



Teaching  
Regulation  
Agency

# **Mr Dean Leslie Reinard: Professional conduct panel outcome**

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

**17 July 2019**

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

**Teacher:** Mr Dean Reinard

**Teacher ref number:** 9252127

**Teacher date of birth:** 26 January 1969

**TRA reference:** 0017192

**Date of determination:** 17 July 2019

**Former employer:** Kettering Science Adademy ("the Academy"), Deeble Road, Kettering, Northants, NN15 7AA.

### **A. Introduction**

A professional conduct panel ("the panel") of the Teaching Regulation Agency ("the TRA") convened on 16 and 17 July 2019 at Cheylesmore House, 5 Quniton Road, Coventry, CV1 2WT to consider the case of Mr Dean Reinard.

The panel members were Mr John Matharu, lay panellist in the chair, Ms Gail Goodman, teacher panellist, and Mr Roger Woods, former teacher panellist.

The legal adviser to the panel was Mr Matthew Corrie, Barrister, of Blake Morgan Solicitors.

The presenting officer for the TRA was Ms Naomh Gibson of Browne Jacobson Solicitors.

The hearing took place in public and was recorded.

Mr Reinard was not present and was not represented.

## B. Allegations

The panel considered the allegation(s) set out in the Notice of Proceedings dated 2 May 2019.

It was alleged that Mr Reinard was guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute and/or having been convicted of a relevant offence, in that:

1) You were convicted at:

- a. Stoke on Trent Magistrates Court on 22nd January 2009 for driving a motor vehicle with excess alcohol on 11th January 2009, contrary to s5(1)(a) of the Road Traffic Act 1988, for which you were ordered to pay costs of £43.00, ordered to pay fine of £100.00 and disqualified from driving for 3 years;
- b. Stoke on Trent Magistrates Court on 2nd March 2009 for driving whilst disqualified on 28th February 2009 contrary to s103(1)(b) of the Road Traffic Act, for which you were sentenced to suspended imprisonment of 3 months, ordered to pay costs of £50.00, issued with an unpaid work requirement of 200 hours and issued with a supervision requirement of 12 months;
- c. Stoke on Trent Magistrates Court on 2nd March 2009 for using a vehicle whilst uninsured on 28th February 2009, contrary to s143(2) of the Road Traffic Act 1988;
- d. Stoke on Trent Magistrates Court on 2nd March 2009 for failing to provide a specimen for analysis (driving or attempting to drive) on 28th February 2009, contrary to s7(6) of the Road Traffic Act 1988, for which you were sentenced to suspended imprisonment of 3 months (concurrent suspended for 12 months), issued with an unpaid work requirement of 200 hours, issued with a supervision requirement of 12 months and disqualified from driving for 3 years;
- e. North Staffordshire Magistrates Court on 9th April 2015 for driving a motor vehicle with excess alcohol on 26th January 2015, contrary to s5(1)(a) of the Road Traffic Act 1988, for which you were ordered to a fine of £300.00, costs of £85.00, ordered to pay a victim surcharge of £30.00 and disqualified from driving for 5 years;
- f. Central and South West Staffordshire Magistrates Court on 10th December 2016 for using a vehicle while uninsured on 9th December 2016, contrary to s143(2) of the Road Traffic Act 1988, for which you were ordered to pay a fine of £600.00.
- g. Central and South West Staffordshire Magistrates Court on 10th December 2016 for driving whilst disqualified on 9th December 2016, contrary to s103(1)(b) of the Road Traffic Act 1988, for which you were sentenced to suspended imprisonment of 4 months (wholly suspended for 2 years), ordered to pay costs of £85.00, ordered to pay a victim surcharge of £115.00, and disqualified from driving for 5 years;

- h. Central and South West Staffordshire Magistrates Court on 15th February 2017 for driving whilst disqualified on 14th October 2016, contrary to s103 (1)(b) of the Road Traffic Act 1988, for which you were sentenced to suspended imprisonment of 4 months (wholly suspended for 2 years), ordered to pay costs of £135.00, ordered to pay a victim surcharge of £115.00, and issued 6 penalty points on your driving licence;
- i. Central and South West Staffordshire Magistrates Court on 15th February 2017 for using a vehicle while uninsured on 14th October 2016, contrary to S143(2) of the Road Traffic Act 1988.

2) Whilst employed as a Teacher at the Kettering Science Academy between September 2013 and February 2018;

- a. you provided false and/or misleading information to the police, specifically on or around 9th December 2016 when you informed the police that you were employed as a shop manager, when this was not the case as you were employed as a teacher;
- b. you failed to abide by the terms of your contract of employment and/or sought to conceal information which may have affected your employment, in particular by:
  - i. failing to notify the Principal and/or the school that you had been arrested on one or more occasions between 2015 and 2017;
  - ii. failing to notify the Principal and/or the school that you had been convicted of one or more offences between 2015 and 2017;

3) Your conduct as may be found proven at allegation 2a and/or 2b lacked integrity and/or was dishonest.

Mr Reinard was not present and did not provide a response to the Notice of proceedings. In the absence of any engagement from Mr Reinard the allegations are taken to have been denied.

## **C. Preliminary applications**

Mr Reinard did not attend and an application was made to proceed in his absence pursuant to paragraphs 4.27 – 4.29 of the Teacher Misconduct: disciplinary procedures for the teaching profession ("The disciplinary procedures").

The Panel considered and accepted the advice of the legal advisor.

The Panel was satisfied that Notice of Proceedings had been sent to Mr Reinard as required by Regulation 19 of the Teachers' Disciplinary (England) Regulations 2012 and that the notice contained the information required by paragraph 4.11 of the disciplinary procedures.

In its consideration of whether to exercise its discretion under paragraph 4.29 of the disciplinary procedures the Panel took the view that it was in the interests of justice for the hearing to proceed.

The Panel considered that by not attending today's hearing Mr Reinard had voluntarily absented himself from the proceedings. Additionally, given that there was no reason provided for Mr Reinard's non attendance, the Panel has no reason to consider that an adjournment would be likely to secure Mr Reinard's attendance at a future date. The Panel also took into consideration the general public interest that the hearing takes place within a reasonable time and was mindful that some of the subject matter of the allegations dates back as far as 2009. Further, the Panel also took into account that a witness was in attendance.

## **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 - 3

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

Section 3: Teaching Regulation Agency witness statements – pages 12 - 15

Section 4: Teaching Regulation Agency documents – pages 16 - 128

Section 5: Teacher documents – none supplied

In addition, the panel agreed to accept the following:

- DX despatch tracking documents relating to the sending of the Notice of Hearing on 3 May 2019;
- DX despatch tracking documents relating to the resending of the Notice of Hearing on 21 May 2019;
- DX despatch tracking documents relating to the resending of the Notice of Hearing on 21 May 2019;
- DX despatch tracking documents relating to the sending of the hearing bundle on 9 July 2019;
- A letter to Mr Reinard from Browne Jacobson dated 30 May 2018 along with the Royal Mail tracking receipt confirming a signature from the Chorlton Sorting Office;

- A letter to Mr Reinard from Browne Jacobson dated 25 June 2018 along with the Royal Mail tracking receipt confirming that Mr Reinard signed for the receipt of the letter on 11 July 2018.

These documents have been inserted to the bundle at pages 131 – 154.

The panel members confirmed that they had read all of the additional documents.

## **Witnesses**

The panel heard oral evidence from Witness A, [Redacted], who was called to give evidence by the TRA.

Mr Reinard did not attend and so did not give oral evidence. He did not submit any documentary evidence or written submissions.

## **E. Decision and reasons**

The panel announced its decision and reasons as follows:

The panel has carefully considered each particular of the allegation and has reached a decision.

The panel has read all the documents provided in the bundle in advance of the hearing. It accepted the legal advice provided.

### **Introduction**

Mr Reinard was employed as an English teacher by the Kettering Science Academy between 1 September 2013 and 27 February 2018.

On an unknown date in 2017 the Academy became aware the Mr Reinard had previously received the convictions set out in allegations 1 a – i above. These convictions were:

- i. a conviction dated 22 January 2009 for an offence of drink driving which took place on 11 January 2009;
- ii. a conviction dated 2 March 2009 for offences of driving whilst disqualified, failing to provide an evidential specimen and driving with no insurance which took place on 28 February 2009;
- iii. a conviction dated 9 April 2015 for an offence of drink driving which took place on 26 January 2015;
- iv. a conviction dated 10 December 2016 for offences of driving whilst disqualified and driving with no insurance which took place on 9 December 2016;

- v. a conviction dated 15 February 2017 for offences of driving whilst disqualified and driving with no insurance which took place on 14 October 2016.

The Academy's investigation asserted that there was no evidence that Mr Reinard had declared either the fact of his arrests or the convictions in 2015 – 2017. Clause 10 of Mr Reinard's Principal Statement of Particulars of Main Terms of Employment ("Particulars of Employment") required the immediate disclosure of any arrests or convictions to the Academy's principal or executive principal.

There was a further allegation that on 9 December 2016 Mr Reinard told the police that he was a shop manager rather than a teacher. It was alleged by the TRA that this conduct was both lacking in integrity and dishonest in that it was a deliberate attempt to conceal his profession to avoid the risk of the police informing the Academy of his arrest.

It was alleged by the TRA that the failure to declare the arrests and convictions by Mr Reinard was both dishonest and lacking in integrity. The basis of this was asserted to be that Mr Reinard was aware that he had a duty to make the Academy aware of the arrests and convictions and deliberately did not in order to avoid the consequences that might ensue.

## **Findings of fact**

Our findings of fact are as follows:

In relation to allegations 1 a – i we find each conviction proved on the basis of the memorandums of conviction within the TRA documents at pages 16 to 29.

In relation to allegation 2 we accept the evidence of Witness A that Mr Reinard was employed by the School as an English teacher from 1 July 2013 until 27 February 2018.

More specifically, in regard to allegation 2 a we accept that Mr Reinard told the police that he was employed as a shop manager. Whilst we note that the evidence relied upon within the custody record is hearsay evidence, we are entirely satisfied that it is an accurate record of what was said by Mr Reinard because it is an official document prepared by the police and the other information on the record such as the address and date of birth is accurate. Moreover, we consider that Mr Reinard had a motive to conceal his true profession in that he is likely to have been aware that the police may have notified his employer if they knew he was a teacher. Finally, in consideration of whether this was false or misleading information we have seen no evidence that he has worked as a shop manager and have heard from Witness A that he was not aware of Mr Reinard having a second job. We consider the fact that Witness A was unaware of any second job to be of particular significance given that Clause 24 of Mr Reinard's Particulars of Employment required express permission from the executive principal and the board of governors in order to undertake additional employment. We consider that Mr Reinard is likely to have been aware of this duty. We conclude from this that it is likely that Witness A would have known whether Mr Reinard had a second job as a retail manager. In addition, we noted, that although the job application and the curriculum vitae included within the TRA papers pre date the offences, there is no mention of any previous work in retail. We conclude,



on the balance of probabilities, that he was not working as a shop manager at the material time and that the information he provided to the police on 9 December 2016 was false and misleading.

With regard to allegations 2 b i and ii, we note that within Mr Reinard's Particulars of Employment at Clause 10 he was required to inform immediately the principal or executive principal of any arrests or convictions which took place during his employment. The Particulars of Employment are included in a letter sent to him dated 24 September 2013 and we consider it likely that Mr Reinard was aware of his duty to inform his employer based both upon the letter and that it would have been obvious that these were matters which his employer ought to have been made aware.

In relation to the 2009 convictions we have seen that at question 12 of Mr Reinard's application form for his employment at the Academy that he ticked the box to indicate that he did have convictions, cautions, reprimands or bind overs. We have also heard evidence that Witness A was told by Individual A that there was a note listing various driving convictions. Although, this is hearsay evidence and we have not seen the note or been told exactly what was written within it, we consider that it is likely that this relates to the 2009 convictions. The reason for this is that within the application form it asks for further details to be provided in a separate sealed envelope. We accept the evidence from Witness A that he was unaware of Mr Reinard's arrests or convictions. We consider this to be an important piece of evidence because at the time of the arrest and the convictions he was the designated safeguarding lead. Moreover, we accept that Mr Reinard's personnel file was manually searched as part of the Academy's investigation and that there was no record of any of the convictions or arrests. We consider that it is likely that had Mr Reinard made any declarations that Witness A would have been aware of this and that these would have appeared within the personnel file. Whilst we accept that the evidence provided of Individual A recollection is hearsay we consider that this supports our conclusion as he would be likely to have been aware whether a member of his staff had informed him or anyone else at the Academy that he had been arrested or convicted of an offence.

In relation to the conduct which we have found proved at allegation 2 a we find that Mr Reinard told the police that he was a shop manager knowing that this was not true in a deliberate attempt to conceal his true occupation. We consider that the motivation for this was to seek to avoid the potential consequences of the Academy finding out about his arrests and convictions.

Teachers are expected to demonstrate consistently high standards of personal and professional conduct. In the circumstances, we find that Mr Reinard acted with a lack of integrity.

Additionally, we consider that Mr Reinard's behaviour was dishonest by the standards of ordinary honest people.

The conduct at allegations 2 b i and ii in respect of each arrest and conviction between 2015 and 2017 has been considered individually but the conclusions we reach in respect of these are the same. As set out above, we conclude that Mr Reinard was aware of his duty to make the Academy aware of his arrests and convictions. We find that the failure to make declarations of these matters was deliberate and was done with the intention of avoiding the potential consequences of his conduct.

We consider that this demonstrated a failure to meet the high standards of personal and professional conduct required of teachers and so constituted a lack of integrity.

We also find that this conduct was dishonest by the standards of ordinary honest people.

### **Findings as to unacceptable professional conduct and/or conduct that may bring the profession into disrepute and/or conviction of a relevant offence**

Having found all of the allegations to have been proven, the panel has gone on to consider:

- i. Whether the convictions found proven at allegation 1 a – i are convictions of a relevant offence;
- ii. whether the facts of allegations 2 a, 2 b i, 2 bi and 3 amount to unacceptable professional conduct and/or conduct that may bring the profession into disrepute.

#### **Conviction of a relevant offence**

We have accepted the legal advice and we have considered carefully the guidance set out in the Advice.

We have found that each of the convictions are convictions of relevant offences.

We have considered each of the convictions separately and individually. We consider that in of themselves the convictions for driving with excess alcohol, failure to provide an evidential specimen and driving whilst disqualified are very serious. Driving with excess alcohol carries the risk of causing serious harm to other road users and demonstrates a disregard for the safety of members of the public. For the offence of failing to provide an evidential specimen Mr Reinard received a suspended sentence which is indicative of the gravity of the conduct. In driving whilst disqualified Mr Reinard demonstrated a disregard for the sentence previously passed by a criminal court.

In relation to the driving with no insurance offences if these were stand alone matters they might be considered to be minor driving offences. However, we take the view that Mr Reinard's conduct in driving with no insurance must be viewed within the context of the other offences committed at the same time and his history of offending. In our view, this increases the gravity of the conduct. Moreover, had an accident occurred the potential effect could have been to leave those affected with no recourse to pursue damages in the civil courts.

Further, the conduct which underlies the convictions is aggravated by the fact that there was a repetition of similar offences.

The panel is satisfied that Mr Reinard's conduct, in relation to the facts it has found proved, involved breaches of the Teachers' Standards. We consider that by reference to Part Two, Mr Reinard 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.

We noted that although Mr Reinard's actions were neither directly related to teaching nor had an actual or potential impact upon the safety of pupils, there was a potential risk to the safety of members of the public. We have also taken account of how the teaching profession is viewed by others. The panel considered that Mr Reinard's behaviour in committing the offences is likely to adversely affect public confidence in the teaching profession given the influence that teachers may have on pupils, parents and others in the community. We have also considered that teachers are viewed as role models by their pupils.

The panel has noted that Mr Reinard's behaviour has ultimately led to him receiving three separate sentences of imprisonment, albeit that they were each suspended, as well as two separate disqualifications from driving for significant periods of three and five years respectively. We consider this to be indicative of the seriousness of the offences committed.

This is a case involving serious offences and in some instances alcohol.

Mr Reinard has not submitted any evidence but we have heard from Witness A as to his abilities as an English teacher, to the effect that he was skilled in his knowledge of English and the way he applied it and that he was a satisfactory teacher. We have taken this into account as well as the fact that there are no previous findings against him by his regulator.

Although the panel notes Mr Reinard's abilities as a teacher, we have found the seriousness of the offending behaviour that led to the convictions is relevant to the teacher's ongoing suitability to teach. The panel considers that a finding that these convictions are relevant offences is necessary to reaffirm clear standards of conduct so as to maintain public confidence in the teaching profession.

### Unacceptable professional conduct

We have accepted the legal advice and we have considered carefully the guidance set out in the Advice.

We have considered in relation to each of allegations 2 a, b i, b ii and 3 whether Mr Reinard's actions amount to unacceptable professional conduct.

We have found that the conduct proven at 2 a and 3, insofar as it relates to 2 a, amounts to unacceptable professional conduct.

All citizens are expected to be truthful in their interactions with the state, including the police. This requirement applies especially to teachers who are required to maintain high standards of personal conduct due to the role they have in society and the fact that they are often seen as role models by their pupils.

That he lied to the police with the dishonest intention of avoiding his employer becoming aware of his conduct and the potential consequences of that, must be viewed as a serious transgression from what is expected and required of a teacher. Teachers are required to act with both honesty and integrity, we have found that Mr Reinard did not do so on this occasion.

We have found that the conduct found proven at 2 b i and ii and 3, insofar as it relates to the conduct at 2 b i and ii, also amounts to unacceptable professional conduct.

Mr Reinard had a duty to inform the Academy of both his arrests and convictions. We have found that he was aware of this duty and that he deliberately failed to make the Academy aware of his conduct in order to avoid the potential consequences. Given that there must have been three separate arrests and there were convictions on 9 April 2015, 10 December 2016 and 15 February 2017, we consider that there were multiple instances in which there had been a failure to make his employer aware of his actions. We consider that this significantly aggravates matters.

As with allegation 2 a, in relation to both allegations 2 b i and ii we considered that Mr Reinard had acted with a lack of integrity and dishonestly. We view these actions as a serious transgression falling short of the behaviour expected of a teacher.

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

- Teachers uphold public trust in the profession and maintain high standards of ethics and behaviour, within and outside school;
- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach.

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

We do not consider that the conduct displayed behaviours associated with any of the offences set out at pages 10 and 11 of the Advice. However, for reasons which are set out above we consider Mr Reinard's conduct to be a serious departure from what was required of him.

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

## Conduct that may bring the profession into disrepute

We have accepted the legal advice and we have considered carefully the guidance set out in the Advice.

We have considered each of the allegations 2 a, 2 b i and 2 b ii and 3 as to whether Mr Reinard's actions amount to conduct which may bring the profession into disrepute.

As set out above, in relation to the allegations 2 a, 2 b i and 2 b ii and allegation 3 we consider that Mr Reinard acted with a lack of integrity and dishonestly.

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 Reinard's actions constitute conduct that may bring the profession into disrepute.

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

The panel has considered and accepted the legal advice and has had regard to the Advice.

Given the panel's findings in respect of unacceptable professional conduct, conduct that may bring the profession into disrepute and a conviction of relevant offences, 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 may 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 maintenance of public confidence in the profession and the declaring and upholding of proper standards of conduct. The panel has also considered the public interest of retaining Mr Reinard in the profession.

We have found that Mr Reinard was convicted of two offences of driving with excess alcohol, one offence of failing to provide an evidential specimen, three offences of driving whilst

disqualified and three offences of driving whilst uninsured. We considered these to be serious enough such that they are relevant offences. Additionally we found that Mr Reinard told the police that he was a shop manager rather than a teacher in order to avoid his employers being notified of his behaviour. We considered this conduct to be lacking in integrity and dishonest. In addition, we found that Mr Reinard had failed to disclose the fact of his arrests and convictions to the Academy and that he did so knowing he had a duty to disclose these matters and with an intention to avoid the potential consequences of his actions with his employer. We found that this conduct also was lacking in integrity and dishonest.

In light of these findings against Mr Reinard there is a strong public interest consideration in that the panel considers that public confidence in the profession is likely to be seriously weakened if conduct such as that found against Mr Reinard were not to be treated with the utmost seriousness when regulating the conduct of the profession.

Mr Reinard's conduct was unacceptable for a teacher and we consider that a strong public interest consideration in declaring proper standards of conduct in the profession was also present as the conduct found against Mr Reinard was outside that which could reasonably be tolerated.

The panel took into account the public interest consideration in retaining Mr Reinard in the profession, and had regard to the evidence given by Witness A as to his abilities as a teacher. However, we considered that the other public interest considerations held more weight in this particular case.

In view of the clear public interest considerations that were present, the panel deliberated carefully whether or not it would be proportionate to impose a prohibition order taking into account the effect that this would have on Mr Reinard.

In carrying out the balancing exercise the panel has considered the public interest factors both in favour of and against prohibition as well as the interests of Mr Reinard. 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;
- the commission of a serious criminal offences.

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. We considered that Mr Reinard has no previous history with his regulator and that there was

evidence from Witness A that he was a satisfactory teacher with a deep knowledge of his subject and how to apply it.

We considered that Mr Reinard's actions were deliberate and that he was not acting under duress. In fact, the panel found the teacher's actions to be calculated and motivated.

As Mr Reinard has not attended the hearing or submitted any documentation or submissions we have seen no evidence of any remorse, insight or remediation. We are, therefore, not satisfied that there is no risk of a repetition of the conduct. Moreover, we consider that the repeat nature of the conduct which underlay the convictions demonstrates that he has previously failed to address his behaviour.

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. We have decided that the public interest considerations outweigh the interests of Mr Reinard. The following factors were significant in forming this view:

- The seriousness of the offences and the repetition of similar types of offences;
- The gravity of, dishonestly and with a lack of integrity, providing the police with false information;
- The significance of, dishonestly and with a lack of integrity, failing to inform the Academy of his arrests and convictions;
- The lack of evidence of any remorse, insight or remediation.

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. Whilst we have made findings that Mr Reinard has acted dishonestly, and that this conduct was serious enough to cross the threshold to amount to

unacceptable professional conduct and conduct that may bring the profession into disrepute, we do not consider that these acts and omissions amount to serious dishonesty as envisaged in the Advice at page 15. Moreover, although the conduct which led to the convictions for relevant offences was extremely serious we do not consider that it should preclude Mr Reinard from applying, at a later stage, for the order to be set aside.

The panel felt the findings indicated a situation in which a review period would be appropriate and as such decided that it would be proportionate in all the circumstances for the prohibition order to be recommended with provisions for a review period. We consider that a review period of four years is commensurate with the gravity of the proven conduct. This period would provide Mr Reinard with the opportunity and sufficient time to develop insight into his behaviour and to demonstrate remediation of his conduct.

## **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 both sanction and review period.

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

In this case, the panel has found all of the allegations proven and found that those proven facts amount to either unacceptable professional conduct and conduct that may bring the profession into disrepute or to be relevant convictions. The panel has set out very clearly exactly how it has approached this for each element of the case.

The panel has made a recommendation to the Secretary of State that Mr Reinard should be the subject of a prohibition order, with a review period of four years.

In particular, the panel has found that Mr Reinard is in breach of the following standards:

- Teachers uphold public trust in the profession and maintain high standards of ethics and behaviour, within and outside school.
- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach.

The findings of misconduct are particularly serious as they include a finding of dishonesty and lack of integrity.

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 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 Reinard, and the impact that will have on him, is proportionate and in the public interest.

In this case, I have considered the extent to which a prohibition order would protect children. The panel has observed, “that although Mr Reinard's actions were neither directly related to teaching nor had an actual or potential impact upon the safety of pupils, there was a potential risk to the safety of members of the public.” The panel also comment on the fact that teachers are often perceived as role models of pupils. I have also taken into account the panel’s comments on insight and remorse, which the panel sets out as follows, “ we have seen no evidence of any remorse, insight or remediation.” 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 extent to which Mr Reinard can be viewed as a role model. I have 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 that it 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.”

I am also particularly mindful of the finding of dishonesty and lack of integrity 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 the public might regard a failure to impose a prohibition order 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 Reinard himself. The panel set out that, “ We considered that Mr Reinard has no previous history with his regulator and that there was evidence from Witness A that he was a satisfactory teacher with a deep knowledge of his subject and how to apply it.”

A prohibition order would prevent Mr Reinard from teaching 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, “ Mr Reinard was convicted of two offences of

driving with excess alcohol, one offence of failing to provide an evidential specimen, three offences of driving whilst disqualified and three offences of driving whilst uninsured. We considered these to be serious enough such that they are relevant offences. Additionally we found that Mr Reinard told the police that he was a shop manager rather than a teacher in order to avoid his employers being notified of his behaviour. We considered this conduct to be lacking in integrity and dishonest. In addition, we found that Mr Reinard had failed to disclose the fact of his arrests and convictions to the Academy and that he did so knowing he had a duty to disclose these matters and with an intention to avoid the potential consequences of his actions with his employer. We found that this conduct also was lacking in integrity and dishonest.”

I have given less weight in my consideration of sanction therefore, to the contribution that Mr Reinard 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, in light of the circumstances in this case, 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 intended aims of a prohibition order.

I have gone on to consider the matter of a review period. In this case, the panel has recommended a 4 year review period.

I have considered the panel’s comments “ a review period of four years is commensurate with the gravity of the proven conduct. ”

I have considered whether a 4 year review period reflects the seriousness of the findings and is a proportionate period to achieve the aim of maintaining public confidence in the profession. In this case, there are factors which mean that a two-year review period is not sufficient to achieve the aim of maintaining public confidence in the profession. These elements are the repeated nature of the offending and the dishonesty and lack of integrity displayed.


I agree with the panel that, “ This period would provide Mr Reinard with the opportunity and sufficient time to develop insight into his behaviour and to demonstrate remediation of his conduct.”

I consider therefore that a four year review period is required to satisfy the maintenance of public confidence in the profession.

**This means that Mr Dean Reinard is prohibited from teaching indefinitely and cannot teach in any school, sixth form college, relevant youth accommodation or children’s home in England.** He may apply for the prohibition order to be set aside, but not until 6 August 2023, 4 years from the date of this order at the earliest. This is not an automatic right to have the prohibition order removed. If he does apply, a panel will meet to consider whether the prohibition order should be set aside. Without a successful application, Mr Dean Reinard remains prohibited from teaching indefinitely.

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

Mr Dean Reinard has a right of appeal to the Queen's Bench Division of the High Court within 28 days from the date he is given notice of this order.

A handwritten signature in black ink, appearing to read 'Alan Meyrick', with a stylized flourish at the end.

**Decision maker: Alan Meyrick**

**Date: 2 August 2019**

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

