



Regulation of school managers and governors: prohibition direction

Name: Richard Swinnerton

Former position: Deputy Head Teacher and Deputy Designated Safeguarding Lead

Prescribed grounds on which the direction has been issued:

Under section 128 of the Education and Skills Act 2008, the ‘appropriate authority’ (in this case the Secretary of State) may give a direction prohibiting a person from taking part in the management of an independent school on prescribed grounds connected with the person’s suitability. The grounds on which a person may be prohibited are prescribed in the Independent Education Provision in England (Prohibition from Participation in Management) Regulations 2014.

A direction was given in respect of Richard Swinnerton on 11 May 2021. The Secretary of State found that Mr Swinnerton:

- had been convicted of a relevant offence.

Because of that conviction, he was unsuitable to take part in the management of an independent school (including an academy or free school).

The barring decision also has the effect of disqualifying the person from being a governor at a maintained school.

Summary

Mr Swinnerton has been convicted of relevant offences, namely:

- a. Possession of indecent photographs, namely category A and B, both still and moving images of a child contrary to Section 160(1), (2A) and (3) of the Criminal Justice Act 1988;**
- b. Possession of an indecent photograph, namely category C images of a child contrary to Section 160(1), (2A) and (3) of the Criminal Justice Act 1988.**

Through committing these offences, Mr Swinnerton demonstrated behaviour which is incompatible with:

- a. the Department of Education's expectations of school proprietors;**
- b. school proprietors' duties to safeguard and promote the welfare of children, as set out in legislation and statutory guidance (Keeping Children Safe in Education).**

In the opinion of the Secretary of State, these are relevant offences and make Mr Swinnerton unsuitable to take part in the management of an independent school.

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