



Teaching
Regulation
Agency

Mr Thomas Scovell: Professional conduct panel meeting 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: Mr Thomas Scovell

Teacher ref number: 1050345

Teacher date of birth: 9 May 1968

TRA reference: 19706

Date of determination: 10 November 2022

Former employer: Goffs Academy, Hertfordshire

Introduction

A professional conduct panel ('the panel') of the Teaching Regulation Agency ('the TRA') convened on 10 November 2022 by way of a virtual meeting, to consider the case of Mr Thomas Scovell.

The panel members were Mr Neil Hillman (teacher panellist – in the chair), Mr Nigel Shock (lay panellist) and Mrs Elizabeth Pollitt (teacher panellist).

The legal adviser to the panel was Ms Josie Beal 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 Scovell that the allegations be considered without a hearing. Mr Scovell provided a signed statement of agreed facts and admitted unacceptable professional conduct and conduct that may bring the profession into disrepute. The panel considered the case at a meeting without the attendance of the presenting officer, Mr Shaun Moran of Capsticks, Mr Scovell or any representative for Mr Scovell.

The meeting took place in private by way of a virtual meeting.

Allegations

The panel considered the allegations set out in the notice of meeting dated 30 August 2022.

It was alleged that Mr Scovell was guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute, in that whilst employed as a teacher at Goffs Academy, he:

1. On an unknown date, prior to 10 September 2020, brought alcohol, namely vodka, onto school premises and left it in an unlocked classroom cupboard.
2. Between 05 July 2019 and 10 September 2020, brought prescription drugs onto school premises, and left them in an unlocked desk drawer, in an unlocked classroom.
3. On 7 September 2020, assured the Trust's HR Director that he was not drinking alcohol despite:
 - a) Having resumed drinking in mid-August 2020; and
 - b) Drinking heavily in the days leading up to 7 September 2020.
4. On 10 September 2020, contacted Colleague A via text message stating:
 - a) "Please call now I need you to save my career I'm desperate" [sic] or words to that effect; and
 - b) "Please call I need some help with something I left hopefully hidden in my room" [sic] or words to that effect.
5. After being advised on 10 September 2020 to not contact any other member of staff following his notice of suspension, contacted Colleague A again:
 - a) Late on 10 September 2020; and
 - b) On the morning of 11 September 2020.
6. On 02 October 2020, provided a false explanation of the reason for the bottle of vodka being brought onto school premises.
7. By his course of conduct as set out in allegations 3 and/or 4 and/or 5 and/or 6 was dishonest and/or demonstrated a lack of integrity.

Mr Scovell admitted the facts of allegations 1 to 7 and that his behaviour amounted 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 response to the notice of referral dated 28 June 2022 and in the statement of agreed facts signed by Mr Scovell on 28 June 2022.

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, anonymised pupil list and list of key people – pages 3 to 5
- Section 2: Notice of referral, response and notice of meeting – pages 6 to 27
- Section 3: Statement of agreed facts and presenting officer representations – pages 28 to 37
- Section 4: TRA documents – pages 39 to 175
- Section 5: Teacher documents – pages 176 to 181

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

Statement of agreed facts

The panel considered a statement of agreed facts which was signed by Mr Scovell on 28 June 2022 and signed by the presenting officer on 29 July 2022.

Decision and reasons

The panel carefully considered the case and reached the following decision and reasons:

In advance of the meeting, the TRA agreed to a request from Mr Scovell 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.

Mr Scovell was employed as an English teacher at Goffs Academy ('the Academy') from 1 September 2015.

On 7 September 2020, a colleague raised concerns with the HR Director about Mr Scovell's state of health. The HR Director then spoke to Mr Scovell, who denied that he had resumed drinking.

On 10 September 2020, Mr Scovell collapsed at the Academy and was taken to North Middlesex University Hospital. Mr Scovell contacted a member of staff asking them to save his career and help him with something he hopefully left hidden in his room. The Academy conducted searches and found a bottle of vodka which was half full and a quantity of prescription drugs. The Academy contacted Mr Scovell to inform him he was suspended and should not contact any other members of staff. Mr Scovell contacted the same member of staff on 10 and 11 September 2020, asking to have them look in his room and/or to call him.

On 14 September 2020, Mr Scovell left the hospital without being formally discharged.

The Academy concluded an investigation into the allegations against Mr Scovell on 21 October 2020. A disciplinary hearing was held on 9 December 2020 and the Academy formally dismissed Mr Scovell on 10 December 2020. The matter was referred to the TRA on 15 December 2020.

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:

The panel noted that within the response to the notice of referral dated 28 June 2022 and in the statement of agreed facts signed by Mr Scovell on 28 June 2022, Mr Scovell admitted the facts of allegations 1 to 7. The panel was also provided with correspondence between Mr Scovell and the presenting officers' firms, within which he indicated that he did not intend to dispute the allegations against him.

Notwithstanding this, the panel made its own determination based on the evidence available to it.

1. On an unknown date, prior to 10 September 2020, brought alcohol, namely vodka, onto school premises and left it in an unlocked classroom cupboard.

Mr Scovell admitted that on an unknown date prior to 10 September 2020, he obtained alcohol, namely vodka, and brought it onto the Academy premises. Mr Scovell admitted that he left the alcohol in an unlocked classroom cupboard.

Mr Scovell's admission in the statement of agreed facts was consistent with his admissions throughout the Academy's investigation and disciplinary process and

throughout the TRA process. The notes of the disciplinary hearing stated: *“by his own admission Tom unequivocally brought alcohol on site and left it in an unsecured resources cupboard where it was easily accessible by students”*. In a letter to the presenting officer firm dated 20 August 2021, Mr Scovell stated: *“I did have unsecured vodka...in my classroom on the 10th of September 2020.”*

The panel also noted photographs within the bundle of documents which showed a bottle of vodka in a bag, which had been left in a classroom cupboard. The cupboard appeared to be unlocked and unlockable. Therefore, pupils and staff members could have had access to the contents.

The panel found allegation 1 proven.

2. Between 05 July 2019 and 10 September 2020, brought prescription drugs onto school premises, and left them in an unlocked desk drawer, in an unlocked classroom.

Mr Scovell admitted that between 5 July 2019 and 10 September 2020, he brought prescription drugs onto the Academy premises and left them in an unlocked desk drawer, in an unlocked classroom. Mr Scovell admitted that he failed to keep prescription medication secure by leaving it in an unlocked desk drawer in an unlocked classroom.

Mr Scovell's admission in the statement of agreed facts was consistent with his admissions throughout the Academy's investigation and disciplinary process and throughout the TRA process. The notes of the disciplinary hearing stated: *“Tom agrees that he brought prescription drugs on site and left them in an unlocked drawer”*. In a letter to the presenting officer firm dated 20 August 2021, Mr Scovell stated: *“I did have... [REDACTED] in my classroom on the 10th of September 2020.”*

The panel also noted images submitted as part of the bundle which showed prescription drugs belonging to Mr Scovell, which had been left in a desk drawer. The drawer appeared to be unlocked and unlockable. Therefore, pupils and staff members could have had access to the contents.

The panel found allegation 2 proven.

3. On 7 September 2020, assured the Trust's HR Director that you were not drinking alcohol despite:

a) Having resumed drinking in mid-August 2020;

b) Drinking heavily in the days leading up to 7 September 2020.

Mr Scovell admitted that on 7 September 2020, he assured the Academy's HR director that he was not drinking despite having resumed drinking in mid-August 2020 and despite

drinking heavily in the days leading up to 7 September 2020. Mr Scovell admitted that he was dishonest as he lied to the Academy's HR director. Mr Scovell also admitted that he failed to inform the Academy that he had resumed drinking in August 2020 and was dependant on alcohol by 7 September 2020.

The panel considered notes of the investigation meeting the Academy undertook with Individual A [REDACTED], which included an email from Individual A to Individual B [REDACTED]. The email stated: *"I advised him that if he was drinking again, he could be put in a position where something could happen at work and this could have a negative impact on his health as well as his career. He understood this and assured me that he wasn't, and would speak to me if needed, he fully understood where I was coming from."* The notes from the disciplinary hearing also stated: *"Tom lied to the Individual A as to whether or not he was drinking again..."*

The panel noted a copy of Mr Scovell's hospital inpatient summary dated 14 September 2020, which indicated that [REDACTED].

The panel also considered the following comment in Mr Scovell's letter to the presenting officer firm dated 20 August 2021: *"It is also true that I had been binge drinking between the 15th of August and the 7th of September 2020... I went on to attempt to conceal this from the school in the ways set out in allegations 4, 5 and 6. That I put my friends and colleagues in that position is a matter of deepest regret. As is my failure to speak honestly and openly about my deteriorating state of mind to [REDACTED], Individual A."*

The panel noted that the allegation referred to Individual A as [REDACTED] when in fact she appeared to be the [REDACTED]. The panel considered this to be a typographical error which did not preclude it from finding the allegation proven.

The panel found allegation 3 proven.

4. On 10 September 2020, contacted Colleague A via text message stating:

- a) "Please call now I need you to save my caree Im desperate" [sic] or words to that effect; and**
- b) "Please call I need some help with sotmething I left hopefully hidden in my room" [sic] or words to that effect.**

Mr Scovell admitted that, on 10 September 2020, he contacted Colleague A via text message. Mr Scovell admitted that he knew he was keeping alcohol on the Academy's premises and was aware that this was a very serious failure. Mr Scovell admitted that his messages amounted to a request for Colleague A to assist him by concealing alcohol that was kept on the Academy's premises.

The panel noted screenshots of text messages from Mr Scovell to Colleague A on 10 September 2020 which confirmed that he did state: *"Please call now I need you to save my caree Im desperate"* [sic] and *"Please call I need some help with sotmething I left hopefully hidden in my room"* [sic].

The panel found allegation 4 proven.

5. After being advised on 10 September 2020 to not contact any other member of staff following your notice of suspension, contacted Colleague A again:

a) Late on 10 September 2020;

b) On the morning of 11 September 2020.

Mr Scovell admitted that on 10 September 2020, he contacted Colleague A following his suspension despite being told not to contact any member of staff. Mr Scovell admitted that he contacted Colleague A again on the morning of the 11 September 2020.

The panel was provided with screenshots of text messages from Mr Scovell to Colleague A sent at 19.01pm on 10 September 2020 and 7.56am on 11 September 2020.

The panel found allegation 5 proven.

6. On 02 October 2020, provided a false explanation of the reason for the bottle of vodka being brought onto school premises.

Mr Scovell admitted that on 2 October 2020 he stated that he had confiscated a bottle of vodka from his daughter and had picked up the wrong bag when leaving his car, causing him to bring the bottle of vodka to the Academy. Mr Scovell admitted that this amounted to a false explanation for the reason for the bottle of vodka being on the Academy premises.

The panel was provided with the minutes of the investigation meeting conducted by the Academy on 2 October 2020. The minutes confirmed that Mr Scovell gave the above explanation which he has subsequently confirmed was untrue.

The panel noted the minutes of the disciplinary hearing, which stated: *"Whilst Tom says in his statement that he confiscated the vodka from his daughter and subsequently picked up the wrong laptop bag from his car, he was clear when talking to Individual A that that was his carrying bag, and that the bottle was in his laptop bag because he moved between houses."*

The panel also referred back to the following statement in Mr Scovell's letter to the presenting officer firm dated 20 August 2021: *"I did have unsecured vodka... in my*

classroom on the 10th of September 2020... I also went on to attempt to conceal this from the school in the ways set out in allegations 4, 5 and 6.”

The panel found allegation 6 proven.

7. By your course of conduct as set out in allegations 3 and/or 4 and/or 5 and/or 6 were dishonest and/or demonstrated a lack of integrity.

Mr Scovell admitted that he had read and understood the Academy's Alcohol, Drugs and Gambling at Work Policy and was aware that possession or consumption of alcohol at the Academy was not permitted. Mr Scovell further admitted that by his conduct set out in allegations 3, 4, 5 and 6, he acted dishonestly and demonstrated a lack of integrity.

The panel considered the allegations in turn.

The panel was of the view that Mr Scovell's conduct as set out in allegations 3 and 6 was dishonest. The panel found that Mr Scovell had assured the Individual A that he was not drinking alcohol when this was, in fact, untrue. Furthermore, the panel found that Mr Scovell gave a false explanation for the reason for the bottle of vodka being on the Academy premises. The panel concluded that Mr Scovell's conduct as described at allegations 3 and 6 was clearly dishonest by the standards of ordinary decent people.

The panel was of the view that Mr Scovell's conduct as set out in allegations 3, 4, 5 and 6 lacked integrity. As a teacher, Mr Scovell was subject to professional standards and the expectation that he would be held to a higher standard by virtue of his position as a teacher. He was also trusted to look after pupils and safeguard their wellbeing.

Mr Scovell had been drinking heavily prior to 7 September 2020 and he was not honest about this to the Individual A. He also contacted his colleague in an attempt to have that colleague conceal the alcohol that he had left in his classroom. He then continued to contact that colleague, despite being told not to contact any other member of staff following his suspension from the Academy. Finally, he gave a false explanation for the reason why the bottle of vodka was on the Academy premises. The panel concluded that Mr Scovell's conduct as described at allegations 3, 4, 5 and 6 clearly lacked the integrity expected of a teacher.

The panel found allegation 7 proven.

In summary, the panel found allegations 1 to 7 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 those proved allegations amounted to unacceptable professional conduct and/or conduct that may bring the profession into disrepute.

The panel noted that, in the statement of agreed facts, Mr Scovell admitted that the facts of allegations 1 to 7 amounted to unacceptable professional conduct and conduct that may bring the profession into disrepute. Notwithstanding this the panel made its own determination in this regard. In doing so, the panel had regard to the document Teacher misconduct: The prohibition of teachers February 2022, which is referred to as 'the Advice'.

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

The panel considered whether Mr Scovell's conduct displayed behaviours associated with any of the offences listed on pages 12 and 13 of the Advice. The panel found that the offence of serious dishonesty was relevant. The Advice indicates that where behaviours associated with such an offence exist, a panel is more likely to conclude that an individual's conduct would amount to unacceptable professional conduct and conduct that may bring the profession into disrepute.

Accordingly, the panel was satisfied that Mr Scovell 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.

Mr Scovell had left a bottle of vodka in an unlocked cupboard and prescription drugs in an unlocked drawer, both of which could have been accessed by pupils. The potential consequences of Mr Scovell's conduct are therefore very serious and could have resulted in serious harm to pupils if they had accessed the alcohol and/or prescription drugs. In the panel's view, Mr Scovell had put pupils in danger and was in a position where he was unable to safeguard their wellbeing effectively, given that he had been binge drinking between 15 August and 7 September 2020. This conduct was likely to undermine seriously the public's perception and trust of teachers.

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

Having found the facts of particulars 1, 2, 3, 4, 5, 6 and 7 proved, the panel further found that Mr Scovell'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 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 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.

The panel's findings against Mr Scovell involved: dishonesty and a lack of integrity; bringing alcohol and drugs onto Academy premises; and contacting a colleague with a view to asking them to help him conceal the alcohol in his classroom. In light of these findings, 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 Scovell 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 Scovell 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 Scovell.

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

- serious departure from the personal and professional conduct elements of the Teachers' Standards;
- misconduct seriously affecting the education and/or well-being of pupils, and particularly where there is a continuing risk;
- dishonesty or a lack of integrity, including the deliberate concealment of their actions.

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 considered that Mr Scovell's actions were deliberate. There was no evidence to suggest that Mr Scovell was acting under extreme duress.

No evidence was submitted to attest to Mr Scovell's history or ability as a teacher. No evidence was submitted which demonstrated exceptionally high standards in both personal and professional conduct or that Mr Scovell has contributed significantly to the education sector.

The panel considered Mr Scovell's letter to the presenting officer dated 20 August 2021, in which he expressed his regret at putting his friends and colleagues in the position that he did. Further, Mr Scovell stated that the extremely dangerous situation he put students in is his most shaming regret.

Mr Scovell explained that his conduct had been affected by a bereavement; [REDACTED] Further, he had other difficult personal circumstances; [REDACTED]. Mr Scovell himself was suffering with [REDACTED] and eventually could find no other solution than to self-medicate with alcohol.

Mr Scovell submitted that the dishonesty and lack of integrity he displayed was out of character and whilst he has suffered from issues of addiction previously, he had never lied to anyone at the Academy or committed disciplinary infractions and had worked with them to recover from [REDACTED].

The panel noted that Mr Scovell has been engaged in full-time non-residential rehabilitation since 19 October 2020, at [REDACTED]. He entered this on his own volition and has expressed an intention to remain in rehabilitation until all underlying issues relating to his addiction have been addressed. Mr Scovell understood that it may be difficult for a school to put trust in him in the future but expressed his determination to return to teaching or education in some form in the future.

The panel noted an email from Mr Scovell dated 30 June 2022, outlining that he had been sober for 21 months and has been in intensive rehab since the incidents occurred in 2020. However, the panel was not provided with any independent medical evidence to verify Mr Scovell's sobriety.

The panel noted two letters submitted as part of the bundle, from [REDACTED], dated 17 August 2021 and 8 January 2022, which confirmed that Mr Scovell had attended group therapy sessions and is making strong progress on his recovery, "*showing commitment, courage and determination to overcome his issues*". The letter of 17 August 2021 indicated that Mr Scovell would remain in rehabilitation until at least December 2021. The letter dated 8 January 2022 indicated that Mr Scovell would remain in rehabilitation until at least March 2022.

Whilst the panel acknowledged the mitigation presented and the steps Mr Scovell was taking to address his issues with alcohol, there was no evidence that he had successfully completed his rehabilitation programme. Furthermore, the letters from [REDACTED] were brief and appeared to be standard form letters.

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 Scovell 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 Scovell. Mr Scovell's serious misconduct and the potential ongoing risk to pupils was a significant factor in forming that opinion. Based on the evidence before it, the panel concluded that Mr Scovell's conduct and issues with alcohol represented a serious ongoing risk to the safeguarding and safety of pupils and to his colleagues.

Accordingly, the panel made a recommendation to the Secretary of State that a prohibition order should be imposed with immediate effect.

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

The Advice indicates that there are behaviours that, if proved, would militate against the recommendation of a review period. The panel found that Mr Scovell was not responsible for any such behaviours.

The Advice also indicates that there are behaviours that, if proved, would have greater relevance and weigh in favour of a longer review period. This includes serious dishonesty, which the panel considered to be relevant in this case.

The panel was concerned by Mr Scovell's conduct. In particular, the panel was concerned that he had previously experienced difficulties with alcohol and had relapsed. The panel was mindful that, as set out above, despite being in rehabilitation and receiving treatment for alcohol addiction since 19 October 2020, he did not appear to have completed the rehabilitation process. On the basis that two years had passed, the panel was concerned that Mr Scovell was not in a position to return to teaching and was unlikely to be in a position to return to teaching in the foreseeable future. In the panel's view, the potential risk to pupils was too great.

The panel therefore 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 a prohibition order to be recommended without provisions for a review period.

Decision and reasons on behalf of the Secretary of State

I have given very careful consideration to this case and to the recommendation of the panel in respect of both sanction and review period.

In considering this case, I have also given very careful attention to the Advice that the Secretary of State has published concerning the prohibition of teachers.

In this case, the panel has found all of the allegations proven and found that those proven facts amount to unacceptable professional conduct and conduct that may bring the profession into disrepute.

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

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

The findings of misconduct are serious as they include a finding of dishonesty, lack of integrity, bringing alcohol and drugs onto Academy premises.

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 Scovell, 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 safeguard pupils. The panel has observed, “Mr Scovell had left a bottle of vodka in an unlocked cupboard and prescription drugs in an unlocked drawer, both of which could have been accessed by pupils. The potential consequences of Mr Scovell’s conduct are therefore very serious and could have resulted in serious harm to pupils if they had accessed the alcohol and/or prescription drugs. In the panel’s view, Mr Scovell had put pupils in danger and was in a position where he was unable to safeguard their wellbeing effectively, given that he had been binge drinking between 15 August and 7 September 2020. This conduct was likely to undermine seriously the public’s perception and trust of teachers.” 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 Mr Scovell’s letter to the presenting officer dated 20 August 2021, in which he expressed his regret at putting his friends and colleagues in the position that he did. Further, Mr Scovell stated that the extremely dangerous situation he put students in is his most shaming regret.”

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 considered that public confidence in the profession could be seriously weakened if conduct such as that found against Mr Scovell were not treated with the utmost seriousness when regulating the conduct of the profession.” I am particularly mindful of the finding of dishonesty and bringing alcohol and drugs onto school premises in this case and the impact that such a finding has on the reputation of the profession.

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

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

I have also considered the impact of a prohibition order on Mr Scovell himself and the panel comment “No evidence was submitted to attest to Mr Scovell’s history or ability as a teacher. No evidence was submitted which demonstrated exceptionally high standards in both personal and professional conduct or that Mr Scovell has contributed significantly to the education sector.”

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

In this case, I have placed considerable weight on the panel's comments concerning the public interest and the panel has said, "The panel decided that the public interest considerations outweighed the interests of Mr Scovell. Mr Scovell's serious misconduct and the potential ongoing risk to pupils was a significant factor in forming that opinion. Based on the evidence before it, the panel concluded that Mr Scovell's conduct and issues with alcohol represented a serious ongoing risk to the safeguarding and safety of pupils and to his colleagues."

I have also placed considerable weight on the finding of the panel that "Mr Scovell has been engaged in full-time non-residential rehabilitation since 19 October 2020, at [REDACTED]. He entered this on his own volition and has expressed an intention to remain in rehabilitation until all underlying issues relating to his addiction have been addressed. Mr Scovell understood that it may be difficult for a school to put trust in him in the future but expressed his determination to return to teaching or education in some form in the future."

I have given less weight in my consideration of sanction therefore, to the contribution that Mr Scovell has made to the profession. In my view, it is necessary to impose a prohibition order in order to maintain public confidence in the profession. A published decision, in light of the circumstances in this case, does not in my view satisfy the public interest requirement concerning public confidence in the profession.

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

I have gone on to consider the matter of a review period. In this case, the panel has recommended that no provision should be made for a review period.

I have considered the panel's comments "The panel was concerned by Mr Scovell's conduct. In particular, the panel was concerned that he had previously experienced difficulties with alcohol and had relapsed. The panel was mindful that, as set out above, despite being in rehabilitation and receiving treatment for alcohol addiction since 19 October 2020, he did not appear to have completed the rehabilitation process. On the basis that two years had passed, the panel was concerned that Mr Scovell was not in a position to return to teaching and was unlikely to be in a position to return to teaching in the foreseeable future. In the panel's view, the potential risk to pupils was too great."

I have considered whether not allowing a review period reflects the seriousness of the findings and is a proportionate period to achieve the aim of maintaining public confidence in the profession. In this case, I do not agree with the panel. In my view the panel has

not placed sufficient weight on the steps Mr Scovell is taking to address his issues with alcohol. The panel commented that Mr Scovell has been taking steps through rehabilitation, although no evidence he has completed the programme. However in my view Mr Scovell would benefit from a longer review period until all underlying issues relating to his addiction have been addressed.

I consider therefore that a five year review period is required to satisfy the maintenance of public confidence in the profession.

This means that Mr Thomas Scovell 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 18 November 2027, 5 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 Scovell remains prohibited from teaching indefinitely.

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

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

A handwritten signature in black ink, appearing to read 'SABuxcey', with a stylized, cursive script.

Decision maker: Sarah Buxcey

Date: 14 November 2022

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