



Teaching  
Regulation  
Agency

# **Racheal Lockwood: Professional conduct panel outcome**

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

**June 2022**

## Contents

Introduction	3
Allegations	4
Preliminary applications	4
Application to proceed in the absence of Mrs Lockwood	4
Summary of evidence	5
Documents	5
Witnesses	6
Decision and reasons	6
Findings of fact	7
Panel's recommendation to the Secretary of State	11
Decision and reasons on behalf of the Secretary of State	14

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

<b>Teacher:</b>	Ms Racheal Lockwood
<b>Teacher ref number:</b>	0684879
<b>Teacher date of birth:</b>	24 April 1967
<b>TRA reference:</b>	19369
<b>Date of determination:</b>	24 June 2022
<b>Former employer:</b>	Our Lady & St Peter RC Primary School, Bridlington, Yorkshire

### **Introduction**

A professional conduct panel (“the panel”) of the Teaching Regulation Agency (“the TRA”) convened on 23 & 24 June 2022 remotely via Microsoft Teams to consider the case of Ms Rachael Lockwood.

The panel members were Mr Martyn Stephens (lay panellist – in the chair), Mr Ian Hylan (teacher panellist) and Ms Patricia Hunt (former teacher panellist).

The legal adviser to the panel was Mr Robin Havard of Blake Morgan LLP solicitors.

The presenting officer for the TRA was Ms Sherelle Appelby of Browne Jacobson, solicitors.

Mrs Lockwood was neither present nor represented.

The hearing took place in public and was recorded.

## Allegations

The panel considered the allegations set out in the notice of proceedings dated 27 January 2022.

It was alleged that Ms Racheal Lockwood was guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute, in that, whilst she was employed as a Teacher at Our Lady & Saint Peter RC Primary School;

1. She engaged in inappropriate and/or unprofessional behaviour on one or more occasions towards Pupil A specifically by;

a. Stating “would you like me to punch you in the arm or maybe the face that would be better” or words to that effect;

b. Stating “maybe I should stop you seeing dad then and make a call to social services and they will stop you seeing him” or words to that effect.

2. She engaged in inappropriate physical contact with Pupil A specifically by:

a. Pushing Pupil A in his stomach and/or rib cage;

b. Causing Pupil A to fall backwards onto the floor by pushing him.

Mrs Lockwood admitted allegation 1a but denied the remaining allegations. Further, in respect of the admitted allegation, Mrs Lockwood denied that this amounted to unacceptable professional conduct and/or conduct that may bring the profession into disrepute.

However, taking account of the absence of Mrs Lockwood, the panel confirmed that it would approach all of the allegations as if they were denied.

## Preliminary applications

### Application to proceed in the absence of Mrs Lockwood

The panel considered an application from the presenting officer to proceed in the absence of Mrs Lockwood.

The panel accepted the legal advice provided in relation to this application and took account of the various factors referred to it, as derived from the guidance set down in the case of *R v Jones* [2003] 1 AC 1 (as considered and applied in subsequent cases, particularly *GMC v Adeogba*; *GMC v Visvardis* [2016] EWCA Civ 162).

The panel was satisfied that the Notice had been sent in accordance with Rules 4.11 and 4.12 of the Teacher Misconduct: Disciplinary Procedures for the Teaching Profession (“the Procedures”) and that the requirements for service had been satisfied.

Mrs Lockwood was clearly aware of the proceedings and had been in correspondence with the TRA through her representatives from NASUWT. She had responded to the Notice of

Proceedings and had confirmed that the TRA should correspond with her representative who was named as Mr Bacon at NASUWT.

However, on 7 June 2022, Ms Diane Ellis, a regional official at NASUWT, sent an email to the Presenting Officer, Ms Appelby, stating that Mrs Lockwood did not intend to be present at the hearing and that Ms Ellis would not be attending as her representative. Ms Ellis confirmed that Mrs Lockwood was aware that the TRA was entitled to continue in her absence.

On 21 June 2022, following further email exchanges with the Presenting Officer, Ms Ellis wrote to the Presenting Officer to confirm that Mrs Lockwood, *"has emailed the TRA to confirm that the Hearing will proceed in her absence."*

The panel went on to consider whether to proceed in Mrs Lockwood's absence or to adjourn, in accordance with Rule 4.29 of the Procedures.

The panel had regard to the fact that its discretion to continue in the absence of a teacher should be exercised with caution and with close regard to the overall fairness of the proceedings. The panel gave careful consideration to the fact that Mrs Lockwood was not in attendance and would not be represented at this hearing, should it proceed, and the extent of the disadvantage to her as a consequence.

On balance, the panel decided that the hearing should continue in the absence of Mrs Lockwood for the following reasons:

- The panel was satisfied that Mrs Lockwood's absence was voluntary and she had waived her right to attend. It was clear that she had the benefit of advice from her representative and that her decision not to attend was a considered one;
- No [Redacted] evidence had been served to suggest that Mrs Lockwood [Redacted] to attend;
- There was no indication that Mrs Lockwood might attend at a future date and no purpose would be served by an adjournment;
- There was a public interest in hearings taking place within a reasonable time. In this instance, the panel was also satisfied that it was in Mrs Lockwood's interests to proceed to conclude these proceedings.

Having decided that it was appropriate to proceed, the panel would strive to ensure that the proceedings were as fair as possible in the circumstances, bearing in mind that Mrs Lockwood was neither present nor represented.

## Summary of evidence

### Documents

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

Section 1: Notice of proceedings and response – pages 6 to 19

Section 2: Teaching Regulation Agency witness statements – pages 21 to 41

Section 3: Teaching Regulation Agency documents – pages 43 to 275

Section 4: Teacher documents – pages 277 to 300

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

## **Witnesses**

The panel heard oral evidence from the following witnesses on behalf of the TRA:

- Individual A, [Redacted]
- Individual B, {Redacted}

## **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 read all of the documents provided in the bundle in advance of the hearing. It accepted the legal advice provided.

## **Introduction**

Our Lady & Saint Peter RC Primary School ("the school") has approximately 210 pupils. In each year group, there are approximately 30 pupils and there is one class per year group.

Mrs Lockwood was employed as a teacher at the school from January 2013 until March 2020.

The allegations relate to Mrs Lockwood's alleged conduct towards pupil A on one day, namely 15 October 2019.

Due to [Redacted] and {Redacted}, an [Redacted] was in place in respect of pupil A when he joined the school. Individual A stated, and the panel found, that, at any one time, in [Redacted], there would typically be no more than one pupil with [Redacted]. Across the whole school, there would be perhaps five pupils with [Redacted]. The purpose of [Redacted] was to provide Redacted] to pupils with [Redacted] and who may be [Redacted].

Following the events on 15 October 2019, Mrs Lockwood was subject to disciplinary proceedings by the school which led to her dismissal and she was subsequently referred to the TRA.

## Findings of fact

The findings of fact are as follows:

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

**Whilst you were employed as a Teacher at Our Lady & Saint Peter RC Primary School:**

**1. You engaged in inappropriate and/or unprofessional behaviour on one or more occasions towards Pupil A specifically by;**

**a. Stating “would you like me to punch you in the arm or maybe the face that would be better” or words to that effect;**

In reaching its findings, the panel had considered the written accounts provided by Individual A and Individual B, together with their oral evidence. The panel had listened carefully to both witnesses as they gave their evidence. The panel asked them questions with regard to the statements they had provided and also invited them to respond to the written accounts provided by Mrs Lockwood.

The panel found both witnesses gave their evidence in a straightforward and measured way without attempting to embellish or exaggerate their accounts.

In the case of Individual B, the panel noted that she stated she would not describe herself as a friend of Mrs Lockwood but she, "*had no issues*" with Mrs Lockwood. Individual B had been a [Redacted] at the school throughout the time that Mrs Lockwood had been a teacher at the school. She described Mrs Lockwood as a good teacher, commenting that she could be stern at times, and that Mrs Lockwood had taught [Redacted] of [Redacted] in the past. She would have daily contact with Mrs Lockwood and had not experienced any difficulty with their working relationship prior to 15 October 2019.

This contrasted with the account provided by Mrs Lockwood at paragraph 24 of her statement, where she suggested that she did not know Individual B at all well, but the panel accepted the account of Individual B which, as with the rest of her evidence, was provided in a measured, straightforward manner.

In addition, the panel noted that the hand-written account of Individual B of what had occurred on 15 October 2019 had been prepared as soon as she had returned home after she finished work, and therefore within a matter of one or two hours of the events that had taken place. Finally, the responses she gave in the course of the school's investigation were consistent with her hand-written account.

The panel found Individual A and Individual B to be reliable and credible witnesses.

Nevertheless, the panel had also taken full account of the written representations of Mrs Lockwood, to include her statement and also the minutes of the meetings held in the course of the disciplinary proceedings at the school.

However, the panel considered it was relevant that, once Individual B had prepared her hand-written note, she then telephoned the [Redacted], and Individual A and informed them of what had taken place. Individual B then came to school [Redacted] at or about 3.30 p.m. and brought her hand-written note in a sealed envelope. Later that afternoon, having seen the note, Individual A telephoned the Local Designated Officer ("LADO") at the Local Authority. She then spoke with Mrs Lockwood informing her that a safeguarding issue had arisen and that Mrs Lockwood was not to come in to school the following day. Following the conversation with Individual A, at 6.21 p.m., Mrs Lockwood made an entry on the Child Protection Online Management System ("CPOMS"), outlining her version of events.

Before reaching its decision in respect of particular 1a., the panel made the following findings to assist in putting its overall conclusions in context.

[Redacted]

Pupil A was a [Redacted] whose [Redacted] and, on occasion, this manifested itself in [Redacted] when in a social environment. The panel was satisfied, on the balance of probabilities, that Mrs Lockwood was aware that pupil A was the subject of [Redacted] and had contributed to the reviewing of, and setting, its targets.

As at October 2019, Individual B provided [Redacted] for pupil A at lunchtime.

On 15 October 2019 at 12.50 p.m., Individual B had taken pupil A to the [Redacted] Room at the school. Pupil A had been aggressive [Redacted] and the intention was for pupil A's name to be entered in the book which was kept in the [Redacted] Room to record his [Redacted].

Mrs Lockwood was in the room together with [Redacted], who, later that day, had provided a written statement when she was informed of what had subsequently happened. [Redacted] had been on duty in the room and Mrs Lockwood was there with some work for her class.

When Individual B and pupil A came into the room, a conversation took place and Mrs Lockwood had asked what pupil A had done. When Individual B explained, [Redacted] described Mrs Lockwood as becoming angry at pupil A for what she described as his behaviour [Redacted].

At that stage, at approximately 1 p.m., [Redacted] left the room, noting that Mrs Lockwood was still talking to pupil A.

Individual B confirmed that the record of events set out in her hand-written note prepared during the afternoon of 15 October 2019 was accurate. Mrs Lockwood was sitting down at the table; the panel found that she asked pupil A to come over to her. Pupil A did so, and Mrs Lockwood said, "*Would you like me to punch you in the arm or maybe your face that would be better*". Pupil A said, "*please don't*". Mrs Lockwood said, "*Why?*" and pupil A said "*it will hurt*" to which Mrs Lockwood said, "*exactly*".

As stated, in her response to the TRA, Mrs Lockwood admitted this allegation. Although the actual words on which Mrs Lockwood based her admission were slightly different to those contained in the allegation, she accepted that the words included reference to



whether pupil A would like Mrs Lockwood punching him in the arm and punching him in the face.

The panel accepted the evidence of Individual B and, on that basis, found the facts of particular 1(a) proved.

**b. Stating “maybe I should stop you seeing dad then and make a call to social services and they will stop you seeing him” or words to that effect.**

In the same conversation as that described under particular 1a., Mrs Lockwood stated to Individual B that pupil A's [Redacted] seemed to be worse when he had been in the company of [Redacted]. The panel accepted Individual B's evidence and found that, at that point, Mrs Lockwood stated to pupil A, *"Maybe I should stop you seeing dad and then make a call to social services and they will stop you seeing him."*

Mrs Lockwood had accepted that she had said words to the effect that she might stop pupil A seeing his dad but denied making reference to social services. The panel did not accept her written evidence on this issue and preferred the written and oral evidence of Individual B. First, Individual B makes reference in her hand-written account to Mrs Lockwood's threat to report pupil A to social services. Secondly, Individual B refers again to Mrs Lockwood's comment about social services when interviewed by the school. Thirdly, in the record of Mrs Lockwood's interview, it states that she says she could not remember making such a comment although she later denied it. Fourthly, the panel took account of Individual B's description of the effect the words had produced in pupil A. He had been very distressed and anxious at what Mrs Lockwood had threatened to do.

The panel therefore found the facts of particular 1b proved.

**2. She engaged in inappropriate physical contact with Pupil A specifically by:**

**a. Pushing Pupil A in his stomach and/or rib cage;**

**b. Causing Pupil A to fall backwards onto the floor by pushing him.**

The panel concluded that particulars 2a. and 2b. should be considered together.

Individual B confirmed that she had a clear view of what took place. Mrs Lockwood remained sitting on a chair in the room and she had called pupil A to come over to her. Individual B was standing behind and to the right of Mrs Lockwood and had an unobstructed view of both pupil A and Mrs Lockwood. Individual B estimated that the distance between her and Mrs Lockwood was less than one metre. Pupil A had said that he had pushed another pupil and Mrs Lockwood said, *"how do you like being pushed"*.

In her hand-written account, Individual B said that Mrs Lockwood then pushed pupil A, *"with force, using both hands she pushed pupil A in the stomach with force, resulting in him falling backwards onto the floor. She then said, "get up". Pupil A got up and I said I would take him to the toilet and she said OK and said I am sorry for pushing you. He said it's ok I forgive you. We then left the room."*

This was consistent with the account she gave in the ensuing investigation.

In her oral evidence, Individual B demonstrated to the panel where she saw Mrs Lockwood placing her hands when she pushed pupil A, which was in the area of the ribs and stomach. Taking account of the fact that pupil A was a [Redacted], the panel did not consider that anything material rested on the distinction.

Individual B was certain in her oral evidence that Mrs Lockwood pushed pupil A with sufficient force that he "*flew onto the floor*" landing on his bottom and putting his hands out behind him. He stayed on the floor for some ten to twenty seconds and he looked shocked.

Individual B was also shocked at what she had seen and said that she told Mrs Lockwood that she would take pupil A to the toilet as an excuse to justify removing him from the room. The panel found such an explanation to be entirely credible and accepted the evidence of Individual B regarding the sequence of events which led to Mrs Lockwood pushing pupil A causing him to fall backwards.

The panel rejected the account provided by Mrs Lockwood. The panel repeated its concern that Mrs Lockwood posted an account on CPOMS after Individual A had told her that she was investigating a safeguarding incident and that she should not come in to work. The panel did not accept Mrs Lockwood's suggestions that she had given pupil A, "*a gentle push*", that pupil A was a sturdy boy and that he only fell backwards for dramatic effect. Mrs Lockwood had also suggested that she could only have pushed pupil A with one arm due to a [Redacted] but no evidence was produced. Her account was also not consistent with the language she had used towards pupil A. Finally, when making its finding, the panel had taken into consideration the account of pupil A. Whilst he demonstrated the way in which Mrs Lockwood pushed him with one hand, the panel took into account the relative strength of his evidence, given his age and the circumstances in which he gave his outline of events.

Consequently, the panel found the facts of particulars 2a. and 2b. proved.

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

Having found a number of the allegations proved, the panel went on to consider whether the facts of those proved allegations amounted to unacceptable professional conduct and/or conduct that may bring the profession into disrepute.

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 Mrs Lockwood, in relation to the facts found proved in respect of allegations 1 and 2, involved breaches of the Teachers' Standards. The panel considered that, by reference to Part 2, Mrs Lockwood 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, and maintain high standards in their own attendance and punctuality.

In support of its finding that Mrs Lockwood's conduct was in breach of the policies and practices of the school, it relied on the content of the document entitled, "Safeguarding in Education" issued by East Riding Safeguarding Children Board, and in particular the section headed, "Power and Positions of Trust". This included an instruction not to intimidate, humiliate and undermine children. The panel also found that Mrs Lockwood was in breach of the section of the policy entitled, "Physical Contact", and the instruction not to touch a pupil in a way which may be considered aggressive.

The panel was satisfied that the conduct of Mrs Lockwood amounted to misconduct of a serious nature which fell significantly short of the standards expected of the profession. The panel therefore found that Mrs Lockwood's actions amounted to unacceptable professional conduct.

The panel took into account the way 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 also took account of the uniquely influential role that teachers can hold in pupils' lives and the fact that pupils must be able to view teachers as role models in the way that they behave.

The panel therefore found that Mrs Lockwood's 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 and 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. 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 maintenance of public confidence in the profession, and declaring and upholding proper standards of conduct. The panel had also considered the interest of retaining the teacher in the profession.

In the light of the panel's findings against Mrs Lockwood, which involved the use of inappropriate language and physical contact with a vulnerable pupil, the panel found that, in this case, all three factors are engaged.

There was a strong public interest consideration in respect of the protection of pupils, given the serious findings of Mrs Lockwood's conduct towards pupil A on 15 October 2019.

Similarly, the panel considered that public confidence in the profession could be seriously weakened if conduct such as that found against Mrs Lockwood 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 Mrs Lockwood was outside that which could reasonably be tolerated.

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

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 Mrs Lockwood. 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 were relevant in this case were:

- serious departure from the personal and professional conduct elements of the Teachers' Standards;
- misconduct seriously affecting the 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.

In terms of aggravating factors, the panel considers the following to be present in this case:

- Mrs Lockwood had effectively denied the allegations throughout;
- Mrs Lockwood had not shown insight into her conduct;
- Mrs Lockwood had not expressed any genuine contrition or remorse for her conduct;
- Indeed, the events that took place on 15 October 2019 involved a [Redacted] who was known to Mrs Lockwood who also knew that he was a person who required additional support;
- When providing her explanation for the allegation that she had pushed pupil A, she attempted to place a level of responsibility on pupil A by stating that he fell over in the way that he did for dramatic effect.

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.

In the light of the panel's findings, the panel had found that Mrs Lockwood's actions had been deliberate and that she had not been acting under duress. However, the panel had taken account of Mrs Lockwood's previously good record as a teacher although an informal

discussion had taken place between Individual A and Mrs Lockwood approximately six months before the events on 15 October 2019 regarding Mrs Lockwood's approach.

Mrs Lockwood had provided a number of references but they related primarily to Mrs Lockwood's role as a [Redacted]

Nevertheless, there was one reference from a teacher who worked as a [Redacted] for [Redacted] alongside Mrs Lockwood at a primary school in Hull although the reference did not stipulate when this took place. She stated that her experience of Mrs Lockwood was of a person who was kind, caring and professional, and that she had never had to confront Mrs Lockwood about her attitude or actions when dealing with children.

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 would be sufficient would unacceptably compromise the public interest considerations present in this case, despite the severity of the consequences for Mrs Lockwood of prohibition. It was also the panel's view that Mrs Lockwood had not made what could be described as an exceptional contribution to education or that there was an exceptionally strong public interest in her being able to continue to teach.

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 Mrs Lockwood. The lack of acceptance of responsibility, lack of insight, and lack of contrition were all significant factors in forming that opinion. Furthermore, on the basis of its findings, the panel was not satisfied that there was no risk of repetition of such behaviour. 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 Advice indicates that there are behaviours that, if proved, would militate against the recommendation of a review period. Whilst the panel was concerned with the lack of insight and remorse, it did not consider that this case fell into one of those categories which would suggest that a review period was not appropriate.

[Redacted]

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 a provision for a review period after two years.

## 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 Mrs Racheal Lockwood should be the subject of a prohibition order, with a review period of two years.

In particular, the panel has found that Mrs Lockwood 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, and maintain high standards in their own attendance and punctuality.

The panel finds that the conduct of Mrs Lockwood fell significantly short of the standards expected of the profession.

The findings of misconduct are serious as they include the use of inappropriate language and physical contact with a vulnerable pupil.

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 Mrs Lockwood, 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 safeguard pupils and the panel observed, "In support of its finding that Mrs Lockwood's conduct was in breach of the policies and practices of the school, it relied on the content of the document entitled, "Safeguarding in Education" issued by East Riding Safeguarding Children Board, and in particular the section headed, "Power and Positions of Trust". This included an instruction not to intimidate, humiliate and undermine children. The panel also found that Mrs Lockwood was in breach of the section of the policy entitled, "Physical Contact", and the instruction not to touch a pupil in a way which may be considered aggressive." 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;

- Mrs Lockwood had effectively denied the allegations throughout;
- Mrs Lockwood had not shown insight into her conduct;
- Mrs Lockwood had not expressed any genuine contrition or remorse for her conduct;

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, "There was a strong public interest consideration in respect of the protection of pupils, given the serious findings of Mrs Lockwood's conduct towards pupil A on 15 October 2019." I am particularly mindful of the misconduct found proven, involving a vulnerable primary school child 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 Mrs Lockwood herself and the panel comment "there was one reference from a teacher who worked as a [Redacted] for [Redacted] alongside Mrs Lockwood at a primary school in Hull although the reference did not stipulate when this took place. She stated that her experience of Mrs Lockwood was of a person who was kind, caring and professional, and that she had never had to confront Mrs Lockwood about her attitude or actions when dealing with children."

A prohibition order would prevent Mrs Lockwood 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.

In this case, I have placed considerable weight on the panel's comments on contribution to the profession "It was also the panel's view that Mrs Lockwood had not made what could be described as an exceptional contribution to education or that there was an exceptionally strong public interest in her being able to continue to teach."

I have also placed considerable weight on the finding of the panel that "the public interest considerations outweighed the interests of Mrs Lockwood. The lack of acceptance of responsibility, lack of insight, and lack of contrition were all significant factors in forming that opinion. Furthermore, on the basis of its findings, the panel was not satisfied that there was no risk of repetition of such behaviour. Accordingly, the panel made a recommendation to the Secretary of State that a prohibition order should be imposed with immediate effect."

I have given less weight in my consideration of sanction therefore, to the contribution that Mrs Lockwood 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 2 year review period.

I have considered the panel's comments "The Advice indicates that there are behaviours that, if proved, would militate against the recommendation of a review period. Whilst the panel was concerned with the lack of insight and remorse, it did not consider that this case fell into one of those categories which would suggest that a review period was not appropriate." The panel has also said "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 a provision for a review period after two years."

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 agree with the panel and am imposing a 2 year review period, for Mrs Lockwood to reflect on her actions and the impact on pupils, the school and the wider public.

**This means that Mrs Racheal Lockwood 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 1 July 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, Mrs Lockwood remains prohibited from teaching indefinitely.

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

Mrs Lockwood 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 'SABuxcey', with a horizontal line underneath.

**Decision maker: Sarah Buxcey**

**Date: 28 June 2022**

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