



National College for
Teaching & Leadership

Ms Nerys Rollinson: Professional conduct panel outcome

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

January 2016

Contents

A. Introduction	3
B. Allegations	4
C. Preliminary applications	4
D. Summary of evidence	6
Documents	7
Witnesses	8
E. Decision and reasons	8
Panel's recommendation to the Secretary of State	13
Decision and reasons on behalf of the Secretary of State	15

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

Teacher: Ms Nerys Rollinson (aka Ms Nerys Roberts)
Teacher ref number: 9439098
Teacher date of birth: 28 February 1973
NCTL case reference: 0013530
Date of determination: 7 January 2016
Former employer: Vision for Education

A. Introduction

A professional conduct panel (“the panel”) of the National College for Teaching and Leadership (“the National College”) convened on 07 January 2016 at the Ramada Hotel & Suites Coventry, West Midlands CV1 3GG to consider the case of Ms Nerys Rollinson.

The panel members were Mr Luke Graham (teacher panellist – in the chair), Mr Steve Oliver (teacher panellist) and Ms Jean Carter (lay panellist).

The legal adviser to the panel was Ms Patricia D’Souza of Eversheds LLP.

The presenting officer for the National College was Ms Louisa Atkin of Browne Jacobson LLP.

Ms Nerys Rollinson (aka Ms Nerys Roberts)(referred to as Ms Rollinson throughout this decision) was not present and was not represented.

The hearing took place in public and was recorded.

B. Allegations

The panel considered the allegations set out in the Notice of Proceedings dated 27 October 2015 (as amended during the hearing, as set out below).

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

1. On 26th March 2013 she accepted a caution from West Yorkshire Police for the offence of making a false representation to make gain for herself or another or cause loss to another / expose other to risk on 30 August 2012 under sections 1(2)(a) and 2 of the Fraud Act 2006;
2. On 6th January 2015, whilst employed as a teacher at Netherhall Learning Campus via the Vision for Education agency she:
 - a. Presented a DBS certificate in her name to Vision for Education, knowing the same to be false; and
 - b. concealed the above caution in order to gain employment.
3. In doing 2(a) – (b) above, she acted dishonestly.

In the Response to Referral form included in the bundle Ms Rollinson has indicated that she admits the facts of similar allegations that were set out in the Notice of Referral dated 1 June 2015. However, Ms Rollinson has not completed the Notice of Proceedings form and has not indicated whether she admits the allegations set out in the Notice of Proceedings dated 27 October 2015. These allegations therefore have not been admitted.

C. Preliminary applications

The panel has considered whether this hearing should continue in the absence of Ms Rollinson.

The panel is satisfied that the National College has complied with the service requirements of paragraph 19 a to c of the Teachers' Disciplinary (England) Regulations 2012, (the "Regulations").

The panel is also satisfied that the Notice of Proceedings complies with paragraphs 4.11 and 4.12 of the Teacher Misconduct: Disciplinary Procedures for the Teaching Profession, (the "Procedures").

The panel has determined to exercise its discretion under Paragraph 4.29 of the Procedures to proceed with the hearing in the absence of the teacher.

The panel understands that its discretion to commence a hearing in the absence of the teacher has to be exercised with the utmost care and caution, and that its discretion is a severely constrained one.

In making its decision, the panel has noted that a teacher may waive his/her right to participate in the hearing. The panel has taken account of the various factors drawn to its attention from the case of *R v Jones* [2003] 1 AC1. The panel is satisfied that Ms Rollinson is aware of the proceedings as the Notice of Referral form dated 1 June 2015 was sent to her home address and the Notice of Referral form completed by Ms Rollinson was returned having been signed on 8 June 2015.

In addition, the Notice of Proceedings was sent to the same address as the Notice of Referral and Ms Rollinson did not indicate in the Notice of Referral form that her address had changed or was likely to change. The Notice of Proceedings is dated 27 October 2015 and therefore more than 8 weeks' notice has been given of the hearing date. In addition, a chaser letter dated 25 November 2015 was sent by the National College to Ms Rollinson and the presenting officer submitted additional documentary evidence (which the panel agreed to accept) that the National College requested confirmation of delivery of the letter of 25 November 2015 and pictorial proof of the door to which the letter was posted, was provided. This letter was posted on 26 November 2015 at 1.59pm.

Ms Rollinson indicated on the Notice of Referral form that she wished this matter to be considered without a hearing. The panel considers that Ms Rollinson has waived her right to be present at the hearing in the knowledge of when and where the hearing is taking place.

The panel has had regard to the requirement that it is only in rare and exceptional circumstances that a decision should be taken in favour of the hearing taking place. There is no indication that an adjournment might result in Ms Rollinson attending the hearing.

The panel has had regard to the extent of the disadvantage to Ms Rollinson in not being able to give her account of events, having regard to the nature of the evidence against her. The panel has the benefit of representations made by Ms Rollinson recorded in documents relating to the disciplinary investigation undertaken by Vision for Education and is able to ascertain the lines of defence. The panel has limited information relating to mitigation yet is able to take this into account at the relevant stage. The panel has noted that the witness relied upon by the presenting officer is to be called to give evidence. Furthermore the panel can test that evidence in questioning the witness, considering such points as are favourable to Ms Rollinson, as are reasonably available on the evidence. The panel has not identified any significant gaps in the documented evidence provided to it and should such gaps arise during the course of the hearing, the panel may

take such gaps into consideration in considering whether the hearing should be adjourned for such documents to become available and in considering whether the presenting officer has discharged the burden of proof. The panel is also able to exercise vigilance in making its decision, taking into account the degree of risk of the panel reaching the wrong decision as a result of not having heard Ms Rollinson's account.

The panel also notes that a witness is present at the hearing, who is prepared to give evidence. The panel considers it is unlikely that an adjournment would result in Ms Rollinson attending a future hearing and the public interest would not be served in doing so.

The panel has had regard to the seriousness of this case, and the potential consequences for Ms Rollinson and has accepted that fairness to Ms Rollinson is of prime importance. However, it considers that in light of Ms Rollinson's waiver of her right to appear; by taking such measures referred to above to address that unfairness insofar as is possible; and taking account of the inconvenience an adjournment would cause to the witness; that on balance, these are serious allegations and the public interest in this hearing proceeding within a reasonable time is in favour of this hearing continuing today.

In addition, the presenting officer made an application to amend the particulars of the stem of allegation 2 to change the name of the agency currently referred to as "Vision for Learning". The presenting officer considers there is little risk of prejudice to Ms Rollinson in making this application as it does not change the nature of the allegation. The presenting officer proposes to amend the words "Vision for Learning" to "Vision for Education".

The panel has the power to amend an allegation under rule 4.56 of the Procedures. This indicates that at any stage before making its decision about whether the facts of the case have been proved, the panel may amend the allegations if it deems this is in the interests of justice.

The presenting officer advised the panel that she sent email correspondence to Ms Rollinson on 06 January 2016 to the email address that Ms Rollinson had provided to the National College (in the Notice of Referral form), to notify her that the National College would seek to make this application today. No response was received from Ms Rollinson and the panel considered that Ms Rollinson had neither consented nor objected to the application sought by the presenting officer.

The panel considered that it is appropriate for it to amend the name of the agency referred to in the stem of allegation 2, as it does not change the nature or substance of the allegations, and is in fact a correction of a typographical error. Furthermore, the panel considered this amendment was necessary in light of the fact that allegation 2(a), as set

out in the Notice of Proceedings, refers to “Vision for Education”, and this amendment will ensure consistency in the wording of the allegations.

D. Summary of evidence

Documents

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

Section 1: Chronology and anonymised pupil list – pages 1 to 3

Section 2: Notice of Proceedings and Response – pages 4 to 12b

Section 3: National College’s witness statements – pages 13 to 17

Section 4: National College documents – pages 18 to 54

Section 5: Teacher documents – page 55.

The panel noted that paragraph 4.18 indicates that it may admit any evidence, where it is fair to do so, which may reasonably be considered to be relevant to the case. The panel considered it was appropriate to admit the additional documents set out below as they were relevant to service of the Notice of Proceedings. Therefore, the panel agreed to accept the following:

- An email from the presenting officer to Ms Rollinson dated 06 January 2016 – page 56
- An email sent to the National College relating to proof of postage dated 23 December 2015 – page 57
- An email from the National College requesting proof of postage dated 23 December 2015 – page 58
- Letter from the National College to Ms Rollinson dated 25 November 2015 – page 59.

The panel requested from the presenting officer a clearer copy of page 41 of the bundle, which is a copy of an original DBS certificate and this was provided by the National College and paginated as 41a.

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, a Director of Vision for Education agency called by the presenting officer.

E. Decision and reasons

The panel announced its decision and reasons as follows:

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

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

Ms Rollinson registered with the Vision for Education agency from 2011. From December 2014, Ms Rollinson was engaged to work at the Netherhall Learning Campus (“the school”) via the Vision for Education agency. On 6 January 2015, Ms Rollinson presented a DBS certificate to the school to be collected by Vision for Education. Upon receipt of the DBS certificate by Vision for Education an investigation was conducted in relation to the accuracy of the certificate. Following a disciplinary hearing on 28 January 2015, Ms Rollinson’s employment with Vision For Education was terminated for gross misconduct as a result of knowingly presenting a false DBS certificate.

Findings of fact

Our findings of fact are as follows:

The panel has found the following particulars of the allegations against you proven, for these reasons:

You are guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute, in that:

- 1. On 26th March 2013 you accepted a caution from West Yorkshire Police for the offence of making a false representation to make gain for yourself or another or cause loss to another / expose other to risk on 30 August 2012 under sections 1(2)(a) and 2 of the Fraud Act 2006.**

The panel had regard to the print-out from the Police National Computer included in the bundle. This states that Ms Rollinson received a caution on 26 March 2013 for making a false representation to make gain for self or another or cause loss to other / expose other to risk on 30 August 2012. Included in the print out is reference to the Fraud Act 2006, section 1(2)(a) and section 2. This allegation is therefore found proven.

- 2. On 6th January 2015, whilst employed as a teacher at Netherhall Learning Campus via the Vision for Education agency you:**

a. Presented a DBS certificate in your name to Vision for Education, knowing the same to be false; and

In her oral evidence, Witness A stated that Ms Rollinson had an old Criminal Record Bureau certificate, and it was necessary to obtain a new up-to-date Disclosure Barring Service (“DBS”) certificate directly from Ms Rollinson as only she would obtain this directly from the DBS. Vision for Education made frequent requests for Ms Rollinson to provide her DBS certificate but for whatever reason this was not provided. Therefore it was decided that a copy of the DBS Certificate would be picked up from Ms Rollinson by the branch manager of Vision for Education at the school to ensure that the DBS certificate was received.

Further, Witness A’s oral evidence was that the copy of the DBS certificate that was collected by the branch manager is included in the bundle at page 40. It was this document that was faxed to Witness A by the branch manager. In her statement, Witness A indicated that upon inspection it was obvious that the document received was a combination of two DBS certificates. The discrepancy was obvious because the certificate received from Ms Rollinson contained a reference to the ISA (Independent Safeguarding Authority) which is now obsolete.

The panel noted from the investigation report included in the bundle, that Witness A records that on inspection the DBS certificate provided by Ms Rollinson was the top half of a current DBS certificate and the bottom half of an old DBS certificate. In her oral evidence, she indicated that Ms Rollinson was asked to come into the office with the original of her current DBS certificate. This was substantially different from the copy that had been presented to Vision for Education previously and included information about the caution. When questioned by Vision for Education about this discrepancy, Ms Rollinson stated that the person in the school office had been scanning/photocopying several different DBS certificates and hers must have got mixed up with someone else’s to form one document and that was the reason for the copy certificate that was initially presented. The investigation report also reflects Ms Rollinson indicating that the DBS certificate was copied by staff at the school and the staff put it in the envelope for the branch manager to collect.

The information that Ms Rollinson is purported to have provided during the investigation conducted by Vision for Education agency appeared to contradict the content of a witness statement from Witness B, the administrative assistant at the school. Witness B stated that she was working on the reception desk on 6 January 2015 and Ms Rollinson came to the reception desk and gave her a sealed envelope which Ms Rollinson indicated would be collected by the branch manager of Vision for Education that day. The envelope was not moved during the day and the reception desk was manned all day. Witness B further states in her witness statement that the contents were not opened and the contents had not been photocopied by any staff members of the school. If such

photocopying had taken place it would have been noticed by staff members of the school as the photocopier is very visible.

The panel noted in an email from Ms Rollinson to Witness A that Ms Rollinson denies providing a false certificate to Vision for Education and that she had done nothing wrong.

The panel preferred the evidence of Witness A and Witness B, and considered the explanation provided by Ms Rollinson in the course of the disciplinary investigation to be wholly unconvincing and implausible. Therefore on the balance of probabilities this allegation is found proven.

b. concealed the above caution in order to gain employment

The panel noted from the letter notifying Ms Rollinson of the outcome of the disciplinary hearing included in the bundle, that Vision for Education found that Ms Rollinson had knowingly presented a false DBS certificate in her name. This letter does not refer to whether Ms Rollinson's intentions were to conceal the caution she received, which is referred to above in allegation 1.

However, the panel noted that during the investigation conducted by Vision for Education, Ms Rollinson presented her original DBS certificate which included reference to her caution and this information was missing from the copy certificate that had been left by Ms Rollinson in an envelope to be collected by the branch manager of Vision for Education.

Witness A stated in oral evidence that if a caution were revealed by a DBS check, then Vision for Education would notify a school at which a supply teacher would be placed, to determine whether the head teacher at the school was happy for that supply teacher to teach at the school.

In addition, Witness A stated that those registered by Vision for Education are asked to sign a declaration to disclose if they were subject to any criminal investigations and there is an expectation that cautions would be revealed. However, it may be that there is no express obligation on supply teachers to reveal this information to Vision for Education.

As referred to above under allegation 1, the panel considered that Ms Rollinson's explanation that there had been an administrative error which led to the inaccurate DBS certificate being provided to Vision for Education was implausible. The panel considered that on the balance of probabilities, it was more likely than not that Ms Rollinson intended to conceal the fact of her caution in order to be able to gain or continue employment as a supply teacher. The panel concluded that Ms Rollinson presented a false certificate in order to conceal her caution. This allegation is therefore found proven.

3. In doing 2(a) – (b) above, you acted dishonestly.

The legal advisor advised the panel that the relevant test for dishonesty was established by the case of R v Ghosh. In accordance with the Ghosh case, the first question the panel must ask itself is, were Ms Rollinson's actions in presenting a false DBS certificate dishonest by the standards of reasonable and honest persons. The case of Hussain v GMC from November 2014 updated the objective test so that the question the panel should ask itself was: whether according to the standard of reasonable and honest doctors, in that case, what was done dishonest. The corollary in these proceedings would be the standard of reasonable and honest teachers.

The legal advisor also advised the panel that if it considered that Ms Rollinson's actions were dishonest by those standards then, and only then, must the panel ask itself the second stage of the test, the subjective test. The panel has to consider whether Ms Rollinson must have known that what she did was dishonest by those standards, although a person should not escape a finding of dishonesty because she sets her own standards of dishonesty.

The panel found that the objective test was met. Safeguarding goes to the heart of the teaching profession and the panel considered that all honest and reasonable teachers recognise the need to maintain safeguarding protocols which include the provision of accurate and timely DBS certificates. Therefore all honest and reasonable teachers would consider that Ms Rollinson's actions were dishonest.

The panel also considered the subjective test was satisfied. The premeditated nature of Ms Rollinson actions and the complexity involved with falsifying a DBS certificate causes the panel to conclude on the balance of probabilities that Ms Rollinson knew that by the standards of reasonable and honest teachers her conduct would be considered dishonest.

The panel noted the letter from West Yorkshire Police included in the bundle which has been signed by Ms Rollinson. This contains a declaration which states that if she applies for "certain jobs, either paid or unpaid, and the organisation requires me to have a criminal records check via the Disclosure and Barring Service (DBS check), you will disclose this simple caution on a Standard or Enhanced Disclosure Certificate". The panel considers it is highly unlikely that Ms Rollinson would not have realised that tampering with the content of a DBS certificate was dishonest.

This allegation is found proven.

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

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

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

The panel is satisfied that the conduct of Ms Rollinson in relation to the facts found proven, involved breaches of the Teachers’ Standards. The panel considers that by reference to Part Two, Ms Rollinson 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;**
- 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.

The panel noted that Ms Rollinson only received a caution, not a conviction, for an offence under the Fraud Act (as referred to in allegation 1) and the circumstances of her caution, relating to a false representation in order to make gain for herself or another, was admitted by Ms Rollinson swiftly. This demonstrates that Ms Rollinson had some insight into her actions at that point. The panel paid particular regard to the circumstances surrounding the caution and in this light, the panel made no finding of unacceptable professional conduct or conduct which may bring the profession into disrepute in relation to allegation 1.

The panel considered whether Ms Rollinson’s conduct displayed behaviours associated with any of the offences listed on pages 8 and 9 of the Advice. The panel considered whether the offence of fraud or serious dishonesty was 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 considered that had Ms Rollinson attended this hearing, she would have been able to provide an explanation based on family circumstance. The panel also noted that the police issued a caution in relation to the offence referred to in allegation 1 which is not a conviction. This suggests to the panel that Ms Rollinson behaviour was less serious. Therefore the panel concluded that Ms Rollinson’s behaviour albeit associated with fraud did not amount to what the panel considers, the Advice intended to cover by the words “fraud” or “serious dishonesty”.

Nevertheless, the panel is satisfied that Ms Rollinson is guilty of unacceptable professional conduct. Safeguarding is a fundamental tenet of the teaching profession and the need to provide clear and accurate copies of DBS certificates is paramount. Presenting a false certificate that failed to accurately convey a caution that Ms Rollinson had received in the past, and acting dishonestly in this regard, fell significantly short of

the standards expected of a teacher. The panel found that the behaviour relating to allegations 2 to 3 amounted to unacceptable professional conduct.

The panel has also 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 presenting officer invited the panel to consider allegation 1 in the context of conduct that may bring the profession into disrepute rather than unacceptable professional conduct. The panel considered that the concealment of the fact of her caution and providing a false certificate, did constitute conduct that may bring the profession into disrepute.

Therefore the panel finds that Ms Rollinson's conduct amounts to both unacceptable professional conduct and 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 all of them to be relevant in this case, namely: the protection of pupils, the protection of other members of the public, the maintenance of public confidence in the profession and declaring and upholding proper standards of conduct.

In light of the panel's findings against Ms Rollinson, there is a strong public interest consideration in respect of the protection of pupils given the serious findings of presenting a false DBS certificate which did not contain details of the caution referred to in allegation 1.

Similarly, the panel considers that public confidence in the profession could be seriously weakened if conduct such as that found against Ms Rollinson 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 also present as the conduct found against Ms Rollinson 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 Ms Rollinson.

In carrying out the balancing exercise the panel has considered the public interest considerations both in favour of and against prohibition as well as the interests of Ms Rollinson. The panel took further account of the Advice, which suggests that a prohibition order may be appropriate if certain behaviours of a teacher have been proven. In the list of such behaviours, those that are relevant in this case are:

- serious departure from the personal and professional conduct elements of the Teachers' Standards;
- misconduct seriously affecting the education and/or well-being of pupils, and particularly where there is a continuing risk;
- dishonesty especially where there have been serious consequences, and/or it has been repeated and/or covered up;

Even though there were behaviours that would point to a prohibition order being appropriate, the panel went on to consider whether or not there were sufficient mitigating factors to militate against a prohibition order being an appropriate and proportionate measure to impose, particularly taking into account the nature and severity of the behaviour in this case. In light of the panel's findings, there was no evidence to suggest that Ms Rollinson's actions were not deliberate. There was also no evidence in the bundle or before the panel that indicated that Ms Rollinson was acting under duress and in fact the panel found Ms Rollinson's actions to be calculated and motivated in presenting a false DBS certificate.

There is no evidence in the bundle relating to her character other than Ms Rollinson's statement in her email to Vision For Education of 12 January 2015 that she had been a professional and outstanding teacher at every school she had provided cover for and she had been asked back to schools and booked for long term contracts on many occasions. The panel noted that no references have been provided from any colleagues that can attest to her abilities as a teacher.

Witness A stated in oral evidence that Vision for Education received no complaints about Ms Rollinson's performance or conduct during placement at schools. She also stated that schools continued to request her as a supply teacher. Therefore the panel concluded that there was evidence that Ms Rollinson was of previous good teaching history.

The presenting officer confirmed to the panel that there are no previous disciplinary orders imposed by the Secretary of State relating to Ms Rollinson.

Taking all of the above into account, the panel is of the view that prohibition is both proportionate and appropriate. The panel has decided that the public interest considerations outweigh the interests of Ms Rollinson. Deliberately taking action to conceal her caution 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 was mindful that the Advice advises that a prohibition order applies for life, but there may be circumstances in any given case that may make it appropriate to allow a teacher to apply to have the prohibition order reviewed after a specified period of time that may not be less than 2 years.

The panel has found that Ms Rollinson has been responsible for presenting a false DBS certificate that concealed her caution for the offence referred to in allegation 1. Furthermore, the panel considers that Ms Rollinson's dishonesty had serious consequences, in that she produced a false DBS certificate which would have had serious implications for any schools she worked in, in terms of safeguarding. In addition, her dishonesty was repeated and/or covered up when she provided an implausible explanation and suggested other staff at the school were responsible.

However, the panel considered that the fact that Ms Rollinson admitted the allegations set out in the Notice of Referral form dated 1 June 2015 (albeit these differed slightly to the allegations in the Notice of Proceedings), shows that Ms Rollinson has gained some recognition of her actions and that what she did was contrary to the Teachers' Standards. In light of this, the panel considered that Ms Rollinson may in the future develop sufficient insight into her actions that would render it appropriate for her to be permitted to make an application to be restored to the teaching profession.

As a result the panel considered its findings indicated a situation in which a review period would be appropriate. The panel deliberated for some time about the appropriate length of a review period and considered that on balance, it would be proportionate in all the circumstances for the prohibition order to be recommended with provision for a review period of not less than five years.

Decision and reasons on behalf of the Secretary of State

I have given careful consideration to the findings and recommendations of the panel in this case. The panel has found all the allegations proven and judge that the facts amount to unacceptable professional conduct and conduct that may bring the profession into disrepute.

Ms Rollinson knowingly presented a false DBS certificate to her employer. Safeguarding is a fundamental tenet of the teaching profession and the need to provide clear and accurate copies of DBS certificates is paramount.

The panel was of a view that there was a strong public interest consideration in respect of the protection of pupils given the serious findings of presenting a false certificate.

There was no evidence to suggest that Ms Rollinson's actions were not deliberate, nor that Ms Rollinson was acting under duress. In fact the panel found Ms Rollinson's actions to be calculated and motivated in presenting a false DBS certificate. I agree with the panel that public confidence in the profession could be seriously weakened if Ms Rollinson's conduct were not treated with the utmost seriousness. For these reasons, I agree that prohibition is both proportionate and appropriate, and that the public interest considerations outweigh the interests of Ms Rollinson.

I have considered the matter of a review period. Ms Rollinson's dishonesty had serious consequences in terms of safeguarding, and her dishonesty was repeated and/or covered up. However, the panel considered that Ms Rollinson had gained some recognition of her actions, and may in the future develop sufficient insight into these actions which would permit her to make an application to be restored to the teaching profession.

I agree with the panel's recommendation for a review period of five years.

This means that Ms Nerys Rollinson 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 19 January 2021, 5 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 Rollinson remains prohibited from teaching indefinitely.

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

Ms Rollinson 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: Jayne Millions

Date: 12 January 2016

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