



Teaching
Regulation
Agency

Mrs Katherine Veitch: Professional conduct panel meeting outcome

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

April 2022

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

Teacher:	Mrs Katherine Veitch
Teacher ref number:	11/62407
Teacher date of birth:	26 April 1965
TRA reference:	19608
Date of determination:	20 April 2022
Former employer:	Bohunt School, Liphook

Introduction

A professional conduct panel (“the panel”) of the Teaching Regulation Agency (“the TRA”) convened on 20 April 2022 remotely via Microsoft TEAMS, to consider the case of Ms Veitch.

The panel members were Mr Neil Hillman (teacher panellist – in the chair), Mr John Armstrong (lay panellist) and Ms Charlotte McCallum (lay panellist).

The legal adviser to the panel was Miss Sarah Price of Blake Morgan solicitors.

In advance of the meeting, after taking into consideration the public interest and the interests of justice, the TRA agreed to a request from Ms Veitch that the allegation be considered without a hearing. Ms Veitch provided a signed statement of agreed facts and admitted a conviction of a relevant offence. The panel considered the case at a meeting without the attendance of the presenting officer, Ms Veitch or her representative.

The meeting took place in private.

Allegations

The panel considered the allegation(s) set out in the notice of meeting dated 12 April 2022.

It was alleged that Ms Veitch had been convicted of a relevant offence, in that:

1. On 22 September 2020 she was convicted of assaulting Pupil A by beating him on 22 January 2020, contrary to section 39 of the Criminal Justice Act 1988.

Ms Veitch admitted the allegation in full.

Preliminary applications

There were no preliminary applications.

Summary of evidence

Documents

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

Section 1: Chronology and anonymised pupil list – pages 1 to 2

Section 2: Notice of referral, response and Notice of meeting – pages 3 to 13

Section 3: Statement of agreed facts and presenting officer representations – pages 14 to 17

Section 4: Teaching Regulation Agency documents – pages 18 to 44

Section 5: Teacher documents – pages 45 to 51

The panel members confirmed that they had read all of the documents within the bundle, in advance of the meeting.

Statement of agreed facts

The panel considered a statement of agreed facts which was signed by Ms Veitch on 22 February 2022.

Decision and reasons

The panel announced its decision and reasons as follows:

In advance of the meeting, the TRA agreed to a request from Ms Veitch for the allegation to be considered without a hearing. The panel had the ability to direct that the case be considered at a hearing if required in the interests of justice or in the public interest. The panel did not determine that such a direction was necessary or appropriate in this case.

Ms Veitch had been employed at the School between 1 January 2020 and 31 August 2020 as a Design and Technology (Food) teacher. On 13 July 2020, Ms Veitch was charged with common assault. On 22 September 2020, Ms Veitch was convicted of assaulting Pupil A by beating him on 22 January 2020.

Findings of fact

The findings of fact are as follows:

The panel found the following particulars of the allegation against you proved, for these reasons:

You have been convicted of a relevant offence whilst employed as a teacher in Bohunt School, in that:

- 1. On 22 September 2020 you were convicted of assaulting Pupil A by beating him on 22 January 2020, contrary to section 39 of the Criminal Justice Act 1988.**

Ms Veitch admitted the facts of the allegation.

The panel was provided with a certificate of conviction and accepted this as proof of the commission of the offence concerned. The panel noted that Ms Veitch had been fined £120 and ordered to pay compensation and a victim surcharge.

The panel carefully considered all of the evidence within the bundle relating to the circumstances of this offence.

The allegation was admitted and was supported by evidence, the allegation was therefore, found proved.

Findings as to conviction of a relevant offence

Having found the allegation proved, the panel went on to consider whether the facts of those proved allegations amounted to a conviction of a relevant offence.

In doing so, the panel had regard to the document Teacher Misconduct: The Prohibition of Teachers, which is referred to as “the Advice”.

The panel was satisfied that the conduct of Ms Veitch in relation to the facts it found proved involved breaches of the Teachers' Standards. The panel considered that by reference to Part 2, Ms Veitch was 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;
 - 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;
- Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities.

The panel noted that the individual's actions were relevant to teaching, working with children and working in an education setting. The incident on 22 January 2020 occurred in the classroom, during a lesson.

The panel noted that the behaviour involved in committing the offence could have had an adverse impact on the safety or security of pupils.

The panel also took account of the way the teaching profession is viewed by others. The panel considered that Ms Veitch's behaviour in committing the offence could affect public confidence in the teaching profession, given the influence that teachers may have on pupils, parents and others in the community.

The panel noted that Ms Veitch's behaviour did not lead to a sentence of imprisonment, which was indicative that the offence was at the less serious end of the possible spectrum.

This was a case involving an offence of violence, which the Advice states is likely to be considered a relevant offence.

The panel considered that a finding that this conviction was for a relevant offence was necessary to reaffirm clear standards of conduct so as to maintain public confidence in the teaching profession.

Panel's recommendation to the Secretary of State

Given the panel's findings in respect of a conviction of a relevant offence, it was 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 had to consider whether it would be an appropriate and proportionate measure, and whether it would be 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 had regard to the particular public interest considerations set out in the Advice and, having done so, found a number of them to be relevant in this case, namely: the protection of pupils, the protection of other members of the public, the maintenance of public confidence in the profession, and declaring and upholding proper standards of conduct.

In light of the panel's findings against Ms Veitch, namely a conviction for a relevant offence of violence against a pupil, there was a strong public interest consideration in respect of the protection of pupils.

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

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

Notwithstanding 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 Ms Veitch.

In carrying out the balancing exercise, the panel had regard to the public interest considerations both in favour of, and against, prohibition as well as the interests of Ms Veitch. 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 proved. 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;
- misconduct seriously affecting the education and/or well-being of pupils, and particularly where there is a continuing risk;

- abuse of position or trust (particularly involving vulnerable pupils) or violation of the rights of pupils;
- the commission of a serious criminal offence, including those that resulted in a conviction or caution, paying particular attention to offences that are 'relevant matters' for the purposes of The Police Act 1997 and criminal record disclosures.

Even though some of the behaviour found proved in this case indicated that a prohibition order would be appropriate, the panel went on to consider the mitigating factors. Mitigating factors may indicate that a prohibition order would not be appropriate or proportionate.

The panel considered the following mitigating factors that were present in this case:

- Whilst the conduct involved violence against a pupil, the panel considered that this was at the lower end of the scale of seriousness, as it involved a one-off slap to the pupil's face and the panel was not provided with evidence that this caused an injury or long lasting effect on the pupil;
- When interviewed shortly after the incident by the police, Ms Veitch claimed that she could not recall having slapped a pupil in the classroom. However, she did fully admit her conduct in court, and was given credit for her guilty plea;
- The panel was provided with written evidence from Ms Veitch's GP which indicated that she was suffering from [REDACTED] at the time of the incident and that two days prior to incident occurring, Ms Veitch had attended [REDACTED];
- The panel noted that Ms Veitch had referred to [REDACTED] as a cause of her conduct.

Weighed against these matters, the panel considered the following aggravating factors:

- Ms Veitch's actions were deliberate and amounted to a clear breach of the Teachers' Standards;
- As a teacher, Ms Veitch was a role model and her conduct should have reflected this;
- The incident occurred in a classroom setting, during a lesson, with other pupils present;
- From Ms Veitch's account of the lesson, from the police interview, the panel did not consider there to be anything remarkable in her description of the class' conduct;
- Ms Veitch denied her conduct in the initial police interview;

- Ms Veitch's actions constituted a criminal offence of violence.

The panel was not provided with any evidence that Ms Veitch had a previously good record. The panel noted that Ms Veitch had made reference to wanting to share her love of learning and wanting to make a difference, but the panel was not provided with more information about her contribution to the profession, or what steps Ms Veitch has taken to keep up to date since the incident in January 2020. The panel also noted Ms Veitch had not provided the panel with any testimonies that could attest to her abilities as a teacher.

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 would be sufficient.

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

The panel was of the view that prohibition was both proportionate and appropriate. The panel decided that the public interest considerations outweighed the interests of Ms Veitch. The conviction of a violent offence was a significant factor in forming that opinion. Accordingly, the panel made 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 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 proved, would militate against the recommendation of a review period. One of these behaviours includes violence. The panel found that Ms Veitch was responsible for an offence of violence against a pupil, but her conduct had been towards the lower end of any spectrum of seriousness.

The panel noted that Ms Veitch had shown limited insight and remorse into her actions. The panel did take into account Ms Veitch's personal circumstances at the time.

The panel decided that 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 provision for a review period. The panel was of the view that a review period of 2 years would be appropriate and proportionate.

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 the allegation proven and found that those proven facts amount to a relevant conviction.

The panel has made a recommendation to the Secretary of State that Ms Katherine Veitch should be the subject of a prohibition order, with a review period of 2 years.

In particular, the panel has found that Ms Veitch 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;
 - 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;
- Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities.

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 adverse findings, 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 Ms Veitch, and the impact that will have on the teacher, is proportionate and in the public interest.

In this case, I have considered the extent to which a prohibition order would protect children and safeguard pupils. "The panel noted that the behaviour involved in committing the offence could have had an adverse impact on the safety or security of

pupils.” 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, “The panel noted that Ms Veitch had shown limited insight and remorse into her actions.” The panel found that “Ms Veitch’s actions were deliberate and amounted to a clear breach of the Teachers’ Standards.” In my judgement, the lack of full insight means that there is some risk of the repetition of this behaviour and this puts at risk the future wellbeing of pupils’. 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, “In light of the panel’s findings against Ms Veitch, namely a conviction for a relevant offence of violence against a pupil, there was a strong public interest consideration in respect of the protection of pupils. Similarly, the panel considered that public confidence in the profession could be seriously weakened if conduct such as that found against Ms Veitch were not treated with the utmost seriousness when regulating the conduct of the profession. The panel was also of the view that a strong public interest consideration in declaring proper standards of conduct in the profession was also present as the conduct found against Ms Veitch was outside that which could reasonably be tolerated.” In this case, I am particularly mindful of the finding of a relevant offence relating to the assault of a pupil 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 adverse findings, 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 considered the impact of a prohibition order on Ms Veitch herself. A prohibition order would prevent Ms Veitch from teaching. A prohibition order would also clearly deprive the public of her contribution to the profession for the period that it is in force. The panel comment “The panel was not provided with any evidence that Ms Veitch had a previously good record. The panel noted that Ms Veitch had made reference to wanting to share her love of learning and wanting to make a difference, but the panel was not provided with more information about her contribution to the profession, or what steps Ms Veitch has taken to keep up to date since the incident in January 2020. The panel also noted Ms Veitch had not provided the panel with any testimonies that could attest to her abilities as a teacher.”

I have given less weight in my consideration of sanction therefore, to the contribution that Ms Veitch has made to the profession. In my view, it is necessary to impose a prohibition 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 full 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 2 year review period.

I have considered the mitigating factors which the panel set out as:

- “Whilst the conduct involved violence against a pupil, the panel considered that this was at the lower end of the scale of seriousness, as it involved a one-off slap to the pupil's face and the panel was not provided with evidence that this caused an injury or long lasting effect on the pupil.
- “When interviewed shortly after the incident by the police, Ms Veitch claimed that she could not recall having slapped a pupil in the classroom. However, she did fully admit her conduct in court, and was given credit for her guilty plea;
- The panel was provided with written evidence from Ms Veitch's GP which indicated that she was suffering from [REDACTED] at the time of the incident and that two days prior to incident occurring, Ms Veitch had attended [REDACTED].
- The panel noted that Ms Veitch had referred to [REDACTED] as a cause of her conduct”.

The panel has also said that a 2 year review period would “be appropriate and proportionate.”

I have considered whether a 2 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, I note that the panel observe "The Advice indicates that there are behaviours that, if proved, would militate against the recommendation of a review period. One of these behaviours includes violence. The panel found that Ms Veitch was responsible for an offence of violence against a pupil, but her conduct had been towards the lower end of any spectrum of seriousness." “The panel noted that Ms Veitch had shown limited insight and remorse into her actions. The panel did take into account Ms Veitch's personal circumstances at the time."

I consider therefore that a 2 year review period is required to satisfy the maintenance of public confidence in the profession, after which the teacher may apply for the prohibition order to be set aside.

This means that Ms Katherine Veitch is prohibited from teaching indefinitely and cannot teach in any school, sixth form college, relevant youth accommodation or children's home in England. She may apply for the prohibition order to be set aside, but not until 29 April 2024, 2 years from the date of this order at the earliest. This is not an automatic right to have the prohibition order removed. If she does apply, a panel will meet to consider whether the prohibition order should be set aside. Without a successful application, Ms Veitch remains prohibited from teaching indefinitely.

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

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

A handwritten signature in black ink, appearing to read "John Knowles". The signature is written in a cursive style with a large initial 'J'.

Decision maker: John Knowles

Date: 26 April 2022

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