



Teaching  
Regulation  
Agency

# **Ms Hannah Rhodes: Professional conduct panel 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**

<b>Teacher:</b>	Ms Hannah Rhodes
<b>Teacher ref number:</b>	0859782
<b>Teacher date of birth:</b>	30 December 1983
<b>TRA reference:</b>	19160
<b>Date of determination:</b>	26 May 2021
<b>Former employer:</b>	Shamblehurst Primary School, Southampton (“the School”)

### **Introduction**

A professional conduct panel (“the panel”) of the Teaching Regulation Agency (“the TRA”) convened on 24 May to 26 May 2021 by way of a virtual hearing, to consider the case of Ms Hannah Rhodes.

The panel members were Ms Laura Flynn (teacher panellist – in the chair), Mr Duncan Tilley (lay panellist) and Mr Nigel Shock (lay panellist).

The legal adviser to the panel was Mr Liam Green of Birketts LLP solicitors.

The presenting officer for the TRA was Ms Lucy Coulson of 18 St John Street Chambers, instructed by Browne Jacobson LLP.

Ms Rhodes chose not to be present and nor was she represented.

The hearing took place by way of a virtual hearing in public and was recorded.

## Allegations

The panel considered the allegations set out in the notice of proceedings dated 26 March 2021.

It was alleged that Ms Rhodes was guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute, in that whilst employed as a teacher at Shamblehurst Primary School:

1. She engaged in inappropriate and/or unprofessional behaviour including by:
  - a. Shouting at one or more pupil including:
    - i. On or around 09 October 2018 she shouted at Pupil A and/or called his behaviour 'disgusting';
    - ii. On or around 06 November 2018 she shouted at Pupil B and/or C resulting in them becoming scared to ask her for help.
  - b. Failing to appropriately support and/or undermined one or more pupils and/or colleagues to the extent that it negatively impacted on their wellbeing, in particular causing:
    - i. Pupil A to become upset and/or scared of her;
    - ii. Pupil B to lose confidence and/or think they were stupid;
    - iii. Pupil C to want to move school and/or to become 'miserable';
    - iv. Colleague A to suffer a panic attack.
2. Her behaviour as may be found proven at 1 above demonstrated a lack of insight into previous advice she had been given and/or warnings issued by the School in or around March 2018.

Ms Rhodes admitted the allegations in their entirety, as set out in the statement of agreed facts signed by Ms Rhodes on 03 December 2020.

Ms Rhodes admitted the facts of the allegations against her amount to unacceptable professional conduct and/or conduct that may bring the profession into disrepute.

## **Preliminary applications**

### **Procedural rules**

It was noted that since the date of the referral to the TRA in this case, new Teacher Misconduct Disciplinary procedures for the teaching profession were published in May 2020 (the “May 2020 Procedures”).

The panel understands that the earlier provisions contained within the Teacher misconduct disciplinary procedures for the teaching profession updated in April 2018 (the “April 2018 Procedures”) apply to this case, given that those provisions applied when the referral was made.

The panel has the power to direct that the May 2020 Procedures should apply in appropriate circumstances; the panel received no representations that this should be the case.

Accordingly, the panel confirms that it has applied the April 2018 Procedures in this case.

### **Application to admit additional documents**

The presenting officer made an application to admit an addendum bundle into evidence containing two cartoon drawings and two pages of handwritten notes.

The TRA accepted that it failed to serve those documents in accordance with the requirements of paragraph 4.20 of the April 2018 Procedures. The TRA submitted the documents were relevant, it would be fair to admit the documents and there would be no prejudice to Ms Rhodes by their admission into the bundle.

The application was not opposed by Ms Rhodes by virtue of her not being in attendance at the hearing. Further, email evidence was supplied of her agreement to the admission of the documents through her mother, who appeared to be acting as her McKenzie friend.

Regardless, the panel were required to consider whether that document should be admitted under paragraph 4.25 of the April 2018 Procedures at the discretion of the panel. Under paragraph 4.18 of the April 2018 Procedures, the panel may admit any evidence, where it is fair to do so, which may reasonably be considered to be relevant to the case.

The panel was satisfied that the documents were relevant to the case as they pertained to the TRA’s allegations and that in all the circumstances, it would be fair to admit the documents into the evidence.

Accordingly, the addendum bundle was accepted into evidence.

### **Application to proceed in the absence of the teacher**

Ms Rhodes was not present at the hearing nor was she represented. The presenting officer made an application to proceed in the absence of Ms Rhodes.

The panel accepted the legal advice provided in relation to this application and took account of the various factors referred to in it.

The panel was satisfied that the notice of proceedings had been sent to Ms Rhodes in accordance with the April 2018 Procedures and that she had engaged in correspondence with the presenting officer.

The panel was satisfied that Ms Rhodes was clearly aware of the hearing and had conveyed to the TRA that she would not be attending. The panel concluded that Ms Rhodes' absence was voluntary and that she was aware that the matter would proceed in her absence.

The panel noted that Ms Rhodes had not sought an adjournment to the hearing and it did not consider that an adjournment would procure her attendance at a hearing. There was no medical evidence before the panel that Ms Rhodes was unfit to attend the hearing. The panel considered that it was in the public interest for the hearing to take place. It also considered the effect on the witnesses of any delay.

Having decided that it was appropriate to proceed, the panel were mindful of the need to ensure that the proceedings were as fair as possible in the circumstances, bearing in mind that Ms Rhodes 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 2 to 15
- Section 2: Statement of agreed facts – pages 17 to 19
- Section 3: Teaching Regulation Agency witness statements – pages 21 to 181
- Section 4: Teaching Regulation Agency documents – pages 183 to 307
- Section 5: Teacher documents – pages 309 to 318.

In addition, the panel agreed to accept the addendum bundle.

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

## **Witnesses**

The panel heard oral evidence from the following people, called by the presenting officer:

1. Individual A [redacted];
2. Individual B [redacted];
3. Individual C [redacted]; and
4. Individual D [redacted].

The TRA also considered witness statements from Individual E [redacted] and Individual F [redacted].

The panel also had regard to the statement provided by Ms Rhodes contained within the bundle.

## **Decision and reasons**

The panel announced its decision and reasons as follows:

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

In summary, Ms Rhodes was employed by the School as a teacher from January 2015 and resigned from her role on 21 October 2019.

It seems that Ms Rhodes' difficulties in the School started to come to light in or around March 2018 where Ms Rhodes was sent a "helpful letter" relating to her conduct in the School environment, in particular, in respect of comments that she made to pupils and staff which were deemed inappropriate and unacceptable by the School.

Following this, there were a number of incidents which are the subject of the proceedings and those are outlined below.

## Findings of fact

The starting point is that the panel considered the statement of agreed facts and the admissions set out within that document. However, it also had regard to the fact that Ms Rhodes was unrepresented and that it must ensure that Ms Rhodes' right to a fair hearing was not compromised in any way.

The panel considered that the admissions, as they relate to the proved facts and allegations below, contained within the statement of agreed facts, to be clear and unequivocal. Therefore, the panel accepted that Ms Rhodes had made the admissions within this document and found the following allegations proved:

### **1. You engaged in inappropriate and/or unprofessional behaviour including by:**

#### **a. Shouting at one or more pupil including:**

##### **i. On or around 09 October 2018 you shouted at Pupil A and/or called his behaviour 'disgusting';**

The panel heard compelling evidence from Individual B [redacted] describing how she heard noise above the usual sound levels at lunchtime and having gone to investigate, recalled seeing Ms Rhodes stood over Pupil A, whilst he was in a foetal position, shouting at him. She witnessed Ms Rhodes calling his behaviour "*disgusting*" and it appeared to Individual B [redacted] that Pupil A was crying uncontrollably and visibly scared.

Following this, a cartoon was drawn where Pupil A depicted Ms Rhodes using the word "*disgusting*" towards him.

It transpired that the catalyst for the shouting was that Ms Rhodes had found out that Pupil A had urinated in a bush. [Redacted]. For those reasons, the panel found that Pupil A was vulnerable and that Ms Rhodes actions were particularly grave, especially given a member of staff had already dealt with the incident negating the need for Ms Rhodes to take further action regarding the incident.

Noting the admission made, and on examination of the documents before the panel, and the oral evidence provided at the hearing, the panel was satisfied that the facts of allegation 1 (a) (i) were found proved.

##### **ii. On or around 06 November 2018 you shouted at Pupil B and/or C resulting in them becoming scared to ask you for help.**



In relation to Pupil B, there was evidence in the bundle from Pupil B's mother explaining how Pupil B had been shouted at by Ms Rhodes for getting the wrong answer to a question in class.

The evidence from Individual D [redacted] suggested that Pupil B became so scared of Ms Rhodes that he made a tick chart to count down the days to when Individual D [redacted] would be teaching him.

In relation to Pupil C, there was a sufficiency of evidence, in particular from Pupil C's parents and from lesson observations, that the panel found it more probable than not that Ms Rhodes shouted at Pupil C.

Noting the admissions made and on examination of the documents before the panel, and the oral evidence provided at the hearing, the panel was satisfied that the facts of allegation 1 (a) (ii) were found proved.

**b. Failing to appropriately support and/or undermined one or more pupils and/or colleagues to the extent that it negatively impacted on their wellbeing, in particular causing:**

**i. Pupil A to become upset and/or scared of you;**

For the reasons cited in respect of allegation 1 (a) (i), the panel was satisfied that the facts of allegation 1 (b) (i) were proved.

**ii. Pupil B to lose confidence and/or think they were stupid;**

The panel considered correspondence from Pupil B's mother where she stated that Pupil B "*thinks he is stupid*" and "*that he doesn't know anything*"; the panel found this compelling and contemporaneous evidence of the facts and allegation stated.

Noting the admissions made and on examination of the documents before the panel, and the oral evidence provided at the hearing, the panel was satisfied that the facts of allegation 1 (b) (ii) were found proved.

**iii. Pupil C to want to move school and/or to become 'miserable';**

The panel considered emailed statements from both Pupil C's mother and father.

His father said that it was "*with great sadness*" that they had to "*remove [Pupil C] from the school*" and that "*he is anxious about going to school*" and "*he is generally miserable at the fact he has to be in the same room as her [Ms Rhodes]*".

Pupil C's mother also echoed the above comments.

Collectively, the panel found this contemporary evidence compelling in respect of this allegation.

Noting the admissions made and on examination of the documents before the panel, and the oral evidence provided at the hearing, the panel was satisfied that the facts of allegation 1 (b) (iii) were found proved.

The panel found the following particulars of the allegation 1 (b) (iv) against you not proved, for these reasons:

#### **iv. Colleague A to suffer a panic attack.**

For context, this allegation relates to an exchange between Ms Rhodes and Colleague A in front of a pupil and a parent after Colleague A disclosed information to that parent about another pupil which, in Ms Rhodes' view, was inappropriate.

The starting point for the panel was that Colleague A was not called as a witness at the hearing to give oral evidence in respect of the allegation, although Colleague A provided a witness statement dated 13 January 2021 concerning the allegation.

In this witness statement, Colleague A stated that she found Ms Rhodes actions "*very upsetting and demeaning*" and the panel unequivocally accepted that this was the case.

However, Colleague A did not specifically say that she had suffered a panic attack, rather it was an "*anxiety attack*"; without expert medical evidence and in the absence of Colleague A's oral evidence, the panel was unable to conclude that was a panic attack, as particularised in this allegation.

In addition, there is also a significant contradiction in Colleague A's own evidence as in a handwritten note of the event headed "*Tuesday 20th March 2018 – Going Home Time*" she explained her version of events and stated that she was "*quite upset*" after the incident when she was talking to other members of staff. However, at no point did she refer to having a panic attack (or an anxiety attack) in that handwritten note, but nearly three years later, she stated in her witness statement, that she "*started to experience the beginning of an anxiety attack*"; this is a substantial disparity in respect the accounts provided by Colleague A.

The panel was also mindful of the fact that the key evidence in respect of this allegation was hearsay in its entirety; no reason was provided as to why the original statement maker was not produced to give evidence. In addition, given the lapse of time and contradiction in the evidence by Colleague A, it was clear that the witness

statement was made in light of these proceedings and represented a significant departure from the contemporaneous handwritten account she made at the time. Accordingly, the panel considered that little weight could be properly attached to it.

The panel was extremely mindful of the fact that that this allegation was accepted and admitted by Ms Rhodes. However, on the evidence before it, the panel considered that this admission was unsafe and as such, bearing in mind Ms Rhodes right to a fair hearing and the need to act in the interest of justice, found the allegation not proved.

The panel found the following particulars of allegation 2 against you not proved, for these reasons:

**2. Your behaviour as may be found proven at 1 above demonstrated a lack of insight into previous advice you have been given and/or warnings issued by the School in or around March 2018.**

The panel took into consideration the evidence of Individual A [redacted] in respect of the “*helpful letter*” which was issued to Ms Rhodes following a meeting with Individual A [redacted] in March 2018.

The panel carefully reviewed the letter and considered it neither advisory nor a warning; rather, it discussed a number of separate events and made it clear that they should not be repeated. The letter concluded by inviting Ms Rhodes to “*reflect*” on her professional conduct and “*think carefully*” about how she talked to adults and children in the School.

The panel was of the view that whilst Ms Rhodes actions continued to be undesirable in many respects, particularly in light of the allegations proved. However, it did not consider that there was enough reliable evidence before it, which suggested, on the balance of probabilities, that any of these specific events were repeated. It also noted that one matter in the “*helpful letter*” pertained to allegation 1 (b) (iv) and that, on any view, could not be considered previous advice (if the panel had found that allegation proved).

The panel was extremely mindful of the fact that that this allegation was accepted and admitted by Ms Rhodes, however, on the evidence before it, considered that this admission was unsafe and as such, bearing in mind Ms Rhodes’ right to a fair hearing and the need to act in the interest of justice, found the allegation not 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 Ms Rhodes, in relation to the facts found proved, involved breaches of the Teachers’ Standards. The panel considered that, by reference to Part 1, Ms Rhodes was in breach of the following standards:

- Set high expectations which inspire, motivate and challenge pupils
  - establish a safe and stimulating environment for pupils, rooted in mutual respect
  - demonstrate consistently the positive attitudes, values and behaviour which are expected of pupils.
- Plan and teach well structured lessons
  - promote a love of learning and children’s intellectual curiosity.
- Adapt teaching to respond to the strengths and needs of all pupils
  - have a secure understanding of how a range of factors can inhibit pupils’ ability to learn, and how best to overcome these
  - demonstrate an awareness of the physical, social and intellectual development of children, and know how to adapt teaching to support pupils’ education at different stages of development.
- Manage behaviour effectively to ensure a good and safe learning environment
  - have clear rules and routines for behaviour in classrooms, and take responsibility for promoting good and courteous behaviour both in classrooms and around the school
  - have high expectations of behaviour, and establish a framework for discipline with a range of strategies, using praise, sanctions and rewards consistently and fairly
  - manage classes effectively, using approaches which are appropriate to pupils’ needs in order to involve and motivate them

- maintain good relationships with pupils, exercise appropriate authority, and act decisively when necessary.

Further, the panel considered that, by reference to Part 2, Ms Rhodes 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
  - showing tolerance of and respect for the rights of others
- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach, and maintain high standards in their own attendance and punctuality.
- 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 Ms Rhodes amounted to misconduct of a serious nature, which fell significantly short of the standards expected of the profession.

The panel also considered whether Ms Rhodes conduct displayed behaviours associated with any of the offences listed on pages 10 and 11 of the Advice. The panel found that none of these offences were 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.

Accordingly, the panel was satisfied that Ms Rhodes 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 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, potentially damaging the public perception of the profession.

The panel therefore found that Ms Rhodes actions constituted conduct that may bring the profession into disrepute.

Having found allegation 1, save for allegation 1 (b) (iv), proved the panel further found that Ms Rhodes conduct amounted to both unacceptable professional conduct and 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; declaring and upholding proper standards of conduct; and the interest of retaining the teacher in the profession.

In the light of the panel's findings against Ms Rhodes, which involved inappropriate and unprofessional behaviour towards pupils and a colleague, there was a strong public interest consideration in respect of the protection of pupils.

Similarly, the panel considered that public confidence in the profession could be seriously weakened if conduct such as that found against Ms Rhodes 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 Ms Rhodes 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 Ms Rhodes.

In carrying out the balancing exercise, the panel had regard to the public interest considerations both in favour of, and against, prohibition as well as the interests of Ms Rhodes. 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 found 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 education and/or well-being of pupils, and particularly where there is a continuing risk;
- abuse of position or trust (particularly involving vulnerable pupils) or violation of the rights of pupils;
- sustained or serious bullying, or other deliberate behaviour that undermines pupils, the profession, the school or colleagues.

In addition, the panel was struck by the volume of evidence, which suggested Ms Rhodes had a propensity to target those who were vulnerable and by doing so, act in a wholly unprofessional and at times, degrading, way.

The panel's concerns were further elevated when considering safeguarding. In this case, not only did Ms Rhodes fail to appreciate and respond appropriately (by not amending her approach to pupils) to safeguarding concerns, she was in fact, the root cause of those safeguarding concerns, particularly in regard to Pupils A, B and C.

The panel considered that her actions amounted to emotional abuse compounded by the fact the evidence suggested a regression in the development and confidence of the pupils and that, even after the passage of time, some pupils recalled being fearful of Ms Rhodes.

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 this case, there was no evidence to suggest that Ms Rhodes:

- actions were not deliberate;
- was acting under duress; and

- had anything but a previous good history.

The panel considered all of the mitigation in this case and found the following mitigating factors to be particularly relevant:

- Ms Rhodes stated, during the investigation meeting on 12 December 2018 [redacted] which then impacted her teaching.
- Ms Rhodes, in her statement to the panel, expressed that she was “*more sorry than you can know*”; that the incidents occurred over a “*short period of time*” and that she “*always loved teaching... it was a wonderful and fulfilling profession*”.
- The panel also noted that Ms Rhodes deeply regretted “*any harm I may have caused to the children*”.

In relation to the final bullet point above, the panel were concerned at the use of the word “*may*” which suggests that Ms Rhodes has failed fully to comprehend the gravity of her actions and the harm which she caused the pupils in this case. In addition, the panel considered that the mitigation documents were, in parts, quite deflective of where much of any blame should lay.

Overall, the panel formed the view that the mitigation presented by Ms Rhodes lacked any depth and true insight into the harm she caused. In addition, there was no meaningful reflection as to the situation she had found herself in, and how she would deal with similar challenges.

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 Ms Rhodes of prohibition.

The panel was of the view that prohibition was both proportionate and appropriate. The panel decided that the public interest considerations outweighed the interests of Ms Rhodes. The severity of the allegations, taking into account the age and vulnerability of her pupils and the degree of fear engendered by Ms Rhodes’ actions, 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 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. The panel found that none of these behaviours applied to Ms Rhodes nonetheless this did not detract from the severity of the proved allegations.

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 provision 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 some of the allegations proven and found that those proven facts amount to unacceptable professional conduct and conduct that may bring the profession into disrepute. In this case, as the panel has found some matters not proven, I have put all of those matters entirely from my mind that some allegations do not amount to unacceptable professional conduct or conduct likely to bring the profession into disrepute, or a relevant conviction. I have therefore put those matters entirely from my mind.

The panel has made a recommendation to the Secretary of State that Mrs Hannah Rhodes should be the subject of a prohibition order, with no provision for a review period.

In particular, the panel has found that Mrs Rhodes is in breach of the following standards:

- Set high expectations which inspire, motivate and challenge pupils
  - establish a safe and stimulating environment for pupils, rooted in mutual respect
  - demonstrate consistently the positive attitudes, values and behaviour which are expected of pupils.

- Plan and teach well structured lessons
  - promote a love of learning and children’s intellectual curiosity.
- Adapt teaching to respond to the strengths and needs of all pupils
  - have a secure understanding of how a range of factors can inhibit pupils’ ability to learn, and how best to overcome these
  - demonstrate an awareness of the physical, social and intellectual development of children, and know how to adapt teaching to support pupils’ education at different stages of development.
- Manage behaviour effectively to ensure a good and safe learning environment
  - have clear rules and routines for behaviour in classrooms, and take responsibility for promoting good and courteous behaviour both in classrooms and around the school
  - have high expectations of behaviour, and establish a framework for discipline with a range of strategies, using praise, sanctions and rewards consistently and fairly
  - manage classes effectively, using approaches which are appropriate to pupils’ needs in order to involve and motivate them
  - maintain good relationships with pupils, exercise appropriate authority, and act decisively when necessary.

Further, the panel considered that, by reference to Part 2, Ms Rhodes 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
  - showing tolerance of and respect for the rights of others
- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach, and maintain high standards in their own attendance and punctuality.

- 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 Ms Rhodes amounted to misconduct of a serious nature, which fell significantly short of the standards expected of the profession.”

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 Ms Rhodes, 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 has observed, “the panel was struck by the volume of evidence, which suggested Ms Rhodes had a propensity to target those who were vulnerable and by doing so, act in a wholly unprofessional and at times, degrading, way.” A prohibition order would therefore prevent such a risk from being present in the future. I have also taken into account the panel’s comments on insight and remorse, which the panel sets out as follows, “the panel formed the view that the mitigation presented by Ms Rhodes lacked any depth and true insight into the harm she caused. In addition, there was no meaningful reflection as to the situation she had found herself in, and how she would deal with similar challenges.”

In my judgement, the lack of full insight means that there is some risk of the repetition of this behaviour and this puts at risk the future well-being 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, “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, potentially damaging the public perception 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 Ms Rhodes herself. The panel say, “there was no evidence to suggest that Ms Rhodes:

- had anything but a previous good history.”

A prohibition order would prevent Ms Rhodes from teaching and 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, “not only did Ms Rhodes fail to appreciate and respond appropriately (by not amending her approach to pupils) to safeguarding concerns, she was in fact, the root cause of those safeguarding concerns, particularly in regard to Pupils A, B and C.”

The panel also say that it, “considered that her actions amounted to emotional abuse compounded by the fact the evidence suggested a regression in the development and confidence of the pupils and that, even after the passage of time, some pupils recalled being fearful of Ms Rhodes.”

I have given less weight in my consideration of sanction therefore, to the contribution that Ms Rhodes 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 complete remorse or full 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 which refer to the "severity of the allegations, taking into account the age and vulnerability of her pupils and the degree of fear engendered by Ms Rhodes' actions,"

I also note that the panel say, "Ms Rhodes has failed fully to comprehend the gravity of her actions and the harm which she caused the pupils in this case. In addition, the panel considered that the mitigation documents were, in parts, quite deflective of where much of any blame should lay.

Overall, the panel formed the view that the mitigation presented by Ms Rhodes lacked any depth and true insight into the harm she caused. In addition, there was no meaningful reflection as to the situation she had found herself in, and how she would deal with similar challenges."

I have therefore considered whether allowing for a no review period reflects the seriousness of the findings and is proportionate and necessary to achieve the aim of maintaining public confidence in the profession. In this case, the factors that mean that a no review is necessary are the serious nature of the misconduct, the significant harm that was caused and the lack of insight.

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 Ms Hannah Rhodes 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 her, I have decided that Ms Hannah Rhodes shall not be entitled to apply for restoration of her eligibility to teach.

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

Ms Hannah Rhodes 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.



**Decision maker: Alan Meyrick**

**Date: 3 June 2021**

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