



Teaching  
Regulation  
Agency

# **Mrs Aimee Jones: Professional conduct panel outcome**

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

**November 2022**

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

**Teacher:** Mrs Aimee Jones

**Teacher ref number:** 1072519

**Teacher date of birth:** 27 December 1985

**TRA reference:** 19926

**Date of determination:** 4 November 2022

**Former employer:** Polam Hall School, County Durham

### **Introduction**

A professional conduct panel ('the panel') of the Teaching Regulation Agency ('the TRA') convened on 4 November 2022 by way of a virtual hearing, to consider the case of Mrs Aimee Jones.

The panel members were Mr Oluremi Alabi (lay panellist – in the chair), Mrs Christine McLintock (teacher panellist) and Mr Nigel Shock (lay panellist).

The legal adviser to the panel was Mrs Rebecca Utton of Birketts LLP solicitors.

The presenting officer for the TRA was Mr Stephen Ferson of Kingsley Napley solicitors.

Mrs Jones was not present and was not 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 25 August 2022.

It was alleged that Mrs Jones was guilty of having been convicted of a relevant offence, in that:

1. On or around 19 October 2021 she was convicted of four counts of abuse of position of trust/ engaging in sexual activity with a female, aged between 13 –17, where she did not believe the victim to be over the age of 18 contrary to section 16(1)(a) of the Sexual Offences Act 2003.

Mrs Jones admitted the facts of allegation 1 and that those admitted facts amounted to a conviction of a relevant offence, as set out in the response to the Notice of Proceedings dated 2 September 2022.

## Preliminary applications

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

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

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

The panel was satisfied that the Notice of Proceedings had been sent to Mrs Jones in accordance with the Teacher misconduct: Disciplinary procedures for the teaching profession May 2020 (the '2020 Procedures').

The panel was satisfied that Mrs Jones was aware of the hearing. Mrs Jones had engaged in communications with the presenting officer and TRA where she had confirmed, on more than one occasion, that she did not intend to attend the hearing. The panel concluded that Mrs Jones' absence was voluntary and that she was aware that the matter would proceed in her absence.

The panel noted that Mrs Jones had not sought an adjournment to the hearing and the panel did not consider that an adjournment would procure her attendance at a hearing. There was no medical evidence before the panel that Mrs Jones was unfit to attend the hearing. The panel considered that it was in the public interest for the hearing to take place.

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

### Application to admit additional documents

The panel considered a preliminary application from the presenting officer for the admission of additional documents.

The presenting officer sought to admit a four page document entitled 'Service Bundle' which consisted of email communications between Kingsley Napley solicitors and Mrs Jones. These communications related to the service of the bundle of hearing documents.

The panel noted that within the document of communications, Mrs Jones stated that she did not have any objections to the admissibility of the bundle of hearing documents. Mrs Jones further confirmed that she would not be attending the hearing nor providing any new information for the panel to consider.

The documents subject to the application had not been served in accordance with the requirements of paragraph 5.37 of the 2020 Procedures. Therefore, the panel was required to decide whether the documents should be admitted under paragraph 5.34 of the 2020 Procedures.

The panel heard representations from the presenting officer in respect of the application.

The panel considered the additional documents were relevant and the admission of them would not be prejudicial to Mrs Jones. Accordingly, the documents were added to the bundle.

## **Summary of evidence**

### **Documents**

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

- Section 1: Chronology, anonymised pupil list and list of key people – pages 1 to 3
- Section 2: Notice of hearing and response – pages 4 to 9
- Section 3: TRA documents – pages 10 to 63
- Section 4: Teacher documents – pages none provided

In addition, the panel agreed to accept the following:

- Service Bundle – pages 64 to 67

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

No witnesses were called to provide oral evidence at the hearing.

## Decision and reasons

The panel announced its decision and reasons as follows:

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

Mrs Jones commenced employment with Polam Hall School ('the School') on 1 September 2016.

On 19 March 2021, Mrs Jones was arrested at the School.

Pupil A provided a statement to the police on 21 March 2021. Mrs Jones' employment ceased at the School the following day, on 22 March 2021.

On 26 March 2021, the [REDACTED], referred the matter to the TRA.

On 19 October 2021, Mrs Jones was convicted at County Durham and Darlington Magistrates Court of four counts of abuse of position of trust/engaging in sexual activity with a female, aged between 13-17, where she did not believe the victim to be over the age of 18 contrary to section 16(1)(a) of the Sexual Offences Act 2003.

Mrs Jones was later sentenced at Teesside Crown Court on 16 November 2021.

## 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 19 October 2021 you were convicted of four counts of abuse of position of trust/ engaging in sexual activity with a female, aged between 13 –17, where you did not believe the victim to be over the age of 18 contrary to section 16(1)(a) of the Sexual Offences Act 2003.**

The panel noted that Mrs Jones admitted the particulars of allegation 1 as set out in the Notice of Proceedings dated 2 September 2022. Further, it was admitted that the facts of the allegation amounted to a conviction of a relevant offence.

The panel noted page 8 of the Teacher misconduct: The Prohibition of Teachers ('the Advice') which states that where there has been a conviction at any time, of a criminal offence, the panel will accept the certificate of conviction as conclusive proof of both the conviction and the facts necessarily implied by the conviction, unless exceptional circumstances apply. The panel did not find that any exceptional circumstances applied in this case.

The panel had been provided with a copy of the certificate of conviction from Teesside Crown Court, which detailed that Mrs Jones had been convicted of four counts of abuse of position of trust/engaging in sexual activity with a female, aged between 13-17, where she did not believe the victim to be over the age of 18 contrary to section 16(1)(a) of the Sexual Offences Act 2003.

In respect of the allegations, Mrs Jones was sentenced at Teesside Crown Court on 16 November 2021 to 8 month's imprisonment on each offence to run concurrently. In addition, she was placed on the Sex Offenders Register for a period of 10 years and ordered to pay a victim surcharge in the sum of £149.

On examination of the documents before the panel, the panel was satisfied that the facts of allegation 1 were proven.

## **Findings as to conviction of a relevant offence**

Having found the allegation proved, the panel went on to consider whether the facts of those proved allegations amounted to conviction of a relevant offence.

In doing so, the panel had regard to the Advice.

The panel was satisfied that the conduct of Mrs Jones, in relation to the facts it found proved, involved breaches of the Teachers' Standards. The panel considered that by reference to Part 2, Mrs Jones 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 provision

- Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities.

The panel concluded that Mrs Jones' actions were relevant to teaching, working with children and/or working in an education setting as she had formed a relationship and engaged in sexual conduct with a pupil at the School.

The panel noted that Mrs Jones' conduct, in committing the offences, would have had an impact on the safety and/or security of pupils and/or members of the public.

The panel also took account of the way the teaching profession is viewed by others. The panel considered that Mrs Jones' behaviour in committing the offences would affect public confidence in the teaching profession, given the influence that teachers may have on pupils, parents and others in the community.

The panel noted that Mrs Jones' behaviour ultimately led to a sentence of imprisonment, which was indicative of the seriousness of the offences committed.

This was a case concerning offences involving sexual activity and sexual communication with a child, which the Advice states is more likely to be considered a relevant offence.

The panel found that the seriousness of the offending behaviour that led to the conviction was relevant to Mrs Jones' ongoing suitability to teach. The panel considered that a finding that the convictions were for relevant offences was necessary to reaffirm clear standards of conduct so as to maintain public confidence in the teaching profession.

Accordingly, the panel was satisfied that Mrs Jones' convictions amount to a conviction, at any time, of a relevant offence.

## **Panel's recommendation to the Secretary of State**

Given the panel's findings in respect of a conviction of a relevant offence, 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.

The panel were aware that 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 all of them to be relevant in this case, namely: the



safeguarding and wellbeing of pupils and the protection of other members of the public; the maintenance of public confidence in the profession; declaring and upholding proper standards of conduct; and that prohibition strikes the right balance between the rights of the teacher and the public interest, if they are in conflict.

In the light of the panel's findings against Mrs Jones, there was a strong public interest consideration in respect of the protection of pupils, given the seriousness of the allegations, and in particular the forming of an inappropriate and sexual relationship with a child.

Similarly, the panel considered that public confidence in the profession could be seriously weakened if conduct such as that found against Mrs Jones was not treated with the utmost seriousness when regulating the conduct of the profession.

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

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

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

- serious departure from the personal and professional conduct elements of the Teachers' Standards;
- the commission of a serious criminal offence, including those that resulted in a conviction or caution, paying particular attention to offences that are 'relevant matters' for the purposes of The Police Act 1997 and criminal record disclosures;
- 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 pupils);
- any abuse of any trust, knowledge or influence gained through their professional position in order to advance a romantic or sexual relationship with a pupil or former pupil;

- sexual misconduct, for example, involving actions that were sexually motivated or of a sexual nature and/or that use or exploit the trust, knowledge or influence derived from the individual's professional position;
- failure in their duty of care towards a child, including exposing a child to the risk or failing to promote the safety and welfare of children (as set out in Part 1 of KCSIE);
- violation of the rights of pupils;
- collusion or concealment including:
  - lying to prevent the identification of wrongdoing.

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 panel found Mrs Jones' actions to be deliberate. There was no evidence to suggest that she was acting under extreme duress.

The panel was not presented with any evidence to attest to Mrs Jones' history or ability as a teacher. The panel did take account of [REDACTED] sentencing remarks, from the sentencing hearing on 16 November 2021, "*There is nothing to suggest that, save for this offending, you were anything other than a respected and good teacher.*"

No evidence was submitted to demonstrate that Mrs Jones had achieved exceptionally high standards in both her personal and professional conduct or had contributed significantly to the education sector.

The panel was not presented with any documentation in mitigation therefore the panel was unable to consider any mitigating circumstances that may have been present. The panel had sight of a transcript of [REDACTED] sentencing remarks from the sentencing hearing on 16 November 2021. The panel noted that [REDACTED] was provided with a pre-sentence report, [REDACTED] and letter to the court from Mrs Jones. The panel was of the view that it would have been helpful for Mrs Jones to have provided documents relating to mitigation, which may have included copies of the letter and reports referred to in the sentencing remarks. However, the panel was satisfied that Mrs Jones had been given the opportunity to engage with the TRA process and to provide any documentation upon which she wished to rely, but that she had chosen not to.

As Mrs Jones had not provided any documentation to the TRA, the panel was unable to assess her insight into her conduct and/or any remorse. The panel did however note the following from [REDACTED] sentencing remarks, "*I'm entirely satisfied that the remorse*

*that you have indicated [...] that remorse is entirely genuine and there is a genuine concern for the wellbeing of your victim as a result of the offending you have admitted.”*

The panel further took into account that Mrs Jones had admitted her actions to the police in interview and that she pleaded guilty at the first opportunity.

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

The panel was of the view that, applying the standard of the ordinary intelligent citizen, it would not be a proportionate and appropriate response to recommend no prohibition order. Recommending that the publication of adverse findings would be sufficient would unacceptably compromise the public interest considerations present in this case, despite the severity of the consequences for Mrs Jones 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 Jones. The extremely serious nature of Mrs Jones’ offences and the fact that they involved sexual activity, sexual communication with a child and an inappropriate relationship with a child were significant factors 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 two years.

The Advice indicates that there are behaviours that, if proved, would militate against the recommendation of a review period. The panel considered that the following were relevant in respect of Mrs Jones:

- serious sexual misconduct, such as where the act was sexually motivated and resulted in, or had the potential to result in, harm to a person or persons, particularly where the individual has used her professional position to influence or exploit a person or persons; and
- any sexual misconduct involving a child.

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 the allegations proven and found that those proven facts amount to a relevant conviction.

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

In particular, the panel has found that Mrs Jones 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 provision
- Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities.

The findings of misconduct are particularly serious as they include a finding of abuse of position of trust / engaging in sexual activity with a female, aged between 13-17.

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 Jones, and the impact that will have on the teacher, is proportionate and in the public interest.

In this case, I have considered the extent to which a prohibition order would protect children and safeguard pupils. The panel has observed, "The panel concluded that Mrs Jones' actions were relevant to teaching, working with children and/or working in an

education setting as she had formed a relationship and engaged in sexual conduct with a pupil at the School.

The panel noted that Mrs Jones' conduct, in committing the offences, would have had an impact on the safety and/or security of pupils and/or 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, "As Mrs Jones had not provided any documentation to the TRA, the panel was unable to assess her insight into her conduct and/or any remorse. The panel did however note the following from [REDACTED] sentencing remarks, *"I'm entirely satisfied that the remorse that you have indicated [...] that remorse is entirely genuine and there is a genuine concern for the wellbeing of your victim as a result of the offending you have admitted."*

The panel further took into account that Mrs Jones had admitted her actions to the police in interview and that she pleaded guilty at the first opportunity."

I have gone on to consider the extent to which a prohibition order would maintain public confidence in the profession. The panel observe, "The panel found that the seriousness of the offending behaviour that led to the conviction was relevant to Mrs Jones' ongoing suitability to teach. The panel considered that a finding that the convictions were for relevant offences was necessary to reaffirm clear standards of conduct so as to maintain public confidence in the teaching profession." I am particularly mindful of the finding of abuse of position of trust 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 a relevant conviction 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 Jones herself. The panel comment "The panel was not presented with any evidence to attest to Mrs Jones' history or ability as a teacher. The panel did take account of [REDACTED] sentencing remarks, from the sentencing hearing on 16 November 2021, *"There is nothing to suggest that, save for this offending, you were anything other than a respected and good teacher."*

No evidence was submitted to demonstrate that Mrs Jones had achieved exceptionally high standards in both her personal and professional conduct or had contributed significantly to the education sector.”

A prohibition order would prevent Mrs Jones 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, “The extremely serious nature of Mrs Jones’ offences and the fact that they involved sexual activity, sexual communication with a child and an inappropriate relationship with a child were significant factors in forming that opinion.”

I have given less weight in my consideration of sanction therefore, to the contribution that Mrs Jones 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.

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 “The panel considered that the following were relevant in respect of Mrs Jones:

- serious sexual misconduct, such as where the act was sexually motivated and resulted in, or had the potential to result in, harm to a person or persons, particularly where the individual has used her professional position to influence or exploit a person or persons; and
- any sexual misconduct involving a child.”

I have considered whether not allowing for a review period reflects the seriousness of the findings and is proportionate to achieve the aim of maintaining public confidence in the profession. In this case, the factors which mean that not allowing for a review period is necessary are the serious nature of the conviction found.

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 Mrs Aimee Jones 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 allegation found proved against her, I have decided that Mrs Aimee Jones 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.

Mrs Aimee Jones has a right of appeal to the King's Bench Division of the High Court within 28 days from the date she is given notice of this order.

A handwritten signature in grey ink, appearing to read 'Alan Meyrick', followed by a vertical line.

**Decision maker: Alan Meyrick**

**Date: 8 November 2022**

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