



Teaching  
Regulation  
Agency

# **Ms Keeley Dean: 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**

<b>Teacher:</b>	Ms Keeley Dean
<b>Teacher ref number:</b>	0045779
<b>Teacher date of birth:</b>	3 March 1978
<b>TRA reference:</b>	19660
<b>Date of determination:</b>	10 November 2022
<b>Former employer:</b>	Oakwood Park Grammar School, Maidstone

### **Introduction**

A professional conduct panel ('the panel') of the Teaching Regulation Agency ('the TRA') convened on 8 to 10 November 2022 by way of a virtual hearing, to consider the case of Ms Keeley Dean.

The panel members were Mr Alan Wells (former teacher panellist – in the chair), Mrs Sonia Fraser (teacher panellist) and Mrs Shabana Robertson (lay panellist).

The legal adviser to the panel was Ms Lucy Churchill of Birketts LLP solicitors.

The presenting officer for the TRA was Ms Louisa Atkin of Capsticks LLP solicitors.

Ms Dean 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 15 September 2022.

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

1. Whilst working as a teacher at Oakwood Park Grammar School (“the School”) she failed to maintain appropriate professional boundaries with Pupil A and/or engaged in an inappropriate relationship with Pupil A, in that:
  - a) between or around October 2008 and December 2008, she:
    - i. exchanged telephone numbers with Pupil A;
    - ii. sent one or more text messages to Pupil A;
    - iii. agreed to meet and/or met Pupil A at the cinema.
  - b) in or around December 2008 she:
    - i. met Pupil A at his home;
    - ii. kissed Pupil A;
    - iii. had sex with Pupil A.
  - c) between or around January 2009 and July 2009, she:
    - i. met up with Pupil A at her home on one or more occasions;
    - ii. stayed overnight in a hotel with Pupil A on an occasion in or around March 2009;
    - iii. had sex with Pupil A on one or more occasions.
2. Her conduct at 1(a) and/or 1(b)(i) and/or 1(b)(ii) and/or 1(c)(i) and/or 1(c)(ii) was sexually motivated.

Ms Dean did not make a formal admission of fact. There was no agreed statement of facts before the panel. The hearing proceeded on the basis the allegations were denied.

## Preliminary applications

Application to proceed in the absence of the teacher

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

The panel accepted the legal advice provided in relation to this application and took account of the various factors referred to 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 Ms Dean in accordance with the Teacher misconduct: Disciplinary procedures for the teaching profession May 2020 (the 'Procedures'). The panel noted that Ms Dean had agreed to the short notice hearing.

The panel concluded that Ms Dean's absence was voluntary and that she was aware that the matter would proceed in her absence.

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

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

#### Application for the anonymisation of a witness

The panel considered an application from the presenting officer for the identity of a witness in this matter to be anonymised.

The panel heard submissions from the presenting officer on the application before reaching its decision. The presenting officer confirmed Ms Dean and her representative were aware of the application and did not have an objection to it.

The panel did not grant the application. The panel considered it was not in the public interest for the name of the witness, who was the subject of the application, to be anonymised.

## **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 5 to 7
- Section 2: Notice of proceedings and response – pages 8 to 46
- Section 3: Teaching Regulation Agency witness statements – 46 to 78
- Section 4: Teaching Regulation Agency documents – pages 79 to 367
- Section 5: Teacher documents – pages 368 to 371.

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

The panel noted the emails contained within Section 5 of the bundle of documents confirm Ms Dean's decision not submit any documentation for the Panel's consideration.

## **Witnesses**

The panel heard oral evidence from the following witnesses called by the TRA:

- Pupil A, [REDACTED]
- Person B, [REDACTED]
- Pupil C, [REDACTED]
- Pupil D, [REDACTED]
- Person A, [REDACTED]

## **Decision and reasons**

The panel announced its decision and reasons as follows:

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

Ms Dean commenced employment at the School as a subject leader for Geography on 1 September 2001.

In September 2002, Pupil A joined the School as a [REDACTED] pupil.

In August 2008, Ms Dean emailed pupils including Pupil A, to ask how they had got on with their AS exams.

Between August 2008 to October 2008 Ms Dean and Pupil A exchanged further emails and continued conversations in the classroom.

In or around October 2008, Ms Dean and Pupil A agreed to meet up and go to the cinema. They exchanged mobile numbers to do so.

In December 2008, Pupil A invited Ms Dean to his home whilst his parents were away. Ms Dean and Pupil A had sexual intercourse for the first time.

From January 2009 onwards, Pupil A and Ms Dean met up regularly after school and continued a sexual relationship.

In March 2009, Pupil A and Ms Dean spent a night together at a hotel in [REDACTED] and went on a day trip to [REDACTED].

Pupil A ended the relationship with Ms Dean in June/July 2009.

In October 2009, Pupil A and Ms Dean met up whilst Pupil A was at university and had sexual intercourse.

On 17 April 2020, Pupil A contacted the headteacher of the School via LinkedIn and subsequently disclosed his relationship with Ms Dean.

A referral was made to the TRA on 27 November 2020, following the School's investigation.

## **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 heard evidence from Person A, [REDACTED]. Person A explained that on 17 April 2020, Person B, [REDACTED], contacted her by telephone to inform her that he had received a LinkedIn message from a former pupil, Pupil A. The message did not contain any specific information but stated that it related to a 'secret' Pupil A had harboured relating to one of the teachers on the School's staff list. Pupil A requested that Person B discussed the matter with him further via a phone conversation. Person A explained that Person B asked for her opinion on next steps that should be taken and she suggested that although they did not know what the matter related to specifically it could be something that required their attention and therefore Pupil A should be spoken with.

Person A understood that Person B responded to Pupil A on the same day and agreed to speak with him that afternoon. Person B pointed out, prior to the call, that if Pupil A were to disclose something that had safeguarding implications and/or the potential for a criminal investigation then he was duty bound to report it to the relevant authorities to investigate. Pupil A explained that his time in the [REDACTED] had shaped his values

and morals. Pupil A married in 2019 and was thinking about starting a family and in order to be a role model wished to report a 'secret' which he felt needed reporting.

Person A was aware that Person B and Pupil A spoke the same day, 17 April 2020, by telephone. Pupil A explained that for eight months when he was [REDACTED] he engaged in a consensual relationship with the Teacher. Person A explained that Person B then called her and the [REDACTED] later that day to inform them of the concerns.

Person A explained to the panel that because of lockdown the School site was closed and it was not thought appropriate to inform Ms Dean by telephone of the allegations. It was decided to wait to inform her when they could meet in person.

Person A explained that on 2 July 2020, a meeting took place with Ms Dean. Ms Dean said that she was shocked by the allegations but was unable to provide any reason why Pupil A would disclose that he had a relationship with her. Ms Dean denied the allegations. Person A explained that she met Ms Dean again on 14 July 2020, and she again denied the allegations. The panel noted Ms Dean maintained her denial of the allegations during the School's disciplinary process.

The panel noted from the documents in the bundle that Ms Dean suggested Pupil A had fabricated the allegations because he was infatuated with her and the information he had provided in support of their being in a relationship was relatively easy to obtain (e.g. her telephone numbers, date of birth, the layout of her home). The panel noted the oral evidence of Pupil C and Pupil D who stated that it was not usual for teachers in the School to share personal information with pupils.

The panel heard evidence from Pupil A. The panel found Pupil A to be a credible witness. Pupil A explained that he decided to report the allegations as keeping them secret had been eating away at him. During his time [REDACTED] the importance of integrity and loyalty had been "*drilled into him*". Pupil A explained that his wife had encouraged him to report his relationship with Ms Dean to ensure the safety of others.

As set out in more detail below, the Panel heard evidence from Pupil C, Pupil D and Person B. The panel found the witnesses to be credible, answering questions to the best of their knowledge given the lengthy passage of time between the hearing and the allegations taking place. Pupil C and Pupil D confirmed they were suspicious of Pupil A's relationship with Ms Dean during [REDACTED] and they had observed Pupil A's car outside Ms Dean's home at times when Pupil A said he would be meeting his girlfriend.

The panel noted that it was not presented with any credible evidence to support Ms Dean's contention that Pupil A had fabricated the allegations due an alleged infatuation with her or for any other reason.



**1. Whilst working as a teacher at Oakwood Park Grammar School (“the School”) you failed to maintain appropriate professional boundaries with Pupil A and/or engaged in an inappropriate relationship with Pupil A, in that:**

**a) between or around October 2008 and December 2008, you:**

- i. exchanged telephone numbers with Pupil A;**
- ii. sent one or more text messages to Pupil A;**
- iii. agreed to meet and/or met Pupil A at the cinema;**

The allegations were denied by Ms Dean. She did not submit any evidence to the panel to refute the allegations. Having considered the evidence, the panel found on balance that the allegations were proved.

The panel heard witness evidence from Pupil A. Pupil A explained that he first met Ms Dean in 2002 as she was his geography teacher [REDACTED]. Pupil A had a normal pupil relationship with Ms Dean and had no concerns regarding her conduct at this stage. The situation changed, however, in [REDACTED] when he had a consensual sexual relationship with Ms Dean for over a period of eight months.

Pupil A stated that, in August 2008, Ms Dean sent an email to the class asking how students had got on with their exam results. Pupil A replied directly to Ms Dean and the private email correspondence then continued.

Pupil A could not remember when or who initiated it but stated that they agreed to meet up outside of the classroom and go to the cinema. Pupil A explained that they exchanged phone numbers in order to arrange to meet up at the cinema. Pupil A could not recall who initiated the exchange of telephone numbers. Pupil A and Ms Dean drove to the cinema separately in October 2008. Pupil A explained that the meeting was friendly and “*all above board*”. Pupil A explained that he considered the relationship to be platonic at the time. However, they decided to go to a cinema further away in [REDACTED] because Ms Dean was married and they did not want anyone to question that. Pupil A stated that it did not cross his mind at the time that what they were doing was wrong and he enjoyed speaking with Ms Dean.

Pupil A explained that he did not report Ms Dean’s conduct to the School at the time but as an adult, he considered it necessary to report their relationship.

The panel assessed the weight and reliability of the evidence and on balance of probabilities, the panel found allegations 1(a)(i) to (iii) proven.

**1. Whilst working as a teacher at Oakwood Park Grammar School (“the School”) you failed to maintain appropriate professional boundaries with Pupil A and/or engaged in an inappropriate relationship with Pupil A, in that:**

**b) in or around December 2008 you:**

- i. met Pupil A at his home;**
- ii. kissed Pupil A;**
- iii. had sex with Pupil A.**

The allegations were denied by Ms Dean. She did not submit any evidence to the panel to refute the allegations. Having considered the evidence, the panel found on balance that the allegations were proved.

The panel noted the witness evidence from Pupil A. Pupil A explained he and Ms Dean continued to text. In early December 2008, Pupil A's parents were away on his Father's Christmas work do. Pupil A explained that he invited Ms Dean to his house for the first time because he was there alone. Ms Dean came to Pupil A's house for dinner and he recalled that she went to the toilet and when she came back she sat on the sofa next to him, grabbed his hand and said "*what are we going to do about this*". Pupil A explained that he then leant in and kissed Ms Dean and they then had sex for the first time.

The panel assessed the weight and reliability of the evidence and on balance of probabilities, the panel found allegations 1(b)(i) to (iii) proven.

**Whilst working as a teacher at Oakwood Park Grammar School ("the School") you failed to maintain appropriate professional boundaries with Pupil A and/or engaged in an inappropriate relationship with Pupil A, in that:**

**c) between or around January 2009 and July 2009, you:**

- i. met up with Pupil A at your home on one or more occasions;**
- ii. stayed overnight in a hotel with Pupil A on an occasion in or around March 2009;**
- iii. had sex with Pupil A on one or more occasions.**

The allegations were denied by Ms Dean. She did not submit any evidence to the panel to refute the allegations. Having considered the evidence, the panel found on balance that the allegations were proved.

The panel considered Pupil A's witness statement and heard oral evidence from Pupil A. Pupil A stated that the meetings between him and Ms Dean became more frequent from January 2009 and he would go to her house after school around two to three times a week. Pupil A could not recall who initiated this. Pupil A explained that Ms Dean would usually leave the School at around 15:30 and Pupil A would either drive to her house or meet her at the end of a road where she would pick him up. Pupil A stated that they

would usually have sex and he would stay for around 45 minutes. Ms Dean would then drive him to the bus stop in time for the 16:45 bus that Pupil A would usually get to go home. With the aim to avoid suspicion.

At the time, Pupil A explained that he had feelings for Ms Dean and considered her to be his girlfriend but they did not become 'official' because she was married. There was an understanding that they would keep the relationship a secret.

During the course of the relationship, Pupil A stated that they also went on a trip to [REDACTED], a hotel, in March 2009 for their birthdays and then a day trip to [REDACTED] some time after. Pupil A could not remember specifically what date they stayed at the hotel but believed that it was some time in March of that year. Pupil A stated that Ms Dean suggested the trip and booked and paid for the hotel. As part of the trip they stayed in a pub which had rooms upstairs; they went to the pub for dinner and stayed in the room, and were intimate with one another.

Pupil A stated that he called the relationship off with Ms Dean in June/July of 2009 before he went to university because he was concerned that his friends were suspicious and he did not want to lie anymore. Pupil A explained that he met Ms Dean for dinner and he explained to her that he wanted to end the relationship. Pupil A explained that Ms Dean understood his reasoning but was upset, as they had discussed a future together and that they would come clean after he graduated from university in three years' time.

Pupil A stated that he met Ms Dean one final time in October 2009 after he had gone to [REDACTED] and they had started messaging again. Pupil A explained that the six people Pupil A lived with in [REDACTED] were not very social and Pupil A had not made many friends [REDACTED], so he was lonely and invited Ms Dean to visit and stay over. Pupil A stated that Ms Dean told him that [REDACTED] she travelled up by train on Halloween weekend. Pupil A met Ms Dean at the train station and they walked [REDACTED] before going to dinner.

During the course of the visit. Pupil A stated that he and Ms Dean had sex again. They then exchanged a few text messages in early November 2009 but this stopped soon after because Ms Dean wanted to be more serious with Pupil A.

The panel considered the witness statement of Pupil C and heard evidence from Pupil C. Pupil C stated that whilst at the School, he suspected that Pupil A had a relationship with Ms Dean because he had seen his car outside Ms Dean's house on several occasions. Pupil C explained he knew where Ms Dean lived, [REDACTED] and he had seen Ms Dean [REDACTED]. Pupil C explained that other friends also started to suspect that there was a relationship between Pupil and Ms Dean, including Pupil C's then girlfriend, Pupil D.

Pupil C confirmed that he was suspicious because Pupil A had told him that he was seeing a girl called “Laura” who was older than him but had not introduced her to the friendship group and was reluctant to share any details about her. When Pupil A said he was visiting Laura after school, Pupil C saw Pupil A’s car on the road outside Ms Dean’s house. Pupil C stated that he deliberately went to Ms Dean’s home on two occasions when Pupil A had told him that he was seeing “Laura” after school. Pupil C stated that he saw Pupil A’s car outside Ms Dean’s home on both occasions when he went to look between March and May 2009.

Pupil A explained that Ms Dean’s initials were KLM at the time as she was married and therefore he used the L from her middle name to create a ‘fake girlfriend’ called Laura in order to explain to his friends why he was busy after school.

The panel considered the written statement of Pupil D and heard oral evidence from Pupil D. Pupil D explained that at the time she was curious about the identity of Pupil A’s girlfriend, as the information Pupil A had provided to their friendship group did not sound credible. Pupil D explained that Pupil A gave his girlfriend a name that she did not think was her real name and they thought it linked to Ms Dean’s initials. Pupil D stated that Pupil A also spent a lot of time in the Geography department at the back of Ms Dean’s room, although Pupil D did not see anything untoward happen between Pupil A and Ms Dean.

Pupil D explained that in [REDACTED], she drove to Ms Dean’s home with Pupil C (Pupil D’s then boyfriend), as Pupil A said he was going to his girlfriend’s house. Pupil D stated that she saw Pupil A’s car outside Ms Dean’s house – on the drive. Pupil D explained that she knew what car Ms Dean had and where she lived as she signed up for a pupil car wash.

The panel noted the witness statement of Person B, the mother of Pupil A. Person B explained that on 8 July 2020, Pupil A called her and her husband via FaceTime. Pupil A was extremely upset and distressed and said that he needed to tell them something. Pupil A explained that he had been in touch with the School to inform them of a relationship he had with Ms Dean. On 11 July 2020, Person B and her husband met with Pupil A and he told them the process he was undergoing with the School’s investigation. Person B explained that at no time did Pupil A suggest that the relationship was not consensual and Person B assumed it to be sexual although Pupil A did not confirm this.

Person B stated that when she met Pupil A and he told her about his relationship with Ms Dean, it sparked a memory for Person B. Person B stated that she would walk her dog in the afternoon and on one occasion she was walking the dog later than usual. When she turned the corner, she saw Pupil A get out of a car. She then watched Pupil A walk to a bin and drop something in it. Person B recalled being curious at the time. Person B walked to the bin to find a used condom (the only item in the bin). Person B asked Pupil

A who had given him a lift and Pupil A told her that it was his teacher, who was on their way through to [REDACTED].

The panel assessed the weight and reliability of the evidence and on balance of probabilities, the panel found allegations 1(c)(i) to (iii) proven.

## **2. Your conduct at 1(a) and/or 1(b)(i) and/or 1(b)(ii) and/or 1(c)(i) and/or 1(c)(ii) was sexually motivated.**

The panel noted that the allegation was denied by Ms Dean.

On examination of the documents before the panel and consideration of the wider documentary and oral evidence, the panel concluded that Ms Dean's conduct as set out in allegations 1a, 1b(i), 1(b)(ii), 1(c)(i) and 1(c)(ii) was sexually motivated. The panel was of the view that there was no reason for Ms Dean to engage in a relationship of this kind with a pupil. It noted that these actions ultimately led to a sexual relationship between Ms Dean and Pupil A. The panel therefore found that this conduct was sexually motivated.

The panel also considered that, had the allegation been pleaded as conduct of a sexual nature, then it would be impossible to reach any other conclusion other than that the conduct was sexual, as set out in the case of *The General Medical Council v Haris [2020] EWHC 2518*.

The panel found allegation 2 proven.

## **Findings as to unacceptable professional conduct and/or conduct that may bring the profession into disrepute**

Having found a number of the allegations proved, the panel went on to consider whether the facts of those proved allegations amounted to unacceptable professional conduct and/or conduct that may bring the profession into disrepute.

In doing so, the panel had regard to the document Teacher misconduct: The prohibition of teachers, which is referred to as 'the Advice'.

The panel was satisfied that the conduct of Ms Dean, in relation to the facts found proved, involved breaches of the Teachers' Standards. The panel considered that, by reference to Part 2, Ms Dean 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.
- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach.
- Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities.

The panel was aware that the published teacher's standards were different when these events took place. However, the panel was satisfied that the behaviours found proven would not have been acceptable at the time they took place.

The panel was satisfied that the conduct of Ms Dean amounted to misconduct of a serious nature which fell significantly short of the standards expected of the profession.

The panel also considered whether Ms Dean'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 sexual activity was relevant. The Advice indicates that where behaviours associated with such an offence exist, a panel is more likely to conclude that an individual's conduct would amount to unacceptable professional conduct.

The panel noted that the allegations took place outside the education setting in that Ms Dean was communicating with Pupil A via text message, meeting him at the cinema, meeting at his home, and allowing him to visit her home. However, the panel believed that this touched upon Ms Dean's profession as a teacher, given the teacher pupil relationship between them.

Accordingly, the panel was satisfied that Ms Dean was guilty of unacceptable professional conduct.

The panel took into account the way the teaching profession is viewed by others and considered the influence that teachers may have on pupils, parents and others in the community. The panel also took account of the uniquely influential role that teachers can hold in pupils' lives and the fact that pupils must be able to view teachers as role models in the way that they behave.

The findings of misconduct are serious, and the conduct displayed would be likely to have a negative impact on the individual's status as a teacher, potentially damaging the public perception.

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

Having found the facts of allegations 1(a)(i)-(iii), 1(b)(i)-(iii), 1(c)(i)-(iii) and 2 proved, the panel further found that Ms Dean'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.

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 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.

In the light of the panel's findings against Ms Dean, which involved engaging in an inappropriate and sexual relationship with Pupil A, there was a strong public interest consideration in respect of the protection of pupils.

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

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

In carrying out the balancing exercise, the panel had regard to the public interest considerations both in favour of, and against, prohibition as well as the interests of Ms Dean. 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;
- 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;
- violating of the rights of pupils;
- deliberate behaviour that undermines pupils, the profession, the school or colleagues.

The panel noted that while the Teacher's Standards were not published at the relevant time, the panel was satisfied they reflected the expected standards for teachers at the time the actions took place. Further, the panel noted Ms Dean admitted that she was aware that it was inappropriate to have an intimate relationship with a pupil.

Even though the panel found some of the behaviours 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 no evidence that Ms Dean's actions were not deliberate.

There was no evidence to suggest that Ms Dean was acting under extreme duress.

No evidence was submitted by Ms Dean to attest to her history or ability as a teacher. Nor was any evidence given which demonstrates exceptionally high standards in both



personal and professional conduct or that Ms Dean contributed significantly to the education sector. The panel noted the oral evidence of Person A, Ms Dean's Head of Department, who explained that she found Ms Dean professional and hardworking. However, there was no evidence that Ms Dean was an exceptional teacher.

No mitigation evidence was submitted on behalf of Ms Dean.

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 Ms Dean of prohibition.

The panel considered that prohibition was both proportionate and appropriate. The panel decided that the public interest considerations outweighed the interests of Ms Dean. The serious nature of the allegations, in that Ms Dean conducted a sexual relationship with a pupil, 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 for it to decide to recommend a review period of the order. The panel was mindful that the Advice states that a prohibition order applies for life, but there may be circumstances, in any given case, that may make it appropriate to allow a teacher to apply to have the prohibition order reviewed after a specified period of time that may not be less than 2 years.

The Advice indicates that there are behaviours that, if proved, would militate against the recommendation of a review period. These behaviours include 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/or any sexual misconduct involving a child. The panel found that Ms Dean was responsible for engaging in a sexual relationship with Pupil A.

The Advice also indicates that there are behaviours that, if proved, would have greater relevance and weigh in favour of a longer review period. The panel found that Ms Dean was not responsible for any such behaviours.

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 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 Ms Keeley Dean should be the subject of a prohibition order, with no provision for a review period.

In particular, the panel has found that Ms Dean 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.
- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach.
- Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities.

The panel sets out that it, "was aware that the published teacher's standards were different when these events took place." However, the panel state that it, "was satisfied that the behaviours found proven would not have been acceptable at the time they took place."

The panel was also, "satisfied that the conduct of Ms Dean amounted to misconduct of a serious nature which fell significantly short of the standards expected of the profession."

The findings of misconduct are particularly serious as they include a finding of conduct that was sexually motivated, involving a Pupil.

I have to determine whether the imposition of a prohibition order is proportionate and in the public interest. In considering that for this case, I have considered the overall aim of a prohibition order which is to protect pupils and to maintain public confidence in the profession. I have considered the extent to which a prohibition order in this case would achieve that aim taking into account the impact that it will have on the individual teacher. I have also asked myself, whether a less intrusive measure, such as the published finding of unacceptable professional conduct and conduct that may bring the profession into disrepute, would itself be sufficient to achieve the overall aim. I have to consider whether the consequences of such a publication are themselves sufficient. I have considered therefore whether or not prohibiting Ms Dean, 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 found that Ms Dean was responsible for engaging in a sexual relationship with Pupil A." A prohibition order would therefore prevent such a risk from being present in the future.

Although the panel did not hear from Ms Dean on insight and remorse, the panel does say," the panel noted Ms Dean admitted that she was aware that it was inappropriate to have an intimate relationship with a pupil." In my judgement, the apparent lack of full insight means that there is some risk of the repetition of this behaviour and this puts at risk the future wellbeing of pupils. I have therefore given this element considerable weight in reaching my decision.

I have gone on to consider the extent to which a prohibition order would maintain public confidence in the profession. The panel observe, "The panel took into account the way the teaching profession is viewed by others and considered the influence that teachers may have on pupils, parents and others in the community. The panel also took account of the uniquely influential role that teachers can hold in pupils' lives and the fact that pupils must be able to view teachers as role models in the way that they behave.

The findings of misconduct are serious, and the conduct displayed would be likely to have a negative impact on the individual's status as a teacher, potentially damaging the public perception."

I am particularly mindful of the finding of sexual misconduct 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 Ms Dean herself. The panel comment “No evidence was submitted by Ms Dean to attest to her history or ability as a teacher. Nor was any evidence given which demonstrates exceptionally high standards in both personal and professional conduct or that Ms Dean contributed significantly to the education sector. The panel noted the oral evidence of Person A, Ms Dean’s Head of Department, who explained that she found Ms Dean professional and hardworking. However, there was no evidence that Ms Dean was an exceptional teacher.

No mitigation evidence was submitted on behalf of Ms Dean.”

A prohibition order would prevent Ms Dean 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 panel found that Ms Dean was responsible for engaging in a sexual relationship with Pupil A.”

I have given less weight in my consideration of sanction therefore, to the contribution that Ms Dean 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 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 that no provision should be made for a review period.

I have considered the panel’s comments “The Advice also indicates that there are behaviours that, if proved, would have greater relevance and weigh in favour of a longer review period. The panel found that Ms Dean was not responsible for any such behaviours.

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 provisions for a review period.”

I have considered whether allowing for no review 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 a no review is necessary and proportionate and in the public interest are the nature of the misconduct and the lack of insight and remorse.

I consider therefore that allowing for no review period is necessary to maintain public confidence and is proportionate and in the public interest.

**This means that Ms Keeley Dean is prohibited from teaching indefinitely and cannot teach in any school, sixth form college, relevant youth accommodation or children's home in England.** Furthermore, in view of the seriousness of the allegations found proved against her, I have decided that Ms Keeley Dean shall not be entitled to apply for restoration of her eligibility to teach.

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

Ms Keeley Dean 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 blue ink, appearing to read 'Alan Meyrick', followed by a vertical line.

**Decision maker: Alan Meyrick**

**Date: 14 November 2022**

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