



National College for
Teaching & Leadership

Ms Margaret Leandra Gretton: Professional conduct panel outcome

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

March 2015

Contents

A. Introduction	3
B. Allegations	4
C. Preliminary applications	5
D. Summary of evidence	5
Documents	5
Witnesses	6
E. Decision and reasons	6
Panel's recommendation to the Secretary of State	23
Decision and reasons on behalf of the Secretary of State	24

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

Teacher:	Ms Margaret Leandra Gretton
Teacher ref no:	8848858
Teacher date of birth:	31/03/1968
NCTL case ref no:	00/11357/GRETTON
Date of determination:	27 March 2015
Former employer:	Burton Joyce Primary School

A. Introduction

A professional conduct panel (“the panel”) of the National College for Teaching and Leadership (“the National College”) convened on 19 to 27 March 2015 at 53-55 Butts Road, Earlsdon Park, Coventry CV1 3BH to consider the case of Ms Margaret Gretton.

The panel members were Mr Peter Cooper (teacher panellist – in the chair), Mr Michael Lesser (teacher panellist) and Ms Nicolé Jackson (lay panellist).

The legal adviser to the panel was Mr Guy Micklewright of Blake Morgan LLP Solicitors.

The presenting officer for the National College was Ms Kate Bex of Counsel.

Ms Margaret Gretton was not present but was represented by Ms Cadi Dewi of Counsel.

The hearing took place in public and was recorded.

B. Allegations

The panel considered the allegation(s) set out in the Notice of Proceedings dated 13 November 2014.

It was alleged that Ms Margaret Gretton was guilty of unacceptable professional conduct / conduct that may bring the profession into disrepute in that whilst employed at Burton Joyce Primary School ("the School") between September 2007 and 4 November 2013 you:

1. Displayed racist attitudes and behaviour in that:
 - a. on one or more occasions you inappropriately commented in relation to a photograph of a male Asian job applicant including, but not restricted to, the following:
 - i. stating "would you hire me...I'm in the Taliban", or words to that effect, in an Asian accent,
 - ii. referring to him as "Mohammed", or words to that effect,
 - iii. referring to "bombs and blowing up the school", or words to that effect, in an Asian accent,
 - b. when speaking to Staff Member E you used inappropriate language,
 - c. you inappropriately displayed a 'golly' image in your office
2. Expressed inappropriate and discriminatory attitudes towards SEN pupils in the presence of school staff including, but not restricted to, the following:
 - a. Referring to them as "road kill", or words to that effect
 - b. Stating "cuckoo", or words to that effect
 - c. Stating that they were "three skittles short of a bowling alley", or words to that effect,
 - d. Referring to them as "freak show", or words to that effect
 - e. Stating "we don't want to encourage children like that to come here", or words to that effect;
 - f. Your treatment of Pupil B, including that you:
 - i. Deliberately tried to upset him
 - ii. Frightened him,

iii. Tried to make him cry

3. Displayed inappropriate and bullying behaviour towards staff including, but not restricted to, the following:
 - a. GTP student, Staff Member D
 - b. The former Deputy Headteacher, Staff Member F
 - c. Former member of staff, Staff Member G
4. On a residential trip to Skegness you failed to ensure that adequate measures were taken to prevent children watching inappropriate images on TV;
5. Failed to secure confidential documents relating to school business;
6. On or about 20 September 2012 deliberately removed documents which were directly related to the investigation of your conduct;
7. Your actions as described at paragraph 6 above were dishonest

None of the particulars of the allegations were admitted by the teacher, nor was unacceptable professional conduct or conduct that may bring the profession into disrepute.

C. Preliminary applications

There was a preliminary application for particular 3 b) of the allegation to be withdrawn. The panel allowed the application. At the close of the NCTL's case there was a further application to amend the Allegation by the withdrawal of particular 2 a), and the deletion of the words "but not restricted to" in particulars 1 a) and 2. The panel allowed the application for these amendments.

D. Summary of evidence

Documents

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

1. Chronology and Anonymised Pupil List – pages 2-4
2. Notice of Proceedings and Response – pages 6-14
3. NCTL Witness Statements – pages 16-81
4. NCTL Documents – pages 83-143

5. Teacher Documents – pages 145-325

In addition, the panel agreed to accept the following:

- Further Teacher Documents – pages 326 - 348
- Replacement Witness Statement of Margaret Gretton – pages 349-382
- Email 20 March 2015 Person F to NCTL – page 383
- Email 13 January 2011 from Person C to Witness C – page 103a
- Additional statement from Witness K – page 100a

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
- Witness B, Teaching Assistant
- Witness C, Classroom Teacher
- Witness D, Classroom Teacher
- Staff Member E, Assistant Headteacher
- Witness F, Deputy Headteacher
- Witness G, Teaching Assistant
- Witness H, Classroom Teacher
- Witness I, Office Manager
- Staff Member G, Classroom Teacher and joint Deputy Headteacher
- Witness J, Administration Assistant
- Witness K, Classroom Teacher

The teacher did not give evidence. No witness evidence was called by the teacher.

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. The panel has accepted the advice of the legal advisor.

We confirm that we have read all the documents provided in the bundle in advance of the hearing.

Margaret Gretton took over as Headteacher of Burton Joyce Primary School in September 2007. The Allegation relates to her conduct during the course of her tenure as Headteacher at the school. The NCTL's case is that during her time at the school she displayed racist behaviour; displayed discriminatory attitudes towards Special Educational Needs ("SEN") pupils; bullied staff; failed to ensure that pupils were adequately protected from seeing inappropriate material on TV during a school trip; failed to keep confidential documents secure; and deliberately and dishonestly removed documents from the school relating to the investigation in 2012 into her conduct.

Racist attitudes and behaviour

The NCTL's case in this respect relates to a number of specific incidents. The first incident is that on a number of occasions Ms Gretton is said to have taken the photograph of an Asian male job applicant and made racist remarks about it towards other staff members. This is supposed to have taken place both in the school office and on a residential trip to Skegness in 2012.

The second incident is during a conversation with Staff Member E where it is said that Ms Gretton asked her if she liked black men, asked if her mother's partner had *"big lips"* and *"does he look like a monkey"*, as well as making monkey noises.

The third incident is that it is said that a fridge magnet of a 'golly' which was given to her during the 2012 trip to Skegness was displayed by her on her filing cabinet in her office.

Inappropriate and discriminatory attitudes towards SEN pupils

The NCTL's case against Ms Gretton in this respect relates to her comments and behaviour either directed towards SEN pupils or comments made about them to other members of staff. These comments, particularised in the Allegation, were made variously to Pupils K, L, and B. During an SEN assessment carried out at the school the Special Educational Needs Co-ordinator is said to have been told by Ms Gretton that *"we don't want to encourage people like that to come here"*.

Pupil B is said to have been subject to particularly intimidating treatment by Ms Gretton to the extent that she frightened him and deliberately tried to upset him.

Inappropriate and bullying behaviour towards staff

The NCTL's case is that there was a background of bullying of staff at the school and that, within that context, there was particular bullying of Staff Members D and G.

Staff Member D was a student teacher in her training year. She is said to have been subject to humiliating criticism of one of her observed lessons in front of other members of staff, as well as more generally being made the subject of inappropriate comments.

Staff Member G was subjected to increased lesson observation for apparently no good reason. It is said that Ms Gretton's behaviour towards him led to him having a significant loss of confidence.

Allowing pupils to view inappropriate material on TV during a school trip

During the residential trip to Skegness in 2012, Pupils A, M and N disclosed that they had watched a show called 'Adult Party' the night before. In a subsequent letter of complaint from Pupil A's father, it appeared that in addition to that programme the pupils had watched an episode of 'One Born Every Minute' depicting accounts of childbirth, and a documentary about rape victims called 'I Never Said Yes'. It is said that inadequate steps were taken by Ms Gretton to ensure that pupils did not access inappropriate post-watershed material on television.

Failing to secure confidential documents/deliberately removing documents

Following Ms Gretton's suspension on 6 November 2012, it is said that confidential personnel files were removed from her office. The NCTL's case is that they were deliberately and dishonestly taken by Ms Gretton in order to frustrate the investigation into her conduct which had been commenced. If they were not taken by her, then the responsibility to ensure that they were adequately secured rested with her and she failed to ensure that they were.

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:

The panel found that all the witnesses who gave evidence at the hearing to be honest and credible witnesses who were clearly doing their best to provide accurate evidence to the best of their recollection. The panel did not feel hindered in making its assessment of the credibility of the witnesses when two witnesses who were giving evidence via video-link had to continue their evidence over the telephone due to technical problems. This was because it considered that it had had sufficient opportunity to assess their demeanour under cross-examination during the time when the video link was working.

The panel considered that Ms Gretton had voluntarily absented herself from the proceedings. Although Ms Gretton has submitted a signed witness statement, by not

attending to give oral evidence the panel was deprived of the opportunity of seeing her evidence tested. Therefore where there is a conflict of evidence between Ms Gretton's account and the evidence of the witnesses who gave oral evidence, the panel generally attached more weight to the oral evidence it has heard.

The panel did not feel that it needed to resolve every conflict of fact to come to its decision. However, that does not mean that it has not considered all the evidence in the case with great care. The panel has borne in mind that Ms Gretton is of good character and as such, her evidence is more likely to be credible, and that she is less likely to have a propensity to commit the misconduct alleged.

1. Displayed racist attitudes and behaviour in that:

- a. on one or more occasions you inappropriately commented in relation to a photograph of a male Asian job applicant including the following:**
 - i. stating "would you hire me...I'm in the Taliban", or words to that effect, in an Asian accent,**
 - ii. referring to him as "Mohammed", or words to that effect,**
 - iii. referring to "bombs and blowing up the school", or words to that effect, in an Asian accent,**

The panel's findings and reasons in relation to this particular:

The panel heard evidence from Witness B, a Teaching Assistant, that each of the comments particularised in this part of the Allegation were made during the 2012 Skegness trip. She describes in paragraph 11 of her witness statement that "*she would then hold the photograph up and say things in an Asian accent...*". Witness K gave evidence to the panel that Ms Gretton carried the photograph around in her pocket and would show it at meal times when the children on the trip were not present. She describes her making comments such as "*would you hire him?*" and making reference to bombers and terrorists. She gave the same account to Person A when he interviewed her on 12 September 2012.

Witness C recalls Ms Gretton making comments in the summer term of 2012 when in the school office in relation to the photograph. She describes how she was laughing at the photograph saying words to the effect of "*would you hire me...I'm in the Taliban*" in an Asian accent. Witness I, the Office Manager describes a similar incident around March 2012, apparently prior to the 2012 Skegness trip, where Ms Gretton makes comments in an Asian accent to the effect of "*...I want a job' whilst she was moving the photograph around as though it were dancing.*" She states that Ms Gretton took the photograph with her on the 2012 Skegness trip, as well as photocopying it and taking a photograph of it on her phone. She says that similar comments were also made after the Skegness trip.

Witness D describes in her evidence that in the spring term of 2012 that Ms Gretton pulled a passport photograph out of the drawer and proceeded "...to mock the applicant and put on an Indian accent when talking about him."

Ms Gretton in her witness statement accepts that she did find it amusing when applicants enclosed photographs of themselves with job applications. However, she vigorously denies making any racist comments. She also denies that she photocopied the photograph. She states that the photograph which was shown to staff members was in fact a passport photograph of 'Bruce', a bespectacled Victorian stuffed monkey which is a mascot for her sister's business, which she carried around and kept in her purse during the trip. During the course of the hearing the panel were shown the originals of both the photographs of the Asian male applicant and the monkey. The witnesses were shown a photocopy of the photograph of 'Bruce' during their evidence and all disputed that they could have been mistaken about what they saw.

The panel finds it highly unlikely that every member of staff who saw the photograph mistook a passport photograph of a Victorian stuffed monkey for an Asian male job applicant.

In the panel's judgment it is more likely than not that Ms Gretton did make the comments alleged, or words similar to them, in respect of the photograph of the Asian male job applicant which the panel has seen. In the panel's view the comments could not possibly be considered by a reasonable person to be anything other than racist in their nature, and as such were clearly inappropriate.

b. when speaking to Staff Member E you used inappropriate language

The panel's findings and reasons in relation to this particular:

Staff Member E, then a teacher at the school, gave evidence that in 2010 Ms Gretton, unprompted, said to her "*do you like black men?*". She said that she was taken aback by the question and unsure of how to respond. She said that they did not bother her and that her mother's partner was black and from Jamaica. She says that Ms Gretton then burst out laughing and said words to the effect of "*does he have big lips?...does he look like a monkey?*" and then went on to make monkey noises. It was suggested to Staff Member E in cross-examination that she had initiated the conversation by approaching Ms Gretton upset saying that her mother's partner was intolerable and that she hated living at her mother's because of it. It was also suggested that she said that she detested black men as they did not play by the rules and could please themselves. At that suggestion Staff Member E strenuously denied that that was true. She said that she gets on very well with her mother's partner and has always been happy living at home. She said that she would never approach Ms Gretton with personal matters.

Ms Gretton denies that she ever made the comments alleged. She says that Staff Member E's allegations about the language she used is a lie.

The panel prefers the evidence of Staff Member E. The panel considered her to be a credible and truthful witness who was giving an accurate recollection of events. It is satisfied on the balance of probabilities that the comments, or words similar to them, were made by Ms Gretton. In the panel's view the comments would be considered by a reasonable person to be racist in their nature, and as such were clearly inappropriate.

Staff Member E also gave evidence of an incident in July 2012 where Ms Gretton made a comment about an Afro-Caribbean placement student who was looking around the school and said "*she's not like us, is she?*" The student apparently had dreadlocks and wore hats. It appears that the comment was made in a classroom whilst the student was talking to children. The fact that the comment was made does not appear to be in dispute.

Staff Member E went on to say that in September 2012, when the student had started her placement, Ms Gretton made some comments which included "*she wears funny hats*". In the panel's judgment it is more likely than not that this comment was also made.

The panel considered that it had very limited evidence about the specific context in which each of these comments were made. It is clear that they were not made directly to the student herself. However, in the panel's view it is inappropriate for a Headteacher to make derogatory comments to more junior members of staff about student teachers. However, with respect to both comments, the question of whether they were racist is dependent on the context in which they were made. In the panel's judgment there is insufficient evidence before it for it to be satisfied, on the balance of probabilities, that either of these comments were racist in nature.

c. you inappropriately displayed a 'golly' image in your office

The panel's findings and reasons in relation to this particular:

There is no dispute that Witness B bought the golly magnet for Ms Gretton during the 2012 Skegness trip, although not at Ms Gretton instigation. Similarly, there is no dispute that it was in Ms Gretton possession. What is in issue is whether, prior to her suspension on the evening of 6 November 2012, she displayed it in her office.

Witness A, the Executive Headteacher who took over the school on the morning of 7 November 2012, gave evidence that the golly magnet was attached to the filing cabinet in Ms Gretton's office.

There was a conflict of evidence between those witnesses, other than Witness A, who were asked whether they saw the golly magnet in Ms Gretton's office. A number said that they had seen it and a number could not recollect seeing it.

Staff Member E stated in her evidence that she had seen the golly magnet on a number of occasions in Ms Gretton's office between the 2012 Skegness trip and when Ms Gretton was suspended some months later. Witness G and Witness B both gave evidence that they saw the magnet while Ms Gretton was in post but were unable to help the panel with how long it had been on the filing cabinet. Witness J, Witness I, Witness K, Witness H and Witness C do not recollect seeing the golly magnet in the office. All those who could recall whether there were a number of magnets on the filing cabinet agreed that there were indeed a number of souvenir-type magnets there.

Ms Gretton in her statement denies that the magnet belonged to her. It has not been suggested in these proceedings that she was not handed the magnet at the 2012 Skegness trip. Her case is that the magnet must have been placed there after her suspension because there have been numerous meetings involving governors and senior staff in her office during that period and nobody had raised the matter. In the panel's judgment it is more likely than not that the golly magnet was on display in Ms Gretton's office for a period of time. In the panel's view it is unlikely that in the very short window of opportunity available between Ms Gretton's suspension on the evening of 6 November 2012 and Witness A discovering it on the morning of the 7 November 2012 that some unidentified person would have placed the golly magnet there. Furthermore, just because some witnesses did not recall seeing the magnet does not necessarily mean that those witnesses who say they did see it are mistaken in their recollection. The panel is unable to determine exactly how long the golly magnet was on the filing cabinet. However, it is satisfied that it was there for a not insubstantial period of time. It noted that Ms Gretton's office was used by people other than just her on occasion and that she was somebody who was described as having an 'open door' policy.

In the panel's judgment the displaying of such an image in the school environment is wholly inappropriate. The golly image is no longer considered acceptable as it is a derogatory representation of black people. The reasonable person would consider that a Headteacher displaying a fridge magnet with that image on it in her office was demonstrating a racist attitude.

2. Expressed inappropriate and discriminatory attitudes towards SEN pupils in the presence of school staff including the following:

- a. ...
- b. Stating "cuckoo", or words to that effect**
- c. ...

- d. ...
- e. **Stating "we don't want to encourage children like that to come here", or words to that effect;**
- f. **Your treatment of Pupil B, including that you:**
 - i. **Deliberately tried to upset him**
 - ii. **Frightened him,**
 - iii. **Tried to make him cry**

The panel's findings and reasons in relation to these particulars:

Witness G gave evidence to the panel that on an occasion in 2010 Pupil K would not come out from underneath a table and was disrupting the lesson so, as a Teaching Assistant, she asked Ms Gretton for assistance. She told the panel that Ms Gretton said *"it's like something from One Flew over the Cuckoo's Nest"* and said *"cuckoo, cuckoo"* whilst twirling her finger at the side of her head.

Witness F, the Special Educational Needs Co-ordinator ("SENCO") for the school, gave evidence that one of the first tasks she undertook when she joined the school in 2010 was to do an audit of the school and to assess whether it was accessible for Special Educational Needs ("SEN") pupils. She stated that during a discussion about making a disabled parking space where she mentioned that Ms Gretton's parking space was the obvious place, Ms Gretton said *"we don't want to encourage people like that here"*.

Ms Gretton denies that she ever made any such comments. She states in her evidence that she actively improved the provision for SEN pupils at the school and actively fought against negative attitudes to SEN pupils from both staff and parents.

The panel found the evidence of both Witness G and Witness F to be credible and impressive. The panel considers that it is highly unlikely that either of these witnesses would either misrecollect or invent the accounts which they have given as they are the sort of matters which would stick in the mind as out of the ordinary. The panel therefore finds both of these allegations proven.

In the panel's view it is highly inappropriate for a Headteacher to make such comments about vulnerable pupils. These comments were made to staff on school premises. The words which are the subject matter of allegation 2 b) were made in the presence of Pupil K and other pupils. In the panel's view the reasonable person would consider the actions of Ms Gretton to be discriminatory.

Witness B describes in her evidence Pupil B, an SEN pupil with learning, physical and communication difficulties, shouting expletives in a lesson in 2010. Witness B said that she took Pupil B to Ms Gretton's office because she needed assistance. She agreed that

Ms Gretton was the 'disciplinarian' in the school who was the person pupils were taken to if they misbehaved. She describes Pupil B as getting immediately upset, "...*rocking back and forth in an infantile manner*". She describes Ms Gretton shouting at him loudly "*what have you done*", "*you have been saying naughty words*". She describes Ms Gretton 'towering' over him and that in her view the experience would have been very intimidating for him. Ms Gretton said "*I am going to take [redacted] away from you now*" which led to Pupil B screaming and holding onto Witness B's legs to stop her from leaving. Witness B says she left the office but then made up an excuse to return shortly thereafter. She describes seeing Pupil B sat in the corner of the room on a chair, "*crying, rocking backwards and forward*". Witness B took Pupil B back to his class. Later on that day Ms Gretton came to the classroom. Pupil B immediately responded by shouting the same expletive he had earlier. Witness B said that she took Pupil B back to Ms Gretton's office. Ms Gretton sent Witness B and Pupil B to a colleague's office where Witness B was instructed to sit with her back to Pupil B, causing him further distress.

Witness B describes a further incident which took place the following day during a rehearsal of the Lion King production which the school was putting on. Pupil B is described as being in his standing frame at the time. She states that at Witness H's instigation she went and got Ms Gretton so that Witness H could see if Pupil B was afraid of Ms Gretton. She says that Ms Gretton whispered in his ear and Pupil B put his hand in his mouth. She says that her recollection is that Ms Gretton then said to him "*get your hands out of your mouth you dirty animal*".

In relation to the second incident, there is a conflict of evidence between Witness B and Witness H. Contrary to Witness B's evidence, Witness H states that the episode occurred in a Physical Education lesson. She accepts that she was on the other side of the hall and therefore could not hear what passed between Pupil B and Ms Gretton. The panel does not consider this inconsistency to be material as both witnesses agree that this incident took place in the school hall.

The panel was struck by the evidence of Witness H that she saw Pupil B while standing in his frame physically leaning away from Ms Gretton and, in her words being "*petrified*" and "*recoiling*" from her. Witness H told the panel that she was a teacher who had at that time been in education for some fifteen years, who said that it was not usual for pupils to be scared and pulling away from staff. She told the panel "*it upsets me now, I can still see it*". Both witnesses stated that they came to the conclusion individually that they would deal with Pupil B in future without the involvement of Ms Gretton.

Staff Member E describes in her evidence how Ms Gretton would frequently say in meetings that she tried to make Pupil B upset, and on one occasion that she had said that she had "*tried to make him cry*".

Ms Gretton, in her witness statement denies that Child B was scared of her. She states that when Pupil B could not be calmed in class she would ask Witness B to bring him to her office or a colleague's office to avoid disrupting the rest of the class and that that

would calm him down. She accepts that, on occasions, for example when Pupil B assaulted staff or pupils, she would have to have 'stern words' with him. However, she denies ever deliberately trying to upset him. She says that her disciplining of him was appropriate to his abilities.

The panel considered the evidence of the witnesses who gave evidence about what they saw and heard to be accurate and credible. It was clear from the evidence that Pupil B was frightened of Ms Gretton. In that regard the panel was particularly impressed by the account of Witness H. The panel does not accept that Ms Gretton disciplined Pupil B appropriately given his needs. Whilst it is appropriate for a Headteacher to discipline pupils who are misbehaving, including SEN pupils, appropriate adjustments to the approach have to be made to allow for their disabilities. In the panel's view Ms Gretton did not do this. Pupil B's reaction to her was extreme and unusual both in terms of how he reacted to other staff members and, in Witness H's experience, in respect of how SEN pupils react to staff members more generally. The panel concludes from the evidence of his reaction to Ms Gretton that this is not a case where Ms Gretton was doing her best to discipline him appropriately but was unable to do so. In the panel's judgment Ms Gretton's actions were calculated to deliberately upset and frighten Pupil B and to make him cry.

On any view, such an approach to the treatment of Pupil B was both inappropriate and discriminatory. The panel therefore finds particular 2 f) proved in its entirety.

3. Displayed inappropriate and bullying behaviour towards staff including, but not restricted to, the following:

- a. GTP student, Staff Member D**
- b. ...**
- c. Former member of staff, Staff Member G**

The panel's findings and reasons in relation to these particulars:

Witness C gave evidence that her first teaching post was at the school. She said that during her training year Ms Gretton would make comments about things which Staff Member D had done in school and that she was clear that those comments were not made to her out of concern or in order to get additional support for Staff Member D. She described how in 2011 Staff Member D came into the school office following a lesson observation which had been carried out by Ms Gretton. When Staff Member D came into the office she says that Ms Gretton aggressively said "*where the fuck have you been? I've been waiting for you.*" She went on to say "*it was a shit lesson, get over it*". It would appear that at that time the Deputy Headteacher, Person B, was present, as well as Witness I. The office hatch was open and there were apparently some parents still in the

vicinity. Witness I gave evidence that she could hear Ms Gretton saying something like *"it's not fucking good enough"* and *"it was shit"*. Under cross-examination she said that she was certain she had heard the words *"shit"* and *"fuck"*. She also told the panel that it became really uncomfortable when this was going on.

Ms Gretton denies that she made these comments to Staff Member D. She says in her witness statement that she said to Staff Member D that she should not worry because *"we've all done weak lessons"*, and that they both then went into her office so that she could give feedback.

In re-examination Witness C stated that she wrote an email to Person C that evening. The panel were provided with a copy of the email. The email makes reference to the conversation which took place that day: *"...MG starts having a go about keeping her waiting, MG says 'where have you been?!' [Staff Member D]: 'Crying' MG: 'Oh god, get over it! Yes it was a shit lesson! Move on'...etc. etc. So launch into a full conversation about [Staff Member D's] disastrous maths lesson, with mg repeatedly telling her it was shit. In front of me, [redacted] and [redacted]!!!!.....you can imagine what it is like to be a weak teacher with MG as your head or mentor then!"*

The panel is of the view that Witness C would not have written that email that night had it not been for the fact that the events described by her and Witness I in their evidence had in fact occurred. The panel is therefore satisfied that, on the balance of probabilities, the incident in the school office did occur as described. It rejects Ms Gretton's account of what took place in its entirety.

The panel accepted Witness D's evidence of the observed discrepancy in the way in which Staff Member D and Witness C were treated. She said that Staff Member D had a very self-confident attitude but by January 2011 was *"regularly upset and cried and that she felt personally targeted by Ms Gretton"*. She would by that time have been approximately four months through the academic year and indeed left the school in the spring of that year without completing her training year. She described how Ms Gretton would make disparaging remarks to other staff members about Staff Member D and how she would comment on the *"most bizarre things such as how she found [Staff Member D's] tone of voice annoying"*.

The panel is satisfied that Staff Member D was a member of staff who was singled out by Ms Gretton and received unjustified and unfair treatment at her hands. In the panel's view, 'bullying' can be defined, among other ways, as being when a person takes advantage of their position to intimidate or undermine the confidence of others. In her treatment of Staff Member D Ms Gretton did exactly that. In the panel's judgment she was plainly aware of the imbalance of power between her and Staff Member D, as indeed she was in respect of all of the employees at the school. She abused and took advantage of that power in order to enable her to treat Staff Member D in an inappropriate way.

Staff Member G gave evidence about the requests which were made of him to investigate an external contractor. His evidence was that Ms Gretton was not keen on the external contractor and wanted the organisation to stop working in the school so that a similar club could be run in-house. He felt that he was being asked to spy on the external contractor and to collect evidence against it. It was suggested to Staff Member G in cross-examination that this was an entirely appropriate and reasonable assignment to give to him by Ms Gretton. In the panel's judgment this request was not something which can be properly said to amount to bullying, nor was it inappropriate.

Staff Member G described in his evidence the incident which occurred during the residential trip to Skegness in 2008 for pupils aged 7 to 11 (Key Stage 2). A trip to a swimming pool had been organised and the pupils were to be transported to the pool in the school's minibus. Due to the size of the minibus being insufficient pupils had to be transported over several trips. Pupil C went missing and it was eventually discovered that he had been left in his hotel room. Staff Member G said that that evening he felt that Pupil C's parents should be told and that Ms Gretton said that they should not be, implying that Person D, a Teaching Assistant, would get into trouble if they did. He says that the staff felt intimidated and pressurised into keeping quiet about it. In cross-examination it was suggested to Staff Member G that what had in fact occurred was that Ms Gretton had asked for the issue to be left so that she could speak with the pupil's parents face-to-face. Staff Member G did not accept this.

The panel finds on the balance of probabilities that Staff Member G was giving the accurate account. If it truly was Ms Gretton's intention to speak to the parents face-to-face then the most obvious and proper opportunity to do so was at the end of the trip when the pupil's parents came to pick him up. The fact that Pupil C's parents came in to see Ms Gretton the following Monday shows that this conversation did not happen.

In the panel's judgment, putting pressure on Staff Member G and other staff not to inform parents of an adverse incident relating to one of their children which occurred on a school trip is wholly inappropriate. It is the panel's view that the manner in which this was done can properly be described as 'bullying'.

Staff Member G also described in his evidence how in January to April 2009 the number of lesson observations he received increased significantly in advance of an Ofsted inspection. He described her coming into his classroom most days for about three weeks for about ten to fifteen minutes at a time and no feedback was given. He said that he asked her why she was doing this to which he said he was given the response "*I'm the head, I can do what I want, I'm just doing my job*". It was not in dispute that there were an increased number of lesson observations around that time. It was suggested in cross-examination that these observations were done for two entirely proper reasons, namely to prepare for the Ofsted inspection and to allow Ms Gretton to be able to properly write references for job applications. In the panel's view there was no good reason for observations of this nature. There was no evidence before it to suggest that there was

any benefit to Staff Member G to doing these observations. It accepted his evidence that it is the usual expectation of teachers in the profession that they would be formally observed once or twice a term. Whilst there may be no prohibition on more frequent observations, all observations must have a proper purpose. The panel does not consider that that number of observations of that nature, particularly without feedback being given, is necessary in advance of an Ofsted inspection or for a Headteacher to write an appropriate reference for a teacher in their school. That leads the panel to the necessary inference that they were done for a quite different purpose. The only reasonable conclusion on the evidence before it is that that reason was to intimidate Staff Member G or otherwise make him feel uncomfortable. In the panel's view such actions are both inappropriate and amount to bullying.

Accordingly, the panel find both sub-particulars a) and c) proved.

The panel heard extensive evidence about the relationship between Ms Gretton and various members of staff at the school in addition to those relating to Staff Members D and G. It has been suggested by Ms Gretton that she was the victim of a 'witch-hunt'. It has also been suggested that there was a degree of 'paranoia' among the staff. It was clear to the panel that Ms Gretton had arrived at the school to a sceptical group of staff who had heard a number of rumours about her. It was also clear to the panel that during her time at the school a considerable climate of fear and mistrust had developed among the staff. The question is whether that climate was as a direct result of the inappropriate and bullying actions of Ms Gretton or whether it evidenced either an organised and concerted campaign to have her ousted from the school, or alternatively the cumulative effect of multiple 'chinese whispers'.

In considering this question the panel endeavoured, so far as it could, to focus on direct first-hand evidence rather than the various hearsay accounts which had been presented to it during the course of the hearing. The panel has concluded, on the balance of probabilities, that the bullying of individual members of staff by Ms Gretton was endemic at Burton Joyce Primary School. Whilst all the witnesses gave evidence to a greater or lesser extent of what they felt was a climate of intimidation and fear within the school, there were a large number of specific examples given of incidents which, in the panel's view, can properly be said to amount to bullying. For example, Witness J, an Administration Assistant at the school, gave evidence about an incident on 1 November 2012 when she telephoned the Acting Chair of Governors to inform him that a letter addressed to him marked 'Strictly Private and Confidential' had been received. She said in her evidence that Ms Gretton was unhappy that he had been informed about the letter before she had had an opportunity to open it herself. She said that when Ms Gretton spoke to the Chair of Governors and found out she turned to Person E, the Site Manager, and said "*do you know how to get rid of moles? We seem to have an infestation*" in Witness J's presence. Later that day, Ms Gretton called Witness J "*moley, mole*". It was suggested to her in cross-examination that this was a request by Ms Gretton for Person E to get pest control operatives in to deal with a mole infestation in the school. In the

panel's view the suggestion that that was the purpose of the comment is highly unlikely. It is more probable that the comment was designed to make Witness J feel bad for having quite properly informed the Chair of Governors that confidential correspondence addressed to him had been received.

Witness G, a Teaching Assistant, and one of the members of staff present on the 2008 Skegness trip, described how she felt that she had nowhere to go with her concerns about Ms Gretton for fear of repercussions. She stated that Ms Gretton made it clear that she had "*friends in high places*". In the panel's view it is more likely than not that that comment was made on one or more occasions, and was calculated to intimidate Witness G into not escalating concerns. It was suggested to Witness G that she was one of the key people in the 'witch-hunt' against Ms Gretton in that she instigated a meeting at her house outside of school during an INSET day. The panel concluded that this meeting was not evidence of the existence of a concerted attempt by members of staff to oust Ms Gretton from her position. It seems more probable that this meeting was regarded by most members of staff as an opportunity to get further information about what the proposed move to Academy status would mean for the already bad relationship they had with the Headteacher; a Headteacher they feared would acquire even more opportunity to abuse her power were the school to become an Academy. The panel does not ascribe any sinister motives to the suggestion that the persons present sign a joint document setting out their concerns, particularly given that that came at the suggestion of one of the Parish Councillors who were present.

The panel noted that there appears to have been an usually high turnover of staff at the school. Many of the staff who left appear to have made either side-ways moves or even accepted demotions. This is indicative of how unhappy some members of staff appeared to have become after Ms Gretton took over the school.

The panel does not accept that there was any degree of paranoia among staff in the school. In the panel's view, the fears and concerns of staff originated not from mere rumours and hearsay and little else; rather, their fears were founded in the very real way in which Ms Gretton inappropriately treated many members of her staff and the fact that staff never knew who would be the next member of staff to be targeted.

5. Failed to secure confidential documents relating to school business

The panel's findings and reasons in relation to this particular:

It was not in dispute that there were a number of confidential personnel files kept in Ms Gretton's office. Similarly, it is not in dispute that when Witness A arrived on the morning of 7 November 2012 it became apparent over the course of the following two days that a number of the personnel files were missing from the filing cabinet in Ms Gretton's office.

In the panel's view it is highly unlikely that those files disappeared subsequent to the evening of 6 November 2012 when Ms Gretton was suspended.

The ultimate responsibility for ensuring that confidential files are kept properly secure lies with the Headteacher. Part of that responsibility is in putting in place appropriate systems and policies to ensure the proper management of that material. From the evidence of Witness A it does not appear that such systems or policies were in place. However, because the files were themselves stored in the Headteacher's office that placed a heightened duty on Ms Gretton to ensure their security. The panel can therefore only infer that the absence of the documents was due, at least in part, to a failure by Ms Gretton to take adequate steps to ensure their security.

We have found the following particulars of the allegation(s) against you not proven, for these reasons:

2. Expressed inappropriate and discriminatory attitudes towards SEN pupils in the presence of school staff including the following:

c. Stating that they were "three skittles short of a bowling alley", or words to that effect,

d. Referring to them as "freak show", or words to that effect

The panel's findings and reasons in relation to these particulars:

Witness G stated that in 2010 she went into Ms Gretton's office with another pupil and Pupil L was there with Ms Gretton. She says that Ms Gretton said to her that Pupil L was "*three skittles short of a bowling alley*".

Witness F gave evidence that she heard Ms Gretton refer to Pupil B as a "*freak show*" on more than one occasion during Senior Leadership Team meetings.

Both of these matters are denied by Ms Gretton. For the same reasons as the panel finds particulars 2 b) and e) proved, the panel's view is that, on the balance of probabilities, these events did occur. Furthermore, the making of such comments is clearly inappropriate and discriminatory.

However, the Allegation is pleaded on the basis that these were comments that were made by Ms Gretton about SEN pupils in general, and not that they were directed towards specific SEN pupils only. For that reason – and for that reason alone – the panel is unable to find these allegations proved.

4. On a residential trip to Skegness you failed to ensure that adequate measures were taken to prevent children watching inappropriate images on TV

The panel's findings and reasons in relation to this particular:

This particular relates to the trip to Skegness in 2012. It is not in dispute that a number of steps had been taken by Ms Gretton to ensure the well-being of the pupils during the trip. The panel has seen a copy of what it is told is the Risk Assessment from that trip. It has heard evidence that staff were instructed to patrol the corridors every 20 minutes; to enter bedrooms to deal with pupils if they heard noise coming from them after bedtime; and that pupils and staff were told that pupils were not permitted to view the televisions in the rooms after 9pm. What happened was that a group of pupils, contrary to what they were instructed to do, turned on their television and inadvertently accessed inappropriate material.

In the panel's view the measures taken by Ms Gretton were, in 2012, adequate to ensure that pupils were not exposed to inappropriate material. Whilst with the benefit of hindsight there may have been further steps which could have been taken to make it less likely that that could happen, nevertheless the panel consider Ms Gretton's actions to have been adequate at the time. Accordingly, the panel does not find this allegation proved.

6. On or about 20 September 2012 deliberately removed documents which were directly related to the investigation of your conduct

The panel's findings and reasons in relation to this particular:

The NCTL's case in relation to this particular is that the documents which were removed are the personnel files contained in Ms Gretton's filing cabinet. The panel is satisfied that the documents were removed from the cabinet at some time prior to Ms Gretton's suspension. The question is whether or not Ms Gretton herself deliberately removed those files from the cabinet and, indeed, the school premises.

The panel is not satisfied, on the balance of probabilities, that the NCTL have proved that it was Ms Gretton who removed those files. The panel has heard evidence from Witness J that she was shown some CCTV by Person E on 21 September 2012 from the previous night. That CCTV, it was told, showed Ms Gretton in the company of her mother putting five "*bulging*" black bin bags into her car over the course of about twenty or thirty minutes, and then driving off. Ms Gretton states that these bags contained personal items, including books, toys, gifts, shoes and clothes. There was no evidence that such items had been seen in Ms Gretton's office in the days or weeks prior to 21 September 2012. However, the volume of files which would be needed to fill five black bin bags until they were bulging would be substantial. It seems to have taken some time for the administrative staff at the school to realise that files were missing. In the panel's view it is unlikely that, had the bin bags contained confidential documents alone, it would have taken very long at all for the absence of the documents from the filing cabinet to be noticed.

7. Your actions as described at paragraph 6 above were dishonest

The panel's findings and reasons in relation to this particular:

Given that the panel has found particular 6 not proven, accordingly this particular is found not proven.

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

The panel considered the conduct of Ms Gretton to amount to both unacceptable professional conduct and conduct that may bring the profession into disrepute in respect of all of the particulars of the Allegation. All of the conduct which the panel has found proved relates to conduct in the education setting. Ms Gretton's behaviour demonstrated intolerance to both race and disability. The Headteacher in a school is a very particular role model for pupils. As such it is the panel's view that she exposed young pupils to inappropriate behaviour in a harmful way.

Part Two of the Teachers' Standards requires teachers to *"demonstrate consistently high standards of personal and professional conduct."* This Ms Gretton did not do. A number of statements are set out in the Standards which reflect the required standard expected of a teacher. In respect of the racist attitudes and behaviour which the panel have found Ms Gretton to have exhibited, as well as her discriminatory attitudes towards SEN pupils, it considers that she did not *"[treat] pupils with dignity, building relationships rooted in mutual respect..."*, and that she did not *"[show] tolerance of and respect for the rights of others"*.

Bullying of staff members, particularly very junior staff members, by a Headteacher is wholly unacceptable. It undermines employees' self-confidence; it undermines the efficacy of the teaching and learning in the school; and adversely affects the ability of a school like Burton Joyce to serve its local community to the standard which the public rightly expect. The panel considers in this regard that Ms Gretton breached the requirement in the Teachers' Standards to show tolerance and respect for the rights of others.

The panel considers that a failure to ensure the security of confidential documents is a serious matter which amounts to unacceptable professional conduct, as well as conduct that may bring the profession into disrepute, and breaches the requirement in the Teachers' Standards to *"act within the statutory frameworks which set out [teachers'] professional duties and responsibilities"*. Personnel files will contain not only personal information about staff members but are highly likely to contain sensitive personal information about themselves and others, most usually in relation to health matters. Members of staff, pupils and parents are entitled to expect that adequate arrangements

are in place at all times to ensure information security. Implementing and enforcing those measures is primarily the Headteacher's responsibility. At Burton Joyce there appears to be a conspicuous absence of any such procedures. It is of particular concern that these documents went missing from a filing cabinet which was itself kept in the Headteacher's office and that their absence was not noted for some time.

Panel's recommendation to the Secretary of State

The panel recommends to the Secretary of State that she make a prohibition order in respect of Margaret Gretton.

The panel reminded itself that the purpose of a prohibition order is not to be punitive but to protect pupils and other members of the public; to maintain public confidence in the profession; and to declare and uphold proper standards of conduct. The panel recognises that the imposition of such an order would have a serious impact on the ability of Ms Gretton to earn a living. It was mindful of the need to balance the interests of Ms Gretton against the wider public interest, and that the imposition of a prohibition order must be a proportionate response to her conduct.

Ms Gretton's conduct seriously departed from the standards expected of a teacher, and particularly someone in a position of authority. The *Teacher misconduct: the prohibition of teachers* guidance document indicates that a panel should consider recommending to the Secretary of State that a prohibition order is imposed with no provision for the teacher to apply for it to be set aside after any period of time where the case involved intolerance and/or hatred on the grounds of race/religion or sexual orientation. This is a case where the teacher has exhibited clear intolerance on the grounds of race, as well as disability.

She had no previous history of misconduct during her long career and worked to assist schools in challenging circumstances. She had some positive and supportive testimonials from staff and parents.

The panel considered that Ms Gretton was not acting under duress, she lacked any insight into her behaviour and demonstrated no remorse. Her actions towards staff and pupils were deliberate, repeated and over a sustained period of time. Ms Gretton seriously abused her position of power and trust within the school.

In the panel's view the only appropriate and proportionate recommendation to make, in light of the seriousness of her actions and her lack of insight into them, is that the Secretary of State make a prohibition order.

The panel considered carefully whether this was an appropriate case to recommend a period of time after which Ms Gretton would be entitled to apply for the order to be set aside. In the panel's view this case is so serious that it would not be appropriate for it to make such a recommendation. There has been no effort made by Ms Gretton to remedy the attitudinal deficiencies which have led her to behave in the way in which she did. The

Teacher's Representative has told the panel that she has no intention of returning to teaching. However, the panel cannot envisage a time when Ms Gretton will no longer present either a risk to either pupils or colleagues.

Decision and reasons on behalf of the Secretary of State

I have given careful consideration to the findings and recommendations of the panel. They have found a range of allegations proven in respect of Ms Gretton's behaviour at the school where she was in the role of headteacher. The panel have found that the facts proven amount to unacceptable professional conduct.

Those facts include intolerance on the grounds of both race and disability. The panel have also found proven allegations in respect of bullying behaviour towards more junior members of staff. In determining whether to recommend a prohibition order the panel have found a number of public interest considerations relevant to this case namely:

- The maintenance of public confidence in the profession;
- The protection of pupils and other members of the public; and
- The need to declare and uphold proper standards of conduct.

Ms Gretton had no previous reported incidents of misconduct, and produced some positive testimonials from staff and parents. However, the panel considered that Ms Gretton was not acting under duress, she lacked any insight into her behaviour and demonstrated no remorse. Her actions towards staff and pupils were deliberate, repeated and over a sustained period of time. Ms Gretton seriously abused her position of power and trust within the school.

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

In considering whether it would be appropriate to recommend a review period the panel have properly referenced the Secretary of State's advice *Teacher misconduct: the prohibition of teachers*. The document indicates that a panel should consider recommending to the Secretary of State that a prohibition order is imposed with no provision for the teacher to apply for it to be set aside after any period of time where the case involved intolerance and/or hatred on the grounds of race/religion or sexual orientation. This is a case where the teacher has exhibited clear intolerance on the grounds of race, as well as disability.

It is the panel's view this case is so serious that it would not be appropriate for it to recommend a review period. There has been no effort made by Ms Gretton to remedy the attitudinal deficiencies which have led her to behave in the way in which she did. I agree with their recommendation.

This means that Ms Margaret Leandra Gretton 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 her, I have decided that Ms Margaret Leandra Gretton shall not be entitled to apply for restoration of her eligibility to teach.

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

Ms Margaret Leandra Gretton has a right of appeal to the Queen's Bench Division of the High Court within 28 days from the date she is given notice of this order.

NAME OF DECISION MAKER: Paul Heathcote

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

Date: 1 April 2015

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