



National College for  
Teaching & Leadership

# **Mr Ian Jones: Professional conduct panel outcome**

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

**12 June 2015**

## Contents

A. Introduction	3
B. Allegations	4
C. Preliminary applications	5
D. Summary of evidence	5
Documents	5
Witnesses	6
E. Decision and reasons	6
Panel's recommendation to the Secretary of State	11
Decision and reasons on behalf of the Secretary of State	13

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

<b>Teacher:</b>	Mr Ian Jones
<b>Teacher ref no:</b>	9755672
<b>Teacher date of birth:</b>	1 January 1975
<b>NCTL case ref no:</b>	11724
<b>Date of determination:</b>	12 June 2015
<b>Former employer:</b>	Grace Academy, Darlaston, West Midlands

### **A. Introduction**

A professional conduct panel (“the panel”) of the National College for Teaching and Leadership (“the National College”) convened on 11 and 12 June 2015 at 53 to 55 Butts Road, Earlsdon Park, Coventry CV1 3BH to consider the case of Mr Ian Jones.

The panel members were Ms Alison Walsh (teacher panellist – in the chair), Mr Phillip Riggon (teacher panellist), and Mr Tony Heath (lay panellist).

The legal adviser to the panel was Mr Paddy Roche of Blake Morgan LLP solicitors, Oxford.

The presenting officer for the National College was Mr Christopher Geering of Counsel.

The teacher, Mr Ian Jones, was present and was represented by Mr Andrew Faux of Counsel.

The hearing took place in public (with 2 short periods where the hearing went into private session) and was recorded.

## B. Allegations

The panel considered the allegations set out in the Notice of Proceedings dated 31 March 2015.

It was alleged that Mr Ian Jones was guilty of unacceptable professional conduct and/ or conduct that may bring the profession into disrepute, in that, whilst employed at Grace Academy, Darlaston (“the School”):

1. On date(s) unknown, during conversation(s) with Pupil A, he referred to:
  - a. The fact he was leaving because he had had difficulties with the headmaster;
  - b. Pupil A’s relationship with her boyfriend;
  - c. His marital difficulties;
  - d. His sex life.
2. On or around 10 February 2014, during conversation(s) with Pupil A and/or Pupil B and/or Pupil C, he discussed:
  - a. Going for leaving drinks with one or more of them;
  - b. Buying drinks for one or more of them;
  - c. Going to Birmingham with one or more of them;
  - d. Staying overnight in the same hotel and/or hotel room as one or more of them.
3. Between 7 and 10 February 2014, on one or more occasions, he contacted Pupil A on Facebook;
4. In his Facebook messages set out at (3) above, he used the following language:
  - a. “Big bum”;
  - b. “Tosser”;
  - c. “I wanted to fuck you silly”;
5. His actions as described at paragraphs 1 and/or 2 and/or 3 and/or 4 above were:
  - a. Inappropriate,
  - b. Sexually motivated.

The teacher admitted particulars 1b, 2a, 2b, 2c, 3, 4a, 4b, 4c and 5a. He admitted particular 2d only in relation to “the same hotel”. He denied particulars 1a, 1c, 1d and 5b. He denied particular 2d in relation to “the same hotel room”.

He admitted that the particulars he accepted constituted unacceptable professional conduct.

The presenting officer indicated that he did not intend to proceed with particular 2d in relation to “the same hotel room”.

## **C. Preliminary applications**

There were none.

## **D. Summary of evidence**

### **Documents**

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

Section 1: Chronology, anonymised pupil list and list of key people – pages 2 to 4

Section 2: Notice of Proceedings and Response – pages 6 to 14

Section 3: National College for Teaching and Leadership witness statements – pages 16 to 26

Section 4: National College for Teaching and Leadership documents – pages 28 to 129

Section 5: Teacher documents – pages 131 to 149

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

### **Witnesses**

The presenting officer called the following witnesses:

Pupil A – former student

Pupil C – student

Witness C – vice principal at the School

Mr Faux called the following witness:

Ian Jones – the respondent teacher

## **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 case concerns an allegation that while employed as a teacher at the School, Mr Jones, over a period of 3 days in February 2014 made contact with Pupil A, a female student [redacted] by Facebook and sent her messages which were wholly inappropriate including “I wanted to fuck you silly”. It is further alleged that, in anticipation of his impending departure from the School, he attempted to set up a farewell drinks evening to be attended by a number of pupils including A, B and C (all female pupils). He suggested in conversations that they should all go to Birmingham for leaving drinks and he would buy drinks for one or more of them. This proposal is said to have included the suggestion that he should stay in the same hotel/hotel room as one or more of them. It is further alleged that in other conversations with Pupil A at around this time he made reference to inappropriate matters including his reasons for leaving the school, his sex life and marital difficulties.

Mr Jones admits some but not all of the particulars – he accepts that his admitted behaviours towards the 3 female pupils were inappropriate and unprofessional. He denies that any of his actions were sexually motivated as is alleged. He says that at the time of the events which are the subject of this case he was under stress both at home and at work and was shortly afterwards diagnosed with [redacted].

## **Findings of fact**

Our findings of fact are as follows:

We have found the following particulars of the allegation(s) against Ian Jones proved, for these reasons:

- 1. On date(s) unknown, during conversation(s) with Pupil A, he referred to:**
  - a. The fact that he was leaving because he had had difficulties with the headmaster;**
  - b. Pupil A’s relationship with her boyfriend;**
  - c. His marital difficulties;**
  - d. His sex life.**

Mr Jones denies particulars 1a, 1c and 1d. He admits 1b to the extent that he accepts “Pupil A’s relationship with her boyfriend was talked about on more than one occasion, but this was me fulfilling my duty to listen to the worries of all Post-16 students and how best to deal with these. Pupil A offered this information to me and I would respond trying to reassure Pupil A as her boyfriend was away at University and Pupil A had concerns that he was cheating. I did my best to relieve her concerns, explaining that University is a busy place and hearing voices etc. during conversations does not mean he is cheating.” (Page 135 – Mr Jones’ witness statement)

There is a direct conflict of evidence in relation to all these particulars between the account given by Pupil A and the account of Mr Jones both of whom gave evidence. We therefore had a full opportunity to assess both witnesses and put our own questions to them.

We judged that Pupil A gave very clear and careful evidence. She said that, prior to the events which are the subject of this case, Mr Jones had been a respectable teacher. He talked to pupils quite often, being sociable. He was “how a teacher should be”. We felt that Pupil A demonstrated no pre-existing animosity towards Mr Jones whom she had known for most of her time at the School, which she had joined as a Year 7 student.

Under questioning by both Mr Faux and the panel she was clear and consistent. Her evidence was unshaken and she was able to recall details. She was an excellent witness and, in short, we believed her account of the alleged conversations covered by these particulars.

By contrast we found the teacher’s evidence to be unconvincing. He was unclear and when specifically asked about conversations concerning his marital difficulties and his sex life he said that he could not recall that such specific conversations had gone on rather than they did not happen. When asked by the panel to give an example of how he used “his life experiences to listen to and try to defuse any problems that students may go through” (page 135 – Mr Jones’ witness statement) he appeared unable to do so in a confused response. We found it difficult to accept that he was being entirely truthful. That observation applies particularly to the circumstances of particular 1b where we were entirely satisfied that Pupil A gave a truthful account of the conversation – namely that Mr Jones said as a joke that her boyfriend was probably cheating on her but she did not take it as a joke, was upset by it and had to retreat to the toilet.

In summary we see no reason to doubt Pupil A’s account of these alleged conversations nor can we conceive of any reason she should make things up which had not occurred. We therefore find all the particulars under paragraph 1 proven.

**2. On or around 10 February 2014, during conversation(s) with Pupil A and/or Pupil B and/or Pupil C, he discussed:**

- a. **Going for leaving drinks with one or more of them;**
- b. **Buying drinks for one or more of them;**
- c. **Going to Birmingham with one or more of them;**
- d. **Staying overnight in the same hotel and/or hotel room as one or more of them.**

These particulars are admitted by Mr Jones – in relation to 2d in respect of the same hotel only. The admissions made by Mr Jones are consistent with the totality of the evidence in the case papers.

3. **Between 7 and 10 February 2014, on one or more occasions, he contacted Pupil A on Facebook;**

This particular is admitted by Mr Jones and is consistent with the totality of the evidence in the case papers.

4. **In his Facebook messages set out at (3) above, he used the following language:**
  - a. **“Big bum”;**
  - b. **“Tosser”;**
  - c. **“I wanted to fuck you silly”;**

These particulars are admitted by Mr Jones and we have seen printouts of the messages passing between Mr Jones and Pupil A in the case papers at pages 28 to 31 which contain the phrases set out above.

5. **His actions as described at paragraphs 1 and/or 2 and/or 3 and/or 4 above were:**
  - a. **Inappropriate,**
  - b. **Sexually motivated.**

Particular 5a is admitted by Mr Jones. He denies that his actions were sexually motivated as alleged in particular 5b.

We find particular 5b is proved. We accept that at the time of these events there is persuasive evidence that Mr Jones was under stress both at home and at work which may have affected his behaviour. He was facing the prospect of capability proceedings at school and was, in his view, not wanted in the School. He felt isolated and miserable and was persuaded to resign. [Redacted]. He described his admitted behaviour in his evidence to the panel as a cry for help [redacted].



While we have considered carefully Mr Jones' evidence and his description of the [redacted] state he was in at the time the panel also has to determine whether Mr Jones' actions allow any explanation other than that pleaded in particular 5b, namely that what he did was sexually motivated.

In summary the evidence establishes that Mr Jones initially engaged in conversations with Pupil A which included suggesting to her that her boyfriend, who was away at university, may be cheating on her. He also made reference to his own sex life – on her account saying that “he wasn't getting any at all” – and referring to his marriage being on the rocks. Thereafter we are satisfied that he was actively engaged – albeit over a period of approximately 3 days – in seeking to arrange a farewell celebration to mark his leaving the School. That celebration was to take the form of an evening trip to Birmingham exclusively with female pupils and the proposal that they should stay together in the same hotel. The panel's reading of the exhibited Facebook messages suggests that staying in the same room as the pupils was contemplated which is what the pupils themselves seemed to believe. Mr Jones acknowledged in his investigation interview (page 98) that neither any of his staff colleagues nor his wife knew about this proposal.

We believe that the Facebook messages alone sent to Pupil A and specified under paragraph 4 provide unarguable evidence of Mr Jones' motivation. His stark final message to Pupil A “I wanted to fuck you silly” allows no other possible conclusion to be drawn but that his conduct was sexually motivated. To reach any other conclusion would be totally perverse. We conclude that there has been a course of conduct towards Pupil A which is reflected in all the particulars that we have found proved and we reject Mr Jones' explanation that the final offensive message should be seen only as a cry for help.

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

This case is brought by the National College on the basis that Mr Jones' conduct is both unacceptable professional conduct and conduct that may bring the profession into disrepute. Unacceptable professional conduct is misconduct of a serious nature falling significantly short of the standard of behaviour expected of a teacher and conduct that may bring the profession into disrepute is to be judged in a similar way. Mr Jones has already indicated that he accepts that those behaviours which he admitted at the outset of this hearing constitute unacceptable professional conduct.

We agree with Mr Jones that this is a case of unacceptable professional conduct. We judge that the conduct with which the case is concerned occurred principally within the education setting in that it involved his behaviour towards school pupils. It affected the way he discharged his responsibilities as a teacher and most certainly led to Pupil A, in particular, being exposed to harm.

We read carefully the conclusions reached at the close of the School's disciplinary hearing which are set out at page 124 of the case papers. We agree absolutely with the findings that Mr Jones:

- Failed consistently to demonstrate high standards of professional conduct
- Failed to uphold public trust in the profession and maintain high standards of ethics and behaviour within and outside the School
- Failed to treat pupils with dignity and at all times observing proper boundaries appropriate to a teacher's professional position
- Failed in his duty with regard for the need to safeguard pupils' well-being in accordance with the statutory provisions
- Failed to ensure proper and professional regard for the ethos, policies and practices of the school
- Failed to show regard and always act within, the statutory frameworks which set out professional duties and responsibilities

We would add that by his behaviour we judge also that Mr Jones has undoubtedly damaged the collective reputation of the profession.

Mr Jones has candidly accepted that this is a case of unacceptable professional conduct and has done so at an early stage in these proceedings. In view of our judgement that unacceptable professional conduct is established we do not feel that there is any requirement on the panel to determine formally whether it is also potentially a case of conduct that may bring the profession into disrepute. We have, in fact, stated that is our view in any event. Our guidance indicates at page 7 that we should determine whether "one of the three categories above applies". Those three categories are 1. Unacceptable professional conduct; 2. Conduct that may bring the profession into disrepute; 3. Conviction, at any time, of a relevant offence.

## Panel's recommendation to the Secretary of State

Mr Jones has accepted that he is likely to be prohibited as a consequence of his conduct. He seeks to argue only that a review period should be allowed so that he may apply to return to the profession at some time in the future.

Prohibition orders are imposed in the public interest which covers:

- the protection of pupils
- the maintenance of public confidence in the profession
- declaring and upholding proper standards of conduct

We consider on the facts of this case that a prohibition order is an appropriate and proportionate measure. Mr Jones is guilty of a serious departure from the personal and professional elements of the Teachers' Standards, abuse of his position of trust and a violation of the rights of pupils. In addition we have found that his actions were sexually motivated. All of those factors lead the panel to conclude that Mr Jones has demonstrated behaviour that is incompatible with him currently remaining a member of the teaching profession.

We recognise and accept that Mr Jones was very unsettled when these events occurred and he told us that, shortly after his suspension from the school he was treated for [redacted]. We acknowledge that he was beset with problems and stresses both at home and at school with which, on his account, he struggled to cope. Those considerations do not excuse Mr Jones' responsibility for his behaviour.

He had expected to leave the School on February 6 and only stayed on for a further week because the School had no cover for his lessons and the headteacher required him to do so. Regrettably it was during that additional week that most of the events relied upon by the National College occurred.

There is unchallenged evidence before the panel that Mr Jones had previously been a well-regarded teacher and Pupil A indicated in her evidence that he was "how a teacher should be". He has been a teacher for over 10 years.

No physical contact with any of the pupils concerned in this case is alleged although that may be due to the responsible actions of Pupils A, B, and C who reported Mr Jones to the School on the day the offensive Facebook messages were sent. It is, however, clear that the pupils were all upset about what had happened and the vice principal told the hearing they were in tears the next morning. We do not, therefore, underestimate the significant adverse effect on the young girls and Pupil A in particular. Pupil A described being upset, angry and frightened by what had happened.

Counsel for Mr Jones asks the panel to take into account the very short period over which this unacceptable behaviour occurred and its unsophisticated nature. We do accept that this case does not involve a course of conduct that was either sustained or carefully planned. We also recognise that the pressures to which Mr Jones was subject may well have influenced his opportunistic conduct and that it is difficult to reconcile the way he behaved with his previous teaching record and the way he was described by both Pupil A and the vice principal. She described him prior to this case as “always being very professional with pupils”.

We are troubled that Mr Jones contested parts of this case in the face of compelling evidence particularly in relation to the allegation of sexual motivation. In doing so he gave an account to the panel of what had occurred which included matters we judged were patently untrue. It leads us to conclude that he is still not able to confront fully the gravity of his conduct. Although he has demonstrated some insight and apologised through Counsel to his victims we have concerns that, at present, his insight falls short of being clear and unequivocal.

We judge that although this is a serious case it covered a short period of time, involved no physical contact with any of the pupils and Mr Jones’ messages and engagement with the pupils are properly categorised by his Counsel as idiotic and deluded. We also think it is right and appropriate to make allowance for Mr Jones’ previous unblemished record in the profession and his mental state at the time of these events.

We have carefully considered the guidance available in relation to the possibility of a review period being allowed in this case. We understand that the guidance obliges the panel to consider imposing a prohibition order with no provision for review as the case concerns serious sexual misconduct. We have undertaken that consideration. However we feel there are elements in this case as set out above which allow the panel to make a recommendation which might be viewed as exceptional to those who have not heard or read all of the evidence in this case – but nonetheless we feel is proportionate.

We therefore recommend that there should be a review period which would allow Mr Jones to make a set aside application should he wish to resurrect his career as a teacher. We believe that he should expect to have to demonstrate to any panel that may hear such an application that, by then, he has clear and unequivocal insight into the gravity of his conduct on this occasion and its damaging impact on the pupils involved. Mr Jones is now aged 40 and we believe that the review period should be 8 years. We judge that a prohibition order with such a review period would satisfy the proportionality criterion.

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

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

The findings of the panel in this case are very serious ones.

The evidence considered by the panel established that Mr Jones initially engaged in conversations with Pupil A which included suggesting to her that her boyfriend, who was away at university, may be cheating on her. The panel also found that Mr Jones made reference to his own sex life – on her account saying that “he wasn’t getting any at all” – and referring to his marriage being on the rocks. The panel are clear that Mr Jones was actively engaged – albeit over a period of approximately 3 days – in seeking to arrange a farewell celebration to mark his leaving the School. That celebration was to take the form of an evening trip to Birmingham exclusively with female pupils and the proposal that they should stay together in the same hotel. The panel are clear that Mr Jones’ behaviour was sexually motivated.

I support the view of the panel that in this case a prohibition order is an appropriate and proportionate measure.

Mr Jones is guilty of a serious departure from the personal and professional elements of the Teachers’ Standards, abuse of his position of trust and a violation of the rights of pupils. In addition his actions were sexually motivated. All of those factors support me in my agreement with the panel that Mr Jones has demonstrated behaviour that is incompatible with him currently remaining a member of the teaching profession.

I have taken into account the evidence that Mr Jones was very unsettled when these events occurred. The panel has also clearly taken that evidence into account. Mr Jones had problems and stresses both at home and at school with which, on his account, he struggled to cope. Those considerations do not excuse Mr Jones’ responsibility for his behaviour.

I have also taken into account the panel’s understanding that Mr Jones had previously been a well-regarded teacher and Pupil A indicated in her evidence that he was “how a teacher should be”. He has been a teacher for over 10 years.

I have noted that there was no physical contact with any of the pupils concerned in this case. It is clear however that the pupils were all upset about what had happened and the vice principal told the hearing they were in tears the next morning. Mr Jones’ behaviour had a significant adverse effect on the young girls and Pupil A in particular. Pupil A is described as being upset, angry and frightened by what had happened.

I have taken into account the need to be proportionate and to balance the rights of Mr Jones with the wider need to protect the reputation of the profession of teaching.

I have noted that the panel recommend a review period of 8 years. I have considered this recommendation with great care. However, in my opinion, this case requires that there be no review period. In reaching this decision I consider that the panel has not sufficiently taken into account the need to protect the wider reputation of the profession. Mr Jones' behaviour was serious, was sexually motivated and caused harm.

The panel note that Mr Jones contested parts of this case in the face of compelling evidence particularly in relation to the allegation of sexual motivation. In doing so he gave an account to the panel of what had occurred which included matters that the panel judged were patently untrue. Indeed the panel conclude that Mr Jones is still not able to confront fully the gravity of his conduct. The panel note that although Mr Jones has demonstrated some insight and apologised through Counsel to his victims they have concerns that, at present, his insight falls short of being clear and unequivocal.

Although there were mitigating factors, and I have taken these into account, in my view these, and Mr Jones' lack of insight, do not sufficiently outweigh the harm caused and the risk of damage to the wider profession that may occur by allowing a review period.

**This means that Mr Ian Jones 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 Ian Jones 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 Ian Jones 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**

A handwritten signature in blue ink, appearing to read 'Alan Meyrick', with a checkmark at the end.

**Date: 16 June 2015**

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