



Teaching
Regulation
Agency

Mr Richard Stanley: Professional conduct panel meeting outcome

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

January 2021

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

Teacher:	Mr Richard Stanley
Teacher ref number:	9841927
Teacher date of birth:	26 September 1971
TRA reference:	18499
Date of determination:	7 January 2021
Former employer:	The Cooperative Academy, Leeds

Introduction

A professional conduct panel (“the panel”) of the Teaching Regulation Agency (“the TRA”) convened on 7 January 2021 by video conference to consider the case of Mr Richard Stanley.

The panel members were Ms Marjorie Harris (former teacher panellist – in the chair), Mr Paul MacIntyre (teacher panellist) and Mr Nigel Shock (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 Mr Stanley that the allegations be considered without a hearing. Mr Stanley provided a signed Statement of Agreed Facts and admitted unacceptable professional conduct and/or conduct that may bring the profession into disrepute. The panel considered the case at a meeting without the attendance of the presenting officer, Mr Luke Deal, or Mr Stanley.

The meeting took place in private and the panel’s decision was also announced in private.

Allegations

The panel considered the allegations set out in the Notice of Meeting dated 8 December 2020.

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

1. He failed to maintain professional boundaries with Former-Pupil A who he had first met whilst employed as a teacher at her school by:

- a. messaging Pupil A via social media between approximately August – December 2018 including:
 - i) calling her 'hun';
 - ii) commenting on her appearance;
 - iii) asking her to rate her own appearance out of ten;
 - iv) telling her he would go to the end of the world for her or words to that effect;
 - v) telling her that he was jealous when she had spoken to another man;
 - vi) telling her about an occasion where he had kissed another woman;
 - vii) telling her he loved her and/or love spending time with her.
- b. inviting Pupil A to visit him at the school
- c. driving Pupil A home following her visit to the school.

Mr Stanley admits the facts of allegations 1.a. to 1.c. against him and that his behaviour amounts to unacceptable professional conduct and conduct that may bring the profession into disrepute falling short of the standards of behaviour expected of a teacher, as set out in the Statement of Agreed Facts signed by Mr Stanley on 2 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 – pages 2 to 3
- Section 2: Notice of Proceedings and Notice of Referral – pages 5 to 10
- Section 3: Teaching Regulation Agency witness statements, Statement of Agreed Facts and presenting officer representations – pages 12 to 25
- Section 4: Teaching Regulation Agency documents – pages 27 to 97
- Section 5: Teacher documents – pages 99 to 102

In addition, the panel agreed to accept an email from Mr Stanley to the presenting officer in which Mr Stanley confirms his desire for the matter to be concluded at a meeting without his attendance. This email was admitted as page 10a.

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

Statement of Agreed Facts

The panel considered a Statement of Agreed Facts which was signed by Mr Stanley on 2 October 2020 which related to Mr Stanley failing to maintain professional boundaries with former Pupil A whom he had first met whilst employed as a teacher at the school she attended between 2011 - 2016, the Cooperative Academy. Mr Stanley allegedly exchanged messages with Pupil A via social media between August and December 2018 and additionally invited Pupil A to visit him at the Cooperative Academy and drove her home following this meeting.

Mr Stanley admitted in the Statement of Agreed Facts to have messaged Pupil A and overstepped the line in respect of inappropriate language used in these messages. He additionally admitted he had invited Pupil A to visit him at the Cooperative Academy and he drove her home. He accepted that he failed to maintain professional boundaries with Pupil A.

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 Mr Stanley 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, Mr Stanley was employed at the Cooperative Academy from September 2005 to April 2019 as a humanities teacher. Pupil A was a former pupil of the Cooperative Academy and Mr Stanley was previously her teacher [REDACTED]. Pupil A left the Cooperative Academy [REDACTED] Mr Stanley's church, the LIFE Church in Bradford where he volunteered as a Sunday School Leader.

In or around August 2018, Mr Stanley exchanged messages with Pupil A privately on Instagram. The messages contained comments on Pupil A's appearance and indicated a close relationship between them.

On 15 April 2019, Mr Stanley began employment at Springwell Leeds Academy as a humanities teacher.

In or around April 2019, a parent of a friend of Pupil A contacted the LIFE Church raising concerns about the private messages between Mr Stanley and Pupil A. The LIFE Church referred the matter to the Local Authority Designated Officer ('LADO') who conducted an investigation. On 24 June 2019 Mr Stanley resigned from Springwell Leeds Academy and a disciplinary hearing took place at the school the next day.

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. You failed to maintain professional boundaries with former Pupil A who you had first met whilst employed as a teacher at her school by:**
 - a) messaging Pupil A via social media between approximately August – December 2018 including;**
 - i. calling her 'hun';**
 - ii. commenting on her appearance;**
 - iii. asking her to rate her own appearance out of ten;**
 - iv. telling her you would go to the end of the world for her or words to that effect;**

- v. **telling her that you were jealous when she had spoken to another man;**
- vi. **telling her about an occasion where you had kissed another woman; and**
- vii. **telling her you love her and/or love spending time with her.**

Mr Stanley admitted the allegations. The relevant factual background is set out in the Statement of Agreed Facts which has been signed. The evidence that the panel received is consistent with the admission and the allegations are found proven.

b) Inviting Pupil A to visit you at the school

On examination of the documents before the panel, and the admission of this allegation in the signed Statement of Agreed Facts, the panel was satisfied that the allegation was proven.

c) Driving Pupil A home following her visit to the school.

On examination of the documents before the panel, and the admission of this allegation in the signed Statement of Agreed Facts, the panel was satisfied that on at least one occasion Mr Stanley took Pupil A for a walk around a park on the drive to her home. The panel considered that this demonstrated that such a journey was not for convenience or may not have been necessary because of bad weather, but that it demonstrated a potentially inappropriate relationship between a teacher and an ex-pupil.

The panel was satisfied that the allegation was proven.

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 the 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 Teacher Misconduct: The Prohibition of Teachers, which is referred to as “the Advice”.

Mr Stanley accepted in his signed Statement of Agreed Facts that he overstepped the line with Pupil A in respect of the inappropriate language he used in the messages and for messaging Pupil A at all in the first instance. He also admitted that he first met Pupil A when she was a student at the school. The panel noted that the comments made by Mr Stanley were inappropriate in tone, in particular Mr Stanley’s communications included reference to his personal life, Pupil A’s appearance and Mr Stanley’s colleagues.

The panel was of the view that it should have been obvious to Mr Stanley that his conduct was inappropriate notwithstanding the fact that Pupil A had left the school. In particular, Pupil A was a vulnerable student and Mr Stanley held a position of trust. The panel held that clear professional boundaries had been crossed by Mr Stanley.

The panel was satisfied that the conduct of Mr Stanley, in relation to the facts found proved, involved breaches of the Teachers' Standards. The panel considered that, by reference to Part 2, Mr Stanley 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
 - ensuring that personal beliefs are not expressed in ways which exploit pupils' vulnerability ...
- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach ...

The panel noted that Mr Stanley had undertaken safeguarding training both as a teacher and for his role at the LIFE Church and that, as such, his conduct demonstrated that he did not have proper regard for the ethos and policies of the schools in which he taught. In particular, Mr Stanley admitted that he was safeguarding trained and that his conduct sounded an "alert" with him, based on the safeguarding training that he had received.

The panel was satisfied that the conduct of Mr Stanley fell significantly short of the standards expected of the profession. Teachers should maintain appropriate boundaries with pupils and ex-pupils.

The panel noted that the allegations took place outside the education setting. In particular, Pupil A was an ex-pupil of the Cooperative Academy who attended the school [REDACTED]. The panel carefully considered the proximity of Mr Stanley's actions to his practice as a teacher and concluded that the conduct was qualitatively relevant to his standing as a teacher: Mr Stanley admitted that he met Pupil A at the school. Mr Stanley was Pupil A's [REDACTED] and should have recognised that it would have been inappropriate to message her on social media, especially using the tone and content that was adopted.

Accordingly, the panel was satisfied that Mr Stanley 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.

The panel therefore found that Mr Stanley's actions constituted conduct that may bring the profession into disrepute.

Having found the facts of the allegations proved, the panel further found that Mr Stanley's 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 a 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 a punitive effect.

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

In the light of the panel's findings against Mr Stanley, which involved failing to maintain professional boundaries with a former pupil, there was a strong public interest consideration in respect of the protection of pupils.

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

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 Mr Stanley.

In carrying out the balancing exercise, the panel had regard to the public interest considerations both in favour of, and against, prohibition as well as the interests of Mr Stanley. 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;
- abuse of position or trust (particularly involving vulnerable pupils) or violation of the rights of pupils.

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.

There was evidence that Mr Stanley's actions were deliberate and there was no evidence to suggest that he was acting under duress.

Mr Stanley did have a previously good history as a long-serving teacher, including experience as a senior pastoral leader and as a teacher responsible for students that present challenging behaviours and circumstances.

The panel considered that Mr Stanley did show some remorse for his actions but that, to date, had taken no positive steps in order to avoid similar issues arising again, such as training and/or counselling.

The panel was referred to positive references within the bundle which was given by the principal and head of year 10 of Springwell Leeds Academy, which were both submitted to the Cooperative Academy prior to the allegations being raised. These references attested to Mr Stanley's good history as a teacher, and his strong relationships with parents, carers and students.

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 Mr Stanley 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 Stanley. The panel considered that Mr Stanley's evidence indicated that he lacked insight in to the harm caused by his actions, and this 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 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 two years.

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.

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

In particular, the panel has found that Mr Stanley 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
 - ensuring that personal beliefs are not expressed in ways which exploit pupils' vulnerability ...
- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach ...

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 Stanley, and the impact that will have on him, is proportionate and in the public interest.

In this case, I have considered the extent to which a prohibition order would protect children. The panel has observed that Mr Stanley's behaviour, "involved failing to maintain professional boundaries with a former pupil, there was a strong public interest consideration in respect of the protection 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 insight and remorse, which the panel sets out as follows, "The panel considered that Mr Stanley did show some remorse for his actions but that, to date, had taken no positive steps in order to avoid similar issues arising again, such as training and/or counselling." The panel also state, "that Mr Stanley's evidence indicated that he lacked insight in to the harm caused by his actions,".

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 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 that it, “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.”

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 Stanley himself. The panel note that “Mr Stanley did have a previously good history as a long-serving teacher, including experience as a senior pastoral leader and as a teacher responsible for students that present challenging behaviours and circumstances.”

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

In this case, I have placed considerable weight on the panel’s comments concerning the lack of insight or remorse. The panel has said, “prohibition was both proportionate and appropriate. The panel decided that the public interest considerations outweighed the interests of Mr Stanley. The panel considered that Mr Stanley’s evidence indicated that he lacked insight in to the harm caused by his actions, and this was a significant factor in forming that opinion.”

I have given less weight in my consideration of sanction therefore, to the contribution that Mr Stanley 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 full remorse or insight, does not in my view satisfy the public interest requirement concerning public confidence in the profession.

For these reasons, I have concluded that a prohibition order is proportionate and in the public interest in order to achieve the intended aims of a prohibition order.

I have gone on to consider the matter of a review period. In this case, the panel has recommended a 2 year review period.

I have considered the panel's comments and I agree with them. The legislation allows for a minimum 2 year review period.

I have considered whether a 2 year review period reflects the seriousness of the findings and is a proportionate period to achieve the aim of maintaining public confidence in the profession. In this case, I am content that it does.

This means that Mr Richard Stanley is prohibited from teaching indefinitely and cannot teach in any school, sixth form college, relevant youth accommodation or children's home in England. He may apply for the prohibition order to be set aside, but not until 14 January 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 he does apply, a panel will meet to consider whether the prohibition order should be set aside. Without a successful application, Mr Richard Stanley remains prohibited from teaching indefinitely.

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

Mr Richard Stanley 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 blue ink, appearing to read 'Alan Meyrick', with a vertical line at the end.

Decision maker: Alan Meyrick

Date: 11 January 2021

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