb to demonstrate a long period of good behaviour, and satisfactory health, before she could be considered for re-admission to the teaching profession. The Panel therefore recommends that the period after which Miss Lamb may apply for the Prohibition Order to be set aside is eight years.

Secretary of State's Decision and Reasons

I have given careful consideration to the panel's findings and recommendation in this case.

Miss Lamb misled her colleagues and others over a long period of time and did so dishonestly.

She also provided a false medical report to her employer and did so in a pre-mediated way.

As such she is guilty of serious professional misconduct.

The panel has recommended that Miss Lamb be prohibited from teaching and I support that recommendation.

I have also given careful consideration to the recommendation of the panel in respect of a period of time after which Miss Lamb can apply for a review of her prohibition order.

The panel make explicit reference to the need for Miss Lamb to demonstrate a long period of good behaviour before she can be considered for the order to be set aside. I therefore support their recommendation that the period be 8 years.

This means that Miss Elizabeth Lamb 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 24 September 2020, 8 years from the date of this order at the earliest. If she does apply, a panel will meet to consider whether the Prohibition Order should be set aside. Without a successful application, Miss Elizabeth Lamb remains barred from teaching indefinitely.

Miss Elizabeth Lamb 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.

Decision Maker: Alan Meyrick

Date of decision: 17 September