



National College for  
Teaching & Leadership

# **Mr Simon Pringle: Professional conduct panel outcome**

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

**January 2017**

## Contents

|  |    |
|--|----|
| A. Introduction  | 3  |
| B. Allegations   | 3  |
| C. Preliminary applications                              | 4  |
| D. Summary of evidence                                   | 5  |
| Documents  | 6  |
| Witnesses  | 7  |
| E. Decision and reasons                                  | 7  |
| Panel's recommendation to the Secretary of State         | 11 |
| Decision and reasons on behalf of the Secretary of State | 13 |

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

|                               |   |
|-------------------------------|---|
| <b>Teacher:</b>               | Mr Simon Pringle                          |
| <b>Teacher ref number:</b>    | 8074775                                   |
| <b>Teacher date of birth:</b> | 17 April 1958                             |
| <b>NCTL case reference:</b>   | 14772                                     |
| <b>Date of determination:</b> | 26 January 2017                           |
| <b>Former employer:</b>       | Brinsworth Manor Junior School, Rotherham |

### **A. Introduction**

A professional conduct panel (“the panel”) of the National College for Teaching and Leadership (“the National College”) convened on 24 to 26 January 2017 at Ramada Hotel and Suites, Coventry, CV1 3GG to consider the case of Mr Simon Pringle.

The panel members were Ms Jean Carter (lay panellist – in the chair), Dr Rob Cawley (teacher panellist) and Mr Alex Osiatynski (teacher panellist).

The legal adviser to the panel was Mrs Harpreet Marok of Eversheds LLP.

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

Mr Simon Pringle was not present but was represented by Ms Lisa Hancox of St Phillips Chambers.

The hearing took place in public and was recorded.

### **B. Allegations**

The panel considered the allegations set out in the Notice of Proceedings dated 16 November 2016.

It was alleged that Mr Simon Pringle was guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute in that whilst employed as headteacher at Brinsworth Manor Junior School, Rotherham between 26/04/2011-30/09/2015 he:

1. Prepared and/or instructed staff to prepare false information, including:

- a. Information regarding student progress;
  - b. Lesson observation feedback;
2. Presented one or more items as described in Allegation 1 above to external visitors;
  3. Failed to address staff concerns about false information on one or more occasions;
  4. In doing so as in Allegation 1, 2 and/or 3 above he was dishonest.

The above allegations are admitted in part.

## **C. Preliminary applications**

### Application to proceed in the absence of the teacher

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

The panel is satisfied that the National College has complied with the service requirements of paragraph 19.a. to 19.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 Mr Pringle.

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 Mr Pringle may waive his 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. Mr Pringle has responded to the Notice of Proceedings, in which he has expressed that he will be legally represented at the hearing. Therefore the panel considered that Mr Pringle has voluntarily absented himself from 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 Mr Pringle attending the hearing. Mr Pringle's legal representative has indicated that she is able to obtain instructions from him throughout the course of the hearing.

The panel has had regard to the extent of the disadvantage to Mr Pringle in not being able to give his account of events, having regard to the nature of the evidence against him. The panel has the benefit of Mr Pringle's legal representative and is therefore able to ascertain the lines of defence. 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 the teacher's account.

The panel also notes that there are four witnesses present at the hearing, who are prepared to give evidence, and that it would be inconvenient for them to return again.

The panel has had regard to the seriousness of this case, and the potential consequences for the teacher and has accepted that fairness to the teacher is of prime importance. However, it considers that in light of Mr Pringle's waiver of his 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 witnesses; 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.

#### Application to admit additional documents

The panel considered whether to admit the following additional documents:

1. Statement of Agreed and Disputed Facts;
2. Letter from doctor of Individual A dated 18 January 2017;
3. Supplementary Witness Statement of Mr Simon Pringle dated 20 January 2017;  
and
4. Further Witness Statement of Mr Simon Pringle dated 23 January 2017.

These documents had not been submitted in accordance with Paragraph 4.20 of the Procedures which requires each party to submit to the panel and the other party to the proceedings, a copy of the document at least four weeks prior to the hearing. Despite this neither the presenting officer, nor the teacher, through his legal representative, had any objections to the additional documents being added to the bundle.

The panel took the legal adviser's advice on the late admissibility of evidence into consideration and were satisfied that all three documents could be admitted.

### Application to exclude the public

The panel has considered whether to exercise its discretion under paragraph 11 of the Regulations and paragraph 4.57 of the Procedures to exclude the public from part of the hearing. This follows a request by Mr Pringle's legal representative that the part of the hearing dealing with his mitigation evidence should be in private.

The panel has determined to exercise its discretion under paragraph 11(3)(b) of the Regulations and the second bullet point of paragraph 4.57 of the Procedures that the public should be excluded from this part of the hearing.

The panel has taken into account the general rule that hearings should be held in public and that this is generally desirable to maintain public confidence in the administration of these proceedings and also to maintain confidence in the teaching profession. On this occasion, however, the panel considers that the request for the hearing to be heard in private, is a reasonable one given concerns about confidential matters relating to the teacher's health and private life.

The panel has had regard to whether Mr Pringle's request runs contrary to the public interest. The panel is required to announce its decisions in public as to whether the facts have been proven and whether those facts amount to unacceptable professional conduct and/or conduct that may bring the profession into disrepute. In the event that the case continues, any decision of the Secretary of State will also be in public. The panel considers that in the circumstances of this case, where the facts are intertwined with private matters relating to the teacher's health and private life, the public interest will be satisfied by these public announcements. The public announcements will ensure that public confidence in these proceedings and in the standards of the profession is maintained.

## **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 2 to 3

Section 2: Notice of Proceedings and Response – pages 4 to 11

Section 3: NCTL witness statements – pages 12 to 50

Section 4: NCTL documents – pages 51 to 303

Section 5: Teacher documents – pages 304 to 378

In addition, the panel agreed to accept the following:

- Statement of Agreed and Disputed Facts (pages 303A – 303E)
- Letter from doctor of Individual A dated 18 January 2017 (page 303F)
- Supplementary Witness Statement of Simon Pringle dated 20 January 2017 (pages 379 – 383)
- Further Witness Statement of Simon Pringle dated 23 January 2017 (pages 384 – 385)

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 Executive headteacher on behalf of the NCTL

Witness B Teacher on behalf of the NCTL

Witness C Teacher on behalf of the NCTL

Witness D Assistant headteacher on behalf of the NCTL

## **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 Simon Pringle was employed at Brinsworth Manor Junior School from April 2011 and became headteacher on 26 April 2011.

On 16 June 2015, Witness A was asked to attend a meeting with staff where allegations were raised. A meeting was later conducted with Mr Pringle who was suspended on 19 June 2015.

On 3 July 2015 an allegation investigation meeting took place with members of staff. On 09 July 2015 an investigation meeting with the deputy headteacher took place.

Mr Pringle's resignation letter was dated 7 September 2015 and was accepted on 11 September 2015. Mr Pringle resigned with effect from 30 September 2015.

## Findings of fact

Our findings of fact are as follows:

We have found the following particulars of the allegation(s) against you proven, for these reasons:

### **1. Prepared and/or instructed staff to prepare false information, including:**

#### **a. Information regarding student progress;**

#### **b. Lesson observation feedback;**

With regards to allegation 1.a. Mr Pringle has admitted that he produced pupil progress data that was false. This was produced with a view to showing external visitors that pupil attainment at the school was 'good'. Mr Pringle amended attainment data by inserting false achievement grades in order to show progress. As this allegation has been admitted it is therefore found to be proven.

With regards to allegation 1.b. Mr Pringle has admitted that he drafted false lesson observation feedback for some teachers as contained in the evidence. Some of this observation feedback was for teachers he had never observed. As the allegation has been admitted it is therefore found to be proven.

Mr Pringle has disputed the allegation that he instructed staff to prepare false information.

The panel has heard evidence that for the purpose of a Her Majesty's Inspectorate visit during the Autumn term of 2014, Mr Pringle distributed a sheet of paper with instructions asking members of staff to record pupil progress on a scale of 0 - 2 in reading, writing and maths. 0 represented no progress or regressed progress. 1 represented expected or appropriate progress. 2 represented good or really outstanding progress. The instructions stated, "*We need progress for to be (sic) at least 1 for your class/set in each subject – a shade over this would be ideal.*" The instruction was distributed to staff in the late morning, and they were expected to complete this by 1.30pm. The teachers had a limited amount of time in order to complete this instruction and some were teaching at the time these instructions were handed to them.

Mr Pringle has admitted that he inputted the relevant data into "O'Track" which produced datasets for student progress. Mr Pringle produced pupil progress 'Data snapshots' for staff. When producing these, he inserted attainment figures for the end of the Autumn term in the academic year 2014/15, and figures indicating what 'Goodish' attainment figures would be at the end of the Spring term. Mr Pringle inserted by hand the figures in the column "*(Sensible/Helpfully good) Spr 1 figure would be ...*" Mr Pringle gave staff clear encouragement to, "*err on the side of generosity*" in assessing attainment.



The panel has considered the evidence before it, both in written form and oral evidence. The panel noted the comments entered onto the staff blog by Mr Pringle, where he states, “*We cannot show less than expected progress – if progress for a group ... is less than expected, we are shooting ourselves in the foot before we start.*” He also states, “*Internally we will measure progress using Spring 1 data to give a fully realistic picture and plan accordingly in subsequent terms – measuring and showing progress using the Spring 2 data gives us a fighting chance with ‘outsiders’.*”

On the balance of probabilities, the panel considered that there was enough evidence to find that Mr Pringle had instructed staff to prepare false information and that staff would fairly perceive this as an instruction. The panel believed the evidence of the teachers that Mr Pringle had sat them down in staff meetings and told them that they must change the data. The evidence of the teachers was consistent in this respect.

Looking to the stem of this allegation the panel finds the whole of allegation 1 to be proven.

**2. Presented one or more items as described in Allegation 1 above to external visitors;**

Mr Pringle has admitted that he presented false information, including pupil attainment data and lesson observation feedback to visitors from the Local Authority.

As the allegation has been admitted it is therefore found to be proven.

**3. Failed to address staff concerns about false information on one or more occasions;**

Mr Pringle has admitted that staff had expressed concerns over false information to him, including concern over actions they were being asked to undertake. Mr Pringle has also admitted that he failed to address these concerns.

As the allegation has been admitted it is therefore found to be proven.

**4. In doing so as in Allegation 1, 2 and/or 3 above you were dishonest.**

Mr Pringle has admitted that his actions were dishonest. He has accepted that by the standards of ordinary and honest people, the falsification of data would be regarded as dishonest. Mr Pringle admits that at the time of so acting, he was aware that his conduct might be so regarded as dishonest.

As the allegation has been admitted it is therefore found to be proven.

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

Having found all of the 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 we refer to as “the Advice”.

The panel is satisfied that the conduct of Mr Pringle in relation to the facts found proven, involved breaches of the Teachers’ Standards. The panel considers that by reference to Part Two, Mr Pringle 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 ...;
- 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; and
- Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities.

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

The panel has also considered whether Mr Pringle’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 none of these offences are 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 Pringle is guilty of unacceptable professional conduct.

The panel has taken into account how the teaching profession is viewed by others and considered the influence that teachers may have on pupils, parents and others in the community. The panel has taken account of the uniquely influential role that teachers can hold in pupils’ lives and that pupils must be able to view teachers as role models in the way they behave. In particular, the panel considered that a headteacher who is perceived by the public as providing false information to bodies such as Ofsted and Her Majesty’s Inspectorate would have a negative impact on that individual’s status as a member of the teaching profession.

The findings of misconduct are serious and the conduct displayed would likely have a negative impact on the individual's status as a teacher, potentially damaging the public perception.

The panel therefore finds that Mr Pringle's actions constitute conduct that may bring the profession into disrepute.

## **Panel's recommendation to the Secretary of State**

Given the panel's findings in respect of unacceptable professional conduct and conduct that may bring the profession into disrepute, it is necessary for the panel to go on to consider whether it would be appropriate to recommend the imposition of a prohibition order by the Secretary of State.

In considering whether to recommend to the Secretary of State that a prohibition order should be made, the panel has to consider whether it is an appropriate and proportionate measure, and whether it is in the public interest to do so. Prohibition orders should not be given in order to be punitive, or to show that blame has been apportioned, although they are likely to have punitive effect.

The panel has considered the particular public interest considerations set out in the Advice and having done so has found them to be relevant in this case, namely, the maintenance of public confidence in the profession and declaring and upholding proper standards of conduct.

The panel considers that public confidence in the profession could be seriously weakened if conduct such as that found against Mr Pringle were not treated with the utmost seriousness when regulating the conduct of the profession. The panel also considered that a strong public interest consideration in declaring proper standards of conduct in the profession was present as the conduct found against Mr Pringle 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 Pringle.

In carrying out the balancing exercise the panel has considered the public interest considerations both in favour of and against prohibition as well as the interests of Mr Pringle. 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;
- abuse of position or trust (particularly involving vulnerable pupils) or violation of the rights of pupils; and
- 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 particular:

- The panel considered whether or not Mr Pringle's actions were deliberate. The panel noted that Mr Pringle stated that the pressure of working in a school that was judged as 'requiring improvement' together with personal problems, resulted in his actions of falsifying data. The panel concluded that due to the inappropriate nature of Mr Pringle's conduct, his actions were deliberate.
- There was no evidence to suggest that the teacher was acting under duress.
- The panel acknowledged that Mr Pringle has had a long career and a previous good history throughout his career. They also noted that he had not been subject to any formal disciplinary proceedings, prior to the events underlying these allegations.
- The panel noted that Mr Pringle was also dealing with difficult circumstances in his personal life.

The panel has considered the extent to which Mr Pringle has shown insight into and remorse for his actions. The panel considers that Mr Pringle has accepted that the majority of his actions were wrong and he has admitted this.

In light of the above, the panel is of the view that prohibition is both proportionate and appropriate. The panel has decided that the public interest considerations outweigh the interests of Mr Pringle. The seriousness attached to falsifying data for bodies such as Ofsted and Her Majesty's Inspectorate 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 it to decide to recommend that a review period of the order should be considered. The panel is 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 fewer than 2 years.

The panel concluded that the findings indicated a situation in which a review period would be appropriate and as such decided that it would be proportionate in all the circumstances for the prohibition order to be recommended with provision for a review period of 2 years, particularly given the insight and remorse that Mr Pringle has shown into his actions.

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

I have considered very carefully the findings and recommendations of the panel in this case. The panel has found all of the allegations and facts proven, and that Mr Pringle is guilty of unacceptable professional conduct and conduct that may bring the profession into disrepute.

I have considered the public interest in this case. I note the panel considered the particular public interest considerations relevant, namely: the maintenance of public confidence in the profession and declaring and upholding proper standards of conduct.

The panel is satisfied that the conduct of Mr Pringle in relation to the facts found proven, involved breaches of the Teachers' Standards. The panel considers that by reference to Part Two, Mr Pringle 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 ...;
- 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; and
- Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities.

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

I have taken into account the need to balance the public interest with the interests of Mr Pringle.

I agree with the panel's view that a headteacher who is perceived by the public as providing false information to bodies such as Ofsted and Her Majesty's Inspectorate would have a negative impact on that individual's status as a member of the teaching profession. I also agree with the panel's conclusion that the findings of misconduct are serious, and the conduct displayed would likely have a negative impact on the individual's status as a teacher, potentially damaging the public perception.

The panel is of the view that prohibition is both proportionate and appropriate. The panel has decided that the public interest considerations outweigh the interests of Mr Pringle. I agree with the panel's view, especially where dishonesty has been found, and there have been serious consequences, and/or it has been repeated and/or covered up.

I support the recommendation of the panel that Mr Pringle be prohibited. I agree that this is both proportionate and appropriate.

I have also considered the matter of a review period. I have read carefully the panel's considerations regarding the mitigating factors in this case, and the extent to which Mr Pringle has shown insight into and remorse for his actions. The panel considers that Mr Pringle has accepted that the majority of his actions were wrong and he has admitted this.

The panel felt the findings indicated a situation where a review period would be appropriate, and recommend that Mr Pringle be allowed to apply for a review after a period of 2 years.

For the reasons set out above, I agree with the panel's recommendation. This period should allow Mr Pringle the opportunity to reflect on his own behaviour and to act within the standards expected of a teacher.

**This means that Mr Simon Pringle 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 7 February 2019, 2 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 Pringle remains prohibited from teaching indefinitely.

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

Mr Pringle 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.

A handwritten signature in black ink, appearing to be 'JM', with a small dot at the end of the final stroke.

**Decision maker: Jayne Millions**

**Date: 31 January 2017**

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