



Teaching
Regulation
Agency

Ms Esther Adejumo: Professional conduct panel outcome

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

January 2023

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

Teacher:	Ms Esther Adejumo
TRA reference:	19921
Date of determination:	13 January 2023
Former employer:	Bexleyheath Academy, London Borough of Bexley

Introduction

A professional conduct panel ('the panel') of the Teaching Regulation Agency ('the TRA') convened on 13 to 14 December 2022 by way of a virtual hearing, to consider the case of Ms Esther Adejumo. The panel met on 16 December 2022 to continue deliberations and review its decision. The parties reconvened on 13 January 2023 for the decision to be announced.

The panel members were Mr Alan Wells (former teacher panellist – in the chair), Mrs Rosemary Joyce (teacher panellist) and Mr Paul Hawkins (lay panellist).

The legal adviser to the panel was Ms Samantha Cass of Birketts LLP solicitors.

The presenting officer for the TRA was Ms Matilda Heselton of Browne Jacobson LLP solicitors.

Ms Adejumo was present and was represented by Ms Maria Aisha of Cornwall Street Chambers, instructed by Ms Michelle Stewart of Thompsons Solicitors.

The hearing took place by way of a virtual hearing partly in public and partly in private and was recorded.

Allegations

The panel considered the allegations set out in the notice of proceedings dated 27 September 2022.

It was alleged that Ms Adejumo was guilty of having been convicted of a relevant offence, in that:

1. She was convicted on two counts of making a false statement / representation contrary to the Social Security Administration Act 1992 s. 111A on 03 October 2018 at North Kent Magistrates' Court.

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

2. She failed to declare and/or provided false and/or misleading information in respect of her conviction(s) at Allegation 1 above in that she:
 - a. Did not inform her employing school Bexleyheath Academy that she had been convicted;
 - b. Whilst applying for a teaching position at Gad's Hill School:
 - i. Submitted an application form dated 27 January 2021 declaring that she had not received any criminal convictions when this was not in fact the case;
 - ii. Submitted a staff suitability declaration dated 26 February 2021 declaring that she had not received any criminal convictions when this was not in fact the case;
 - iii. Stated that she was not aware of any issues that might appear on her DBS certificate when asked by the head teacher during a telephone call on or around the 19 March 2021;
 - iv. Submitted the application form at Allegation 2(b)(i) and/or declaration form at Allegation 2(b)(ii) under then name Esther-Adejumo when she had been convicted under the name Esther Okpako-Adejumo;
 - v. Submitted the application form at Allegation 2(b)(i) without declaring one or more former-surnames including the surname under which she was convicted;
 - vi. Provided the name Esther Adejumo for the school to obtain DBS certification when she had been convicted under the name Esther Okpako-Adejumo;

3. Her conduct as may be found proven at Allegation 2 above lacked integrity and/or was dishonest.

In her response to the Notice of Referral, Ms Adejumo indicated that she admitted to allegations 1, 2(a), 2(b)(i), 2(b)(ii), 2(b)(iv) and denied allegations 2(b)(iii), (v), (vi) and 3.

Ms Adejumo accepted that she has been convicted of a relevant offence but made no admissions in respect of unacceptable professional conduct and conduct that may bring the profession into disrepute.

Preliminary applications

The panel considered the following preliminary applications.

Application to admit additional documents including character reference evidence

Firstly, the panel considered two preliminary applications from the teacher's representative: one for the admission of additional documents; and one for the inclusion of character reference evidence which formed part of the additional documents.

The teacher's documents were Ms Adejumo's 24 page witness statement dated 12 December 2022 with attachments; and a bundle of late evidence including Ms Adejumo's identification documentation (driving licence and passport) and character reference evidence.

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

The panel heard representations from the teacher's representative in respect of the application and the presenting officer had no objection to the admission of the documents.

The panel considered the additional documents were relevant and would assist the panel in determining the issues in the hearing. Accordingly, the documents were added to the bundle.

Application for part of the hearing to be heard in private

The panel considered an application from Ms Adejumo's representative that part of the hearing relating to matters of Ms Adejumo's personal and private life, in particular [REDACTED] should be heard in private.

The panel heard submissions from the presenting officer on the application before reaching its decision. The presenting officer did not have an objection to the application.

The panel granted the application. The panel considered it was not contrary to the public interest for the part of the hearing, which was the subject of the application, to be heard in private.

The panel considered that the areas covered in the application legitimately related to aspects of Ms Adejumo's private life and there was no contrary public interest in those areas being discussed in public. The hearing was still being held in public and these were discrete and limited areas which would not undermine the public's ability to otherwise understand the case. The panel therefore granted the application.

Summary of evidence

Documents

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

- Section 1: Notice of Referral & Response – pages 4 to 33c
- Section 2: Teaching Regulation Agency Documents – pages 35 to 120
- Section 3: Teaching Documents – pages 122 to 125

In addition, the panel agreed to accept the following:

- Ms Adejumo's witness statement and exhibits – pages 1 to 24; and
- Ms Adejumo's late evidence – pages 1 to 36.

The panel members confirmed that they had read all of the documents within the bundle, in advance of the hearing and the additional documents that the panel decided to admit.

Witnesses

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

- Witness A, [REDACTED] The panel also heard

oral evidence from Ms Adejumo.

Decision and reasons

The panel announced its decision and reasons as follows:

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

On 3 October 2018, Ms Adejumo was convicted of two offences in relation to making a false statement/representation to obtain benefits on 2 June 2014.

On 3 September 2020, Ms Adejumo was employed as a trainee teacher of science at Bexleyheath Academy (the 'Academy').

On 27 September 2021, Ms Adejumo applied for the role of science teacher at Gad's Hill School (the 'School'). Within her application form, Ms Adejumo declared that she was free of any criminal convictions.

Following an interview process, Ms Adejumo was formally offered a job at the School on 12 February 2021, which was due to commence on 19 April 2021. She submitted a staff suitability declaration form, in which she was required to answer the following question: *'Have you been cautioned, subject to a court order, bound over, received a reprimand or warning or been found guilty of committing any offence either before or during your employment at this school?'*. She responded 'No'.

The School was notified that an issue had been flagged on Ms Adejumo's DBS check. On asking Ms Adejumo if she knew what this might be, she stated she could not think of anything. On 23 March 2021, Ms Adejumo sent the School a copy of the DBS document detailing her conviction. The School withdrew Ms Adejumo's job offer and, on 26 March 2021, notified the Academy of her conviction, which the Academy had not been aware of.

In Ms Adejumo's oral evidence she stated that she had not read any of the questions on any of the forms relating to her employment that dealt with convictions.

Findings of fact

The findings of fact are as follows:

The panel found the following particulars of the allegations against you proved, for these reasons:

1. You were convicted on two counts of making a false statement / representation contrary to the Social Security Administration Act 1992 s. 111A on 03 October 2018 at North Kent Magistrates' Court.

Ms Adejumo admitted allegation 1.

Notwithstanding this, the panel made its own determination following an examination of the evidence available to it.

The panel was provided with a copy of the certificate of Conviction from North Kent Magistrates' Court, which detailed that Ms Adejumo (in the name of Ms Okpako-

Adejumo) had been convicted on two counts of making a false statement / representation contrary to s. 111A of the Social Security Administration Act 1992. Ms Adejumo was sentenced to eight months' imprisonment (four months for each offence to run consecutively), suspended for two years. In addition, she was made subject to an Unpaid Work Requirement to carry out unpaid work for 200 hours within the 12 months following the conviction; ordered to pay a victim surcharge of £115; and ordered to pay £85 towards the costs of the prosecution.

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

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

2. You failed to declare and/or provided false and/or misleading information in respect of your conviction(s) at Allegation 1 in that you:

a. Did not inform your employment school Bexleyheath Academy that you had been convicted;

Ms Adejumo admitted allegation 2(a).

Notwithstanding this, the panel made its own determination following an examination of the evidence available to it. The panel considered the oral evidence from Ms Adejumo, in particular the fact that she accepted that she did not tell her employer of her conviction.

In fact when Ms Adejumo was applying to train as a teacher at Bexleyheath Academy she completed a DBS application form which required her to declare any convictions and she responded "no" and declared that all the information she provided was true and complete.

When questioned during the hearing, Ms Adejumo was unable to explain why she had failed to tell her employer of her conviction. Ms Adejumo said that she had a conversation with her teacher mentor, Individual B, [REDACTED], about her conviction and the circumstances that led to it. However, although Ms Adejumo showed Individual B a DBS certificate, she accepted that this certificate predated her conviction.

The panel was satisfied that the facts of allegation 2(a) were proven.

b. Whilst applying for a teaching position at Gad's Hill School:

i. Submitted an application form dated 27 January 2021 declaring that you had not received any criminal convictions when this was not in fact the case;

Ms Adejumo admitted allegation 2(b)(i).

Notwithstanding this, the panel made its own determination following an examination of the evidence available to it.

The panel considered Ms Adejumo's oral evidence within which she accepted that she *"didn't think the school needed to know"* because this *"didn't relate to what she was doing as a teacher"*. The panel noted that Ms Adejumo had stated that *"it didn't relate to safeguarding"*, that she *"didn't think everyone should know her business"* and that she was going by her previous DBS check which did not contain the conviction information from 2018. The panel noted the application form which was signed electronically by Ms Adejumo declaring that she had "no criminal convictions", later on in the form that she was "free of any criminal convictions" and finally that she understood that "if it is subsequently discovered any statement is false or misleading..." this may result in disqualification or dismissal from the appointment.

The panel heard oral evidence from Witness A, [REDACTED]

Witness A submitted that on 27 January 2021, Ms Adejumo submitted an application form for the position of teacher of science (KS3 and GCSE level). Within that application form she declared she was free from any criminal convictions. She also submitted and signed the application form in the name Esher Adejumo and left the *"Previous surname(s) [if applicable]"* box blank.

Accordingly, the panel was satisfied that the facts of allegation 2(b)(i) were proven.

ii. Submitted a staff suitability declaration dated 26 February 2021 declaring that you had not received any criminal convictions when this was not in fact the case;

Ms Adejumo admitted allegation 2(b)(ii)

Notwithstanding this, the panel noted the Staff Suitability Declaration which was signed electronically by Ms Adejumo and which contained the word "No" next to the questions regarding any previous court orders, offences, reprimands or warnings but Ms Adejumo had failed to declare her previous convictions. The panel also noted that Ms Adejumo had further declared within this form that she would notify her employer immediately of any convictions, cautions, court orders, reprimands or warnings.

Notwithstanding this, the panel considered the oral evidence from Ms Adejumo, in particular that she thought the convictions were “*a personal matter*” and that she had “*filled this out without thinking of the criminal conviction*”.

The panel also heard oral evidence from Witness A, [REDACTED] concerning this allegation.

Witness A submitted that on 26 February 2021, Ms Adejumo submitted a staff suitability declaration, also under the name Esther Adejumo. In response to the question: “*Have you been cautioned, subject to a court order, bound over, received a reprimand or warning or been found guilty of committing any offence either before or during your employment at this school?*”, Ms Adejumo replied “No”.

On examination of the documents before the panel, the panel was satisfied that the facts of allegation 2(b)(ii) were proven.

iii. Stated that you were not aware of any issues that might appear on her DBS certificate when asked by the head teacher during a telephone call on or around the 19 March 2021;

Ms Adejumo admitted allegation 2(b)(iii).

Notwithstanding this, the panel considered Ms Adejumo’s oral evidence within which she stated that “*she did not know*” and “*didn’t think of the conviction*” when something was flagged on her DBS check in discussion with the [REDACTED] during a call on or around 19 March 2021.

The panel also considered Witness A’s evidence within which he confirmed that during the call Ms Adejumo had said that she couldn’t think of anything but would give her husband a call at home to see if the DBS had arrived. Having been notified by [REDACTED] at the School that something had been flagged on Ms Adejumo’s DBS check, Witness A explained that he telephoned her to ask if she knew what this could be. She stated she could not think of anything initially. After speaking to her husband, she telephoned Witness A and explained that it may be to do with a “*working tax credit matter*” from 2016 where she failed to alert HMRC of her return to work after the birth of her child. She explained that this matter was “*resolved*”.

The panel was satisfied that the facts of allegation 2(b)(iii) were proven.

iv. Submitted the application form at Allegation 2(b)(i) and/or declaration form at Allegation 2(b)(ii) under then name Esther-Adejumo when you had been convicted under the name Esther Okpako-Adejumo;

Ms Adejumo admitted allegation 2(b)(iv).

Notwithstanding this, the panel considered Witness A's oral evidence. Witness A explained that, in addition to the staff suitability declaration submitted by Ms Adejumo on 26 February 2021, she also submitted a DBS application form. This form listed Okpako as a previous surname but omitted Okpako-Adejumo, the surname under which Ms Adejumo's Conviction was recorded.

The panel considered Ms Adejumo's own evidence within which she confirmed that she did not add the name Esther Okpako-Adejumo because this was "*not my name*". Ms Adejumo accepted that she did not list the double barrelled version of her name because this was the only document containing this version of her name and all other documentation was in the name Esther-Adejumo, save for the conviction. The panel gave consideration to the fact that Ms Adejumo was present and represented in court when she was convicted in the name Esther Okpako-Adejumo.

The panel was satisfied that the facts of allegation 2(b)(iv) were proven.

v. Submitted the application form at Allegation 2(b)(i) without declaring one or more former-surnames including the surname under which you were convicted;

Ms Adejumo admitted allegation 2(b)(v).

Notwithstanding this, the panel considered Witness A's oral evidence. Witness A submitted that, when Ms Adejumo disclosed a copy of the DBS certificate on 23 March 2021, it confirmed she had a conviction for two counts of making a false statement / representation. Witness A further submitted that, when he spoke to Ms Adejumo on 26 March 2021, she stated that Okpako-Adejumo is a contraction of her married and maiden names.

The panel also considered Ms Adejumo's own evidence within which she confirmed that she did not declare the name under which she was convicted because she did not feel this was her name. Ms Adejumo admitted in her own evidence that this was an "*error*".

The panel was satisfied that the facts of allegation 2(b)(v) were proven.

vi. Provided the name Esther Adejumo for the school to obtain DBS certification when you had been convicted under the name Esther Okpako-Adejumo;

Ms Adejumo denied allegation 2(b)(vi).

The panel considered the oral evidence of Ms Adejumo. She submitted that she never at any point changed to the name Esther Okpako-Adejumo, as indicated by her passports, marriage and birth certificates. The panel noted that Ms Adejumo's marriage and birth certificates were not provided as evidence. She explained that it is wrong to believe that

she has to automatically adopt this name because of her conviction. Ms Adejumo suggested that this error had arisen as a result of the design and completion of the relevant HMRC form, before the DWP decided to take the matter to court. However, the panel noted that although Ms Adejumo had provided three names, she had not provided the hyphenated version of her name because, other than the conviction, she claimed that this name was not used on any documentation. The panel noted that Ms Adejumo was unable to explain why the name appeared anywhere as the hyphenated name and could only speculate as to how this name had appeared.

The panel noted that Ms Adejumo had accepted that the hyphenated name was also used by the DWP and that she was present at court when this version of her name was used.

Accordingly, the panel was satisfied that the facts of allegation 2(b)(vi) were proven.

The panel found allegations 2(a), 2(b)(i), 2(b)(ii), 2(b)(iii), 2(b)(iv), 2(b)(v) and 2(b)(vi) proven.

3. Your conduct as may be found proven at Allegation 2 above lacked integrity and/or was dishonest.

Ms Adejumo denied allegation 3 in respect of dishonesty but Ms Adejumo accepted that her actions lacked integrity.

Witness A submitted that, on 26 March 2021, Ms Adejumo tried to justify why she had not informed him of the convictions. She said that it had never been an issue with her previous school and she did not want to remember the convictions, as it was a hurtful memory. However, Witness A also explained that he had spoken to Individual C, [REDACTED], earlier on 26 March 2021 and Individual C had explained that he was not aware of the convictions.

Witness A further explained that Ms Adejumo told him she did not disclose the convictions because it does not reflect who she is as a person. She also did not think it was relevant to disclose the convictions to the School because it was not a safeguarding issue, nor would she be dealing with money. Ms Adejumo told Witness A she was not being deceptive in her initial telephone conversation with him but simply that her recollection was incorrect, and when asked if she knew what might have been flagged, she genuinely did not remember.

Ms Adejumo submitted that she believed the HR team at the Academy would have flagged concerns from her DBS check in September 2018, if there were any concerns. In any event, when she applied to the Academy to train to be a teacher she undertook research and obtained professional advice to better understand the implications of her convictions. She explained that, when she spoke to Individual B about the convictions,

she was assured that they were nothing to worry about. It was on this basis that she concluded she could not have deliberately misled the Academy.

Ms Adejumo denied having any intention to deceive the School. She was therefore shocked when Witness A contacted her on 19 March 2021, knowing that Individual C had never raised the issue with her. She confirmed that she spoke to her husband and he said the only issue he could think of would be relating to the “*working tax credit*” matter. Within 30 minutes, she contacted Witness A to confirm that she assumed this was what had been flagged up.

Ms Adejumo also reaffirmed that she did not at any point change her name to Esther Okpako-Adejumo.

Ms Adejumo referenced that she is well known as being trustworthy and of honest character. She stated that this was an honest and genuine mistake which she said she regrets.

However, the panel found that Ms Adejumo had, on a number of occasions over a period of time, failed to declare her convictions on several forms including two DBS applications in spite of her being present and represented at court when she was convicted in the name Ms Esther Okpako-Adejumo.

The panel found allegation 3 proven.

Findings as to unacceptable professional conduct and/or conduct that may bring the profession into disrepute and conviction of a relevant offence

Having found all of the allegations proved, the panel went on to consider whether the facts of those proved allegations amounted to: conviction of a relevant offence (in respect of allegation 1) and unacceptable professional conduct and/or conduct that may bring the profession into disrepute (in respect of allegations 2 and 3).

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

Relevant offence

The panel found that Ms Adejumo's conduct involved breaches of the Teacher's Standards, as set out above.

The panel noted that Ms Adejumo's convictions took place outside of the education setting in that it related to her personal benefits claim. The panel considered that Ms Adejumo's actions were relevant to teaching, working with children and/or working in an education setting because they related to serious offences of fraud and dishonesty. The Panel considered that employers in an education setting had to rely on applicants being honest with regard to previous convictions in order to maintain trust in the profession.

In light of this, the panel noted that Ms Adejumo's actions were relevant to teaching and/or working in an education setting.

The panel did not consider that Ms Adejumo's actions had a potential impact on the safety or security of pupils or members of the public but did note that the behaviour involved in committing the offences could have a wider impact.

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

The panel noted that Ms Adejumo's behaviour ultimately led to a sentence of imprisonment, (albeit that it was suspended), which is indicative of the seriousness of the offences committed.

The Advice states that it is likely that any offence that led to a term of imprisonment, including any suspended sentence will be considered a relevant offence. The Advice also states that offences relating to, or involving, "fraud or serious dishonesty" would be considered a relevant offence. The panel therefore considered that Ms Adejumo had been convicted of a relevant offence.

Unacceptable professional conduct and conduct that may bring the profession into disrepute

The panel went on to consider whether the proven facts of allegations 2 and 3 amounted to unacceptable professional conduct and/or conduct that may bring the profession into disrepute.

The panel found that Ms Adejumo's conduct involved breaches of the Teacher's Standards, as set out above.

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

The panel also considered whether Ms Adejumo'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 fraud or 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.

Accordingly, the panel was satisfied that Ms Adejumo 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 Adejumo's actions constituted conduct that may bring the profession into disrepute.

Having found the facts of allegations 1, 2 and 3 proved, the panel further found that Ms Adejumo'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, conduct that may bring the profession into disrepute and a conviction of a relevant offence, it was necessary for the panel to go on to consider whether it would be appropriate to recommend the imposition of a prohibition order by the Secretary of State.

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

The panel was 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 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 Adejumo, which involved failing to declare and providing false and/or misleading information in respect of the conviction, thereby lacking integrity and/or being dishonest, there was a strong public interest consideration in ensuring that proper standards of conduct are declared and upheld, as the conduct found against Ms Adejumo was outside that which could reasonably be tolerated.

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

The panel decided that there was a public interest consideration in retaining the teacher in the profession, since no doubt had been cast upon her abilities as an educator and/or she is able to make a valuable contribution to the profession. The panel particularly noted Ms Adejumo's subject area as a science teacher and the challenges faced with recruitment in this particular subject area.

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 Adejumo. The panel was mindful of the need to strike the right balance between the rights of the teacher and the public interest. The panel also noted the challenges that Ms Adejumo might face in terms of demonstrating any further changes in behaviour for the purposes of a review period following a prohibition order being made.

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

- serious departure from the personal and professional conduct elements of the Teachers' Standards;
- the commission of a serious criminal offence, including those that resulted in a conviction or caution, paying particular attention to offences that are 'relevant matters' for the purposes of The Police Act 1997 and criminal record disclosures;
- dishonesty or a lack of integrity, including the deliberate concealment of their actions or purposeful destruction of evidence, especially where these behaviours

have been repeated or had serious consequences, or involved the coercion of another person to act in a way contrary to their own interests;

- collusion of concealment including:
 - failure to challenge inappropriate actions, defending inappropriate actions or concealing inappropriate actions; and
 - lying to prevent the identification of wrongdoing.

Even though some of the behaviour found proved in this case indicated that a prohibition order would be appropriate, the panel went on to consider the mitigating factors including the oral submissions put forward by Ms Adejumo's representative and Ms Adejumo's written statement and evidence in the bundle. Mitigating factors may indicate that a prohibition order would not be appropriate or proportionate.

There was sufficient evidence that Ms Adejumo's actions were deliberate and dishonest and that the offences for which she was convicted were serious. However, the panel felt strongly that the risk of repetition was very low and that she had demonstrated remorse and recognition of the severity of her behaviour and that this would change her future behaviours.

There was no evidence to suggest that Ms Adejumo was acting under extreme duress although the panel did note that she had various personal matters which may have impacted her judgement at the time.

Ms Adejumo did have a previously good history and the panel acknowledged that her character witnesses, Individual D and Individual B, thought that this was out of character. Evidence was submitted to attest to Ms Adejumo's previous history and her ability as a teacher.

Ms Adejumo gave evidence of remorse for her actions, was apologetic and insistent that the same errors of judgment would not be made in the future. The panel also noted that prohibition would have a significant detrimental impact on Ms Adejumo's current employing School and the children that she teaches. The School which currently employs her appointed her with the knowledge of her convictions.

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, the recommendation of no prohibition order would be both a proportionate and an appropriate response. The panel recognised that the behaviour was serious but acknowledged that there was no obvious safeguarding issues for children as a result of Ms Adejumo's behaviour. Having considered the mitigating factors that were present, the

panel determined that a recommendation for a prohibition order would not be appropriate in this case. The panel considered that the publication of the adverse findings it had made was sufficient to send an appropriate message to the teacher as to the standards of behaviour that are not acceptable, and the publication would meet the public interest requirement of declaring proper standards of the profession.

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 sanction.

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, conduct that may bring the profession into disrepute and a relevant conviction.

The panel has made a recommendation to the Secretary of State that Ms Adejumo should not be the subject of a prohibition order. The panel has recommended that the findings of unacceptable professional conduct, conduct likely to bring the profession into disrepute and a relevant conviction should be published and that such an action is proportionate and in the public interest.

In particular, the panel has found that Ms Adejumo 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 Ms Adejumo fell significantly short of the standards expected of the profession.

The findings of misconduct serious as they include a finding that involved failing to declare and providing false and/or misleading information related to a conviction for fraud, behaviour found to lack integrity and was dishonest.

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 Adejumo, 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 did not consider that Ms Adejumo’s actions had a potential impact on the safety or security of pupils or members of the public but did note that the behaviour involved in committing the offences could have a wider impact.”

I have considered the seriousness of the findings, which although took place outside of the education setting, the panel found “Ms Adejumo’s actions were relevant to teaching, working with children and/or working in an education setting because they related to serious offences of fraud and dishonesty. The Panel considered that employers in an education setting had to rely on applicants being honest with regard to previous convictions in order to maintain trust in the profession.”

I have also taken into account the panel’s comments on insight and remorse, which the panel sets out as follows, “There was sufficient evidence that Ms Adejumo’s actions were deliberate and dishonest and that the offences for which she was convicted were serious. However, the panel felt strongly that the risk of repetition was very low and that she had demonstrated remorse and recognition of the severity of her behaviour and that this would change her future behaviours.” I have 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 Adejumo, which involved failing to declare and providing false and/or misleading information in respect of the conviction, thereby lacking integrity and/or being dishonest, there was a strong public interest consideration in ensuring that proper standards of conduct are declared and upheld, as the conduct found against Ms Adejumo was outside that which could reasonably be tolerated.” I am particularly mindful of the finding of dishonesty 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 Adejumo herself and the panel comment “The panel decided that there was a public interest consideration in retaining the teacher in the profession, since no doubt had been cast upon her abilities as an educator and/or she is able to make a valuable contribution to the profession. The panel particularly noted Ms Adejumo’s subject area as a science teacher and the challenges faced with recruitment in this particular subject area.”

A prohibition order would prevent Ms Adejumo 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 insight or remorse. The panel has said, “Ms Adejumo gave evidence of remorse for her actions, was apologetic and insistent that the same errors of judgment would not be made in the future. The panel also noted that prohibition would have a significant detrimental impact on Ms Adejumo’s current employing School and the children that she teaches. The School which currently employs her appointed her with the knowledge of her convictions.”

I have also placed considerable weight on the finding “The panel was of the view that, applying the standard of the ordinary intelligent citizen, the recommendation of no prohibition order would be both a proportionate and an appropriate response. The panel recognised that the behaviour was serious but acknowledged that there was no obvious safeguarding issues for children as a result of Ms Adejumo’s behaviour.”

I have given weight in my consideration of sanction therefore, to the contribution that Ms Adejumo has made to the profession.

For these reasons, I have concluded that a prohibition order is not proportionate or in the public interest. I consider that the publication of the findings made would be sufficient to send an appropriate message to the teacher as to the standards of behaviour that were not acceptable and that the publication would meet the public interest requirement of declaring proper standards of the profession.

A handwritten signature in black ink, appearing to read "J. A. Buxton". The signature is stylized with a large initial "J" and "A" and a cursive "Buxton".

Decision maker: Sarah Buxcey

Date: 19 January 2023

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