



National College for
Teaching & Leadership

Mr Reece David Entwistle Professional conduct panel outcome

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

June 2015

Contents

A. Introduction	3
B. Allegations	4
C. Preliminary applications	4
D. Summary of evidence	5
Documents	5
Witnesses	5
E. Decision and reasons	6
Panel's recommendation to the Secretary of State	10
Decision and reasons on behalf of the Secretary of State	11

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

Teacher:	Mr Reece David Entwistle
Teacher ref no:	0444632
Teacher date of birth:	28 May 1980
NCTL case ref no:	12049
Date of determination:	18 June 2015
Former employer:	School A, Greater Manchester

A. Introduction

A professional conduct panel (“the panel”) of the National College for Teaching and Leadership (“the National College”) convened on 17 and 18 June 2015 at 53 to 55 Butts Road, Earlsdon Park, Coventry CV1 3BH to consider the case of Mr Reece David Entwistle.

The panel members were Mr Martin Pilkington (lay panellist – in the chair), Ms Mick Levens (teacher panellist) and Mr Michael Simon (lay panellist).

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

The presenting officer for the National College was Ms Lucy Coulson of Browne Jacobson solicitors, Nottingham.

Mr Reece David Entwistle was not present and was not represented.

The hearing took place in public (other than a short period when the panel went into private session) and was recorded.

B. Allegations

The panel considered the allegations set out in the Notice of Proceedings dated 20 March 2015.

It was alleged that Mr Reece David Entwistle was guilty of unacceptable professional conduct in that:

Whilst employed at School A he:

1. Had an inappropriate relationship with Pupil A, a 15 year old pupil, between November and December 2012, including:
 - (a) communicating with Pupil A online via Skype;
 - (b) exchanging text messages with Pupil A;
 - (c) sending Pupil A one or more images (as amended at the commencement of the hearing);
 - (d) meeting Pupil A outside of school including:
 - (i) at the Trafford Centre;
 - (ii) in his car near Farnworth.
 - (e) kissing Pupil A;
 - (i) at the Trafford Centre;
 - (ii) in his car near Farnworth;
 - (iii) at School A on one occasion or more.
2. And in doing so above his conduct was sexually motivated.

The teacher indicated in a written response to the Notice of Referral that he did not admit the facts of the case.

C. Preliminary applications

Mr Entwistle did not attend the hearing. In his absence the presenting officer applied for the case to proceed. The panel was satisfied that the notice of proceedings had been served in accordance with the disciplinary rules of procedure. The panel was told that Mr Entwistle had not engaged at all in the preparation and lead up to the hearing other than to submit his response to the notice of referral form on 26 October 2014 where he indicated that he wanted the allegations to be considered with a hearing. Since then he

had not responded to the notice of proceedings or other communications sent to him by the presenting officer and the National College. The panel concluded that he had effectively waived his right to be present and directed that the case should proceed.

The presenting officer applied for particular 1 to be amended so that it read 1(c) – sending Pupil A one or more images. The application was granted by the panel as Mr Entwistle had been served with notice that this application would be made but had not responded to it.

D. Summary of evidence

Documents

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

Section 1 – Anonymised pupil list and chronology, pages 2 – 4

Section 2 – Notice of proceedings and response, pages 6 – 11

Section 3 – National College for Teaching and Leadership witness statements, pages 13 – 41

Section 4 – National College for Teaching and Leadership documents, pages 43 – 279

Section 5 – Teacher documents, pages 281 – 282

Section 6 – Additional National College for Teaching and Leadership documents, pages 283 - 409

In addition the panel agreed to accept further documents submitted by the presenting officer relating to Pupil A's decision not to attend the hearing to give evidence and an application to amend particular 1c. These further documents were numbered 410 to 415.

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 witnesses called by the presenting officer:

1. Teacher B – headteacher
2. Witness A – police officer

In the absence of Pupil A, who had declined to give evidence in person, the panel considered whether her written statements included in the case papers should be admissible. After considering submissions made by the presenting officer, the panel decided that the statements should be admitted as it was fair to do so and her evidence was relevant to the issues in the case.

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.

This case concerns an allegation of unacceptable professional conduct based on Mr Entwistle's relationship with a female student – Pupil A. Pupil A is said to have been a vulnerable student who at the time of the events covered by this case was aged 15. (In November 2012 [redacted]. Shortly after [redacted] it is alleged that she had a conversation with Mr Entwistle and he gave her his personal phone number. He told her that she should not tell anyone that he had given her his number and that if they spoke or texted each other that she should delete records of that contact straight away. Thereafter it is alleged that they started to text each other every day and that Mr Entwistle also added her on Skype. He disclosed to her details of his relationship with his wife and over a period of several weeks they constantly texted each other such that records showed several thousand texts passing between the teacher and pupil.

It is alleged that on one occasion they met at the Trafford Centre by arrangement on a weekend. Mr Entwistle took Pupil A to his car where she says that they kissed and Mr Entwistle told Pupil A that he loved her and he was going to leave his wife. Pupil A says that they had kissed on previous occasions in school. She alleges that he told her that he wanted to have sex with her. On another occasion Pupil A says she met Mr Entwistle out of school in Farnworth where again he kissed her in his car.

Pupil A further alleges that Mr Entwistle sent some pictures of himself to her.

In December 2012 Mr Entwistle was suspended from school and in due course resigned his position. He was also interviewed during the course of a criminal investigation by the police where he denied any criminal conduct. He was charged with criminal offences covering this relationship and pleaded not guilty. When his case came for trial the Crown Prosecution Service offered no evidence as Pupil A was unwilling to testify.

As far as Mr Entwistle's response to the particulars of the allegation in this case is concerned, the panel has seen a copy of his interviews with the police and interview in

the course of the school's internal investigation. The panel also has a copy of his response to the notice of referral in which he indicates that he denies the allegations.

Findings of fact

Our findings of fact are as follows:

We have found the following particulars of the allegations against Reece David Entwistle proven, for these reasons:

1. Had an inappropriate relationship with Pupil A, a 15 year old pupil, between November and December 2012, including:

(a) communicating with Pupil A online via Skype;

This particular is admitted by Mr Entwistle in the course of his police interview under caution on 28 January 2013 when he was accompanied by a solicitor. He says at page 117 that he signed up for an account on Skype and that "I essentially signed up for that and got it on my phone in order to be able to try and send her (Pupil A) a message to say 'Look I need to see you urgently' but that ... I didn't follow the proper procedure at all in that respect and I can't deny that."

Later on at page 118 he accepts "two instances of Skype video chat" in the same caution interview and later reaffirms this admission when he says "there's only been two instances of actually using Skype that I can think of both been around tea time I think. One on a Saturday and I can't remember the dates unfortunately, but I know it was a Saturday ... and one on a weekday after school."

We are satisfied that these answers made under caution are clear admissions made by Mr Entwistle and they are consistent with the account given by Pupil A in her witness statement to the police at page 16 of the case papers where she says that "he also added me on Skype but we only chatted a couple of times on that."

(b) exchanging text messages with Pupil A;

In the same police interview under caution Mr Entwistle admits texting Pupil A "quite frequently". When questioned further by the interviewing officer he accepts texting "into the hundreds I would possibly say over the period of ... possibly approaching ... I don't know, a thousand perhaps. It's very difficult to keep track of that, frequent, very frequent I would say." (pages 118 and 119)

We have also seen the printouts in the case papers which record the findings made on examination of the phone records of Pupil A. These printouts satisfy us that the number of text messages passing between the teacher and Pupil A in the period November to December 2012 was very significantly in excess of 1,000 in total. This evidence accords with Pupil A's account that "we were constantly texting each other". (page 16)

(c) sending Pupil A one or more images;

Mr Entwistle admits this particular in the police caution interview as recorded at page 122 where he says that because Pupil A missed seeing him, and at her request, he sent her 2 photographs which were facial shots.

We are further satisfied that these particulars taken together constitute a relationship between teacher and pupil which was inappropriate as alleged. In making that determination we have looked at the cumulative effect of the different forms of contact between Mr Entwistle and Pupil A and the sustained contact with Pupil A over this period. We accept there is no evidence as to the content of the text messages passing between them in November and December 2012. However we conclude that their volume, frequency and the timing of many of the texts (sent out of school time) are sufficient to satisfy us, to the requisite standard, that this was an inappropriate relationship between a member of the profession and a vulnerable pupil less than half his age. The isolated contacts by Skype and the sending of photographs to Pupil A are an integral part of that inappropriate relationship and constitute a breach of fundamental safeguarding principles.

2. In doing so above his conduct was sexually motivated.

We are satisfied that in relation to the particulars we have found proved that the teacher's conduct was sexually motivated. We have already noted the inappropriate relationship via text messages, contact via Skype and the sending of facial pictures to Pupil A. We also note that in the course of his second caution interview with the police on 18 April 2013 Mr Entwistle acknowledges that he asked Pupil A to lie about the text messages and advised her to delete everything from her phone and to lie to the police (page 183).

Earlier in the same interview he said that he thought she admitted that "she had a crush on me and I told her that I thought about her quite fondly, but I don't have any sort of feelings towards her in that respect, No" (page 173). However in an exchange on Skype recorded at page 204 of the case papers Pupil A messages Mr Entwistle saying "I love you." He responds "I love you too." That exchange of messages occurred on 5 January 2013 after he had been suspended and provides strong evidence of both his willingness to perpetuate this relationship despite the ongoing investigation and also his motivation. Two days later on the same printout record he is recorded as sending a further message – "call me when the coast is clear."

At page 178 of the same police caution interview Mr Entwistle accepts that he discussed with Pupil A the state of his marriage.

We are satisfied on the balance of probabilities that Mr Entwistle's conduct was sexually motivated. In reaching this conclusion we have relied upon the following factors – the disclosure of his mobile phone number; the volume and frequency of text messages; the Skype contact; the request to Pupil A that she should lie (to both the school and the

police) and delete the messages on her phone; the continuation of contact with her after he had been suspended and in the face of very clear advice; and, especially, the intimate messages passing between him and Pupil A on Skype in early January 2013.

The panel noted Mr Entwistle's explanation, given in his police interviews, for his conduct towards Pupil A that he was providing her with emotional support. The panel rejected this.

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

1. **(d) meeting Pupil A outside of school including:**
 - (i) at the Trafford Centre;**
 - (ii) in his car near Farnworth.**
- (e) kissing Pupil A;**
 - (i) at the Trafford Centre;**
 - (ii) in his car near Farnworth;**
 - (iii) at School A on one occasion or more.**

The National College's case on these particulars relies entirely on the written witness statement of Pupil A. As Pupil A declined to attend this hearing we have not been afforded the opportunity to see and assess her or test her evidence by questioning. The presenting officer relies on her written statement alone to substantiate these very serious particulars. As we have not had the opportunity to judge Pupil A's credibility first-hand and there is no corroboration from any other source in relation to them – which it is clear from his caution interviews with the police that Mr Entwistle denies – we do not find these particulars to be proved.

Findings as to unacceptable professional conduct

Unacceptable professional conduct is misconduct of a serious nature falling significantly short of the standard of behaviour expected of a teacher.

We judge that this is a very serious case. It involves a flagrant disregard for the professional boundaries that must attend the teacher/ pupil relationship and a gross breach of trust towards Pupil A. Mr Entwistle's conduct is aggravated by the fact that he knew Pupil A was a vulnerable pupil [redacted].

We are satisfied from the evidence of Teacher B that Mr Entwistle had received annual training in safeguarding and would have been well aware of his professional responsibilities towards all his pupils. His responses in his interviews with the police

clearly establish that he knew that he was acting towards Pupil A in breach of those principles.

He had been warned by Teacher B within the school to be careful about his relationship with Pupil A yet he continued his inappropriate contact with her, despite the clear advice he had been given both orally and in writing. Even after he had been suspended pending the outcome of the school and police investigation he continued to contact Pupil A and urged her to lie about their relationship and to delete from her phone the text messages that had passed between them.

We have found proved the very serious particular that his conduct was sexually motivated and we are satisfied that this is a case of unacceptable professional conduct which brings the reputation of the profession into disrepute.

Panel's recommendation to the Secretary of State

We have said that this is a serious case and set out above the aggravating features. We recognise that prohibition orders are imposed in the public interest which includes:

- The protection of pupils and other members of the public
- The maintenance of public confidence in the profession
- Declaring and upholding proper standards of conduct

In this case we consider that all 3 limbs of the public interest are engaged by Mr Entwistle's misconduct. He has not attended the hearing and our consideration of the case papers and the evidence relied upon by the National College discloses no mitigation.

Mr Entwistle has behaved in a way which in our view renders the imposition of a prohibition order inevitable. The conduct found proved in this case is in the panel's view incompatible with his continued membership of the teaching profession. We are satisfied that he encouraged Pupil A to lie to the school and to the police during the course of the investigations. There is no evidence that he has any insight into the gravity of his misconduct, its damaging impact on a very vulnerable pupil half his age or the way his conduct would be viewed by members of the public. There is clear evidence that he continued to contact pupil A after he had been suspended and that he sought to involve her in concealing his unacceptable conduct towards her. We conclude therefore that this is a case of serious sexual misconduct.

In addition the panel noted, with concern, in the case papers a witness statement from a former police officer at page 220 in relation to contact that he had with Mr Entwistle in 2011 during the course of an investigation into another person. He says in that statement that he had a brief discussion with Mr Entwistle about the dangers of the latter's inappropriate social media contact with pupils. This, taken together with Mr Entwistle's

persistence in his relationship with Pupil A, leads the panel to conclude that there is evidence of a deep seated attitude leading to harmful behaviour.

In this case the panel determines that Mr Entwistle used his professional position to foster a sexually motivated relationship with Pupil A. As such we recommend that there should be a prohibition order with no review period.

Decision and reasons on behalf of the Secretary of State

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

In this case the panel have found that the facts proven against Mr Entwistle amount to unacceptable professional conduct. This is a very serious case. It involves a flagrant disregard for the professional boundaries that must attend the teacher/pupil relationship and a gross breach of trust towards Pupil A. Mr Entwistle's conduct is aggravated by the fact that he knew Pupil A was a vulnerable pupil.

Mr Entwistle had received regular training in safeguarding and in addition had been specifically warned about his behaviour in respect of this pupil. Even after he had been suspended pending the outcome of the school and police investigation he continued to contact Pupil A and urged her to lie about their relationship and to delete from her phone the text messages that had passed between them.

Indeed, the conduct found proved in this case is wholly incompatible with Mr Entwistle continuing to be able to teach. I am satisfied that he encouraged Pupil A to lie to the school and to the police during the course of the investigations. There is no evidence that he has any insight into the gravity of his misconduct, its damaging impact on a very vulnerable pupil half his age or the way his conduct would be viewed by members of the public. There is also clear evidence that he continued to contact pupil A after he had been suspended and that he sought to involve her in concealing his unacceptable conduct towards her. This is a clear case of serious sexual misconduct.

I have nonetheless considered the need to weigh the public interest and the interests of Mr Entwistle. I have also taken into account the need to be proportionate. I have concluded that I support the recommendation of the panel that Mr Entwistle should be prohibited from teaching.

I have gone on to consider the matter of a review period.

It is clear from the recommendation made by the panel that Mr Entwistle persisted in his relationship with Pupil A, despite advice and warnings. They conclude that that there is evidence of a deep seated attitude leading to harmful behaviour. Moreover, the panel has also determined that Mr Entwistle used his professional position to foster a sexually motivated relationship with Pupil A.

I therefore support the recommendation made by the panel that in this case there should be no review period.

This means that Mr Reece David Entwistle 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 Reece David Entwistle 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 Reece David Entwistle has a right of appeal to the Queen's Bench Division of the High Court within 28 days from the date he is given notice of this order.

NAME OF DECISION MAKER: Alan Meyrick

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

Date: 19 June 2015

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