



Teaching  
Regulation  
Agency

# **Mr Alexander Bowles: Professional conduct panel outcome**

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

**December 2019**

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

**Teacher:** Mr Alexander Bowles  
**Teacher ref number:** 9541312  
**Teacher date of birth:** 23/03/1973  
**TRA reference:** 17867  
**Date of determination:** 10 December 2019  
**Former employer:** Great Hockham Primary School, Norfolk

### **A. Introduction**

A professional conduct panel (“the panel”) of the Teaching Regulation Agency (“the TRA”) convened on 9 December 2019 to 10 December 2019 at Cheylesmore House, 5 Quinton Road, Coventry, CV1 2WT, to consider the case of Mr Alexander Bowles.

The panel members were Mr Ian Carter (teacher panellist – in the chair), Cllr Gail Goodman (teacher panellist) and Mr Ian Hughes (lay panellist).

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

The presenting officer for the TRA was Ms Holly Quirk of Browne Jacobson solicitors.

Mr Bowles was present and was represented by Mr Andrew Rhodes 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 10 October 2019.

It was alleged that Mr Bowles was guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute, in that whilst employed as a Headteacher at Great Hockham Primary School, Norfolk, he:

1. Failed to take appropriate action and/or ensure appropriate action was taken in relation to safeguarding concerns in respect of one or more pupils between July 2016 and July 2018, including by:

a. Failing to create and/or keep a safeguarding file in relation to Child X;

b. Failing to keep written records of discussions with other professionals and/or decisions taken in relation to the concerns regarding Child X;

c. Failing to refer Child X to the Local Authority and/or Multi Agency Safeguarding Hub until September 2018;

i. Despite the fact that staff had recorded concerns which indicated he may be suffering neglect on a number of occasions dating back to July 2016;

ii. Despite the fact that he had been asked/advised to do so following a visit from Sapientia Education Trust on or around 5 July 2018;

d. Failing to share all relevant information held by the School in relation to Child X with the Local Authority and/or Multi Agency Safeguarding Hub after a referral had been made in September 2018;

e. Failing to create and/or keep a safeguarding file in relation to Child Y;

f. Failing to refer Child Y to the Local Authority and/or Multi Agency Safeguarding Hub despite the fact that staff had recorded concerns which indicated he may be suffering from neglect on a number of occasions dating back to June 2017;

2. Failed to respond to concerns highlighted by one or more safeguarding reviews in a timely manner or at all.

Mr Bowles admitted all of the factual particulars and that those facts amounted to unacceptable professional conduct and conduct that may bring the profession into disrepute. An agreed statement of facts reflecting the above was signed in November 2019 by Mr Bowles and the Presenting Officer and was included in the bundle at pages

11 – 16. In this Mr Bowles did not admit factual particular 1d but this particular was admitted after Mr Bowles gave evidence to the panel.

## **C. Preliminary applications**

The panel considered an application from Mr Bowles to consider the parts of his evidence that referred to his own children and the youth football club in which he was involved, in private.

Having considered paragraph 4.57 of the procedural rules, the panel decided that it would allow the evidence relating to Mr Bowles' children to be heard in private, in order to protect their interests. The panel did not consider it necessary to hear the evidence relating to the youth football club in private.

## **D. Summary of evidence**

### **Documents**

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

Section 1: Anonymised pupil list – page 2

Section 2: Notice of Proceedings, Response, Statement of Agreed and Disputed Facts – pages 4 to 16

Section 3: Teaching Regulation Agency witness statements – pages 18 to 30

Section 4: Teaching Regulation Agency documents – pages 32 to 286

Section 5: Teacher documents – pages 288 to 351.

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

### **Witnesses**

The panel heard oral evidence from:

- i) [REDACTED].
- ii) [REDACTED].
- iii) Mr Bowles.

## **E. Decision and reasons**

The panel announced its decision and reasons as follows:

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

The panel confirmed it had read all of the documents provided in the bundle in advance of the hearing.

This case relates to a Primary School Headteacher who failed to keep proper records or safeguarding files in relation to two children who were showing clear and repeated signs of neglect. This caused failures to refer the children to the Local Authority and Multi Agency Safeguarding Hub (MASH), which amounted to failures to take appropriate action in relation to safeguarding concerns. These failures occurred despite concerns having been highlighted at prior safeguarding reviews involving the relevant Trust's Director of Safeguarding and Safeguarding Co-ordinator.

### **Findings of fact**

The findings of fact are as follows:

The panel found the following particulars of the allegations against you proven, for these reasons:

1. You failed to take appropriate action and/or ensure appropriate action was taken in relation to safeguarding concerns in respect of one or more pupils between July 2016 and July 2018, including by:
  - a. Failing to create and/or keep a safeguarding file in relation to Child X;
  - b. Failing to keep written records of discussions with other professionals and/or decisions taken in relation to the concerns regarding Child X;
  - c. Failing to refer Child X to the Local Authority and/or Multi Agency Safeguarding Hub until September 2018;
    - i. Despite the fact that staff had recorded concerns which indicated he may be suffering neglect on a number of occasions dating back to July 2016;
    - ii. Despite the fact that he had been asked/advised to do so following a visit from Sapientia Education Trust on or around 5 July 2018;
  - d. Failing to share all relevant information held by the School in relation to Child X with the Local Authority and/or Multi Agency Safeguarding Hub after a referral had been made in September 2018;

- e. Failing to create and/or keep a safeguarding file in relation to Child Y;
- f. Failing to refer Child Y to the Local Authority and/or Multi Agency Safeguarding Hub despite the fact that staff had recorded concerns which indicated he may be suffering from neglect on a number of occasions dating back to June 2017;

2. You failed to respond to concerns highlighted by one or more safeguarding reviews in a timely manner or at all.

All of the factual particulars, with the exception of paragraph 1d, were admitted by Mr Bowles in the Statement of Agreed and Disputed facts signed by him on 20 November 2019 and signed by the Presenting Officer on 25 November 2019. Paragraph 1d was admitted by Mr Bowles after he gave evidence before the panel.

The panel accepted all of those admissions and found all of the factual particulars proved on the basis of those admissions and the documents that the panel read in advance, and the live evidence that the panel heard during the course of the hearing. The panel found both of the TRA's witnesses to be professional, knowledgeable, experienced and credible. The written and live evidence confirmed the appropriateness of the admissions made in accordance with and on the basis of the signed statement of agreed and disputed facts. Paragraph 1d was not admitted in the statement of agreed and disputed facts but was clearly supported by the content of the referral note to MASH seen at page 130 of the bundle, which did not contain all of the relevant information that was available to the school.

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

Having found all of the factual allegations proven, the panel went on to consider whether the facts of those proven allegations amounted to unacceptable professional conduct and/or conduct that may bring the profession into disrepute. Mr Bowles had admitted that the facts amounted to unacceptable professional conduct and conduct that may bring the profession into disrepute, both in the agreed statement of facts and in his oral evidence.

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 Mr Bowles, in relation to the facts found proven, involved breaches of the Teachers’ Standards. The panel considered that by reference to Part Two, Mr Bowles 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

- having regard for the need to safeguard pupils' well-being, in accordance with statutory provisions;
- showing tolerance of and respect for the rights of others;
- 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 was satisfied that the conduct of Mr Bowles amounted to misconduct of a serious nature which fell significantly short of the standards expected of the profession.

As Headteacher and Designated Safeguard Lead (DSL), Mr Bowles was lead professional at the school and of paramount importance in such a role is the safeguarding of all children in the school, particularly those vulnerable to neglect. Despite this, Mr Bowles demonstrated inaction in relation to the safeguarding of two vulnerable children who had shown repeated and serious signs of neglect. His failure to act in relation to these two vulnerable children prevented them from receiving protection and support from external agencies for a period that could have been up to two years.

The panel particularly noted that Mr Bowles' failures came about despite repeated advice from those more experienced than him in relation to such child safeguarding challenges. His failures also followed considerable ongoing and relevant training. These factors suggest a personal safeguarding threshold on Mr Bowles' part that is inconsistent with current expectations in society and education settings in relation to such issues. It is particularly serious that Mr Bowles failed to act in a timely and sufficiently detailed manner, even after the receipt of clear advice from the Trust's Safeguarding Director.

Accordingly, the panel was satisfied that Mr Bowles was guilty of unacceptable professional conduct.

The panel went on to consider the issue of bringing the profession into disrepute. In doing so the panel considered the way the teaching profession is viewed by others, and the influence that teachers and their behaviours may have on pupils, parents, colleagues and others in the community. The panel took account of the uniquely influential role that teachers can hold in pupils' lives and the fact that pupils must be able to view Headteachers in particular as role models in the way that they behave as professionals.

The panel concluded that the findings of misconduct were serious and 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 the profession.

The panel therefore also found that Mr Bowles' actions constituted 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/conduct that may bring the profession into disrepute, 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. The panel reminded itself that 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 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 the declaring and upholding of proper standards of conduct.

In the light of the panel's findings against Mr Bowles, which involved serious and repeated failures over a significant period of time in the key leadership role of safeguarding vulnerable pupils, 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 Mr Bowles was not treated with the utmost seriousness when regulating the conduct of the profession.

The panel was 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 Mr Bowles was outside that which could reasonably be tolerated, particularly for a Headteacher and lead safeguarding professional in the school.

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

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 Mr Bowles. 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 were relevant in this case were:

- 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.

Even though the behaviour found proven 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 was made aware, for example, that Mr Bowles had a previously good record, over a long period of time in the profession. He is clearly highly thought of by many local educational professionals and at the time was going through a difficult time in his personal life. The panel acknowledged the full engagement of Mr Bowles in the investigatory process and the TRA proceedings.

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, the recommendation of no prohibition order would not be a proportionate and appropriate response. Recommending that the publication of adverse findings would be sufficient in the case would unacceptably compromise the public interest considerations present in this case, despite the severity of the consequences for Mr Bowles 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 Mr Bowles. The fact that Mr Bowles had failed repeatedly as Headteacher in relation to such a key leadership role as safeguarding despite advice from senior external professionals and the completion of significant relevant and ongoing training, 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 for it to decide to recommend a review period of the order. 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 panel viewed the safeguarding failures in this case as very serious but was satisfied that Mr Bowles should be able to apply to return to the profession in the future and, at that time, attempt to demonstrate clear and unequivocal insight into the misconduct found to have occurred. To return to the profession he will be required to show that he has a clear commitment to adhere to and exhibit all of the personal and professional conduct element of the Teachers' Standards.

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 of 5 years. This will enable Mr Bowles to internalise and consolidate the realisation that he has recently come to with regard to the importance of effective safeguarding practice and the pervasive nature that safeguarding takes within any educational setting. This has the potential to counterbalance Mr Bowles' so far limited insight as to the seriousness of his previous failings and the importance as an autonomous professional of his responsibility to keep his safeguarding knowledge and practice up to date.

## **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 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 Bowles should be the subject of a prohibition order, with a review period of five years.

In particular, the panel has found that Mr Bowles 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
  - having regard for the need to safeguard pupils' well-being, in accordance with statutory provisions;
  - showing tolerance of and respect for the rights of others;
- 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 was also "satisfied that the conduct of Mr Bowles amounted to misconduct of a serious nature which fell significantly short of the standards expected of the profession."

The findings of misconduct are particularly serious in this case as illustrated by the panel's comments, "As Headteacher and Designated Safeguard Lead (DSL), Mr Bowles was lead professional at the school and of paramount importance in such a role is the safeguarding of all children in the school, particularly those vulnerable to neglect."

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 Bowles, 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, "Mr Bowles demonstrated inaction in relation to the safeguarding of two vulnerable children who had shown repeated and serious signs of neglect. His failure to act in relation to these two vulnerable children prevented them from receiving protection and support from external agencies for a period that could have been up to two years." 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, "Mr Bowles' so far limited insight as to the seriousness of his previous failings and the importance as an autonomous professional of his responsibility to keep his safeguarding knowledge and practice up to date."

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 well-being and safeguarding 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 that it, "considered the way the teaching profession is viewed by others, and the influence that teachers and their behaviours may have on pupils, parents, colleagues and others in the community. The panel took account of the uniquely influential role that teachers can hold in pupils' lives and the fact that pupils must be able to view Headteachers in particular as role models in the way that they behave as professionals."

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 Bowles himself. The panel comment “The panel was made aware, for example, that Mr Bowles had a previously good record, over a long period of time in the profession. He is clearly highly thought of by many local educational professionals and at the time was going through a difficult time in his personal life. The panel acknowledged the full engagement of Mr Bowles in the investigatory process and the TRA proceedings.”

A prohibition order would prevent Mr Bowles 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 insight where, the panel has said, “Mr Bowles had failed repeatedly as Headteacher in relation to such a key leadership role as safeguarding despite advice from senior external professionals and the completion of significant relevant and ongoing training.”

I have given less weight in my consideration of sanction therefore, to the contribution that Mr Bowles 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 5-year review period.

I have considered the panel’s comments “This will enable Mr Bowles to internalise and consolidate the realisation that he has recently come to with regard to the importance of effective safeguarding practice and the pervasive nature that safeguarding takes within any educational setting. This has the potential to counterbalance Mr Bowles' so far limited insight as to the seriousness of his previous failings and the importance as an autonomous professional of his responsibility to keep his safeguarding knowledge and practice up to date..”

I have considered whether a 5-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 inaction relating to 2 vulnerable children, the failure to heed advice and the lack of full insight or remorse.

I consider therefore that a 5-year review period is required to satisfy the maintenance of public confidence in the profession.

**This means that Mr Alexander Bowles 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 20 December 2024, 5 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 Alexander Bowles remains prohibited from teaching indefinitely.

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

Mr Alexander Bowles 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 grey ink, appearing to read 'Alan Meyrick', followed by a vertical line.

**Decision maker: Alan Meyrick**

**Date: 13 December 2019**

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