



National College for
Teaching & Leadership

Rebecca Stock: Professional conduct panel outcome

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

10 February 2015

Contents

A. Introduction	3
B. Allegations	4-5
C. Preliminary applications	5-6
D. Summary of evidence	6
Documents	6
Witnesses	6
E. Decision and reasons	6
Panel's recommendation to the Secretary of State	10
Decision and reasons on behalf of the Secretary of State	12

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

Teacher:	Ms Rebecca Stock
Teacher ref no:	0943537
Teacher date of birth:	30 October 1986
NCTL case ref no:	0011672
Date of determination:	10 February 2015
Former employer:	Lucton School Herefordshire

A. Introduction

A professional conduct panel (“the Panel”) of the National College for Teaching and Leadership (“the National College”) convened on 10 February 2015 at 53-55 Butts Road, Earlsdon Park, Coventry CV1 3BH to consider the case of Ms Rebecca Stock.

The Panel members were Professor Janet Draper (lay panellist – in the chair), Mr Anthony James (teacher panellist) and Mrs Marion May (teacher panellist).

The legal adviser to the Panel was Mr Stephen Murfitt of Blake Morgan LLP Solicitors.

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

Ms Stock 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 9 October 2014.

It was alleged that Ms Stock was guilty of unacceptable professional conduct / conduct that may bring the profession into disrepute in that:

1. On or around 19 February 2013, she created a fictitious domain name 'theluctonschool.org.uk';
2. On 24 January 2014, she submitted an application to Sacred Heart High School, which included the following false information:
 - a. An email address, 'headmistres@theluctonschool.org.uk', purporting to belong to Witness B.
 - b. A mobile telephone number purporting to belong to Witness B.
 - c. An email address, 'WitnessA@theluctonschool.org.uk', purporting to belong to Witness A.
 - d. A mobile telephone purporting to belong to Witness A.
 - e. The claim that she:
 - i. left Lucton school in December 2013, when she in fact left in February 2013.
 - ii. was a Core PE Coordinator.
 - iii. left Lucton due to a family sickness.
 - iv. was a Year 7 and/or 9 Tutor.
3. On a date or dates unknown, on or prior to 30 January 2014, she:
 - a. created a fictitious reference purporting to be from Witness B, Headmistress at Luton School, in which she included:
 - i. a false stamp for Lucton School,
 - ii. a false signature in the name of 'Witness B '.
 - b. created a fictitious reference purporting to be from Witness A, former employee at Lucton School.
 - c. created a false email address purporting to belong to Witness B: ' Witness B@gmail.com'.
 - d. Sent an email from the account referred to at 3(c) above, attaching the false reference from Witness B which included a further false email address 'headmistress@theluctonschool.org.uk', purporting to belong to Witness B.
 - e. Sent an email from the account referred to at 3 (c) above, attaching the false reference from Witness A, which included a further false email address, 'WitnessA@theluctonschool.org.uk', purporting to belong to Witness A.
4. Her actions set out at paragraphs 1 and/or 2 and/3 above were:
 - a. misleading,
 - b. dishonest in that she knew the information in each particular was false.

5. On 5 March 2014 you were cautioned for fraud by false representation.

C. Preliminary applications

There was a preliminary application by the Presenting Officer to proceed in the absence of Ms Stock.

The Panel determined that the National College has complied with the service requirements of Regulation 19 a to c of the Teachers' Disciplinary (England) Regulations 2012 (the 'Regulations'). Mr Geering has handed to the Panel a service bundle which demonstrates extensive efforts to engage Ms Stock in the process.

The Panel noted that the Notice of Proceedings was sent on 9 October 2014 by first class post. Ms Stock had not responded to the Notice of Proceedings.

The Panel was satisfied that the teacher had been provided with the requisite length of notice of at least 8 weeks in accordance with paragraph 4.11 of the Procedures, and that the Notice of Proceedings contained the necessary details set out in paragraph 4.12 of the Procedures. The Panel reminded itself that it had discretion to proceed in absence that discretion had to be exercised with utmost care and caution. The Panel had been directed to the relevant case law (R v Jones) and had carefully considered the guidelines provided as to the exercise of discretion.

The Panel found that the teacher had deliberately waived her right to participate in this hearing. The Panel found, on the balance of probabilities that the teacher had been sent the documents and had chosen not to respond. There was no indication that an adjournment might result in Ms Stock attending voluntarily. The Panel also noted that these are serious matters and there is a public interest in the hearing taking place within a reasonable time of the events to which it relates.

Accordingly the Panel decided that the hearing should proceed in the absence of the teacher.

The Presenting Officer applied to admit further documents. The Panel were satisfied that Ms Stock would not be prejudiced by admitting the documents and therefore that the documents be admitted.

The Presenting Officer applied to amend the Notice of Proceedings by amending allegation 2a to show the correct alleged email address namely headmistress@theluctonschool.org.uk and to show the correct alleged email address in 3e as WitnessA@theluctonschool.org.uk. The Panel agreed to the applications

D. Summary of evidence

Documents

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

Section 1: Chronology and Key List of People.	2-3
Section 2: Notice of Proceedings	5-12
Section 3: NCTL Witness Statements.	14-24
Section 4: NCTL Documents.	27-142
Section 5: Teacher Documents (none provided)	

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

Witnesses

The Panel heard oral evidence from the following persons called by the Presenting Officer:

- a. Witness A, Head of House at The Beacon Prep School, Chesham Bois, Buckinghamshire.
- b. Witness B, Headmistress Lucton School, Herefordshire.
- c. Witness C, Deputy Head Lucton School, Herefordshire.

E. Decision and reasons

The Panel announced its decision and reasons as follows:

The Panel has now carefully considered the case before it and has reached a decision.

Ms Stock joined Lucton School in September 2012 as a residential house parent, and PE Teacher, having completed her NQT year at Mill House School in London the previous academic year. Prior to 7 February 2013 she asked for classroom cover to attend a medical appointment on the 7 February 2013. The following day she left the school, did not return, and had no further communication with the school.

On 30 January 2014 the Sacred Heart School communicated with Witness B to ask if a requested reference for Ms Stock could be sent to them as they were interviewing Ms Stock for a post that day. Witness B made contact with Sacred Heart School to explain she had not been asked for a reference in relation to Ms Stock. Witness B was then

informed that Sacred Heart School were in possession of a reference from both Witness B and Witness A, a former employee of Lucton School. These events caused an investigation to be carried out which has led to the allegations now made in the Notice of Proceedings.

Findings of fact

The Panel's findings of fact are as follows:

1. On or around 19 February 2013 you created a fictitious domain name 'theluctonschool.org.uk'.

The Panel is satisfied that Ms Stock created the fictitious domain name. Witness C investigated the matter and found that the domain name was registered by a non-trading individual who opted to have their address omitted for the WHOIS service. Witness B confirmed in her statement that a search stated that the domain name was set up by a Fred Perry on 19 February 2013, very shortly after Ms Stock left the school. Ms Stock accepted in her police interview on the 5 March 2014 that she had purchased the domain name on the internet.

The Panel is satisfied that this particular is proved.

2. On 24 January 2014 you submitted an application to Sacred Heart High School which included false information.

The Notice of Proceedings sets out the detail of each particular of the application form when it is alleged that Ms Stock provided false details. At paragraph nineteen of his statement Witness C sets out a list of key discrepancies which he noted in the application form to Sacred Heart School. On the 6 February 2014 Witness B prepared a school statement when she sets out a number of the inaccuracies contained within the application form. In her police interview Ms Stock accepted that there were some inaccuracies in the application form and mentioned in particular the false mobile telephone numbers for Witness B and Witness A. The Panel find Witness B and Witness A to be reliable witnesses.

The Panel is not satisfied that the mention of leaving Lucton due to a family illness, stated in the application form (paragraph 2. e. iii of the Notice of Proceedings), is false on the balance of probabilities. Furthermore the Panel is not satisfied on the balance of probabilities that Ms Stock had no experience of being a year 7 and/or 9 Tutor. (Paragraph 2 e iv).

The Panel is satisfied that this particular is proved in relation to 2 a,b, c, d and e i and ii. The Panel is not satisfied on the balance of probabilities that particulars 2e iii and 2 e iv are proved.

3. On a date unknown, on or prior to 30 January 2014,

a. You created a fictitious reference purporting to be from Witness B

Ms Stock accepted in her police interview that she had written the reference purporting to come from Witness B and Ms Stock accepted she had purchased the school stamp on line. Witness B confirmed in her evidence that the reference had not been written by her. Witness B confirmed in evidence that the school stamp appearing on the application form was false, as was her purported signature.

The Panel are satisfied that this particular is proved.

b. You created a fictitious reference purporting to be from Witness A

Ms Stock accepted in her police interview that she had written the Sacred Heart High School reference from Witness A. In his evidence Witness A confirmed that he has not seen the false reference to Sacred Heart High School that purported to come from him.

The Panel are satisfied that this particular is proved.

c. You created a false email address purporting to belong to Witness B

Ms Stock admitted in her police interview that she had created a false email address. Witness B confirmed in her evidence that the email dated the 30 January 2014 is false.

The Panel is satisfied that this particular is proved.

d. You sent an email attaching a false reference from Witness B and including a false email address

Ms Stock admitted in her police interview that she sent the email dated the 30 January 2014 which included both the false reference from Witness B and a further false email namely headmistress@theluctonschool.org.uk . Witness B in her evidence confirms that she did not send the email.

The Panel is satisfied that this particular is true.

e. You sent an email attaching a false reference from Witness A and including a false email address.

Ms Stock admitted in her police interview that she sent an email dated the 30 January 2014 which included both the false reference from Witness A and a further false email address WitnessA@theluctonschool.org.uk Witness A confirmed in his evidence that he did not send the relevant email.

The Panel is satisfied that this particular is true.

4. Your actions set out above were misleading and dishonest.

The Panel reminded itself as to the advice given by the Legal Adviser and in particular to the meanings of the word 'false', 'misleading' and 'dishonest'. He suggested that 'false' could mean either deliberately or inadvertently inaccurate. 'Misleading' may be defined as to lead astray or cause to go wrong. As to dishonesty the Legal Adviser suggested three questions:

1. Are you satisfied that the teacher acted as alleged in Notice of Proceedings?
2. Are you satisfied that on the balance of probabilities that the teacher's conduct would be regarded as dishonest according to the ordinary standards of reasonable and honest people?
3. If so, and only so, are you satisfied on the balance of probabilities that the teacher must have realised that her actions would be regarded as dishonest by those standards?

The Panel is satisfied that the actions of Ms Stock were misleading. The Sacred Heart High School clearly considered that the references had come from Witness B and Witness A.

The Panel considered the objective test for dishonesty and is satisfied that on the balance of probabilities the objective test is satisfied. A reasonable and honest person would consider, in the determination of the Panel, that the creation of false emails and false references by Ms Stock is dishonest.

The Panel then considered the subjective test, and having regard to the answers given by Ms Stock in her police interview, is satisfied that by applying the standards of reasonable and honest people, Ms Stock must have realised that she was acting in a dishonest way.

Accordingly the Panel determine that Ms Stock acted in a misleading and dishonest manner with regard to the facts that the Panel have found proven.

5. On 5 March 2014 you were cautioned for fraud by false representation.

The Panel have seen a copy of the Police caution dated 5 March 2014 and accordingly find this particular proved.

Findings as to unacceptable professional conduct and/or conduct that may bring the profession into disrepute and/or conviction of a relevant offence

The Panel is satisfied that the conduct of Ms Stock in relation to the facts found proved involved breaches of the Teachers' Standards. The Panel considers that by reference to Part Two, Ms Stock is in breach of the following standards:

- Teachers uphold public trust in the profession and maintain high standards of ethics and behaviour
- Not undermining fundamental British values, including democracy, the rule of law, individual liberty, and mutual respect.
- Teachers must have proper and professional regard for the ethos policies and practices of the school in which they teach.

The Panel is satisfied that the conduct of Ms Stock fell significantly short of the standards expected of the profession.

The Panel has also considered whether Ms Stock's conduct displayed behaviours associated with any of the offences listed on page 8 and 9 of the Guidance (Teachers misconduct: the prohibition of teachers) and has found, that although not a conviction, the caution for fraud by false representation is relevant. The Guidance indicates that where behaviours associated with such a caution exist, a Panel is likely to conclude that an individual's conduct would amount to unacceptable professional conduct, and conduct which may bring the profession into disrepute is judged in a similar way. If Ms Stock had been successful in her actions then there was a risk that she would have circumvented a number of recognised safeguards which may have placed students at risk.

The findings of fact are serious, involving a caution for fraud, and acts of dishonesty, which are likely to have an impact on the reputation of the teaching profession. Teachers are regarded as role models and influence pupils in the way pupils behave.

For all of these reasons the Panel finds that Ms Stock's actions constituted unacceptable professional conduct and conduct that may bring the profession into disrepute.

Panel's recommendation to the Secretary of State

The Panel has made factual findings as to unacceptable professional conduct and conduct that may bring the profession into disrepute. It is necessary for the Panel 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 a proportionate measure and if 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 a punitive effect.

The Panel has considered the public interest, and in particular:

- The protection of children;
- The maintenance of public confidence in the profession;
- Declaring and upholding proper standards of conduct.

The Panel has considered the advice on Teachers' Misconduct in relation to the Prohibition of Teachers, and has concluded that the following are relevant:

- Serious departure from the personal and professional conduct elements of latest teachers' standards, as published by, or on behalf of the Secretary of State;
- Dishonesty especially where there have been serious consequences
- Deliberate behaviour that undermines the profession, the school or colleagues.

The Panel has found that the allegations against Ms Stock involved acts of dishonesty which affect the reputation of the teaching profession. The conduct of Ms Stock was planned, deliberate and maintained over a period of time.

Similarly, the Panel considers that public confidence in the profession could be weakened if such conduct, as the Panel has found proved, was not treated with seriousness when regulating the conduct of the profession. The Guidance states that a caution for fraud or serious dishonesty is likely to amount to conduct that may bring the profession into disrepute. The factual findings against Ms Stock raise important public interest considerations in declaring proper standards of conduct for the teaching profession. Teachers are at all times role models and are expected to act with honesty and integrity.

Notwithstanding the public interest considerations that were present, the Panel has to consider carefully whether or not it would be proportionate to impose a Prohibition Order. In forming that judgement the Panel has been unable to consider mitigating circumstances because Ms Stock has not engaged with the process and in particular has

not advanced any mitigating circumstances on her own behalf for consideration by the Panel. The Panel have taken note of the mitigating circumstances advanced by Ms Stock during her interview with the Police.

In carrying out the balancing exercise the Panel has decided that the public interest considerations outweigh by some margin the interests of Ms Stock. Accordingly a consideration of the public interest requires the Panel to make a recommendation to the Secretary of State that a Prohibition Order should be imposed with immediate effect.

The Panel then went on to consider whether or not it would be appropriate to recommend that a review period of the order should be considered. The Panel has been mindful that the advice given is that a Prohibition Order applies for life, but there may be circumstances in any given case that may make it appropriate for a review period of not less than two years to be recommended, in order for the teacher to apply to set aside the Order.

The Panel has a concern as to Ms Stock's lack of insight into actions which were likely to result in her being identified as the author of those actions. The Panel were concerned as to a lack of real remorse expressed by Ms Stock and her non-engagement in the regulatory process. The Panel, after some consideration and hesitation, consider that the lapse of time may cause Ms Stock to reflect on her actions and gain some insight into her actions. Witness A in his evidence indicated a number of strengths in relation to her teaching ability. Taking all of these matters into consideration the Panel recommend to the Secretary of State that a review should be allowed after a period of 4 years. The recommended period of review recognises that Ms Stock has not taught for a period of 2 years as far as the Panel is aware.

Decision and reasons on behalf of the Secretary of State

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

The panel have found a number of allegations proven relating to actions amounting to false representation and have judged that those actions proven were both misleading and dishonest. The panel have judged that the actions amount to unacceptable professional conduct and conduct that may bring the profession into disrepute.

In determining whether to recommend a prohibition order, the panel have considered both the public and teacher interests. Having found a number of public interest considerations relevant to this case, the panel have noted that Ms Stock did not engage with the process and therefore they have no mitigating factors from Ms Stock to consider.

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

In considering whether to recommend a review period the panel have noted Ms Stock's lack of engagement with the process and lack of insight into her behaviour. The panel did however hear evidence of a number of strengths in respect of her teaching ability. It appears that Ms Stock has not taught for two years and the panel are of the view that a further 4 years would provide sufficient time for Ms Stock to reflect upon her actions and gain some insight into her behaviour. I agree with their recommendation.

This means that Ms Rebecca Stock 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 18 February 2019, 4 years from the date of this order at the earliest. This is not an automatic right to have the prohibition order removed. If she does apply, a panel will meet to consider whether the prohibition order should be set aside. Without a successful application Ms Rebecca Stock remains prohibited from teaching indefinitely.

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

Ms Rebecca Stock 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.

NAME OF DECISION MAKER: Paul Heathcote

A handwritten signature in black ink, appearing to read 'P Heathcote', with a large, sweeping flourish at the end.

Date: 11 February 2015

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