



Teaching
Regulation
Agency

Mrs Vanessa Summers: Professional conduct panel meeting outcome

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

May 2021

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

Teacher:	Mrs Vanessa Summers
Teacher ref number:	0255718
Teacher date of birth:	3 May 1980
TRA reference:	18812
Date of determination:	25 May 2021
Former employer:	St Wilfrid's Catholic Academy

Introduction

A professional conduct panel (“the panel”) of the Teaching Regulation Agency (“the TRA”) convened on 25 May 2021 by way of a virtual hearing, to consider the case of Mrs Vanessa Summers.

The panel members were Mr Steve Woodhouse (teacher panellist – in the chair), Mr Alf Bean (lay panellist) and Mrs Claire Bentley (lay panellist).

The legal adviser to the panel was Ms Rosie Shipp of Birketts LLP solicitors.

In advance of the meeting, after taking into consideration the public interest and the interests of justice, the TRA agreed to a request from Mrs Summers that the allegations be considered without a hearing. Mrs Summers provided a signed statement of agreed facts and admitted unacceptable professional conduct and/or conduct that may bring the profession into disrepute in respect of allegations 1, 2 and 4, and conviction of a relevant offence in respect of allegation 3. The panel considered the case at a meeting without the attendance of the presenting officer Ms Grace Hansen or Mrs Summers.

The meeting took place in private by way of a virtual hearing, save for the announcement of the panel’s decision, which was announced in public and recorded.

Allegations

The panel considered the allegations set out in the notice of meeting dated 20 April 2021.

It was alleged that Mrs Summers was guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute and/or having been convicted of a relevant offence, in that while employed as a teacher at St Wilfrid's Catholic Academy, she:

1. On or around 18 September 2019:
 - a. consumed alcohol on Academy premises during the teaching day;
 - b. taught and/or was responsible for the teaching of Year 3 pupils whilst under the influence of alcohol;
 - c. when questioned by colleagues, denied being under the influence of alcohol.
2. On or around 27 September 2019, when collecting Child A from School B, denied being under the influence of alcohol when questioned by Person C.
3. On or around 28 November 2019 at Staffordshire Magistrates Court was convicted of the offences of:
 - a. being in charge of a motor vehicle with excess alcohol on 27 September 2019 under the Road Traffic Act 1988 s.5(1)(b); and
 - b. being drunk whilst in charge of a child on 27 September 2019 under the Licensing Act 1902 s.2.
4. Her conduct at allegation 1(c) and/or 2 above was dishonest in that, at the time of making the statements:
 - a. she knew she had been drinking alcohol; and/or
 - b. she intended to conceal that she had been drinking alcohol.

Mrs Summers admits the facts of the allegations against her and that her behaviour at allegations 1, 2 and 4 amounted to unacceptable professional conduct and/or conduct that may bring the profession into disrepute and her conviction at allegation 3 amounted to a conviction of a relevant offence. Mrs Summers' admissions are set out in her response to the notice of referral dated 16 October 2020.

Preliminary applications

There were no preliminary applications.

Summary of evidence

Documents

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

Section 1: Chronology, Identification Key and List of Key People – pages 1 to 3

Section 2: Notice of Referral, response and Notice of Meeting – pages 4 to 17

Section 3: Statement of Agreed Facts and Presenting Officer Representations – pages 18 to 21

Section 4: Teaching Regulation Agency Documents – pages 22 to 167

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

Statement of agreed facts

The panel considered a statement of agreed facts, which was signed by Mrs Summers on 5 February 2021.

No summary of the evidence given is required, as evidence that was material to the panel's decision should be captured in the reasons given for it (below).

Decision and reasons

The panel announced its decision and reasons as follows:

The panel carefully considered the case and reached a decision.

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

In summary, Mrs Summers was employed by St Wilfred's Catholic Academy ('the school') as a teacher from 1 September 2008 until 21 October 2019, when she resigned.

On 18 September 2019, Mrs Summers was teaching a year 3 class when colleagues observed that her eyes were glazed, she was swaying, her walk was unsteady and she repeatedly left the classroom.

These concerns were reported to Individual 1, the [redacted], who asked Mrs Summers if she had been drinking. Mrs Summers denied this. Individual A then obtained Mrs Summers' handbag and discovered that it contained an empty wine bottle. Individual A reported this to Mrs Summers and asked her again if she had been drinking; Mrs Summers then confirmed that she had.

Mrs Summers was suspended from her role on 19 September 2019. An investigatory meeting took place on 24 September 2019 and Mrs Summers told Individual 2, [redacted], that she had brought a bottle of wine into the school on 18 September 2019 and had drunk from the bottle during the school day whilst on school premises.

On 27 September 2019, Mrs Summers was picking up [redacted] Child A from School B. Mrs Summers was reported to be drunk. [redacted] of School B, Individual 3, asked Mrs Summers if she had been drinking, which Mrs Summers denied. When it appeared that Mrs Summers was going to drive, Individual 3 removed Mrs Summers' car keys and reported the incident to the police.

Mrs Summers was questioned by the police and was reported to be four times over the legal drink-drive limit. Mrs Summers was arrested and charged with being in charge of a motor vehicle with excess alcohol and being drunk in charge of a child.

On 28 November 2019, Mrs Summers appeared in Staffordshire Magistrates' Court where she pleaded guilty and was convicted of both offences. Mrs Summers was fined and disqualified from driving for 12 months.

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:

1. On or around 18 September 2019, you:

- a. consumed alcohol on Academy premises during the teaching day;**
- b. taught and/or was responsible for the teaching of Year 3 pupils whilst under the influence of alcohol;**
- c. when questioned by colleagues, denied being under the influence of alcohol.**

The panel noted that in the statement of agreed facts, which Mrs Summers signed on 5 February 2021, Mrs Summers had admitted the facts of allegations 1(a) to 1(c).

Notwithstanding the statement of agreed facts, the panel made its own determination on the facts of the allegations on all of the evidence before it.

The panel noted, in particular, that there were a number of corroborating and consistent statements from colleagues who witnessed Mrs Summers' behaviour on 18 September 2019.

The panel took into account that the witnesses were not present at the hearing and that it was not possible to test their evidence. The evidence was hearsay and the panel determined the appropriate weight to be given to it. However, the panel observed that each witness provided consistent evidence, which the panel considered to be reliable.

The panel found the particulars of allegations 1(a) to 1(c) proved.

2. On or around 27 September 2019, when collecting Child A from School B, denied being under the influence of alcohol when questioned by Person C.

Mrs Summers admitted allegation 2 in the statement of agreed facts, which she signed on 5 February 2021.

Notwithstanding the statement of agreed facts, the panel made its own determination on the facts of the allegations on all of the evidence before it. This allegation was corroborated consistently by more than one staff member from School B, who described that Mrs Summers was reported to have smelled of alcohol by [redacted] and, when questioned, denied that she had been drinking.

The panel found the particulars of allegation 2 proved.

3. On or around 28 November 2019 at Staffordshire Magistrates Court were convicted of the offences of:

- a. being in charge of a motor vehicle with excess alcohol on 27 September 2019 under the Road Traffic Act 1988 s.5(1)(b); and**
- b. being drunk whilst in charge of a child on 27 September 2019 under the Licensing Act 1902 s.2.**

Mrs Summers admitted allegation 3(a) and (b) in the statement of agreed facts.

As part of its consideration, the panel's attention was drawn to page 8 of the Advice, which states: "*If there has been a conviction, at any time, of a criminal offence, the hearing will not re-examine the facts of the case and the panel will accept the conviction as conclusive proof that establishes relevant facts.*"

The panel had been provided with a copy of the Memorandums of Conviction in respect of both offences from the Staffordshire Magistrates' Court within the bundle of evidence. The panel accepted these as conclusive proof of the relevant facts.

The panel found the particulars of allegations 3 (a) and (b) proved.

4. Your conduct at allegation 1(c) and/ or 2 above was dishonest in that, at the time of making the statements:

a. you knew you had been drinking alcohol; and/or

b. you intended to conceal that she had been drinking alcohol.

Mrs Summers admitted allegation 4(a) and (b) within the statement of agreed facts.

Notwithstanding the statement of agreed facts, the panel made its own determination on the facts of the allegations on all of the evidence before it.

In respect of the test for dishonesty the panel's attention was drawn to the case of *Ivey v Genting Casinos (UK) Ltd t/a Crockford*, in which the test for dishonesty in criminal matters was set out as:

When dishonesty is in question the fact-finding tribunal must first ascertain (subjectively) the actual state of the individual's knowledge or belief as to the facts. The reasonableness or otherwise of his belief is a matter of evidence (often in practice determinative) going to whether he held the belief, but it is not an additional requirement that his belief must be reasonable; the question is whether it is genuinely held. When once his actual state of mind as to knowledge or belief as to facts is established, the question whether his conduct was honest or dishonest is to be determined by the fact-finder by applying the (objective) standards of ordinary decent people. There is no requirement that the defendant must appreciate that what he has done is, by those standards, dishonest.

Further, the panel considered that in the case of *Wingate & Anor v The Solicitors Regulation Authority*, the Court of Appeal held that:

Honesty is a basic moral quality which is expected of all members of society. It involves being truthful about important matters and respecting the property rights of others. Telling lies about things that matter or committing fraud or stealing are generally regarded as dishonest conduct ... The legal concept of dishonesty is grounded upon the shared values of our multi-cultural society. Because dishonesty is grounded upon basic shared values, there is no undue difficulty in identifying what is or is not dishonest.

The panel considered the evidence before it and concluded that in respect of allegation 1(c), Mrs Summers knew she had been drinking alcohol because she had brought a bottle of wine to the school and concealed it in her handbag, having drunk from it during the school day on the school premises. The panel concluded that knowingly consuming alcohol during the school day and on the school premises, and denying the same when questioned, was plainly objectively dishonest.

Similarly, in relation to allegation 2, the panel concluded that Mrs Summers' honest belief was that she had been drinking alcohol. When asked about this, she denied it. The panel considered this to be objectively dishonest conduct.

Findings as to unacceptable professional conduct and/or conduct that may bring the profession into disrepute and/or conviction of a relevant offence

Having found the allegations proved, the panel went on to consider whether the facts of those allegations amounted to:

- In respect of allegations 1(a), (b), (c), 2 and 4, unacceptable professional conduct and/or conduct that may bring the profession into disrepute; and
- In respect of allegation 3, conviction of a relevant offence.

The panel noted that, as worded, the allegations appear to allege that all of the conduct, if proved, amounted to all three relevant behaviours. However, this was unclear as allegations 1(a), (b), (c), 2 and 4 were not alleging convictions. In advance of the hearing the legal advisor confirmed with the TRA that the allegations, if found proven, related to the alleged behaviours as stated above only.

In considering whether the facts of the allegations amounted to the relevant behaviours, the panel had regard to the document Teacher Misconduct: The Prohibition of Teachers, which is referred to as "the Advice".

Unacceptable professional conduct and/or conduct that may bring the profession in to disrepute

The panel made the following determination in respect of allegations 1(a), (b), (c), 2 and 4 only.

The panel was satisfied that the conduct of Mrs Summers in relation to the facts found proved, involved breaches of the Teachers' Standards. The panel considered that, by reference to Part 2, Mrs Summers 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
- 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 Mrs Summers fell significantly short of the standards expected of the profession.

The panel also considered whether Mrs Summers conduct displayed behaviours associated with any of the offences listed on pages 10 and 11 of the Advice.

The panel found that serious driving offences, particularly those involving alcohol or drugs, was relevant. The Advice indicates that where behaviours associated with such an offence exist, a panel is more likely to conclude that an individual's conduct would amount to unacceptable professional conduct. The panel also considered whether behaviour involving fraud/serious dishonesty was relevant, but did not consider Mrs Summers' initial denials to amount to serious dishonesty, particularly as Mrs Summers had not sustained her denial for a prolonged period and had soon admitted her conduct and complied with both the school's internal process and the TRA proceedings when asked.

The panel noted that allegation 2 took place outside the education setting. It noted that the Advice indicates that misconduct outside of the education setting may only be considered to be relevant if it is serious and the conduct displayed would likely have a negative impact on the individual's status as a teacher, potentially damaging the public perception of them, therefore bringing the profession into disrepute.

The panel concluded that, because Mrs Summers was on School B's property picking up [redacted] Child A, being under the influence of alcohol while doing so was serious and would be likely to have a negative impact on Mrs Summers' status as a teacher, potentially damaging the public perception. The panel was of the view that outside of the school, and particularly in similar education settings, Mrs Summers was duty-bound to uphold the professional and personal standards of a teacher, which she had not done on this occasion.

Accordingly, the panel was satisfied that Mrs Summers was guilty of 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 they behave.

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. In particular, a parent finding out that a child's teacher had been found

to have consumed alcohol while responsible for a class of children would be appalled. Furthermore, when picking up Child A from School B, Mrs Summers was surrounded by parents who were clearly concerned enough to make a report to School B.

The panel therefore found that Mrs Summers' actions constituted conduct that may bring the profession into disrepute.

The panel further found that Mrs Summers' conduct as set out in allegations 1(a), (b), (c), 2 and 4 amounted to both unacceptable professional conduct and conduct that may bring the profession into disrepute.

Conviction of a relevant offence

The panel made this finding in respect of allegations 3(a) and (b) only.

The panel had regard to page 10 of the Advice, which states:

Where there has been a conviction, the panel is concerned to establish its relevance to the teacher's on-going suitability to teach. An offence can be considered relevant even if it did not involve misconduct in the course of teaching. In making a judgement on relevance a panel will consider all the facts of the case. These will include the nature and gravity of the offence, its circumstances and any mitigating circumstances and, in committing the offence, whether and to what extent the individual's actions:

- *were contrary to the standards of personal and professional conduct expected of a teacher, with reference to the Teachers' Standards;*
- *were relevant to teaching, working with children and/or working in an education setting;*
- *would be likely to have an impact on the safety or security of pupils or members of the public; or*
- *would be likely to affect public confidence in the teaching profession if the teacher were allowed to continue teaching.*

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

However, both the convictions listed at allegations 3(a) and 3(b) arose from the same course of events: Mrs Summers picked up Child A from School B under the influence of alcohol (notably four times over the legal drink-drive limit). As afore mentioned, the panel concluded that this conduct realistically touched upon Mrs Summers' teaching status.

Furthermore, the panel concluded that Mrs Summers' behaviour involved clear breaches of the Teachers' Standards, was relevant to her teaching and had the potential to seriously impact the safety of both Child A and other members of the public. The panel

considered that such behaviour would likely affect public confidence in the profession if Mrs Summers were allowed to continue teaching.

This was a case involving serious driving offences, particularly those involving alcohol or drugs, which the Advice states is likely to be considered a relevant offence.

In considering the totality of the factors mentioned above, the panel concluded that the convictions listed within allegations 3(a) and (b), both jointly and severally, amounted to convictions of relevant offences.

Panel's recommendation to the Secretary of State

Given the panel's findings in respect of unacceptable professional conduct and/or conduct that may bring the profession into disrepute and conviction of relevant offences, 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.

Public interest

The panel had regard to the particular public interest considerations set out in the Advice and, having done so, found a number of them to be relevant in this case, namely: the protection of pupils/the protection of other members of the public/the maintenance of public confidence in the profession/declaring and upholding proper standards of conduct.

In the light of the panel's findings against Mrs Summers, 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 Mrs Summers were not treated with the utmost seriousness when regulating the conduct of the profession.

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

Mitigating factors

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

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

- Mrs Summers suffered with emotional difficulties at the relevant time. [redacted]
- Mrs Summers had been struggling with her personal life, [redacted]
- Mrs Summers also felt that she had not been adequately supported in her role and felt isolated.
- There was some evidence of Mrs Summers' teaching proficiency. At no point in the evidence (otherwise than in the allegations) had doubt been cast upon her ability to teach.
- After the initial denials (which were given while under the influence of alcohol), Mrs Summers admitted her conduct and cooperated with the school's procedure. She has also fully cooperated with the TRA's procedure and has provided an honest admission as to her conduct to the panel.

References

The panel noted the contents of some positive references that Mrs Summers had provided to gain her position at the school. There was no evidence to suggest that Mrs Summers did not have a good teaching record.

However, there was a lack of references or other evidence provided by Mrs Summers attesting to her character, ability to teach or otherwise contribute to the profession. The panel noted that this might have been due to Mrs Summers being unrepresented and not being present. The panel considered this unfortunate but not critical to its findings.

Recommendation

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 Summers. The panel took further account of the Advice, which suggests that a prohibition order may be appropriate if certain behaviours of a teacher have been proved. In the list of such behaviours, those that are relevant in this case are:

- serious departure from the personal and professional conduct elements of the Teachers' Standards;

- misconduct seriously affecting the education and/or well-being of pupils, and particularly where there is a continuing risk;
- the commission of a serious criminal offence, including those that resulted in a conviction or caution.

In the light of the panel's findings there was no evidence that Mrs Summers' actions were not deliberate. However, the panel observed that, particularly at the time of her denials, she may not have been thinking rationally as she was under the influence of alcohol. Ultimately, the panel concluded that her initial denials were an attempt to conceal her alcohol consumption. There was no evidence to suggest that Mrs Summers was acting under duress.

Mrs Summers did have a previously good history and has not been subject to any previous disciplinary action.

The panel first considered whether it would be proportionate to conclude this case with no recommendation of prohibition, considering whether the publication of the findings made by the panel would be sufficient.

The panel was of the view that, applying the standard of the ordinary intelligent citizen, it would not be a proportionate and appropriate response to recommend no prohibition order. Recommending that the publication of adverse findings was sufficient would unacceptably compromise the public interest considerations present in this case, despite the severity of the consequences for Mrs Summers 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 Mrs Summers. The severity of Mrs Summers' actions and the consequential breaches of the Teachers' Standards were a significant factor in forming that opinion. Accordingly, the panel made a recommendation to the Secretary of State that a prohibition order should be imposed with immediate effect.

The panel went on to consider whether or not it would be appropriate to recommend that a review period of the order should be considered. The panel was mindful that the Advice states that a prohibition order applies for life, but there may be circumstances, in any given case, that may make it appropriate to allow a teacher to apply to have the prohibition order reviewed after a specified period of time that may not be less than 2 years.

The Advice indicates that there are behaviours that, if proved, would militate against the recommendation of a review period. The panel did not consider any of these behaviours to be relevant.

The panel considered that a review period would provide Mrs Summers with an opportunity to proactively address any underlying issues she may be facing and apply to return to the teaching profession once she had done so. The panel considered that a future set-aside panel would want to be satisfied, with supporting evidence, that Mrs Summers had sought the support and assistance she needs and that it had been effective.

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 provisions for a two-year 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 and a relevant conviction.

The panel has made a recommendation to the Secretary of State that Mrs Vanessa Summers should be the subject of a prohibition order, with a review period of two years.

In particular, the panel has found that Mrs Summers 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
- 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 finds that the conduct of Mrs Summers fell significantly short of the standards expected of the profession.

The findings of misconduct are particularly serious as they include a finding of consuming alcohol on school premises, being under the influence of alcohol whilst being responsible for pupils and a conviction for drink driving, conduct the panel found to be dishonest.

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 Summers, and the impact that will have on her, 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 concluded that Mrs Summers’ behaviour involved clear breaches of the Teachers’ Standards, was relevant to her teaching and had the potential to seriously impact the safety of both Child A and other members of the public”. 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, “After the initial denials (which were given while under the influence of alcohol), Mrs Summers admitted her conduct and cooperated with the school’s procedure. She has also fully cooperated with the TRA’s procedure and has provided an honest admission as to her conduct to the panel”.

I have gone on to consider the extent to which a prohibition order would maintain public confidence in the profession. The panel observe, “such behaviour would likely affect public confidence in the profession if Mrs Summers were allowed to continue teaching”. I am particularly mindful of the finding of being under the influence of alcohol while being responsible for children 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 Mrs Summers herself and the panel comment “The panel noted the contents of some positive references that Mrs Summers had provided to gain her position at the school. There was no evidence to suggest that Mrs Summers did not have a good teaching record”.

A prohibition order would prevent Mrs Summers 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 following comments from the panel, “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. In particular, a parent finding out that a child’s teacher had been found to have consumed alcohol while responsible for a class of children would be appalled. Furthermore, when picking up Child A from School B, Mrs Summers was surrounded by parents who were clearly concerned enough to make a report to School B”.

I have given less weight in my consideration of sanction therefore, to the contribution that Mrs Summers 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, 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 “A review period would provide Mrs Summers with an opportunity to proactively address any underlying issues she may be facing and apply to return to the teaching profession once she had done so. The panel considered that a future set-aside panel would want to be satisfied, with supporting evidence, that Mrs Summers had sought the support and assistance she needs and that it had been effective”.

I have decided that 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.

This means that Mrs Vanessa Summers 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 June 2023, 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 Summers remains prohibited from teaching indefinitely.

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

Mrs Vanessa Summers 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 'S Buxcey', written in a cursive style.

Decision maker: Sarah Buxcey

Date: 1 June 2021

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