



National College for
Teaching & Leadership

Mr Ian Jordan: Professional conduct panel outcome

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

September 2015

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

Teacher: Mr Ian Jordan

Teacher ref number: 75/58560

Teacher date of birth: 14 July 1956

NCTL case reference: 12660

Date of determination: 4 September 2015

Former employer: Beaminster School, Dorset

A. Introduction

A professional conduct panel (“the panel”) of the National College for Teaching and Leadership (“the National College”) convened on 1 September 2015 – 4 September 2015 at 53 to 55 Butts Road, Earlsdon Park, Coventry CV1 3BH to consider the case of Mr Ian Jordan.

The panel members were Ms Nicole Jackson (lay panellist and chair), Dr Geoffrey Penzer (lay panellist), and Councillor Gail Goodman (teacher panellist).

The legal adviser to the panel was Mr Parminder Benning of Eversheds LLP.

The presenting officer for the National College was Mr Ben Bentley of Browne Jacobson LLP.

Mr Ian Jordan was present and was not represented. However, in accordance with the directions made during the Case Management Hearing on 11 August 2015, Mr Jordan was represented by Ms Naomi Parsons of Red Lion Chambers, in connection with the cross examination of Individuals C and D only.

The hearing took place in public and was recorded.

B. Allegations

The panel considered the allegations set out in the Notice of Proceedings dated 17 June 2015.

It was alleged that Mr Ian Jordan was guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute, in that:

1. In or around 1998-1999 you had an inappropriate relationship with a pupil from Beaminster School, Individual C, in that you had sexual intercourse with her on one or more occasions;
2. In or around 1996-1999 you sexually abused a child aged between 6-9 years old, Individual D, on one or more occasions;
3. And in so doing at allegations 1 and 2 your conduct was sexually motivated.

The above allegations are not admitted.

C. Preliminary applications

The teacher made an application seeking to adduce further evidence. The application was made by Ms Parsons, on behalf of Mr Jordan. The panel noted that Ms Parsons' role in these proceedings was limited to the cross examination of Individuals C and D. However, having accepted Ms Parsons' submission that the request derived from, and would impact the cross examination of Individuals C and D, and Mr Bentley raising no objections, the panel permitted Ms Parsons to make the application on Mr Jordan's behalf.

The panel considered whether to exercise its discretion under the Teacher Misconduct: Disciplinary Procedures for the Teaching Profession (the "Procedures"). The panel noted that Mr Jordan had applied to admit police records from the investigations undertaken by the police into the allegations raised by Individuals C and D. Specifically, Mr Jordan was seeking a copy of the investigative reports (the CRIS reports) prepared by the police.

The panel acknowledged the representations made by Ms Parsons (on behalf of Mr Jordan) and those made by Mr Bentley. Having duly considered the arguments raised, and thoroughly deliberated, the panel determined not to exercise its discretion under paragraph 4.18 of the Procedures.

In reaching its decision, the panel considered whether the documents requested would be relevant to the case. The panel acknowledged that the CRIS report (the only document specifically named in the application) outlines the police and the CPS's judgment and assessment of the allegations raised by Individuals C and D. However, the panel remarks that this document will show the assessment decisions taken by another

body, which will have been taken for a specific purpose (separate to that being considered by the panel today) and to a different, higher standard of proof, namely beyond all reasonable doubt. The standard of proof in these current proceedings is the civil standard, namely the balance of probabilities, which provides that the facts of the case are more likely to have happened than not. Furthermore, it is not for this panel to consider or assess the investigation or steps taken by the police/CPS or their assessment of the allegations.

The panel accepted that the National College had obtained documents from the police and these documents had been disclosed in the course of these proceedings.

The panel had regard to the extent of any potential disadvantage to the teacher in not being able to rely on the documents requested. However, the panel noted that they will have the benefit of direct evidence from Mr Jordan himself and Individuals C and D. The panel noted that all witnesses relied upon are to be called to give evidence and the panel will have the opportunity to test that evidence through questioning those individuals. Furthermore, there is sufficient evidence within the hearing bundle before the panel which is derived from police records in respect of the allegations made to the police at various times. These documents will allow Mr Jordan, through his representative, to satisfactorily cross-examine the witnesses.

The panel do not believe Mr Jordan will be in any way prejudiced by not having these documents – he will still be able to put questions to the witnesses concerned, indeed, the panel noted that Mr Jordan had already identified a number of issues and perceived inconsistencies that he wished to pursue with the witnesses.

The panel remarked that there are a number of vulnerable witnesses present at the hearing, who were prepared to give evidence, and that it would be inconvenient and distressing for them to have to return again.

The panel had regard to the seriousness of this case, and the potential consequences for the teacher and accepted that fairness to the teacher is of prime importance. However, it considered that in light of the nature of the documents requested and their limited probative value, that the absence of these documents will not prejudice Mr Jordan's ability to present his case or prevent him from having a fair hearing. Taking account of the inconvenience an adjournment would cause to the witnesses, the fact that these are serious allegations, and in view of the public interest in this hearing proceeding without further delay, the panel decided to refuse the application.

D. Summary of evidence

Documents

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

| | | |
|------------|--|------------------|
| Section 1: | Anonymised Pupil List, Chronology and List of Key People | pages 2 to 6 |
| Section 2: | Notice of Proceedings and Response | pages 8 to 14 |
| Section 3: | NCTL witness statements | pages 16 to 35 |
| Section 4: | NCTL documents | pages 37 to 141 |
| Section 5: | Teacher documents | pages 143 to 232 |

In addition, the panel admitted the document listed below. The panel noted that one page of this three paged document appeared in the hearing bundle, at page 197, but at Mr Jordan's request, the entire document was added to the bundle.

| | | |
|------------|--|------------|
| Section 5: | Brief Minutes of a Post Allegation Investigation Meeting held on Tuesday 27 March 2012 | 233 to 235 |
|------------|--|------------|

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

Witnesses

The panel heard oral evidence from:

| | | |
|--------------|--------------------------|------------------------------|
| Witness A | Full-time Carer | Witness for National College |
| Individual D | Student | Witness for National College |
| Individual C | Student | Witness for National College |
| Ian Jordan | Teacher | Witness for Teacher |
| Individual F | | Witness for Teacher |
| Individual G | | Witness for Teacher |
| Witness B | Foot Health Practitioner | Witness for 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.

We confirm that we have read all the documents provided in the bundle in advance of the hearing and in addition we have also read the additional document admitted as noted above.

Mr Ian Jordan began working at Beaminster School in 1988.

In 2011, Individual C alleged to the police that she was in a sexual relationship with Mr Jordan whilst attending Beaminster School in or around 1998-1999.

In October 2013, Individual D disclosed that he was sexually abused by Mr Jordan in or around 1996-1999. In November 2013, a referral was received from Child Care Team at Weymouth College and Individual D was interviewed by Police in December 2013. Mr Jordan was arrested in connection with this allegation on 11 December 2013 and subsequently suspended from Beaminster School on 18 December 2013.

On 1 September 2014, Mr Jordan tendered his resignation at Beaminster School and this was accepted on 3 September 2014.

Findings of fact

Our findings of fact are as follows:

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

1. In or around 1998-1999 you had an inappropriate relationship with a pupil from Beaminster School, Individual C, in that you had sexual intercourse with her on one or more occasions;

Individual C explained in her written evidence and affirmed in her oral evidence that she had an inappropriate relationship with Mr Jordan. She described that having joined Beaminster School, her relationship with Mr Jordan developed through her activities at Judo and the school mentoring scheme. Around this time she began babysitting for Mr Jordan [redacted]. It was whilst she was babysitting, that Mr Jordan first kissed Individual C, following which it is alleged that their relationship developed culminating in Mr Jordan having sexual intercourse with Individual C whilst she was a pupil at Beaminster School.

These allegations were robustly denied by Mr Jordan.

During the course of the hearing, the panel notes that the parties agreed that the following factual events had occurred:

- Individual C began attending Beaminster School in or around 1998 and most probably in September 1998, leaving the school in the summer of 2000 [redacted].
- Individual C attended the Judo club run by Mr Jordan, and it was through her attendance at the club that on occasions she rode in Mr Jordan's car together with other passengers.

- Mr Jordan was Individual C's mentor whilst she was at the school and would meet with her in the office he shared with another teacher in connection with these mentoring sessions. These mentoring sessions started during the academic year 1999-2000 and it was Individual C who requested Mr Jordan act as her mentor.
- There was a PE Hall at the school, which contained an alcove where mats were stored. It was accepted that there was one entrance into the PE Hall and one Fire Exit.
- Individual C babysat for Mr Jordan [redacted]. However, the panel notes that the number of occasions and the time period these occurrences are said to have taken place is disputed. It is also accepted that on one occasion, after babysitting, Individual C spent the night at the Jordan family residence.
- [redacted]
- Mr Jordan would occasionally take the dog for a walk by himself in the evenings.

Upon reviewing the evidence, the panel notes inconsistencies. These include, but are not limited to, the following:

- Individual C claimed that the babysitting took place during the period 1999 to 2000. Mr Jordan recollected that the period was between August 2000 to the end of the same year. Individual F recorded in his written evidence that it was in the year 2000 [redacted]. Individual D stated in his written and oral evidence that the babysitting took place between 1997/98 to 2001/02.
- Individuals C, F and Mr Jordan recounted that Individual C babysat around 4/5 times. This contradicts with Individual D's recollection, who recalls Individual C babysitting once or twice a month for a period of several years.
- It was Individual C's evidence that the relationship with Mr Jordan ended when she saw a Valentine's Day card that Mr Jordan had given to Witness A (who was an adult working at the School at the same time). Witness A confirmed that the incident did occur. However, the panel notes that Individual C states in her written evidence that it was Valentine's Day 1999 when the incident took place, subsequently amended by Individual C in her oral evidence to the year 2000. Whilst Witness A stated in her written evidence it was 2001. However, under cross-examination Witness A believed it was more likely to be 2000. The panel notes that Individual C would have left the school in Summer of 2000 at the same time as Witness A. It is Mr Jordan's evidence that it could not have been 2001, but he most likely did send Witness A a Valentine's Day card.
- Individual C described the location of her first kiss with Mr Jordan as the spare room [redacted]. Mr Jordan and Individual F state that there was no spare room and it is Mr Jordan's evidence that Individual C slept on the sofa in the living room when she stayed over after babysitting.
- Individual C states that following early morning meetings with Mr Jordan, she occasionally received lifts to school. Mr Jordan refutes this and Individuals D and F do not recall ever seeing Individual C in the mornings [redacted] nor do they recall Mr Jordan giving Individual C a lift into school. The only occasion they recall

Individual C obtaining a lift from Mr Jordan was in connection with the Judo lessons.

- Mr Jordan stated in his oral evidence that he arranged for Individual C to undertake the babysitting with Individual C's father. It is Individual C's evidence that the requests were made direct to her via text message.

The panel considered Individual C's written and oral evidence recounting that it was during the Judo lessons that she "became close" to Mr Jordan. Individual C explained that she formed a relationship of trust with Mr Jordan telling "him everything about my life including things I would not tell my parents". Individual C explained that she had a poor relationship with her parents, siblings and very few friends, the latter being a fact which was corroborated in the oral testimony of Individual G [redacted].

It was Individual C's evidence that her intimate relationship with Mr Jordan began on the night she stayed over following babysitting (page 17). It is accepted by the parties that Individual C did spend the night at the Jordan family residence. However, as identified above, the panel notes that there are inconsistencies in the date this is said to have taken place and the location of the intimacy.

Individual C recalls spending the night in a spare room (pages 17 & 42 – 43), and it was in this room that Mr Jordan "put himself on top of me and kissed me". Mr Jordan denies this. It is his evidence that this incident is entirely fictitious. He claims there was no spare room [redacted] It is his evidence that Individual C slept in the living room on the sofa. [redacted]

However, the panel notes that Individual C recalls with some clarity that the "kiss" followed a comment made about a "coke bottle" that Mr Jordan squeezed and "he said to me 'you don't have the bottle to be with me' or words to that effect" (page 17). This account is consistent with that provided to the police on 13 October 2011 (page 42).

Individual C states that the relationship developed when they met whilst Mr Jordan would take his dog for a walk, during which time they might kiss (page 18) or have sex. Individual A notes in her written evidence that Mr Jordan would take the dog for a walk by himself, a matter which is also noted by Social Services (pages 228 – 230). Indeed, in his oral testimony, Mr Jordan accepted that there were occasions when he would take the dog for a walk unaccompanied, usually in the evening. This account is consistent with the account provided by Individual C and also by Witness A (page 61).

Individual C claims the intimacy between her and Mr Jordan grew, which led to them having sexual intercourse (pages 18 – 19) one morning at his house. Mr Jordan denies this. [redacted] The panel also heard evidence that Mr Jordan would seek to leave the house between 7:30am and 8:00am. This aligns with Individual D's evidence [redacted]. However, neither Individuals D nor F recall seeing Individual C [redacted] in the morning. Despite this, Individual C recounts walking to see Mr Jordan early in the mornings, after receiving a text message from him (pages 18 & 45 – 46) around 5:30am.

The panel notes that it is Mr Jordan's evidence that had these early morning incidents occurred, the dog would have barked. The panel has heard Individuals C and D describe the dog as mild mannered and timid and heard evidence from Individual F that the dog would sleep upstairs on the landing. Although the panel notes Individual F stated in his oral evidence that "like any other dog, [redacted] it would bark when someone was at the door".

The panel referred to Individual C's account that she and Mr Jordan would have sexual intercourse on a regular basis for a period of between one to three months. This sometimes took place during walks with the dog. She also recalled on one occasion having sexual intercourse in the PE Hall and kissing in Mr Jordan's office. This version of events is confirmed by the evidence provided by Individual C to the police in October 2011 (pages 40 - 58) and through her oral testimony to the panel. Mr Jordan denies this. Upon reviewing all the evidence, the panel noted the following points:

- It has been accepted that Mr Jordan did take the dog for afternoon / evening walks. It was Mr Jordan's evidence that the locations where it is alleged he had intercourse, were public areas and it would not have been plausible to have undertaken any sexual acts without being spotted. Furthermore, he notes that the town itself, is a small town and the risk of him being spotted with Individual C on these walks was very high. Individual C refutes this, stating that the places were sufficiently private to have sexual intercourse.
- It was agreed that the PE Hall had one entrance and one fire exit. Mr Jordan and Individual G explained that due to its location, students would always be walking past the PE Hall. However, Individuals C and G did describe an "alcove" or "storage room", which was where the mats would be stored.
- Individual C recounts kissing Mr Jordan in his office. It is accepted that Individual C would have been in Mr Jordan's office during the mentoring sessions. However, Mr Jordan denies kissing Individual C, stating that he shared his office with another teacher, who would usually be in the office at the same time, and in any event, the door to his office contained a clear glass panel and the door fronted a busy corridor so even if he was on his own with Individual C, anyone from the corridor would have been in a position to look directly into the office.

The panel notes that it is Mr Jordan's evidence that Individual C, together with Witness A and Individual D have conspired against him. However, Mr Jordan was unable to provide any substantive evidence or credible reasoning explaining why Individual C would make these assertions if they were entirely false. In contrast, Individual C states that the "trigger" resulting in her reporting the incident to the police in October 2011, was an e-mail from Witness A (pages 37-39) which relayed that Mr Jordan had also abused another individual of school age. This revelation made her realise that there may be other individuals Mr Jordan abused and that she was not the only one. Therefore, she felt that she had to take action to prevent this from happening again.

The panel notes the written statement of Individual C and the documentary evidence presented, including the transcript from the police interview taken when she first made these allegations in October 2011. The panel also considered the oral and written evidence of Witness A, which was consistent with the account of Individual C in respect of certain key events, albeit the panel notes that the timings of such events may have differed.

The panel notes that Individual C states she told her friend, [redacted], about the sexual relationship with Mr Jordan at the time of the event. This is confirmed by the police in the Brief Minutes of a Post Allegation Investigation Meeting who had spoken to the friend [redacted] (page 235). Furthermore, Witness A corroborated certain key events, which align with those relayed by Individual C, for example, the Valentine's Day card incident.

The panel notes that it was afforded the opportunity to hear direct evidence from the witnesses. The panel finds the oral evidence of Individual C and Witness A to be credible and honest. The evidence was on the whole consistent with the written evidence. The panel accepted the evidence of Individual C and Witness A. The panel acknowledges that Individual A's evidence is hearsay and has attached the appropriate weight to this evidence. The panel does not find Mr Jordan's evidence credible, especially regarding the year when the babysitting took place, and how the babysitting arrangements were made through Individual C's father.

The panel also notes the inconsistencies that have been identified during the course of this hearing. The panel are of the view that such inconsistencies are immaterial to the substance of the allegations, namely, whether Mr Jordan had an inappropriate relationship with Individual C, in that he had sexual intercourse with her on one or more occasions. Furthermore, the panel is not persuaded by Mr Jordan's assertions that these inconsistencies reveal a conspiracy against him and that the allegations are wholly concocted. The panel notes that the underlying events took place several years ago and therefore is mindful that the memories of the witnesses can be expected to be uncertain on some matters of precise detail. However, the panel notes that the key events, such as the kiss and the places where the sexual intercourse is said to have occurred, have been recounted with sufficient accuracy, albeit the finer details, such as the precise dates are unclear, which in this panel's view, is entirely to be expected in a case of this nature.

The panel therefore finds, on the balance of probabilities, that this allegation is proven.

3. And in so doing at allegations 1 and 2 your conduct was sexually motivated.

In respect of allegation 1, the panel considered the two stage test for sexual motivation – firstly whether the words/actions could be sexual and secondly whether the words/actions of Mr Jordan were sexual in all of the circumstances of the case. Upon consideration of the evidence, the panel considers that the reasonable person, would consider these actions to be sexual. Therefore, the panel finds that the first limb of the test has been satisfied.

Turning to the second limb, whether in all the circumstances of the conduct in the case, Mr Jordan's purpose of such actions was sexual. The panel was satisfied, as a result of the combination of the content of the discussion that took place, together with the variety of physical contact, that Mr Jordan's words and actions could be viewed as sexually motivated and indeed were.

The panel have therefore found this allegation proven.

We have found the following particulars of the allegations against you not proven, for these reasons:

2. In or around 1996-1999 you sexually abused a child aged between 6-9 years old, Individual D, on one or more occasions;

This allegation is denied by Mr Jordan.

The panel acknowledged the written statement of Individual D, where he described how he was abused by Mr Jordan between the ages of 6-9. Individual D explained that the first incident occurred when he was 6 years old [redacted]. In his oral testimony, he believed it took place sometime in January 1997. Specifically, Individual D recalls having

played in the snow prior to the incident, something which is evidenced in the historical weather reports (pages 131 - 141). The panel noted that Individual D gave a consistent account of the first incident to the police and to his college counsellor (pages 63 & 65 - 69).

The panel notes that it is Individual D's evidence that "nothing happened for a couple of weeks", but then Mr Jordan continued to abuse him on "a weekly basis for 3 years". Each time he perpetrated the act, [redacted] he was alone with Mr Jordan. The panel notes that this account is contradicted by the evidence of Mr Jordan and Individual F (page 157), who assert that [redacted] for various reasons, Individuals A, D and F were together with Mr Jordan.

Despite this, the panel notes Individual A's statement to the police which asserts that Mr Jordan did spend time with Individual D without her being present (page 112). She also recalls that [redacted] "there would have been times that Ian would have been alone [redacted] with Individual D.

Individual D explained that on one occasion Mr Jordan abused him [redacted] at a "secluded spot". This was denied by Mr Jordan and the panel noted that this was also contradicted by the evidence of Individual F, who also confirmed that Mr Jordan would take him, together with Individual D and A to [redacted] this area. Witness B affirmed that this area was not a secluded place (page 167).

It is Mr Jordan's evidence that these allegations are entirely fictitious as Individual D was not afraid of being alone with him. Mr Jordan recites several examples of Individual D actively seeking him out [redacted] These occurrences were verified by the oral evidence of Individual F and the oral and written evidence of Witness B (pages 166 – 167), as well as being consistent with the police interview given by Mr Jordan (pages 75 – 101). It was suggested that these were not the actions of an individual who had been abused. Indeed, it was Individual G's evidence that Individual D "regularly sought out Mr Jordan's company and always appeared at ease around him" (page 155). The panel noted the [redacted] report commissioned in late 2000 [redacted]

The panel notes that Individual G has stated in his oral evidence that Individual D had the propensity to elaborate and had tunnel vision. In his written evidence, Individual G states that Individual D is "impressionistic" and can be "strongly influenced" (page 155), an impression which was shared by Individual F. The panel notes that it was stated in oral evidence that Individual D can be easily led and due to his medical condition ([redacted]) that he sometimes can fail to distinguish between a small white lie and a substantive false allegation.

The panel notes that it was not afforded the opportunity to hear direct evidence from Individual A and has accordingly attached less weight to her evidence in these proceedings. The panel did find elements of the oral evidence of Individual D to be credible and honest. However, other significant elements of the oral evidence Individual D gave cast doubt over its reliability. The panel is mindful of Individual D's medical condition. The panel also notes that there was limited evidence corroborating Individual D's version of events. Furthermore, the panel notes the legal advice provided to it, in that any inconsistencies in the evidence arising from a delay between the commission of the allegations to their consideration by the panel, should be taken into account in favour of the teacher.

In light of the above, on the balance of probabilities, the panel does not find that the National College has discharged its burden of proof in showing that these facts are more likely than not to have occurred. Therefore, the panel do not find this allegation proven.

3. And in so doing at allegations 1 and 2 your conduct was sexually motivated.

Having reviewed all of the evidence, the panel does not find allegation 2 proved on the facts. Accordingly, the panel did not go onto consider whether, in respect of this allegation, Mr Jordan's conduct was sexually motivated, as it was not required to do so.

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

Having found the facts of Particular 1 and part of Particular 3 proven, the panel further finds that your actions amount to unacceptable professional conduct and conduct that may bring the profession into disrepute.

In considering the allegations that the panel has found proven, the panel has had regard to the definitions in the Teacher Misconduct – The Prohibition of Teachers advice, which we refer to as the 'Advice'.

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

The panel has also considered whether Mr Jordan's conduct displayed behaviours associated with any of the offences listed on pages 8 and 9 of the Advice and the panel has found that the offence of sexual activity is relevant.

The Advice indicates that where behaviours associated with such an offence exist, a panel is likely to conclude that an individual's conduct would amount to unacceptable professional conduct.

The panel notes that the allegations took place outside of the education setting. The panel considers that these incidents clearly affect the manner in which Mr Jordan can fulfil his teaching role or may lead to pupils being exposed to or influenced by the behaviour in a harmful way. The panel is of the view that these incidents are extremely serious and grave.

Accordingly, the panel is satisfied that Mr Jordan 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 are serious and the conduct displayed would likely have a negative impact on the individual's status as a teacher, potentially damaging the public perception. The panel therefore finds that Mr Jordan's actions constitute conduct that may bring the profession into disrepute.

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 Mr Jordan, which involved sexual intercourse with a pupil, there is a strong public interest consideration in respect of the protection of pupils given the serious findings of inappropriate relationships with children.

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

In view of the above, the panel considered that a strong public interest consideration in declaring proper standards of conduct in the profession was also present as the conduct found against Mr Jordan was outside that which could reasonably be tolerated.

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 Mr Jordan.

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 Mr Jordan. 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.

The list of such behaviours contains the following that are relevant to this case, to varying degrees:

- serious departure from the personal and professional conduct elements of the Teachers' Standards;

The panel has found that Mr Jordan's conduct involved serious departures from the personal and professional conduct elements of the Teachers' Standards, as the panel has already detailed.

- misconduct seriously affecting the education and/or well-being of pupils, and particularly where there is a continuing risk;

The panel considered that Mr Jordan's conduct seriously affected the well-being of a pupil. As noted above, the underlying incidents giving rise to the allegations were not isolated incidents and involved several events over a period. This has led the panel to conclude there is a continuing risk.

- abuse of position or trust (particularly involving vulnerable pupils) or violation of the rights of pupils;

The panel considered that Mr Jordan's conduct, in relation to all proven allegations, involved abuse of position or trust and his conduct as detailed in the proven elements of the allegations involved violation of the rights of a pupil.

- sexual misconduct, eg involving actions that were sexually motivated or of a sexual nature and/or that use or exploit the trust, knowledge or influence derived from the individual's professional position;

The panel notes that the facts found proven arise from Mr Jordan engaging in a sexual relationship with Individual C whilst she was a pupil at Beaminster school.

Notwithstanding the 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 Mr Jordan. Given the serious failings outlined above, the panel considered that prohibition was a proportionate measure.

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. In particular:

- The panel considered whether or not Mr Jordan's actions were deliberate. The panel concluded that due to the inappropriate nature of Mr Jordan's conduct, his actions were deliberate.
- There was no evidence to suggest that the teacher was acting under duress, and in fact the panel found the teacher's actions to be calculated and motivated.
- The panel also noted the evidence before it that Mr Jordan was a calm and patient individual and drew upon the testimonies provided in the written statements and oral testimonies of Witness B and Individuals F and G.

In light of the above, 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 Mr Jordan. Mr Jordan's abuse of his position of trust and the serious impact of his conduct on the welfare of a pupil and the impact on the reputation of the teaching profession was a significant factor in forming that opinion. 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 states 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. These behaviours include serious sexual misconduct, eg where the act was sexually motivated and resulted in or had the potential to result in, harm to a person or persons, particularly where the individual has used their professional position to influence or exploit a person or persons. The panel has found that Mr Jordan has been responsible for having sexual intercourse with a pupil.

Mr Jordan has, however, denied the allegations raised, and the panel note he has not demonstrated any insight into his inappropriate conduct or the impact thereby on the pupil.

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 by the panel in respect of both sanction and review.

This is a very serious case and in the light of the panel's findings against Mr Jordan, which involved sexual intercourse with a pupil, there is a strong public interest consideration in respect of the protection of pupils given the serious findings of inappropriate relationships with children.

I have noted that the panel has paid particular attention to the need to consider how public confidence in the profession could be seriously weakened if conduct such as that found against Mr Jordan were not treated with the utmost seriousness when regulating the conduct of the profession.

The panel considered that a strong public interest consideration in declaring proper standards of conduct in the profession was present as the conduct found against Mr Jordan was outside that which could reasonably be tolerated.

I have also taken into account the need to be proportionate and to consider the effect of a prohibition order on Mr Jordan.

I have carried out a balancing exercise, considering both the public interest considerations as well as the interests of Mr Jordan.

Like the panel I have taken into account the Advice published by the Secretary of State which suggests that a prohibition order may be appropriate if certain behaviours of a teacher have been proven.

The list of such behaviours contains the following that are relevant to this case, to varying degrees:

- serious departure from the personal and professional conduct elements of the Teachers' Standards;

The panel found that Mr Jordan's conduct involved serious departures from the personal and professional conduct elements of the Teachers' Standards, as the panel has already detailed.

I too find that Mr Jordan's conduct, in relation to all proven allegations, involved abuse of position or trust and his conduct as detailed in the proven elements of the allegations involved violation of the rights of a pupil.

I have therefore supported the view of the panel that a prohibition is a proportionate measure.

Mr Jordan's conduct, and his actions were deliberate. There was no evidence to suggest that the teacher was acting under duress, and in fact the panel found the teacher's actions to be calculated and motivated.

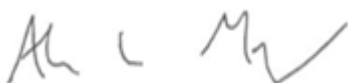
I have gone on to consider the matter of a review period. I have decided that the public interest considerations outweigh the interests of Mr Jordan. Mr Jordan's abuse of his position of trust and the serious impact of his conduct on the welfare of a pupil and the impact on the reputation of the teaching profession is very serious. I consider that a prohibition order should be imposed with no review period.

This means that Mr Ian Jordan 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 Jordan 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 Jordan 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.

Decision maker: Alan Meyrick

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

Date: 11 September 2015

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