



Teaching
Regulation
Agency

Ms Donna Slater: Professional conduct panel meeting outcome

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

January 2021

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

Teacher:	Ms Donna Slater
Teacher ref number:	9359646
Teacher date of birth:	3 June 1972
TRA reference:	17378
Date of determination:	8 January 2021
Former employer:	Heston Community School, Hounslow

Introduction

A professional conduct panel (“the panel”) of the Teaching Regulation Agency (“the TRA”) convened on 8 January 2021 by video conference to consider the case of Ms Donna Slater.

The panel members were Ms Karen McArthur (lay panellist – in the chair), Mr Diarmuid Bunting (lay panellist) and Mr Neil Hillman (teacher panellist).

The legal adviser to the panel was Ms Rosie Shipp of Birketts LLP solicitors.

In advance of the meeting, after taking into consideration the public interest and the interests of justice, the TRA agreed to a request from Ms Slater that the allegations be considered without a hearing. Ms Slater provided a signed statement of agreed facts and admitted unacceptable professional conduct and/or conduct that may bring the profession into disrepute. The panel considered the case at a meeting without the attendance of the presenting officer Mr Ben Bentley of Browne Jacobson LLP solicitors or Ms Donna Slater.

The meeting took place in private, but the panel's decision was announced in public.

Allegations

The panel considered the allegations set out in the notice of meeting dated 8 December 2020.

It was alleged that Ms Slater was guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute, in that whilst employed at Heston Community School:

1. In or around January 2017, she failed to observe an appropriate professional boundary by sharing her personal telephone number with Pupil A;
2. On various dates between 1 January 2017 and 18 May 2017, she failed to observe an appropriate professional boundary by continuing a WhatsApp correspondence with Pupil A without notifying Pupil A's Learning Coordinator;
3. During a series of WhatsApp messages exchanged between her and Pupil A between 19 April 2017 and 18 May 2017, during and outside school hours and including weekends:
 - a. she failed to observe an appropriate professional boundary by telling Pupil A in relation to Teacher 1:
 - i. "this is about here insecurities & she doesn't like feisty girls that make her look & feel bad", on or about 19 April 2017;
 - ii. "I don't need to prove myself. She feels like she does", on or about 19 April 2017;
 - iii. "if she doesn't see how lovely u r that's her loss & stupidity", on or about 19 April 2017;
 - iv. "I'm really proud of u for being with [Teacher 1] even though u haven't done anything", on or about 2 May 2017;
 - b. on or about 21 April 2017, she failed to observe an appropriate professional boundary by telling Pupil A that she would need to "be careful" in relation to other children at the school who were "devious";
 - c. she failed to observe an appropriate professional boundary by seeking to make arrangements to meet with Pupil A, in the absence of any proper reason for doing so, within messages sent:
 - v. on or about 23 April 2017
 - vi. on or about 24 April 2017

- vii. on or about 1 May 2017
 - viii. on or about 8 May 2017
 - ix. on or about 15 May 2017
- d. she failed to observe an appropriate professional boundary by including within a message to Pupil A the following, regarding her relationship with Pupil A
- x. "I love both of u", on or about 27 April 2017
 - xi. "do u feel cared for & looked after by me?!", on or about 28 April 2017
 - xii. "Night love u", on or about 2 May 2017, 4 May 2017 and 15 May 2017
 - xiii. "Love u lots", on or about 14 May 2017
 - xiv. "& big hug from me", on or about 17 May 2017,
- e. she failed to observe an appropriate professional boundary by including within a message to Pupil A the following, regarding her own circumstances
- xv. "I keep looking as I'm not sleeping", on or about 2 May 2017
 - xvi. "sometimes it might not seem like what I'm doing is important but it is", on or about 3 May 2017
 - xvii. "I never sleep very well but I have got some stuff going on", on or about 3 May 2017
 - xviii. "It's not that I'm not interested it's just been ridiculous", on or about 5 May 2017
 - xix. "I'm so tired", on or about 5 May 2017
 - xx. "obviously I'm very comfortable around u as u r so easy to get on with", on or about 5 May 2017
 - xxi. "I'm supposed to be going out but I don't really want to go until I have spoken to u!!", on or about 18 May 2017;
4. On or about 27 April 2017, she failed to take appropriate steps to safeguard Pupil A's well-being, by introducing her to Person 1, without notifying Pupil A's Learning Coordinator;

5. On or about 28 April 2017, she failed to take appropriate steps to safeguard Pupil A's well-being, by sharing the telephone number of Pupil A with Person 1;
6. On or about 7 May 2017, she failed to take appropriate steps to safeguard Pupil A's well-being, having received a voicemail regarding sexual activity being proposed to Pupil A by Pupil B.

Ms Slater admits the facts of allegations 1 to 6 and that her 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 statement of agreed facts signed by Ms Slater on 14 November 2020.

Preliminary applications

There were no preliminary applications.

Summary of evidence

Documents

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

- section 1: chronology and anonymised pupil list – pages 2 to 3
- section 2: notice of referral, response and notice of meeting – pages 5 to 15
- section 3: statement of agreed facts and presenting officer representations – pages 17 to 31
- section 4: Teaching Regulation Agency documents – pages 34 to 287

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 Ms Slater on 14 November 2020 in which Ms Slater admitted allegations 1 to 6 and that her conduct amounted to unacceptable professional conduct and/or conduct that may bring the profession in to disrepute.

Decision and reasons

The panel announced its decision and reasons as follows:

The panel carefully considered the case and reached a decision.

In advance of the meeting, the TRA agreed to a request from Ms Slater for the allegations to be considered without a hearing. The panel had the ability to direct that the case be considered at a hearing if required in the interests of justice or in the public interest. The panel did not determine that such a direction was necessary or appropriate in this case.

In summary, Ms Slater was employed by Heston Community School ('the school') from September 1999 to July 2017.

Ms Slater allegedly failed to maintain professional boundaries with a 15 year old student, Pupil A, by engaging in the exchange of WhatsApp messages between January to May 2017.

In the WhatsApp messages, including those shared outside school hours, Ms Slater made inappropriate comments about another member of staff, shared personal information with Pupil A, and shared her feelings towards Pupil A with Pupil A. The WhatsApp messages also evidenced Ms Slater seeking to meet Pupil A in the absence of any proper reason, and arranging for Pupil A to meet Person 1, an adult male with no professional connection to the school, with whom Ms Slater also shared Pupil A's mobile phone number. As evidenced by the summary of voicemail messages, and by evidence provided by the school, Ms Slater also failed to take appropriate safeguarding action in respect of disclosures made to her by Pupil A, that Pupil B had proposed sexual activity with Pupil A.

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:

You are guilty of unacceptable professional conduct and/or conduct that may bring the teaching profession into disrepute in that, whilst employed at Heston Community School:

- 1. In or around January 2017, you failed to observe an appropriate professional boundary by sharing your personal telephone number with Pupil A;**

On examination of the documents before the panel, and the admission of this allegation in the signed statement of agreed facts, the panel was satisfied that the allegation was proven.

- 2. On various dates between 1 January 2017 and 18 May 2017, you failed to observe an appropriate professional boundary by continuing a WhatsApp correspondence with Pupil A without notifying Pupil A's Learning Coordinator;**

On examination of the documents before the panel, and the admission of this allegation in the signed statement of agreed facts, the panel was satisfied that the allegation was proven.

- 3. During a series of WhatsApp messages exchanged between you and Pupil A between 19 April 2017 and 18 May 2017, during and outside school hours and including weekends:**

- a. you failed to observe an appropriate professional boundary by telling Pupil A in relation to Teacher 1:**

- i. "this is about here insecurities & she doesn't like feisty girls that make her look & feel bad", on or about 19 April 2017**
- ii. "I don't need to prove myself. She feels like she does", on or about 19 April 2017**
- iii. "if she doesn't see how lovely u r that's her loss & stupidity", on or about 19 April 2017**
- iv. "I'm really proud of u for being with [Teacher 1] even though u haven't done anything", on or about 2 May 2017**

On examination of the documents before the panel, and the admission of this allegation in the signed statement of agreed facts, the panel was satisfied that the allegation was proven.

- b. on or about 21 April 2017, you failed to observe an appropriate professional boundary by telling Pupil A that she would need to "be careful" in relation to other children at the school who were "devious",**

On examination of the documents before the panel, and the admission of this allegation in the signed statement of agreed facts, the panel was satisfied that the allegation was proven.

- c. you failed to observe an appropriate professional boundary by seeking to make arrangements to meet with Pupil A, in the absence of any proper reason for doing so, within messages sent:**

- i. on or about 23 April 2017**

- ii. on or about 24 April 2017
- iii. on or about 1 May 2017
- iv. on or about 8 May 2017
- v. on or about 15 May 2017

On examination of the documents before the panel, and the admission of this allegation in the signed statement of agreed facts, the panel was satisfied that the allegation was proven.

d. you failed to observe an appropriate professional boundary by including within a message to Pupil A the following, regarding your relationship with Pupil A

- i. "I love both of u", on or about 27 April 2017
- ii. "do u feel cared for & looked after by me?!", on or about 28 April 2017
- iii. "Night love u", on or about 2 May 2017, 4 May 2017 and 15 May 2017
- iv. "Love u lots", on or about 14 May 2017
- v. "& big hug from me", on or about 17 May 2017

On examination of the documents before the panel, and the admission of this allegation in the signed statement of agreed facts, the panel was satisfied that the allegation was proven.

e. you failed to observe an appropriate professional boundary by including within a message to Pupil A the following, regarding your own circumstances:

- i. "I keep looking as I'm not sleeping", on or about 2 May 2017
- ii. "sometimes it might not seem like what I'm doing is important but it is", on or about 3 May 2017
- iii. "I never sleep very well but I have got some stuff going on", on or about 3 May 2017
- iv. "It's not that I'm not interested it's just been ridiculous", on or about 5 May 2017

- v. "I'm so tired", on or about 5 May 2017
- vi. "obviously I'm very comfortable around u as u r so easy to get on with", on or about 5 May 2017
- vii. "I'm supposed to be going out but I don't really want to go until I have spoken to u!!", on or about 18 May 2017;

On examination of the documents before the panel, and the admission of this allegation in the signed statement of agreed facts, the panel was satisfied that the allegation was proven.

- 4. **On or about 27 April 2017, you failed to take appropriate steps to safeguard Pupil A's well-being, by introducing her to Person 1, without notifying Pupil A's Learning Coordinator;**

On examination of the documents before the panel, and the admission of this allegation in the signed statement of agreed facts, the panel was satisfied that the allegation was proven.

- 5. **On or about 28 April 2017, you failed to take appropriate steps to safeguard Pupil A's well-being, by sharing the telephone number of Pupil A with Person 1;**

On examination of the documents before the panel, and the admission of this allegation in the signed statement of agreed facts, the panel was satisfied that the allegation was proven.

- 6. **On or about 7 May 2017, you failed to take appropriate steps to safeguard Pupil A's well-being, having received a voicemail regarding sexual activity being proposed to Pupil A by Pupil B.**

On examination of the documents before the panel, and the admission of this allegation in the signed statement of agreed facts, the panel was satisfied that the allegation was proven.

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

Having found the allegations proved, the panel went on to consider whether the facts of the proved allegations amounted to unacceptable professional conduct and/or conduct that may bring the profession into disrepute. In doing so, the panel had regard to the Teacher Misconduct: The Prohibition of Teachers, which is referred to as "the Advice".

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

The panel noted that Ms Slater signed the school's annual School Safeguarding Pledge on 10 October 2016 and had completed safeguarding training at the start of that year. Additionally, in her role as learning coordinator and head of year 7, she was pastoral lead and was responsible for working closely with the school's designated safeguarding lead. Ms Slater should have therefore been well aware of her safeguarding obligations.

The panel observed that the messages from Ms Slater to Pupil A became more affectionate over time and indicated a development of a concerning and inappropriate relationship between the two of them. The panel considered that several of the messages sent by Ms Slater raised serious safeguarding concerns in that they: discussed Ms Slater's personal life, intimated strong affectionate feelings towards Pupil A, and arranged for Pupil A to meet with Person 1.

The panel was also concerned that some messages from Ms Slater referred to and made derogatory comments about one of her colleagues. The panel considered this to be a serious breach of the standard expected of a teacher and conduct that may well have undermined the relationship between Pupil A and the teacher colleague.

Pupil A was a vulnerable pupil and Person 1 was an older male in respect of whom no safeguarding checks had been carried out. As a result, Ms Slater's introducing of the two of them without any safeguarding measures gave rise to an unacceptable and serious safeguarding risk to Pupil A. The panel considered that an equally serious safeguarding breach took place when Ms Slater omitted to take any formal action on receipt of the voicemail that related to sexual activity being proposed to Pupil A by Pupil B. It should have been obvious to Ms Slater, especially in the context of her senior pastoral role and the training that she had received, that she should have taken immediate action with the school to properly safeguard Pupil A.

The panel was satisfied that the conduct of Ms Slater fell significantly short of the standards expected of the profession.

The panel noted that some of the allegations (including some of the Whatsapp messages and the meeting between Pupil A and Person 1) took place outside the education setting and were late at night. The panel was satisfied that Ms Slater's conduct, by introducing Person 1 and Pupil A, may have put Pupil A in a vulnerable situation. It appeared that Ms Slater intended for Person 1 to form a mentor-like relationship with Pupil A, which was capable of influencing Pupil A. Further, the comments made about colleagues and other students were capable of undermining Pupil A's relationships with them, which is particularly harmful in the context of an already troubled and vulnerable student.

Accordingly, the panel was satisfied that Ms Slater 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 public expectation is that teachers will maintain appropriate boundaries with pupils and keep them safe.

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

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

Having found the facts of the allegations proved, the panel further found that Ms Slater's conduct amounted to both unacceptable professional conduct and conduct that may bring the profession into disrepute.

Panel's recommendation to the Secretary of State

Given the panel's findings in respect of unacceptable professional conduct and conduct that may bring the profession into disrepute, it was necessary for the panel to go on to consider whether it would be appropriate to recommend the imposition of a prohibition order by the Secretary of State.

In considering whether to recommend to the Secretary of State that a prohibition order should be made, the panel had to consider whether it would be an appropriate and a proportionate measure, and whether it would be in the public interest to do so. Prohibition

orders should not be given in order to be punitive, or to show that blame has been apportioned, although they are likely to have a punitive effect.

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

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

The panel considered that public confidence in the profession could be seriously weakened if conduct such as that found against Ms Slater were not treated with the appropriate 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 Ms Slater was outside that which could reasonably be tolerated. Ms Slater's actions were more serious because it took place despite a previous internal disciplinary which related to similar conduct and an inappropriate relationship with another pupil in 2010.

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 Ms Slater.

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 Slater. 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;
- other deliberate behaviour that undermines pupils, the profession, the school or colleagues.

Even though some of the behaviour found proved in this case indicated that a prohibition order would be appropriate, the panel went on to consider the mitigating factors. Mitigating factors may indicate that a prohibition order would not be appropriate or proportionate.

There was evidence that Ms Slater's actions were deliberate and there was no evidence to suggest that she was acting under duress.

The panel considered that the following mitigation factors were present in this case:

- Other than the incident in 2010 - 2011, Ms Slater had a previously good history with 13 years' service holding senior and pastoral roles at the school.
- Ms Slater had not been subject to any previous regulatory proceedings.
- Ms Slater made factual admissions at an early stage and had engaged with the proceedings to date.

The aggravating features in this case were that:

- A similar incident that took place in 2010. The bundle contained a previous disciplinary hearing outcome, dated 20 January 2011, regarding Ms Slater's relationship with a former pupil at the school. In the information provided it is clear Ms Slater formed an inappropriately close relationship with a pupil who had been excluded from the school. The pupil stayed at Ms Slater's address on several occasions and Ms Slater was accused of harbouring the pupil who had been reported missing by the police. She did not notify the school or social services that the pupil was staying with her. The panel identified clear parallels between the previous incident and the current allegations and considered that Ms Slater's repeated behaviour demonstrated that she had not learned that such conduct was inappropriate or taken adequate or appropriate remedial steps. As a result the panel was particularly concerned that Ms Slater's behaviour may be repeated.
- The panel considered that Ms Slater did not show meaningful remorse for or insight into her actions. The panel noted that Ms Slater did not provide a statement or any mitigating circumstances to explain her actions. The panel noted there were no character statements or references in the bundle provided from any colleagues that could attest to her abilities as a teacher.
- Ms Slater's conduct was a clear breach of the Teacher's Standards.

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 Ms Slater of prohibition. The panel was of the view

that prohibition was both proportionate and appropriate. The panel decided that the public interest considerations outweighed the interests of Ms Slater. The conclusion of the panel that Ms Slater presented a continuing risk and had not demonstrated any insight in to the consequences of her behaviour that gave rise to safeguarding concerns 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 to recommend that a review period of the order should be considered. The panel was mindful that the Advice states that a prohibition order applies for life, but there may be circumstances, in any given case, that may make it appropriate to allow a teacher to apply to have the prohibition order reviewed after a specified period of time that may not be less than two years. The panel considered that Ms Slater's conduct was capable of being remediated and that there was a public interest in allowing a teacher of Ms Slater's seniority to return to the profession once she has demonstrated insight and a greater understanding of the necessity for clear and appropriate boundaries between teachers and students.

The panel decided that the findings indicated a situation in which a review period would be appropriate and, as such, decided that it would be proportionate in all the circumstances for the prohibition order to be recommended with provisions for a 3 year review period.

Decision and reasons on behalf of the Secretary of State

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

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

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

The panel has made a recommendation to the Secretary of State that Ms Donna Slater should be the subject of a prohibition order, with a review period of three years.

In particular, the panel has found that Ms Slater 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.

The panel finds that the conduct of Ms Slater fell significantly short of the standards expected of the profession.

The findings of misconduct are particularly serious as they include a finding that Ms Slater failed to observe an appropriate professional boundary with Pupil A and failed to take appropriate steps to safeguard Pupil A's well-being.

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 Slater, and the impact that will have on her, is proportionate and in the public interest.

In this case, I have considered the extent to which a prohibition order would protect children. The panel has observed "Pupil A was a vulnerable pupil and Person 1 was an older male in respect of whom no safeguarding checks had been carried out. As a result, Ms Slater's introducing of the two of them without any safeguarding measures gave rise to an unacceptable and serious safeguarding risk to Pupil A". A prohibition order would therefore prevent such a risk from being present in the future.

I have also taken into account the panel's comments on insight and remorse, which the panel sets out as follows, "The panel considered that Ms Slater did not show meaningful remorse for or insight into her actions. The panel noted that Ms Slater did not provide a statement or any mitigating circumstances to explain her actions. The panel noted there were no character statements or references in the bundle provided from any colleagues that could attest to her abilities as a teacher". In my judgement, the lack of insight means that there is some risk of the repetition of this behaviour. 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, "In the light of the panel's findings against Ms Slater, which involved failing to maintain professional boundaries with a pupil, there was a strong public interest consideration in respect of the protection of pupils". I am particularly mindful of the finding of failure to take appropriate steps to safeguard pupil wellbeing 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 Slater herself. Although she no longer works at the school and the panel comment "Other than the incident in 2010 - 2011, Ms Slater had a previously good history with 13 years' service holding senior and pastoral roles at the school".

A prohibition order would prevent Ms Slater from teaching. A prohibition order 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 concerning the lack of insight or remorse. The panel has said, "The conclusion of the panel that Ms Slater presented a continuing risk and had not demonstrated any insight in to the consequences of her behaviour that gave rise to safeguarding concerns were significant factors in forming that opinion".

I have also placed considerable weight on the finding of the panel that "It should have been obvious to Ms Slater, especially in the context of her senior pastoral role and the training that she had received, that she should have taken immediate action with the school to properly safeguard Pupil A".

I have given less weight in my consideration of sanction therefore, to the contribution that Ms Slater 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 a 3 year review period.

I have considered the panel's comments "Ms Slater's conduct was capable of being remediated and that there was a public interest in allowing a teacher of Ms Slater's seniority to return to the profession once she has demonstrated insight and a greater understanding of the necessity for clear and appropriate boundaries between teachers and students." The panel has also said "it would be proportionate in all the circumstances for the prohibition order to be recommended with provisions for a 3 year review period".

I have considered whether a 3 year review period reflects the seriousness of the findings and is a proportionate period to achieve the aim of maintaining public confidence in the profession. In this case, there are factors that mean that a two-year review period is not sufficient to achieve the aim of maintaining public confidence in the profession. These elements are a lack of insight and remorse and a lack of awareness of safeguarding obligations.

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

This means that Ms Donna Slater is prohibited from teaching indefinitely and cannot teach in any school, sixth form college, relevant youth accommodation or children's home in England. She may apply for the prohibition order to be set aside, but not until 15 January 2024, 3 years from the date of this order at the earliest. This is not an automatic right to have the prohibition order removed. If she does apply, a panel will meet to consider whether the prohibition order should be set aside. Without a successful application, Ms Slater remains prohibited from teaching indefinitely.

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

Ms Slater has a right of appeal to the Queen's Bench Division of the High Court within 28 days from the date she is given notice of this order.



Decision maker: Sarah Buxcey

Date: 14 January 2021

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