



Teaching  
Regulation  
Agency

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

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

**July 2018**

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

**Teacher:** Mr Simon Dodd  
**Teacher ref number:** 0048399  
**Teacher date of birth:** 14 July 1978  
**TRA reference:** 0016239  
**Date of determination:** 17 July 2018  
**Former employer:** Francis Holland School, London

### **A. Introduction**

A professional conduct panel (“the panel”) of the Teaching Regulation Agency (“the TRA”) convened on 16 to 17 July 2018 at The Chace Hotel, Coventry, CV3 4EQ to consider the case of Mr Simon Dodd.

The panel members were Kathy Thomson (teacher panellist – in the chair), Tony Woodward (former teacher panellist) and Mr Maurice McBride (lay panellist).

The legal adviser to the panel was Mr Nick Leale of Blake Morgan solicitors.

The presenting officer for the TRA was Mr Ben Bentley of Browne Jacobson solicitors.

Mr Dodd was present and was represented by Mr Small of Counsel.

The hearing took place in public and was recorded.

## **B. Allegations**

The panel considered the allegations set out in the Notice of Proceedings dated 7 June 2018.

It was alleged that Mr Simon Dodd was guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute in that:

1. Prior to and/or on his appointment to a teaching post at Francis Holland School on 1 January 2017, he:

a. acted dishonestly, in that he:

i. knowingly withheld information by omitting his employment at Ibstock Place School between September 2011 and 3 January 2012 from his employment history;

ii. knowingly provided false information about his employment history by stating that he was employed by Sir William Perkins' School from September 2009 to August 2012;

iii. submitted a falsified degree certificate and/or untrue information to reflect a higher degree classification than he had actually achieved.

By way of agreed statement of facts signed by Mr Dodd on 8 November 2017, Mr Dodd admitted the facts in full and that those facts amounted to unacceptable professional conduct and conduct that may bring the profession into disrepute.

## **C. Preliminary applications**

It was agreed by all parties that factual particular 1(a)(ii) should read 'September 2006' as opposed to 'September 2009' and this amendment to the allegations was therefore made.

Mr Dodd's representative applied to admit additional documents in evidence. This application was not opposed and these 'additional teacher documents' were therefore added to the bundle at pages 212-268.

## **D. Summary of evidence**

### **Documents**

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

Section 1: Chronology – page 2

Section 2: Notice of Proceedings, Response and Statement of Agreed Facts – pages 4 to 10

Section 3: Teaching Regulation Agency documents – pages 12 to 49

Section 4: Teacher documents – pages 50 to 211.

In addition, as stated above, the panel agreed to accept 'additional teacher documents' at pages 212-268.

## **Witnesses**

The panel heard oral evidence from:

- i) Mr Dodd;
- ii) Witness A

## **E. Decision and reasons**

The panel announced its decision and reasons as follows:

We have carefully considered the case before us and have reached a decision.

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

This case involved a teacher who, when applying for new teaching roles, omitted to record employment at a previous school (falsely stating that employment at another, previous school had extended through his period of employment at the subsequent school) in his CV and thereafter the personal record form provided to his new employer. Furthermore, in both documents, he inaccurately cited his degree classification as 2(i) when he had in fact obtained a 2(ii). When taking up his new post he provided to the school a falsified degree certificate to this effect. Such conduct was alleged to have been dishonest.

## **Findings of fact**

Our findings of fact are as follows:

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

1. Prior to and/or on your appointment to a teaching post at Francis Holland School on 1<sup>st</sup> January 2017, you:
  - a. acted dishonestly, in that you:

- i. knowingly withheld information by omitting your employment at Ibstock Place School between September 2011 and 3<sup>rd</sup> January 2012 from your employment history;
- ii. knowingly provided false information about your employment history by stating that you were employed by Sir William Perkins' School from September 2006 to August 2012;
- iii. submitted a falsified degree certificate and/or untrue information to reflect a higher degree classification than you had actually achieved.

By way of the agreed statement of facts it is accepted by Mr Dodd that in January 2012 he left Ibstock Place School where he had been employed from September 2011. He had previously been employed at Sir William Perkins' School from September 2006 to August 2011. One of the reasons for the end of his employment at Ibstock Place was that when he applied for the role he had, in error, stated that he had obtained a 2(i) classification in his degree when in fact he had obtained a 2(ii).

Mr Dodd subsequently moved to Surbiton High School in September 2012 before leaving there in 2015. He thereafter fully accepts that, when in pursuit of a new leadership role, he deliberately and dishonestly prepared a CV (around July 2016) from which he omitted to include his previous employment at Ibstock Place. In the CV, he stated that his employment at Sir William Perkins' School continued until 2012 when it had, in fact, ended in 2011. Furthermore, in that same document, he stated that he had obtained a 2(i) classification in his degree. The CV was passed to Francis Holland School in support of his application (through an agency) for a position.

Mr Dodd was offered a role at Francis Holland School with effect from January 2017. Prior to taking up the position he provided a personal record form to the school that, Mr Dodd accepts, deliberately and dishonestly omitted accurately to state his previous employment history and, deliberately, dishonestly and inaccurately stated his degree classification as 2(i).

Alongside this personal record form, Mr Dodd provided what purported to be a genuine degree certificate from University of Bath stating that he obtained a 2(i) classification. This degree certificate, Mr Dodd accepts, had been deliberately and dishonestly falsified by him before submission to Francis Holland School.

All of the above is fully accepted by Mr Dodd through the agreed statement of facts (pages 7-10), his statement in the bundle (pages 57-60) and his oral evidence at the hearing. It is further evidenced by copies in the bundle of the CV (page 37), personal record form (pages 40-41) and falsified degree certificate (page 45).

Mr Dodd's full admissions are entirely clear, as is the documentary evidence that supports those admissions. We are therefore fully satisfied that factual particulars a(i), a(ii) and a(iii) are proved. We are also satisfied that each of the acts described, admitted

and proved, as laid out in factual particulars a(i), a(ii), a(iii), was an act committed dishonestly by Mr Dodd. He has fully accepted his dishonesty, which confirms his own knowledge that in undertaking those acts, he was deliberately and dishonestly seeking to mislead those who received the documents. The dishonesty was repeated in the CV, personal record and the falsified degree certificate. Any reasonable person would agree, as Mr Dodd has admitted, that he acted dishonestly. His dishonesty was not just deliberate and calculated, but also repeated. It also took place in a context of Mr Dodd having lost his job at Ibstock Place School, at least in part due to the fact that representatives of this school had discovered that Mr Dodd had inaccurately reported his degree classification in his application for that role.

### **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 Dodd in relation to the facts found proven, involved breaches of the Teachers’ Standards. The panel considers that by reference to Part Two, Mr Dodd 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.

The panel is satisfied that the conduct of Mr Dodd amounts to misconduct of a serious nature which falls significantly short of the standards expected of the profession.

Mr Dodd acted in a seriously dishonest way. His behaviour was pre-meditated and repeated. The dishonesty was layered and escalated with each dishonestly completed document, culminating in the provision of a falsified degree certificate.

Mr Dodd's dishonest conduct was particularly serious, not just due to the fact that it was repeated in securing and confirming his role at Francis Holland School, but also because it followed his leaving a previous school, in part due to his inaccurate reporting of his degree classification to that school.

Of particular seriousness is the failure to declare in its entirety a period of employment at Ibstock Place School and the subsequent period of supply teaching. This prevented a would-be employer from accessing full and accurate employment records for the purposes of Safer Recruitment.

Accordingly, the panel is satisfied that Mr Dodd is guilty of unacceptable professional conduct.

The panel has also 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 and in particular the findings that Mr Dodd's conduct was dishonest, are serious in this regard. The conduct displayed would be likely to have a negative impact on the individual's status as a teacher, potentially damaging the public perception.

Of particular relevance in this regard is Mr Dodd's deliberate falsification of his degree certificate.

The panel therefore finds that Mr Dodd'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 a number of them to be relevant in this case.

There is a strong public interest consideration in respect of the protection of pupils given the serious findings of dishonestly recording of his employment history. Such behaviour has the potential to compromise the profession's Safer Recruitment approach.

The panel considers that public confidence in the profession could be seriously weakened if conduct such as that found against Mr Dodd 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 Dodd 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.

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 Dodd. 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;
- Dishonesty, especially where there have been serious consequences, and/or it has been repeated and/or covered up.

Mr Dodd has a previous good record but his actions were deliberate and repeated. His conduct consisted of, in the first instance, an error on an application form relating to his degree classification. However, it escalated later, when applying for a new role, to dishonest omission of previous employment at a school from his CV and the dishonest recording of inaccurate dates of employment at a previous employer. Thereafter, he embarked on the deliberate, calculated and dishonest falsification of his degree certificate to support his earlier dishonest statement relating to his degree classification. The panel has concluded that his conduct must be considered to amount to serious, pre-meditated and repeated dishonesty.

For completeness, there was no evidence to suggest that the teacher was acting under duress, and in fact the panel found the teacher's actions to be pre-meditated and repeated.

The teacher did have a previously good history and the panel has taken this into account.

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 of prohibition for the teacher.

The panel is of the view that prohibition is both proportionate and appropriate. We have decided that the public interest considerations outweigh the interests of the teacher and indeed the profession as a whole, despite the fact that this will cause the profession to lose a good science teacher.

Mr Dodd's lack of real insight into what he did was a significant factor in the panel forming that opinion. The panel particularly noted Mr Dodd's negative response in evidence to the question of whether the effect of his behaviour on pupils was of his own making. He stated that the effect on the pupils was the result of a previous panel's decision. The panel found this comment indicative of his apparent underlying lack of insight into the seriousness of his conduct.

Mr Dodd's counsel further commented at the mitigation stage that his conduct was a, "momentary lapse of judgment". This comment came as a particular surprise to the panel given the announced findings. The panel rejects that suggestion.

The panel also noted Mr Dodd's comments in mitigation as to the consequences on him and his family of his actions. Only when pressed by the panel did he express an understanding of the moral imperative of his pupils telling the truth.

Accordingly, the panel makes a recommendation to the Secretary of State that a prohibition order should be imposed with immediate effect.

The panel went on to consider whether or not it would be appropriate for them to decide to recommend that a review period of the order should be considered. The panel were mindful that the Advice states that a prohibition order applies for life, but there may be circumstances in any given case that may make it appropriate to allow a teacher to apply to have the prohibition order reviewed after a specified period of time that may not be less than 2 years.

The Advice indicates that there are behaviours that, if proven, would militate against a review period being recommended. One of these behaviours is serious dishonesty. The panel has found that Mr Dodd has been responsible for repeated dishonesty of a serious nature.

The panel concluded, for the reasons outlined above, that the findings indicated a situation in which a review period would not be appropriate and as such decided that it would be appropriate and proportionate in all the circumstances for the prohibition order to be recommended without provision for a review period. Mr Dodd's dishonest actions were too serious and his insight too limited and belated for any other outcome to be appropriate in this case.

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

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

In considering this case, I have also given very careful attention to the advice that is published by the Secretary of State concerning the prohibition of teachers.

In this case, the panel has found the allegations proven and found that those proven facts amount to unacceptable professional conduct and conduct that may bring the profession into disrepute. The panel has made a recommendation to the Secretary of State that Mr Dodd should be the subject of a prohibition order, with no provision for a review period.

In particular the panel has found that Mr Dodd 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.

The panel has said “ Mr Dodd acted in a seriously dishonest way. His behaviour was pre-meditated and repeated. The dishonesty was layered and escalated with each dishonestly completed document, culminating in the provision of a falsified degree certificate.”

The findings of misconduct are particularly serious as they include a finding of dishonesty, which the panel describes as, “particularly serious, not just due to the fact that it was repeated in securing and confirming his role at Francis Holland School, but also because it followed his leaving a previous school, in part due to his inaccurate reporting of his degree classification to that school.”

I have to determine whether the imposition of a prohibition order is proportionate and in the public interest. In considering that for this case I have considered the overall aim of a prohibition order which is to protect pupils and to maintain public confidence in the profession. I have considered the extent to which a prohibition order in this case would achieve that aim taking into account the impact that it will have on the individual teacher. I have also asked myself whether or not a less intrusive measure, such as the published finding of unacceptable professional conduct and conduct that may bring the profession into disrepute, would itself be sufficient to achieve the overall aim. I have to consider whether the consequences of such a publication are themselves sufficient. I have considered therefore whether or not prohibiting Mr Dodd, and the impact that will have on him, is proportionate.

In this case I have considered the extent to which a prohibition order would protect children. The panel has observed “ a strong public interest consideration in respect of the protection of pupils given the serious findings of dishonestly recording of his employment history. Such behaviour has the potential to compromise the profession's Safer Recruitment approach.”

A prohibition order would therefore prevent such a risk from being present in the future. I have also taken into account the panel's comments on insight and remorse which the panel sets out as follows, “ lack of real insight into what he did was a significant factor in the panel forming that opinion. The panel particularly noted Mr Dodd's negative response

in evidence to the question of whether the effect of his behaviour on pupils was of his own making. He stated that the effect on the pupils was the result of a previous panel's decision. The panel found this comment indicative of his apparent underlying lack of insight into the seriousness of his conduct.”

In my judgement the lack of insight means that there is some risk of the repetition of this behaviour and this puts at risk the professions’ approach to safeguarding. I have therefore given this element considerable weight in reaching my decision.

I have gone on to consider the extent to which a prohibition order would maintain public confidence in the profession. The panel observe, “ The panel has also 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 and in particular the findings that Mr Dodd's conduct was dishonest, are serious in this regard. The conduct displayed would be likely to have a negative impact on the individual’s status as a teacher, potentially damaging the public perception.

Of particular relevance in this regard is Mr Dodd's deliberate falsification of his degree certificate.”

I am particularly mindful of the finding of dishonesty in this case and the impact that such a finding has on the reputation of the profession.

I have had to consider that the public has a high expectation of professional standards of all teachers and that failure to impose a prohibition order might be regarded by the public as a failure to uphold those high standards. In weighing these considerations I have had to consider the matter from the point of view of an “ordinary intelligent and well-informed citizen.”

I have considered whether the publication of a finding of unacceptable professional conduct, in the absence of a prohibition order, can itself be regarded by such a person as being a proportionate response to the misconduct that has been found proven in this case.

I have also considered the impact of a prohibition order on Mr Dodd himself. I have noted the panel’s comments that Mr Dodd “did have a previously good history” and was a good science teacher.

A prohibition order would prevent Mr Dodd from continuing that work and would also clearly deprive the public of his contribution to the profession for the period that it is in force.

In this case I have placed considerable weight on the panel's comments concerning the lack of insight or remorse. The panel has said that it, "noted Mr Dodd's negative response in evidence to the question of whether the effect of his behaviour on pupils was of his own making. He stated that the effect on the pupils was the result of a previous panel's decision. The panel found this comment indicative of his apparent underlying lack of insight into the seriousness of his conduct.

Mr Dodd's counsel further commented at the mitigation stage that his conduct was a, "momentary lapse of judgment". This comment came as a particular surprise to the panel given the announced findings. The panel rejects that suggestion.

The panel also noted Mr Dodd's comments in mitigation as to the consequences on him and his family of his actions. Only when pressed by the panel did he express an understanding of the moral imperative of his pupils telling the truth."

I have placed considerable weight on the lack of insight shown by Mr Dodd.

I have given less weight in my consideration of sanction therefore, to the contribution that Mr Dodd has made to the profession. In my view it is necessary to impose a prohibition order in order to maintain public confidence in the profession. A published decision that is not backed up by remorse or insight does not in my view satisfy the public interest requirement concerning public confidence in the profession.

For these reasons I have concluded that a prohibition order is proportionate and in the public interest in order to achieve the aims which a prohibition order is intended to achieve.

I have gone on to consider the matter of a review period. In this case the panel has recommended that there should be no provision for a review period.

I have considered the panel's comments " His conduct consisted of, in the first instance, an error on an application form relating to his degree classification. However, it escalated later, when applying for a new role, to dishonest omission of previous employment at a school from his CV and the dishonest recording of inaccurate dates of employment at a previous employer. Thereafter, he embarked on the deliberate, calculated and dishonest falsification of his degree certificate to support his earlier dishonest statement relating to his degree classification. The panel has concluded that his conduct must be considered to amount to serious, pre-meditated and repeated dishonesty. "

The panel has also said that in the circumstances a no review prohibition order is appropriate and proportionate.

I have considered whether allowing for no review reflects the seriousness of the findings and is proportionate to achieve the aim of maintaining public confidence in the profession. In this case, there are three factors that in my view mean that allowing for no review period is proportionate and in the public interest. These elements are the serious

dishonesty found, the lack of either insight or remorse, and the pre-meditated nature of the dishonesty.

I consider therefore that allowing for no review period is required to satisfy the maintenance of public confidence in the profession.

**This means that Mr Simon Dodd 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 Simon Dodd 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 Simon Dodd 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: Sarah Lewis**

A handwritten signature in black ink, appearing to be 'S.L.', written in a cursive style.

**Date: 20 July 2018**

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