



National College for  
Teaching & Leadership

# **Mr Edward Campbell: Professional conduct panel outcome**

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

**June 2016**

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

**Teacher:** Mr Edward Campbell  
**Teacher ref number:** 6316519  
**Teacher date of birth:** 20 May 1945  
**NCTL case reference:** 14544  
**Date of determination:** 6 June 2016  
**Former employer:** St William of York RC, Bolton

### **A. Introduction**

A professional conduct panel (“the panel”) of the National College for Teaching and Leadership (“the National College”) convened on 6 June 2016 at 53 to 55 Butts Road, Earlsdon Park, Coventry CV1 3BH to consider the case of Mr Campbell.

The panel members were Mrs Alison Walsh (teacher panellist), Mr Martin Pilkington (lay panellist– in the chair) and Ms Gill Tomlinson (lay panellist).

The legal adviser to the panel was Mr Tanwyn James of Blake Morgan LLP Solicitors.

As this was a meeting, the parties were not present.

The meeting took place in private, save for the announcement of the panel's decision, which was announced in public and recorded.



Section 3: Statement of agreed facts and presenting officer representations pages 11 to 15

Section 4: NCTL documents pages 16 to 69

Section 5: Teacher documents pages 70 to 73

The panel members confirmed that they had read all of the documents in advance of the hearing, although the document numbered 13 in the bundle, a CD of Mr Campbell's interview with the Police was not available to the panel.

## **Witnesses**

The matter was convened as a meeting and no oral evidence was heard.

## **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.

Mr Campbell was employed as the headteacher of St William of York R C School (hereafter "the School") in Bolton from September 1986 until March 2002.

On 21 December 2001 Pupil A, who was a former pupil of the school, attended the School and met with several members of staff including Mr Campbell. Pupil A, a female, was a pupil at the School until she was 11 years old and was 14 years old at the time of the visit on 21 December 2001. During Pupil A's visit Mr Campbell went behind the stage with Pupil A and took out a Christmas card which she had sent him. Mr Campbell asked Pupil A where the kiss was on the card and he proceeded to kiss Pupil A twice on the lips and once on the cheek. Pupil A pulled away and he apologised for his behaviour.

Pupil A informed her family about what happened and the School was also told. Mr Campbell was suspended by the School and subsequently resigned. The Police were notified of the incident but it is understood that the family did not wish to make a formal complaint at that time.

In 2014 Pupil A made a complaint to the Police regarding the matter. Mr Campbell was then interviewed by the Police regarding his conduct with Pupil A on 21 December 2001. Mr Campbell admitted the offence of indecent assault on a female under 16 contrary to Section 14 of the Sexual Offences Act 1956 due to his behaviour on 21 December 2001 and agreed to be cautioned.

## Findings of fact

Our findings of fact are as follows:

The panel has found the following particulars of the allegation against Mr Campbell proven, for these reasons:

**On 15 January 2015 you accepted a caution from Greater Manchester Police for the offence of indecent assault on a female under 16 on 21 December 2001 contrary to Section 14 of the Sexual Offences Act 1956.**

Mr Campbell admitted this allegation in the Statement of Agreed Facts signed by him and dated 24 February 2016 (pages 12 to 13). A copy of Mr Campbell's PNC record (pages 38 to 40 of the bundle) also records the fact of this caution.

The panel was therefore satisfied that this allegation was proven.

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

Having found the allegation to have been proven, the panel went on to consider whether the facts of the proven allegation amounted to unacceptable professional conduct and/or conduct that may bring the profession into disrepute.

Mr Campbell has admitted in the Statement of Agreed Facts that his behaviour amounted to unacceptable professional conduct.

The panel was satisfied that Mr Campbell's conduct in indecently assaulting Pupil A was misconduct of a serious nature, falling significantly short of the standards of behaviour expected of a teacher. The panel has had regard to the document Teacher Misconduct: The Prohibition of Teachers ("the Advice").

The panel was satisfied that the conduct of Mr Campbell in relation to the facts found proven, involved breaches of the Teachers' Standards. The panel considered that, by reference to Part Two, Mr Campbell 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;

In the panel's view, Mr Campbell had clearly failed to uphold public trust in the profession and maintain high standards of behaviour. He had failed to treat Pupil A with dignity and

maintain proper boundaries. There was a clear disregard for safeguarding pupil A's well-being. The panel notes that Mr Campbell was fully aware that Pupil A had difficulties in relating to her peers and mixing with her fellow pupils. He knew this because she had sought assistance from him with these issues.

The panel is satisfied that the conduct of Mr Campbell fell significantly short of the standards expected of the profession.

The panel has also considered whether Mr Campbell'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. Accordingly, the panel is satisfied that Mr Campbell is guilty of unacceptable professional conduct.

The panel also considered the allegation of conduct that may bring the profession into disrepute. 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.

In the circumstances the panel was satisfied that Mr Campbell's actions also constituted 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 a 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 from conduct such as that found against Mr Campbell

- public confidence in the profession could be seriously weakened if conduct such as that found against Mr Campbell is not treated with the utmost seriousness when regulating the conduct of the profession; and
- there is also a strong public interest consideration in declaring proper standards of conduct in the profession. Mr Campbell's conduct was outside that which could be reasonably tolerated.

The panel's findings against Mr Campbell involved him kissing Pupil A, a 14 year old female and a former pupil, on 21 December 2001. In 2014 following a complaint from Pupil A, Mr Campbell accepted a caution for indecent assault. Mr Campbell has admitted the allegation that he faced in these proceedings and also that he was guilty of unacceptable professional conduct and of conduct that may bring the profession into disrepute.

In the light of these findings the panel decided that there is a strong public interest consideration in respect of the protection of pupils. The panel found there was a breach of trust and that Mr Campbell had not only abused his position but as a headteacher he should have been above reproach and it was a serious departure from the required professional standards.

Similarly, the panel considers that public confidence in the profession could be weakened if conduct such as that found against Mr Campbell 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 Mr Campbell 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 Campbell.

The panel noted that Mr Campbell's conduct had been brought to the attention of the Teachers' Misconduct Team in 2002 and that this resulted in Mr Campbell being warned about his conduct. The panel notes that in 2002 the admitted conduct concerned an attempt to kiss Pupil A in a "continental style" on her cheeks and that this resulted in their lips brushing as she moved away. However, the conduct admitted and before the panel today involved Mr Campbell asking Pupil A where the kiss was on the Christmas card that she had given him and his proceeding to kiss Pupil A twice on the lips and once on the cheek. Furthermore, in 2014 Pupil A pursued a formal complaint to the Police. As a result Mr Campbell admitted the offence of indecent assault on a female under the age of 16 years contrary to s.14 of the Sexual Offences Act 1956 for which he was cautioned.



In carrying out the balancing exercise the panel has looked at the public interest considerations both in favour of and against prohibition as well as the interests of Mr Campbell. 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;
- abuse of position or trust (particularly involving vulnerable pupils) or violation of the rights of pupils;
- 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 commission of a serious criminal offence, including those that resulted in a conviction or caution, paying particular attention to offences that are 'relevant matters' for the purposes of The Police Act 1997 and criminal record disclosures.

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.

The panel noted in mitigation that: Mr Campbell did have a previously good history having worked in education for 35 years; he has done some work since 2002 as a supply teacher and an invigilator and there have been no further allegations of misconduct since the allegation before the panel today. The panel also noted Mr Campbell's comments regarding his age and health, his responsibilities as his disabled wife's carer and that he does not intend to work again.

However, the panel believes that the teacher's actions were deliberate. Mr Campbell accepts that he asked Pupil A where the kiss was on the card and he proceeded to kiss Pupil A twice on the lips and once on the cheek.

The panel is of the view that prohibition is both proportionate and appropriate. The panel has decided that the public interest considerations, as set out above, outweigh the interests of Mr Campbell. 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. One of these behaviours includes serious sexual misconduct. The panel has found that Mr Campbell has admitted kissing a former pupil in December 2001. This resulted in him accepting a caution for indecent assault in January 2015.

The panel notes that Mr Campbell recognised that his actions were wrong and fell well below the expected standards. The panel has no evidence that he has demonstrated insight into his behaviour, particularly in relation to the potential harm caused or vulnerability of the pupil. However the panel believes that a review period would allow him time to reflect on the consequences of his conduct.

The panel felt the findings indicated a situation in which a review period would be appropriate. As such, the panel decided that it would be proportionate in all the circumstances for a prohibition order to be recommended with a provision that Mr Campbell should be allowed to have the prohibition order reviewed after three years.

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

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

The panel has found the allegation proven, and that Mr Campbell's conduct amounts to unacceptable professional conduct, and conduct that may bring the profession into disrepute.

The panel is satisfied that the conduct of Mr Campbell involved breaches of the Teachers' Standards.

I have considered the public interest considerations. There are a number of relevant public interest considerations in this case, namely: the protection of pupils; the maintenance of public confidence in the profession; and declaring and upholding proper standards of conduct.

In the light of the panel's findings against Mr Campbell, which involved him kissing Pupil A, a 14 year old female and a former pupil, and accepting a caution for indecent assault, there is a strong public interest consideration.

I have taken into account the need to balance the public interest with the interests of the teacher. I note that the panel, in mitigation, considered that Mr Campbell did have a previously good history having worked in education for 35 years; he has done some work since 2002 as a supply teacher and an invigilator and there have been no further

allegations of misconduct since the allegation. I also note that the panel considered Mr Campbell's comments regarding his age and health, his responsibilities as his disabled wife's carer and that he does not intend to work again. However, I note the panel believes that Mr Campbell's actions were deliberate. Mr Campbell accepts that he asked Pupil A where the kiss was on the card and he proceeded to kiss Pupil A twice on the lips and once on the cheek.

The panel has decided that the public interest considerations outweigh the interests of Mr Campbell. The panel is of the view that prohibition is both proportionate and appropriate.

For the reasons set out above, I agree with the panel's view that prohibition is both proportionate and appropriate.

I now turn to the matter of a review period.

I note that the panel have considered the Advice, which indicates that there are behaviours that, if proven, would militate against a review period being recommended. One of these behaviours includes serious sexual misconduct. The panel has found that Mr Campbell has admitted kissing a former pupil in December 2001. This resulted in him accepting a caution for indecent assault in January 2015.

The panel notes that Mr Campbell recognised that his actions were wrong and fell well below the expected standards. However I note that the panel believes that a review period would allow him time to reflect on the consequences of his conduct.

I agree with the panel's view that an appropriate period of any review would be three years.

**This means that Mr Edward Campbell is prohibited from teaching indefinitely and cannot teach in any school, sixth form college, relevant youth accommodation or children's home in England.** He may apply for the prohibition order to be set aside, but not until 16 June 2019, three years from the date of this order at the earliest. This is not an automatic right to have the prohibition order removed. If he does apply, a panel will meet to consider whether the prohibition order should be set aside. Without a successful application, Mr Campbell remains prohibited from teaching indefinitely.



**Decision maker: Jayne Millions**

**Date: 9 June 2016**

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