



Teaching
Regulation
Agency

Mr Mark Barrett: Professional conduct panel outcome

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

March 2022

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

Teacher:	Mr Mark Barrett
Teacher ref number:	9854554
Teacher date of birth:	10 January 1975
TRA reference:	18287
Date of determination:	2 March 2022
Former employer:	Nicholas Hammond Academy, Norfolk and Wayland Academy, Norfolk

Introduction

A professional conduct panel (“the panel”) of the Teaching Regulation Agency (“the TRA”) convened virtually on 28 February 2022 to 2 March 2022, to consider the case of Mr Barrett.

The panel members were Mr Martyn Stephens (lay panellist – in the chair), Ms Laura Flynn (teacher panellist) and Professor Roger Woods (former teacher panellist).

The legal adviser to the panel was Ms Surekha Gollapudi of Eversheds Sutherland (International) LLP solicitors.

The presenting officer for the TRA was Ms Samantha Paxton of Brown Jacobson LLP solicitors.

Mr Barrett was present and was represented by Mr Shyam Thakerar of Counsel.

The hearing took place in public and was recorded.

Allegations

The panel considered the allegations set out in the notice of proceedings dated 14 January 2022.

It was alleged that Mr Barrett was guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute, in that whilst employed:

at Nicholas Hammond Academy in Norfolk:

1. In or around 2013 he engaged in inappropriate and/or unprofessional behaviour towards Pupil D including by;
 - a. Asking for her phone and/or attempting to obtain her number;
 - b. Touching and/or stroking her hair;
 - c. Asking her out for a drink after she finished her examinations;
 - d. Asking her out for a meal;
 - e. Offering her a lift home after parents evening;
 - f. Asking her if she had tan lines after her holiday;
 - g. Sending her a message on Facebook

at Wayland Academy Norfolk:

2. In or around January 2019 engaged in inappropriate physical contact with Pupil A including by touching and/or rubbing her back;
3. In or around October 2018 engaged in inappropriate and/or unprofessional behaviour towards one or more former pupils including by:
 - a. contacting Child B [redacted] via Instagram;
 - b. contacting Child B [redacted] via Facebook Messenger;
 - c. contacting Child C [redacted] via Facebook;
 - d. sending one or more messages to Child B [redacted] and/or Child C [redacted];
 - i. in which he commented on their appearance
 - ii. which were intended to encourage further communication.

The teacher admits the facts of allegations 1.g., 3.a., 3.b., and 3.c. and that they amount to inappropriate and/or unprofessional behaviour. However, it is denied that these admitted allegations amount to unacceptable professional conduct and/or conduct that may bring the profession into disrepute. The teacher denies the remaining allegations.

Preliminary applications

There were no preliminary applications.

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 2 to 26

Section 2: Statement of Agreed and Disputed Facts – pages 28 to 31

Section 3: Teaching Regulation Agency witness statements – pages 33 to 49

Section 4: Teaching Regulation Agency documents – pages 51 to 634

Section 5: Teacher documents – pages 636 to 639

In addition, the panel agreed to accept the following:

Screenshot of Facebook Messenger messages between the teacher and Pupil D

The panel members confirmed that they had read all of the documents within the bundle, in advance of the hearing and the additional document that the panel decided to admit.

Witnesses

The panel heard oral evidence from Pupil B and Pupil D, called on behalf of the TRA.

The teacher gave evidence on his own behalf.

Decision and reasons

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

The teacher was employed at Nicholas Hamond Academy where it is alleged, he had inappropriate contact with a pupil via Facebook Messenger and made a number of inappropriate comments to her (including some which are alleged to have taken place outside the school premises). It is also alleged that he engaged in inappropriate physical contact with the pupil.

He was subsequently employed as a teacher at Wayland Academy in 2015 until 2019 when it is alleged that he engaged in inappropriate physical contact with a pupil and contacted two former pupils via Facebook Messenger and Instagram, when they were still under the age of 18.

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:

at Nicholas Hammond Academy in Norfolk:

1. In or around 2013 you engaged in inappropriate and/or unprofessional behaviour towards Pupil D including by;

a. Asking for her phone and/or attempting to obtain her number;

The panel heard evidence from Pupil D. Pupil D was clear in her recollection of this incident in that she understood that Mr Barrett said, “I will confiscate your phone, get your number and phone you in the night”, or words to that effect.

Pupil D acknowledged that the incident occurred as Mr Barrett sought to confiscate her phone as she was using it during the class.

Mr Barrett’s evidence was that he did confiscate her phone, but that he may have made a throwaway comment such as, “Give me your phone, don’t worry I won’t call you in the middle of the night.”

The panel was mindful that both Pupil D and Mr Barrett were recalling events which took place approximately nine years ago. However, the panel was satisfied that Pupil D was a credible witness who was consistent, honest and moderated in her responses.

The panel preferred the evidence of Pupil D and found this allegation proven on the balance of probabilities.

b. Touching and/or stroking her hair;

The panel considered the evidence of Pupil D in which she stated that Mr Barrett stroked her hair whilst commenting on the fact she had straightened it one day. Pupil D was clear in her recollection of this incident which she confirmed was a specific incident that had stayed in her memory because it made her feel uncomfortable.

Mr Barrett gave evidence that he did not recall the incident but that he would not have stroked a pupil’s hair. He went on to state that he may have brushed past pupils whilst walking around, but that to stroke a pupil’s hair would be “crossing the line”.

The panel preferred the evidence of Pupil D and found this allegation proven on the balance of probabilities.

c. Asking her out for a drink after she finished her examinations;

The panel heard the evidence of Pupil D, who was unable to recollect this conversation in detail. However, Pupil D was satisfied that the statement she provided to the school at the time of the allegation was true to the best of her knowledge at the time that she made it. As such, Pupil D was satisfied that the incident happened in line with her statement which said, "...he asked if when I finish school, I would go out for a drink with him."

Mr Barrett accepted that he may have made a comment to Pupil D on one occasion which was, "You owe me a pint for the help I have given you." Mr Barrett stated that this was said in a jokey manner and was not intended as an invitation for Pupil D to go out for a drink with him.

The panel preferred the evidence of Pupil D and found this allegation proven on the balance of probabilities.

d. Asking her out for a meal;

e. Offering her a lift home after parents evening;

The panel heard the evidence of Pupil D, who recalled that Mr Barrett offered her a lift home on one evening.

This was consistent with her earlier statement to the school in which she said, "he also asked me if I wanted a lift home and to go out for a meal after a parents evening."

Pupil D was satisfied that the statement she provided to the school at the time of the allegation was true to the best of her knowledge at the time that she made it. As such, Pupil D was satisfied that the conversation happened in line with her statement.

Mr Barrett's evidence was that this conversation did not happen and that he would not have asked a pupil to go out for a meal, nor would he have offered them a lift home.

The panel preferred the evidence of Pupil D which was clear at the time of the incident as set out within her statement to the school. The panel found this allegation proven on the balance of probabilities.

f. Asking her if she had tan lines after her holiday;

Pupil D was able to recall this incident in detail, as she stated it made her feel uncomfortable.

Mr Barrett stated that there had been a general conversation about holidays and tan lines but denied that he made any comments directed towards Pupil D specifically.

The panel preferred the evidence of Pupil D which was clear at the time of the incident as set out within her statement to the school. The panel found this allegation proven on the balance of probabilities.

g. Sending her a message on Facebook

Mr Barrett admitted this allegation.

The panel also had the benefit of reviewing screenshots of the messages, which were instigated by the teacher.

The panel found this allegation proven on the balance of probabilities.

at Wayland Academy Norfolk:

2. In or around January 2019 engaged in inappropriate physical contact with Pupil A including by touching and/or rubbing her back;

The panel carefully considered the statement of Pupil A which was provided on the day of the alleged incident, and her subsequent statement approximately 5 days later. The panel also had regard to the statements provided by two other pupils within the classroom at the time of the incident.

These statements were broadly consistent with each other, albeit the panel acknowledged there were some differences in how the action was described. The panel did not feel these differences were significant in the context of three young eyewitnesses giving evidence.

The panel heard Mr Barrett's explanation that he simply would not have touched Pupil A in this manner as it would have crossed a boundary.

The panel appreciated that this allegation was supported solely by hearsay evidence. The panel found this evidence to be credible, and accordingly gave it appropriate weight.

On balance, the panel preferred the evidence of Pupil A. This was a serious allegation and was supported by the evidence of two other pupils.

The panel found this allegation proven on the balance of probabilities.

3. In or around October 2018 engaged in inappropriate and/or unprofessional behaviour towards one or more former pupils including by:

- a. contacting Child B [redacted] via Instagram;**
- b. contacting Child B [redacted] via Facebook Messenger;**
- c. contacting Child C [redacted] via Facebook;**

Mr Barrett admitted these allegations.

The panel also had the benefit of reviewing screenshots of the messages and friend requests, all of which were instigated by the teacher.

The panel found these allegations proven on the balance of probabilities.

d. sending one or more messages to Child B [redacted] and/or Child C [redacted];

i. in which you commented on their appearance

ii. which were intended to encourage further communication.

The panel carefully reviewed the messages and noted that the teacher commented on Pupil B's Christmas jumper. The panel found this did amount to commenting on Pupil B's appearance.

The panel went on to consider whether the messages were intended to encourage further communication. The panel found that Mr Barrett posed a number of questions to Pupil B and Pupil C on Messenger. These were sent on different days and the conversations were always instigated by Mr Barrett, with the aim of receiving a response. For example, Mr Barrett contacted Pupil B on Messenger asking, "Morning, how we doing? u working today?" and contacted Pupil C asking, "So where you flying off to??", and "Done any sightseeing or is it just sit round the relatives house getting bored?" [sic].

The panel found this allegation proven on the balance of probabilities.

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

Having found the allegations proved, the panel went on to consider whether the facts of those proved allegations amount 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 Mr Barrett, in relation to the facts found proved, involved breaches of the Teachers' Standards. The panel considered that, by reference to Part 2, Mr Barrett 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 was satisfied that the conduct of Mr Barrett in relation to allegations 2 and 3, involved breaches of Keeping Children Safe In Education (“KCSIE”). The panel considered that Mr Barrett was in breach of the following provisions:

“Part 1, section 2 – Safeguarding and promoting the welfare of children is everyone’s responsibility. Everyone who comes into contact with children and their families has a role to play. In order to fulfil this responsibility effectively, all practitioners should make sure their practice is child centred. This means that they should consider, at all times, what is in the best interests of the child.”

The panel was satisfied that the conduct of Mr Barrett, in relation to allegations 2 and 3, involved breaches of Working Together to Safeguard Children. The panel considered that Mr Barrett was in breach of the following provisions:

“12. Staff should ensure that they establish safe and responsible online behaviours, working to local and national guidelines and acceptable use policies which detail how new and emerging technologies may be used...Communication with children both in the ‘real’ world and through web based and telecommunication interactions should take place within explicit professional boundaries. This includes the use of ... instant messages [and] social media such as Facebook and twitter...”.

The panel was satisfied that the conduct of Mr Barrett fell significantly short of the standard of behaviour expected of a teacher.

The panel noted that allegations 1.g. and 3.a., 3.b and 3.c took place outside the education setting. The panel carefully considered the difficult position Mr Barrett placed pupils B, C and D in, through contacting them on social media. The panel found that even though Pupil B and C were former pupils at the time of the contact, they were still under the age of 18 and Mr Barrett’s contact was plainly unwelcome.

The panel took into account the way the teaching profession is viewed by others, the responsibilities and duties of teachers in relation to the safeguarding and welfare of pupils 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 findings of misconduct are serious, and the conduct displayed would be likely to have a negative impact on the individual’s status as a teacher.

The panel considered that Mr Barrett's conduct could potentially damage the public's perception of a teacher.

The panel therefore found Mr Barrett's conduct amounted to both unacceptable professional conduct and conduct which 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 is appropriate, the panel had to consider the public interest, the seriousness of the behaviour and any mitigation offered by Mr Barrett and whether a prohibition order is necessary and proportionate. 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 safeguarding and wellbeing of pupils, the maintenance of public confidence in the profession and declaring and upholding proper standards of conduct.

In the light of the panel's findings against Mr Barrett, which involved inappropriate contact with pupils in the school setting and with both pupils and former pupils using social media, there was a strong public interest consideration in respect of the safeguarding and wellbeing of pupils. The panel particularly noted the significant impact on Pupil A, who withdrew from the school following the allegation of inappropriate touching. Former Pupil B and former Pupil C were both contacted after they left school and were uncomfortable with the messages he sent them. The allegations relating to Pupil D occurred whilst she was his student, and she described her interactions with the teacher as awkward and uncomfortable.

The panel considered that public confidence in the profession could be seriously weakened if conduct such as that found against Mr Barrett were 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 Barrett was outside that which could reasonably be tolerated.

Whilst there is evidence that Mr Barrett had ability as an educator, the panel considered that the adverse public interest considerations above outweigh any interest in retaining

Mr Barrett in the profession, since his behaviour fundamentally breached the standard of conduct expected of a teacher, and he failed to appreciate his position of trust.

The panel considered carefully the seriousness of the behaviour, noting that the Advice states that the expectation of both the public and pupils, is that members of the teaching profession maintain an exemplary level of integrity and ethical standards at all times.

The panel took further account of the Advice, which suggests that a panel will likely consider a teacher's behaviour to be incompatible with being a teacher if there is evidence of one or more of the factors that begin on page 15. In the list of such factors, 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 safeguarding and well-being of pupils, and particularly where there is a continuing risk;
- abuse of position or trust (particularly involving vulnerable pupils)

Even though some of the behaviour found proved in this case indicated that a prohibition order would be appropriate, taking account of the seriousness of the behaviour and the likely harm to the public interest were the teacher be allowed to continue to teach, the panel went on to consider the mitigation offered by the teacher.

The panel saw evidence that showed Mr Barrett was subject to disciplinary proceedings and warnings in relation to similar behaviour at Nicholas Hammond Academy. Following his dismissal from that post he undertook two agency positions at which there were no concerns with his teaching practice brought to the panel's attention. He then joined Wayland Academy where he displayed similar inappropriate behaviours.

There was no evidence to suggest the teacher was acting under duress.

The panel noted that Mr Barrett did receive a good reference from one of the two schools he worked at between Nicholas Hammond Academy and Wayland Academy. This reference from the Curriculum Leader for Computing and ICT stated, "Mark had an immediate impact on the progress of the students in his classes, securing above National Average in his 3 ICT Year 11 classes A*-C grades, in the summer results 2014... Mark worked over and above normal hours on multiple occasions to ensure every last one of his students got the C grade."

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 Mr Barrett 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 Barrett. The impact of Mr Barrett's actions on Pupil A 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 Advice indicates that there are cases involving certain conduct where it is likely that the public interest will have greater relevance and weigh in favour of not offering a review period. The panel did not find these behaviours relevant.

The Advice indicates that there are cases involving certain conduct where it is likely that the public interest will have greater relevance and weigh in favour of a longer period before a review is considered appropriate. The panel did not find these behaviours relevant.

The panel noted that Mr Barret has consistently demonstrated a failure to change his practices, despite being dismissed for similar behaviours in the past. This led to him being brought before this panel for behaviours which had been brought to his attention on numerous occasions previously.

Mr Barret failed to appreciate that the comments he described as "jokey" behaviour were inappropriate and potentially damaging to pupils. This behaviour also left him open to criticism from pupils, parents and members of the public.

The panel decided that the findings indicated a situation in which a review period would not be appropriate and, as such, decided that it would be proportionate, in all the circumstances, for the prohibition order to be recommended without provisions for a review period.

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 Mark Barrett should be the subject of a prohibition order, with no provision for a review period.

In particular, the panel has found that Mr Barrett 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.

The panel was satisfied that the conduct of Mr Barrett in relation to allegations 2 and 3, involved breaches of Keeping Children Safe In Education ("KCSIE").

The panel was satisfied that the conduct of Mr Barrett, in relation to allegations 2 and 3, involved breaches of Working Together to Safeguard Children.

The panel finds that the conduct of Mr Barrett fell significantly short of the standards expected of the profession.

The findings of misconduct are particularly serious as they include a finding of inappropriate/unprofessional behaviour with more than one pupil and inappropriate physical contact with a 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 Mr Barrett, 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 safeguard pupils. The panel has observed, “In the light of the panel’s findings against Mr Barrett, which involved inappropriate contact with pupils in the school setting and with both pupils and former pupils using social media, there was a strong public interest consideration in respect of the safeguarding and wellbeing 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 lack of insight, which the panel sets out as follows, “Mr Barrett failed to appreciate that the comments he described as “jokey” behaviour were inappropriate and potentially damaging to pupils. This behaviour also left him open to criticism from pupils, parents and members of the public.” In my judgement, the lack of insight means that there is some risk of the repetition of this behaviour and this puts at risk the 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, “public confidence in the profession could be seriously weakened if conduct such as that found against Mr Barrett were not treated with the utmost seriousness when regulating the conduct of the profession.” I am particularly mindful of the finding of inappropriate contact with pupils in this case and the impact that such a finding has on the reputation of the profession.

I have had to consider that the public has a high expectation of professional standards of all teachers and that the public might regard a failure to impose a prohibition order as a failure to uphold those high standards. In weighing these considerations, I have had to consider the matter from the point of view of an “ordinary intelligent and well-informed citizen.”

I have considered whether the publication of a finding of unacceptable professional conduct, in the absence of a prohibition order, can itself be regarded by such a person as being a proportionate response to the misconduct that has been found proven in this case.

I have also considered the impact of a prohibition order on Mr Barrett himself and the panel comment “The panel noted that Mr Barrett did receive a good reference from one of the two schools he worked at between Nicholas Hammond Academy and Wayland Academy. This reference from the Curriculum Leader for Computing and ICT stated, “Mark had an immediate impact on the progress of the students in his classes, securing above National Average in his 3 ICT Year 11 classes A*-C grades, in the summer results

2014... Mark worked over and above normal hours on multiple occasions to ensure every last one of his students got the C grade.”

A prohibition order would prevent Mr Barrett from teaching. A prohibition order would also clearly deprive the public of his contribution to the profession for the period that it is in force.

In this case, I have placed considerable weight on the panel's comments concerning the impact on pupils. The panel has said, “In the light of the panel's findings against Mr Barrett, which involved inappropriate contact with pupils in the school setting and with both pupils and former pupils using social media, there was a strong public interest consideration in respect of the safeguarding and wellbeing of pupils. The panel particularly noted the significant impact on Pupil A, who withdrew from the school following the allegation of inappropriate touching. Former Pupil B and former Pupil C were both contacted after they left school and were uncomfortable with the messages he sent them. The allegations relating to Pupil D occurred whilst she was his student, and she described her interactions with the teacher as awkward and uncomfortable.”

I have also placed considerable weight on future risk to pupils “The panel saw evidence that showed Mr Barrett was subject to disciplinary proceedings and warnings in relation to similar behaviour at Nicholas Hammond Academy.”

I have given less weight in my consideration of sanction therefore, to the contribution that Mr Barrett 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 that no provision should be made for a review period.

I have considered the panel's comments “Mr Barrett has consistently demonstrated a failure to change his practices, despite being dismissed for similar behaviours in the past. This led to him being brought before this panel for behaviours which had been brought to his attention on numerous occasions previously. The panel has also said “that the findings indicated a situation in which a review period would not be appropriate.”

I have considered whether not allowing a 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, factors mean that allowing a review period is not sufficient to achieve the aim of maintaining public confidence in the profession. These elements

are the lack of insight, the safeguarding risk to future pupils, as Mr Barrett had not appeared to change his behaviour despite being dismissed previously.

I consider therefore that allowing for no review period is necessary to maintain public confidence and is proportionate and in the public interest.

This means that Mr Mark Barrett is prohibited from teaching indefinitely and cannot teach in any school, sixth form college, relevant youth accommodation or children's home in England. Furthermore, in view of the seriousness of the allegations found proved against him, I have decided that Mr Barrett shall not be entitled to apply for restoration of his eligibility to teach.

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

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

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

Decision maker: Sarah Buxcey

Date: 4 March 2022

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