



National College for
Teaching & Leadership

Mr John Flatley: Professional conduct panel outcome

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

March 2017

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

Teacher: Mr John Flatley

Teacher ref number: 1039397

Teacher date of birth: 13 February 1987

NCTL case reference: 14730

Date of determination: 20 March 2017

Former employer: Gordon's School, Surrey County Council

A. Introduction

A professional conduct panel ("the panel") of the National College for Teaching and Leadership ("the National College") convened on 20 March 2017 at Study Inn Conference Centre, 175 Corporation Street, Coventry, CV1 1GU to consider the case of Mr John Flatley.

The panel members were Mr Tony James (former teacher panellist – in the chair), Mr Anthony Bald (teacher practising panellist) and Ms Karen McArthur (lay panellist).

The legal adviser to the panel was Mr Parminder Benning of Eversheds Sutherland (International) LLP.

The presenting officer for the National College was Mr Harry Bentley of 2 Hare Court, briefed by Nabarro LLP.

Mr John Flatley was present and was not represented.

The hearing took place in public and was recorded.

B. Allegations

The panel considered the allegations set out in the Notice of Proceedings dated 20 September 2016.

It was alleged that Mr John Flatley was guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute in that he failed to maintain appropriate professional standards and/or appropriate professional boundaries in that:

1. In summer 2015, when attending Tolworth Girls' School prom he requested to exchange messages via Snapchat with pupils (some of whom he had previously taught);
2. After the prom he sent inappropriate Snapchat messages to the pupils;
3. In relation to Pupil A, after the prom he sent Snapchat messages to her which were flirty in tone and/or contained sexualised content including but not limited to:
 - a. "U could have sent me some really naughty pics",
 - b. "Well you do love ur bed so u might as well spoil me with snaps",
 - c. "You look amazing",
 - d. "U look so good",
 - e. "So u never slid ur hands inside your undies when u in bed",
 - f. "Tell me u want one xxx",
 - g. "A vibrator or dildo would u like both?",
 - h. "I want ur naughty side. I'm sure if we were in bed u might roll on top of me xxx",
 - i. "Let me inside you xxx",
 - j. He suggested meeting up with her and/or invited her to come to his house;
4. In relation to Pupil B, after the prom, he sent Snapchat messages to her which were flirty in tone and/or contained sexualised content including but not limited to:
 - a. Asking whether Pupil B had a "cheeky side" or words to the effect,
 - b. "What do you do in bed" or words to that effect,
 - c. Telling her she was "too boring because she was shy" or words to that effect,
 - d. Telling her she was not getting him "excited" or words to that effect;
5. His conduct as set out at paragraphs 1 and/or 2 and/or 3 and/or 4 above was sexually motivated.

In the Statement of Agreed Facts signed by Mr Flatley on 20 March 2017, Mr Flatley admitted the facts giving rise to allegations 1 through to 5 and that such actions amounted to unacceptable professional conduct and/or conduct that may bring the profession into disrepute. Mr Flatley admitted the facts of the allegations at the hearing

and wished to give mitigation evidence in person to the panel. This hearing therefore proceeded as an admitted case.

C. Preliminary applications

Amendment to Allegation 1

The panel determined to exercise its discretion under paragraph 4.56 of the Teacher misconduct - Disciplinary procedures for the teaching profession (the “Procedures”) to amend the particulars of allegation 1, as requested by the presenting officer.

The panel accepted the legal advice, and noted that the test for it to consider was one of the interests of justice and included a consideration of whether there is a risk that prejudice would be caused to the teacher if the amendment was to be allowed.

The panel noted that the amendment did not alter the nature of the allegation nor made it more serious than before. Furthermore, the amendment did not change the factual basis upon which the allegation was founded. In addition, the panel noted that the amendment had arisen due to the response to the allegations received from Mr Flatley on the morning of the hearing. The panel did not consider that Mr Flatley’s case would have been presented differently if the amendment had been made at an earlier stage. Accordingly, the panel did not consider that the amendment would cause prejudice to the teacher.

The panel was minded to allow the amendment, therefore, allegation 1 read:

“In summer 2015, when attending Tolworth Girls’ School prom you exchanged Snapchat contact details with pupils (some of whom you had previously taught)”.

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 5 to 17

Section 3: NCTL witness statements – pages 19 to 38

Section 4: NCTL documents – pages 40 to 81

The panel members confirmed that they had read all of the documents in advance of the hearing.

In addition, the panel agreed to accept the following:

Section 5: Letter from teacher's GP – pages 82 to 83

The panel confirmed that it had read all of the additional documents listed above once it had determined to admit such documents.

Witnesses

The panel heard oral evidence from Mr Flatley at the hearing.

E. Decision and reasons

The panel announced its decision and reasons as follows:

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

The panel confirmed that it read all the documents provided in the bundle.

Mr John Flatley was employed at Tolworth Girls' School from 1 September 2010 until 31 December 2014. Upon leaving Tolworth Girls' School, he commenced employment at Gordon's School on 1 January 2015.

On 10 July 2015, Mr Flatley attended a prom at Tolworth Girls' School, at the invitation of the school. Following the prom, it is alleged Mr Flatley exchanged messages with pupils via Snapchat. These messages were allegedly flirty in tone and/or contained sexualised content.

On 24 September 2015, a pupil reported incidents of offensive and inappropriate Snapchat messages received from Mr Flatley. The allegation was reported to the LADO and Mr Flatley was suspended from his position at Gordon's School the following day.

On 14 October 2015, Mr Flatley attended a disciplinary hearing at Gordon's School where he tendered his resignation.

Findings of fact

The panel's findings of fact are as follows:

We have found the following particulars of the allegations against you proven, for these reasons:

- 1. In summer 2015, when attending Tolworth Girls' School prom you exchanged Snapchat contact details with pupils (some of whom you had previously taught);**

The panel noted that Mr Flatley admitted, in the Statement of Agreed Facts dated 20 March 2017, that when attending the summer prom at Tolworth Girls' School, he exchanged Snapchat contact details with pupils.

The panel considered the written evidence of Pupil A which stated that "Pupil C had asked Mr Flatley for his Snapchat details and he had given them to her, so I asked if I could also have them". This was corroborated by the handwritten note of Pupil A which was taken on 22 September 2015. The panel also considered the written evidence of Pupil B, who stated that she obtained Mr Flatley's contact details from someone else during the prom. Mr Flatley accepted her request that evening.

In addition, Individual A in her written evidence stated that Pupil G had told a summer school staff member that "during the Year 11 prom at [Tolworth Girl's] School ... a teacher had drunkenly added her to Snapchat". This was corroborated by the contemporaneous email Individual A sent to Individual B on 3 September 2015. Furthermore, the panel considered the email from Individual A to Individual B dated 24 September 2015, where she stated that Pupil C and Pupil D had also exchanged Snapchat contact details with Mr Flatley.

The panel had regard to the Gordon's School staff code of conduct, which provided that "Staff should not establish or seek to establish social contact with pupils ... Communication with children ... should take place within professional boundaries and staff should avoid any personal subject matter ... Staff with Facebook and social media accounts ... must not accept pupils or parents as "friends"". The social media policy provided that, "staff must not have contact through any personal social medium with any current pupil, whether from Gordon's School or any other school, unless the pupils are family members". Furthermore, the policy imposes an obligation on teachers to decline friend requests received on any social media platform.

The panel considered all the evidence, and on the balance of probabilities the panel found that Mr Flatley was more likely than not to have exchanged Snapchat contact details with pupils. Having regard to appropriate teacher/pupil relationship and the relevant code of conduct and social media policy, the panel concluded that such actions amounted to a failure to maintain appropriate professional standards and appropriate professional boundaries. Consequently, the panel find this allegation to be proved.

2. After the prom you sent inappropriate Snapchat messages to the pupils;

As previously acknowledged, the panel noted Mr Flatley's admission of the facts of this allegation in the Statement of Agreed Facts dated 20 March 2017.

In addition, the panel had regard to the written evidence of Pupil A who explained that following receipt of their examination results, Mr Flatley sent a message, "saying that he would invite us [Pupil A and Pupil H] around to his house for a party". Furthermore, in the handwritten note of Pupil A which was taken on 22 September 2015, she stated that Mr

Flatley messaged her stating that “I want to take you shopping to Ann Summers”. The panel also considered the written evidence of Pupil B who stated that in response to a message she sent to Mr Flatley, he responded and said that “we should all meet up and have some beers”.

The panel had regard to the Gordon’s School staff code of conduct, which provided that “Communication with children and adults, by whatever method, should take place within professional boundaries and staff should avoid any personal subject matter”. The panel noted the provisions of the social media policy as noted above.

The panel considered that, on the balance of probabilities, Mr Flatley did send inappropriate Snapchat messages to pupils. The panel held that the nature of the messages was inappropriate. As a teacher, Mr Flatley should not have invited pupils to his house. Furthermore, given the age of the pupils, it was inappropriate for him to suggest that they “have beers”. In addition, it is not appropriate to invite a pupil shopping to Ann Summers. Having regard to appropriate teacher/pupil relationship and the relevant code of conduct and social media policy, the panel concluded that such actions amounted to a failure to maintain appropriate professional standards and appropriate professional boundaries. Consequently, the panel find this allegation to be proved.

3. In relation to Pupil A, after the prom you sent Snapchat messages to her which were flirty in tone and/or contained sexualised content including but not limited to:

- a. **“U could have sent me some really naughty pics”,**
- b. **“Well you do love ur bed so u might as well spoil me with snaps”,**
- c. **“You look amazing”,**
- d. **“U look so good”,**
- e. **“So u never slid ur hands inside your undies when u in bed”,**
- f. **“Tell me u want one xxx”,**
- g. **“A vibrator or dildo would u like both?”,**
- h. **“I want ur naughty side. I’m sure if we were in bed u might roll on top of me xxx”,**
- i. **“Let me inside you xxx”**
- j. **you suggested meeting up with her and/or invited her to come to your house;**

Again, the panel noted Mr Flatley's admission of the facts of this allegation in the Statement of Agreed Facts dated 20 March 2017. In addition, the panel had regard to the written evidence of Pupil A where she described the content of the messages received. This was verified by the photographs taken of the messages received by Pupil A which record the details as outlined at 3(a) to 3(j) above. Furthermore, the panel noted the details of the handwritten note by Individual C of her meeting with Pupil A dated 22 September 2015, she stated that Mr Flatley invited her to his house.

The panel also had regard to the disciplinary interview with Mr Flatley dated 14 October 2015, undertaken by Gordon's School, his then employer, during which Mr Flatley accepted that he had sent Pupil A the messages as described in 3(a) to 3(j) above.

The panel had regard to the Gordon's School staff code of conduct, and the provisions of the social media policy, as noted above. In addition, the panel noted that the staff code of conduct provides that "Staff must ... avoid any form of communication with a child or young person which could be interpreted as sexually suggestive or provocative".

The panel considered all the evidence, and on the balance of probabilities the panel believed that Mr Flatley was more likely than not to have sent the messages in the terms outlined in the allegation. Having regard to appropriate teacher/pupil relationship, and the relevant code of conduct and social media policy, the panel concluded that such actions amounted to a failure to maintain appropriate professional standards and appropriate professional boundaries. Consequently, the panel find this allegation to be proved.

4. In relation to Pupil B, after the prom, you sent Snapchat messages to her which were flirty in tone and/or contained sexualised content including but not limited to:

- a. Asking whether Pupil B had a "cheeky side" or words to the effect,**
- b. "What do you do in bed" or words to that effect,**
- c. Telling her she was "too boring because she was shy" or words to that effect,**
- d. Telling her she was not getting him "excited" or words to that effect;**

The panel again noted Mr Flatley's admission of the facts of this allegation in the Statement of Agreed Facts dated 20 March 2017. In addition, the panel had regard to the written evidence of Pupil B where she described the content of the messages received.

The panel had regard to the Gordon's School staff code of conduct, and the key provisions of the social media policy, as noted above. In addition, the panel noted that the staff code of conduct provides that "Staff must ... avoid any form of communication with a child or young person which could be interpreted as sexually suggestive or provocative".

The panel considered all the evidence, and on the balance of probabilities the panel believed that Mr Flatley was more likely than not to have sent the messages in the terms outlined in the allegation. Having regard to appropriate teacher/pupil relationship, and the relevant code of conduct and social media policy, the panel concluded that such actions amounted to a failure to maintain appropriate professional standards and appropriate professional boundaries. Consequently, the panel find this allegation to be proved.

5. Your conduct as set out at paragraphs 1 and/or 2 and/or 3 and/or 4 above was sexually motivated

As the panel found allegations 1, 2, 3 and 4 to be proved, the panel went on to consider the two stage test for sexual motivation – firstly, whether on the balance of probabilities a reasonable person would think the actions could be sexual and secondly whether, in all the circumstances of the conduct in the case, it was more likely than not that the teacher’s purpose in such actions was sexual.

In the Statement of Agreed Facts dated 20 March 2017, Mr Flatley accepted that his actions were sexually motivated.

The panel noted that the facts of the allegations found to be proved against Mr Flatley, which included sending pupils inappropriate messages, would be viewed by a reasonable person as sexual. In reaching its decision, the panel noted that the very nature of his actions, in exchanging Snapchat details with pupils and proceeding to message them, coupled with the content of the messages, would suffice to satisfy this element of the test.

Turning to the second limb, whether in all the circumstances of the conduct of the case, the purpose of such actions was sexual on Mr Flatley’s part. The panel was satisfied, in the absence of any other reasonable explanation and as a result of the proven facts, that Mr Flatley’s intention behind these actions was indeed sexual. Therefore, the panel found this allegation to be proved.

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

Having found 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 the panel refers to as “the Advice”.

The panel is satisfied that the conduct of Mr Flatley in relation to the facts found proven, involved breaches of the Teachers’ Standards. The panel considers that by reference to Part Two, Mr Flatley is in breach of the following standards:

- Teachers uphold public trust in the profession and maintain high standards of ethics and behaviour, within and outside school, by:
 - treating pupils with dignity, building relationships rooted in mutual respect, and at all times observing proper boundaries appropriate to a teacher's professional position; and
 - having regard for the need to safeguard pupils' well-being, in accordance with statutory provisions.
- 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.
- Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities.

The panel was satisfied that the conduct of Mr Flatley, which involved exchanging Snapchat contact details with pupils and subsequently sending inappropriate messages via Snapchat, fell significantly short of the standards expected of the profession.

The panel also considered whether Mr Flatley's conduct displayed behaviours associated with any of the offences listed on pages 8 and 9 of the Advice and the panel found that the offence of sexual activity was relevant. The Advice indicates that where behaviours associated with such an offence exist, a panel is likely to conclude that an individual's conduct would amount to unacceptable professional conduct.

The panel noted that the allegations took place outside of the education setting and in such circumstances misconduct will only amount to unacceptable professional conduct if it affects the way the person fulfils their teaching role or may lead to pupils' being exposed to or influenced by the behaviour in a harmful way. The panel noted that the facts surrounding the allegations were not said to have impacted the manner in which Mr Flatley fulfilled his role as a teacher. However, there is clear evidence from the underlying facts that Mr Flatley's conduct may have led to pupil's being exposed to or influenced by his behaviour in a harmful way, not least due to the sexualised nature of the messages.

Accordingly, the panel is satisfied that Mr Flatley 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.

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 Flatley'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 a punitive effect.

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

In light of the panel's findings against Mr Flatley, which involved exchanging Snapchat contact details and sending inappropriate, and at times sexualised, messages to pupils, there is a strong public interest consideration in respect of the protection of pupils given the serious findings of inappropriate actions involving children.

Similarly, the panel considers that public confidence in the profession could be seriously weakened if conduct such as that found against Mr Flatley were not treated with the utmost seriousness when regulating the conduct of the profession.

The panel considered that a strong public interest consideration in declaring proper standards of conduct in the profession was also present as the conduct found against Mr Flatley was outside that which could reasonably be tolerated.

In view of 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 Flatley.

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 Flatley. 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.

The panel found that Mr Flatley's conduct involved serious departures from the personal and professional conduct elements of the Teachers' Standards, as the panel has already detailed above.

- Misconduct seriously affecting the education and/or well-being of pupils, and particularly where there is a continuing risk.

The panel noted that pupils were upset following receipt of the messages and one pupil is receiving counselling.

- Sexual misconduct, eg involving actions that were sexually motivated or of a sexual nature and/or that use or exploit the trust, knowledge or influence derived from the individual's professional position.

The panel found allegation 5 proven, noting that Mr Flatley's actions were sexually motivated.

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.

Given the nature of the behaviour, the panel held that Mr Flatley's actions were deliberate and had seen no evidence to suggest that he was acting under duress. The panel noted whilst the initial contact during the prom may be considered ill-judged, his subsequent contact was conscious and calculated. The panel noted that, as far as they are aware, in his role as a teacher Mr Flatley had not been subject to any formal disciplinary proceedings. The panel noted Mr Flatley is said to have had an exemplary teaching record, although no evidence has been put before it to attest to this. Furthermore, the panel has had regard to the context of the period in question and noted that Mr Flatley described this as a difficult time. The panel noted his current health issues, as documented in the medical evidence adduced.

The panel first considered whether it would be proportionate to conclude this case with no recommendation of prohibition, considering whether the publication of the findings made by the panel is sufficient.

The panel is of the view that applying the standard of the ordinary intelligent citizen recommending no prohibition order is not a proportionate and appropriate response. Recommending that publication of adverse findings is sufficient in the case would unacceptably compromise the public interest considerations present in this case, despite the severity of consequences for the teacher of prohibition.

The panel is of the view that prohibition is both proportionate and appropriate. The panel decided that the public interest considerations outweigh the interests of Mr Flatley. The sexualised content of the messages sent to pupils, in particular Pupil A, coupled with the impact upon those pupils, 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 to decide to recommend that a review period of the order should be considered. The panel was mindful that the Advice states that a prohibition order applies for life, but there may be circumstances in any given case that may make it appropriate to allow a teacher to apply to have the prohibition order reviewed after a specified period of time that may not be less than 2 years.

The Advice indicates that there are behaviours that, if proven, would militate against a review period being recommended. One of these behaviours includes serious sexual misconduct, eg where the act was sexually motivated and resulted in or had the potential to result in, harm to a person or persons, particularly where the individual has used their professional position to influence or exploit a person or persons. The panel has found that Mr Flatley has been responsible for sending sexualised messages to pupils, such actions being sexually motivated. These messages were sent over a number of weeks and to a number of pupils. Furthermore, the panel note that one pupil is still receiving counselling as a result of these actions. Having said that, Mr Flatley showed significant remorse for his actions and the impact upon pupils. The panel acknowledged that Mr Flatley admitted the allegations at the first potential opportunity, during Gordon's School's disciplinary hearing. Despite this, the panel felt the findings indicated a situation in which a review period would not be appropriate and as such decided that it would be proportionate in all the circumstances for the prohibition order to be recommended without provision for a review period.

Decision and reasons on behalf of the Secretary of State

I have given very careful consideration to this case and to the recommendation made to me by the panel in respect of both sanction and review period.

In considering this case I have also taken careful account of the advice that is published by the Secretary of State concerning the prohibition of teachers.

I note that in this case the teacher, Mr Flatley, has admitted all of the allegations that have been put to him.

In this case the panel has found all of the facts proven. In particular the panel has found that Mr Flatley is in breach of the following standards:

- Teachers uphold public trust in the profession and maintain high standards of ethics and behaviour, within and outside school, by:
 - treating pupils with dignity, building relationships rooted in mutual respect, and at all times observing proper boundaries appropriate to a teacher's professional position; and
 - having regard for the need to safeguard pupils' well-being, in accordance with statutory provisions.
- 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.
- Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities.

The panel has shown that it was satisfied that the conduct of Mr Flatley, which involved exchanging Snapchat contact details with pupils and subsequently sending inappropriate messages via Snapchat, fell significantly short of the standards expected of the profession.

The panel also considered whether Mr Flatley's conduct displayed behaviours associated with any of the offences listed on pages 8 and 9 of the Advice and the panel found that the offence of sexual activity was relevant. The Advice indicates that where behaviours associated with such an offence exist, a panel is likely to conclude that an individual's conduct would amount to unacceptable professional conduct.

Having found unacceptable professional conduct and conduct that may bring the profession into disrepute, the panel has gone on to make its recommendations to me in respect of sanction and review.

In considering those recommendations I have weighed the various elements of the public interest with the interests of the teacher. I have taken particular account of the public interest in enabling good teachers to remain in the profession. In certain cases, a published finding of unacceptable professional conduct or conduct that may bring the profession into disrepute may be a proportionate outcome. In this case, having considered all of the facts of the case and having weighed the public interest and the interest of the teacher I do not consider that such an outcome is proportionate.

In this case, the teacher has shown the following behaviours:

- Serious departure from the personal and professional conduct elements of the Teachers' Standards.

Mr Flatley's conduct involved serious departures from the personal and professional conduct elements of the Teachers' Standards. In addition the panel identify:

- Misconduct seriously affecting the education and/or well-being of pupils, and particularly where there is a continuing risk.

The panel noted that pupils were upset following receipt of the messages and one pupil is receiving counselling. The panel also identify:

- Sexual misconduct, eg involving actions that were sexually motivated or of a sexual nature and/or that use or exploit the trust, knowledge or influence derived from the individual's professional position.

The panel found that Mr Flatley's actions were sexually motivated.

Having taken all those factors into account I support the recommendation of the panel that a prohibition order is proportionate and in the public interest.

I have gone on to consider the matter of a review period. I have taken into account the panel's comments on mitigating factors and on insight and remorse. I note that Mr Flatley has admitted the allegations and has "showed significant remorse for his actions and the impact upon pupils." Nonetheless this is a very serious case that had real adverse impact upon pupils. Having considered the advice and all of the factors in this case I agree with the panel that it is in the public interest and proportionate to impose a prohibition order with no opportunity for review.

This means that Mr John Flatley 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 John Flatley 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 John Flatley 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.



Decision maker: Alan Meyrick

Date: 23 March 2017

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