



Teaching  
Regulation  
Agency

# **Mr Gregory Scott: Professional conduct panel outcome**

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

**February 2023**

## Contents

Introduction	3
Allegations	4
Preliminary application	4
Summary of evidence	6
Documents	6
Witnesses	6
Decision and reasons	6
Findings of fact	7
Panel's recommendation to the Secretary of State	12
Decision and reasons on behalf of the Secretary of State	16

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

**Teacher:** Mr Gregory Scott

**TRA reference:** 20177

**Date of determination:** 6 February 2023

**Former employer:** St James Senior Girls School, London

### **Introduction**

A professional conduct panel (“the panel”) of the Teaching Regulation Agency (“the TRA”) convened on 6 February 2023 at Cheylesmore House, 5 Quinton Road, Coventry, CV1 2WT, to consider the case of Mr Gregory Scott.

The panel members were Mr Nicholas Catterall (lay panellist – in the chair), Mrs Dawn Hawkins (teacher panellist) and Mr Terry Hyde (former teacher panellist).

The legal adviser to the panel was Mr Delme Griffiths of Blake Morgan solicitors.

The presenting officer for the TRA was Ms Leah Redden of Browne Jacobson solicitors.

Mr Scott was not present and was not represented.

The hearing took place in public and was recorded.

## Allegations

The panel considered the allegations set out in the notice of proceedings dated 22 November 2022.

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

1. During the 2020-2021 academic year, in respect of the ICT/Computer Science BTEC Coursework 'website evaluation' he:
  - a. Amended Pupil A's coursework before submitting it to the exam board in order to ensure it was not too similar to Pupil B's coursework including by:
    - i. reformatting the work to remove a table and add free flowing text in its place;
    - ii. changing the website which was the subject of the coursework from 'the worlds worst website ever' to 'arngren.net';
    - iii. adding text in a number of places throughout the coursework;
    - iv. adding images throughout the coursework;
    - v. correcting grammatical errors;
    - vi. replacing acronyms with full words;
    - vii. omitting some of Pupil A's original wording.
2. His conduct as may be found proven at 1 above lacked integrity and/or was dishonest.

Mr Scott admitted the facts of the allegations and that his conduct amounted to unacceptable professional conduct and conduct that may bring the profession into disrepute.

## Preliminary application

### Application to proceed in the absence of Mr Scott

The panel considered an application from the presenting officer to proceed in the absence of Mr Scott.

The panel accepted the legal advice provided in relation to this application and took account of the various factors referred to it.

The panel was satisfied that the Notice of Hearing had been sent in accordance with the Teacher Misconduct: Disciplinary Procedures for the Teaching Profession ("the Procedures") and that the requirements for service had been satisfied.

Mr Scott was clearly aware of the proceedings and had engaged with the TRA, initially seeking a hearing in-person before latterly confirming that he would not be attending.

The panel went on to consider whether to proceed in Mr Scott's absence or to adjourn, in accordance with Rule 5.47 of the Procedures.

The panel had regard to the fact that its discretion to continue in the absence of a teacher should be exercised with caution and with close regard to the overall fairness of the proceedings. The panel gave careful consideration to the fact that Mr Scott would not be in attendance and would not be represented at this hearing, should it proceed, and the extent of the disadvantage to him as a consequence.

On balance, the panel decided that the hearing should continue in the absence of Mr Scott for the following reasons in particular:

- The panel was satisfied that Mr Scott's absence was voluntary and he had waived his right to attend. There was no medical evidence before the panel indicating he was unfit to attend the hearing and nor had that been suggested by Mr Scott. In his email to the presenting officer dated 3 February 2023, Mr Scott expressly stated:

*"... after further consideration, I have decided that I do not wish to participate in the hearing via Teams as I do not feel I can add any further information other than what has already been mentioned in my statements that have been submitted to date."*

- It followed that the extent of any disadvantage to Mr Scott was mitigated by the fact that he had made full admissions in relation to the allegations and he had presented documentation in mitigation, including three witness statements.
- There was also no indication that Mr Scott might attend at a future date. As such, the panel concluded that no purpose would be served by an adjournment, which had not been requested by Mr Scott.
- Finally, there is a public interest in hearings taking place within a reasonable time. These proceedings had been extant for a prolonged period and there was a need for finality. It was also in Mr Scott's benefit for these proceedings to now reach a conclusion.

Having decided that it was appropriate to proceed, the panel would strive to ensure that the proceedings were as fair as possible in the circumstances, bearing in mind that Mr Scott would not be present or represented.

## **Summary of evidence**

### **Documents**

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

Section 1: Notice of hearing – pages 5 to 11

Section 2: Statement of Agreed and Disputed Facts – pages 13 to 16

Section 3: Teaching Regulation Agency witness statements – pages 18 to 19

Section 4: Teaching Regulation Agency documents – pages 21 to 257

Section 5: Teacher documents – pages 259 to 447

In addition, the panel agreed to accept an updated Statement of Agreed and Disputed Facts signed by Mr Scott on 3 February 2023.

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

### **Witnesses**

In light of the admissions made by Mr Scott and in his absence, the panel did not hear oral evidence.

## **Decision and reasons**

The panel announced its decision and reasons as follows:

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

### **Introduction**

Mr Scott was formerly employed as an ICT and computer science teacher and head of the ICT department at St James Senior Girls' School ("the School").

Mr Scott commenced work at the School on 1 September 2020.

On 26 April 2021, Mr Scott self-disclosed to his [REDACTED], that he had made changes to the coursework of a pupil, known as Pupil A, before submitting it to the applicable examination board.

On 27 April 2021, the School reported this to the examination board as an instance of examination malpractice.

On 24 May 2021, Mr Scott was suspended and the School commenced an internal investigation.

At the conclusion of a disciplinary process, Mr Scott was dismissed from his role by the School. On 23 July 2021, he was referred to the TRA.

## **Evidence considered by the panel**

The panel carefully considered all of the evidence presented. It accepted the legal advice provided.

Mr Scott did not attend the hearing and nor was he represented.

However, Mr Scott signed a statement of agreed facts, the most recent version of which was dated 3 February 2023 ("the Agreed Statement"), in which all of the allegations were admitted.

In light of the admissions made by Mr Scott and in his absence, the panel did not hear from any witnesses in oral evidence.

Whilst there were references to opinions expressed and findings made during the course of the earlier investigation and subsequently, these were disregarded. The panel formed its own, independent view of the allegations based on the evidence presented to it.

## **Findings of fact**

The findings of fact are as follows.

- 1. During the 2020-2021 academic year, in respect of the ICT/Computer Science BTEC Coursework 'website evaluation' you:**
  - a. Amended Pupil A's coursework before submitting it to the exam board in order to ensure it was not too similar to Pupil B's coursework including by:**
    - i. reformatting the work to remove a table and add free flowing text in its place;**

- ii. **changing the website which was the subject of the coursework from 'the worlds worst website ever' to 'arngren.net';**
- iii. **adding text in a number of places throughout the coursework;**
- iv. **adding images throughout the coursework;**
- v. **correcting grammatical errors;**
- vi. **replacing acronyms with full words;**
- vii. **omitting some of Pupil A's original wording.**

The panel considered allegations 1(a)(i) to (vii) together.

Pursuant to the agreed statement, Mr Scott admitted the facts of each of these allegations.

Mr Scott accepted that, during the 2020-2021 academic year, he amended Pupil A's coursework, for a BTEC qualification, to ensure it was not too similar to coursework produced by another pupil, Pupil B.

Mr Scott's position was that the work was similar in appearance prior to the changes he effected.

Specifically, with reference to the particulars of allegation 1, Mr Scott accepted that he:

- Reformatted the work to remove a table and instead put free-flowing text in its place. Mr Scott's position was that the free-flowing text added was Pupil A's work, originally contained in the table.
- Changed the website which was the subject of the coursework from *'the worlds worst website'* to *'arngren.net'*. Mr Scott asserted he did so because he did not want the examination board to feel that Pupil A and Pupil B's work was too similar. Mr Scott added that students had taken his instruction to find the world's worst website too literally.
- Added text to the coursework, namely Mr Scott confirmed that on three occasions text was added to Pupil A's coursework to reflect the position it had previously been in the table.
- Added a small paragraph on the first page to record which websites were being compared.
- Added the following sentences:



- *'the Arngren website being very old and dated probably had not been updated to accommodate the needs of modern audience and users'; and*
  - *'other initiations, such as optimising css files and browser catching, can also help the page to load faster'.*
- Added a paragraph to the coursework together with bullet points. Mr Scott's position was that he was not sure why he did this as it did not add any value.
  - Added two images for illustration purposes and to show the different website, as there had previously been an image of the *'worlds worst website'*. Mr Scott added an image of *'arngren.net'*.
  - Corrected four grammatical errors in Pupil A's coursework, which included the addition of commas, full stops and capitalising letters.
  - Replaced acronyms with full words, including changing *'ppl'* to *'people'*.
  - Removed some of Pupil A's original wording from the coursework, including the references to *'the worlds worst website'*. Mr Scott added that he believed three sentences were lost during the conversion of text from a table.

In light of Mr Scott's admissions, which were consistent with the other evidence before the panel, it found allegations 1(a)(i) to (vii) proved.

## **2. Your conduct as may be found proven at 1 above lacked integrity and/or was dishonest.**

Having found the facts of allegations 1(a)(i) to (vii) proved, the panel went on to consider whether Mr Scott's conduct was dishonest and/or lacked integrity.

In determining whether his conduct was dishonest, the panel considered Mr Scott's state of knowledge or belief as to the facts before determining whether his conduct was dishonest by the standards of ordinary decent people.

As regards a lack of integrity, the panel took account the decision of the Court of Appeal in *Wingate v SRA; SRA v Mallins* [2018] EWCA Civ 366. It recognised that integrity denotes adherence to the standards of the profession and the panel therefore considered whether, by his actions, Mr Scott failed to adhere to those standards.

Mr Scott admitted that his conduct was both dishonest and lacking in integrity, having been notified of the applicable tests for both terms, as outlined above, by the TRA.

The panel agreed. It was satisfied that he knew that what he was doing was wrong and the effect of his actions was to present the coursework as entirely Pupil A's unaided work,

when it was not. It followed that his actions were deliberate. In submitting the coursework, Mr Scott submitted a certificate in which he positively attested to the authenticity of the coursework.

Whilst Mr Scott was at pains to stress that he was not seeking to add to Pupil A's work, the panel considered that the effect of his actions was to alter the coursework in circumstances where, but for the changes, concerns may have been identified in relation to possible plagiarism.

Further, in some respects, Mr Scott had made changes which served to improve the presentation of the coursework, which the panel was satisfied, on balance, he would have appreciated at the time.

This was, in the panel's view, dishonest conduct by the standards of ordinary decent people.

For the same reasons, the panel concluded that Mr Scott's actions, in relation to each of these allegations, also amounted to a lack of integrity. He had shown a disregard for the duties and responsibilities upon him as a trusted employee and educator.

The panel therefore found allegation 2 proved in relation to each of allegations 1(a)(i) to (vii).

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

Having found the allegations proved, the panel went on to consider whether the facts of those proved allegations amounted to unacceptable professional conduct and/or conduct that may bring the profession into disrepute. Whilst this was admitted by Mr Scott, the panel made its own, independent determination.

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 Mr Scott, in relation to the facts found proved, involved breaches of the Teachers' Standards.

The panel considered that, by reference to Part 2, Mr Scott 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 ... .
- Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities.

The panel also considered that Mr Scott's actions engaged the following provision of Part 1 of the Teachers' Standards, namely that a teacher must:

- Make accurate and productive use of assessment, including by knowing and understanding how to assess the relevant subject and curriculum areas, including statutory assessment requirements.

The panel also considered whether Mr Scott's conduct displayed behaviours associated with any of the offences listed on pages 12 and 13 of the Advice.

The Advice indicates that where behaviours associated with such an offence exist, a panel is likely to conclude that an individual's conduct would amount to unacceptable professional conduct.

One of the offences listed is fraud or serious dishonesty. However, the panel was not satisfied that Mr Scott's actions, as found proved, could be appropriately described in those terms.

Nonetheless, the panel was satisfied that the conduct of Mr Scott amounted to misconduct of a serious nature which fell significantly short of the standards expected of the profession.

The panel took into account that the underlying events occurred against the backdrop of the Covid-19 pandemic together with the specific circumstances of the pupils in question.

However, Mr Scott's actions took place in the context of formal coursework and he acted deliberately. This was conduct that was dishonest and lacking integrity, which was a serious matter.

The coursework was submitted to the examination board in circumstances where Mr Scott knew that it was not solely the result of Pupil A's own, individual efforts. This was, very clearly, a breach of the examination board's requirements and the School's policies and procedures. It also had the potential to detrimentally impact on these pupils.

Accordingly, the panel was satisfied that Mr Scott was guilty of unacceptable professional conduct.

In relation to whether Mr Scott's actions were such that they may bring the profession into disrepute, 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.

In the specific circumstances of this case, 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. Very clearly, members of the public expect practitioners to behave with honesty and integrity in the conduct of formal coursework and examination processes.

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

In conclusion, having found the facts of particulars 1 and 2 proved, the panel further found that Mr Scott's conduct amounted to both unacceptable professional conduct and conduct that may bring the profession into disrepute.

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

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

In considering whether to recommend to the Secretary of State that a prohibition order should be made, the panel had to consider whether it would be an appropriate and proportionate measure, and whether it would be in the public interest to do so. Prohibition orders should not be given in order to be punitive, or to show that blame has been apportioned, although they are likely to have punitive effect.

The panel had regard to the particular public interest considerations set out in the Advice and, having done so, found the following to be relevant in this case:

- the maintenance of public confidence in the profession; and
- the declaring and upholding proper standards of conduct.

In the light of the panel's findings against Mr Scott, which involved conduct that was dishonest and lacking integrity in the context of formal coursework, the panel considered that public confidence in the profession could be seriously weakened if conduct such as that found against Mr Scott were not treated with the utmost seriousness when regulating the conduct of the profession. There was a clear public interest in formal assessments being conducted with the utmost integrity.

The panel was also 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 Mr Scott was outside that which could reasonably be tolerated.

The panel also considered whether there was a public interest consideration in retaining Mr Scott in the profession. In that regard, with the exception of the matters before the panel, the panel noted there were no known regulatory or disciplinary proceedings recorded against him. It followed that no doubt had been cast upon his abilities as an educator and he had a long and unblemished career. In those circumstances, the panel was satisfied that, should Mr Scott return to work in education, it was possible he could make a positive contribution to the profession.

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 Mr Scott.

In carrying out the balancing exercise, the panel had regard to the public interest considerations both in favour of, and against, prohibition as well as the interests of Mr Scott.

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;
- dishonesty or a lack of integrity; and
- deliberate action in serious contravention of requirements for the conduct of an examination or assessment leading to an externally awarded qualification or national assessment (or deliberate collusion in or deliberate concealment of such action) particularly where the action had, or realistically had the potential to have, a significant impact on the outcome of the examination assessment.

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.

In the light of the panel's findings, it considered the following mitigating factors were present in this case:

- Mr Scott had an otherwise unblemished record. There was no evidence that he had been subject to any previous regulatory or disciplinary proceedings.
- This was, therefore, an isolated breach in the context of Mr Scott's career as a whole and the panel's findings related to a one-off episode.

- The panel was presented with some, albeit limited evidence about Mr Scott's prior practice that was broadly positive, although it was regrettable that Mr Scott had not submitted any references or testimonials for the purposes of these proceedings.
- Mr Scott volunteered his actions to [REDACTED] and had been open about his behaviour from the outset. He made full admissions in these proceedings and had engaged with the TRA, albeit he had resolved not to appear at the final hearing.
- Mr Scott did not seek to benefit personally from his actions.
- Mr Scott's actions occurred against the backdrop of the Covid-19 pandemic in circumstances where it appeared he may have had some difficulty communicating with the pupil in question. At the time, there was a degree of uncertainty regarding correct protocols for examinations and it was certainly possible that this could have caused some anxiety and distress.
- Mr Scott had apologised for his actions. He fully recognised and accepted that he had fallen short of the standards expected of him. To that extent, Mr Scott had shown regret and remorse.
- Mr Scott had also shown some insight. It was clear from his written submissions that Mr Scott accepted the inappropriate nature of his conduct.

Weighed against these matters, the panel considered there were some aggravating factors present, including:

- Mr Scott's actions had the potential to impact on the learners in question.
- Mr Scott's conduct amounted to a breach of the Teachers' Standards and was deliberate.
- Mr Scott was an experienced teacher and was in a position of trust and responsibility and a role model. He ought to have known what was expected of him and conducted himself accordingly.
- Mr Scott had behaved dishonestly and in a manner that lacked integrity.

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 nature of the proven conduct in this case was serious for the reasons outlined. Given it occurred in the context of a formal assessment, there was a strong public interest in terms of maintaining public confidence in the profession.

However, having considered the mitigating factors present, the panel determined that a recommendation for a prohibition order would not be appropriate in this case for the following reasons in particular.

Firstly, the panel accepted that Mr Scott was, but for these matters, a practitioner with a prior good record.

Secondly, this was a one-off episode in the context of his career as a whole.

Thirdly, whilst Mr Scott's actions had the potential to negatively impact on pupils, the panel was satisfied that Mr Scott was ultimately motivated to seek to assist the pupils in question, albeit in a way that was misconceived. He wrongly believed that he was acting in the pupils' interests in circumstances where they had some specific educational needs.

Fourthly, whilst Mr Scott's actions were dishonest, the panel concluded that they fell at the lower end of the spectrum of seriousness. This was an isolated instance of dishonesty and Mr Scott was not motivated to benefit personally. He had not attempted to conceal his actions and had been open about his wrongdoing from the outset.

Finally, the panel concluded that the risk of repetition was low. Having gone through this experience, the panel considered it was unlikely that Mr Scott would put himself in the same situation again. To the contrary, the panel was satisfied that Mr Scott had learnt important lessons that were unlikely to be repeated.

That conclusion was further supported by the clear impact these events had upon Mr Scott and his family. He had shown regret, remorse and some insight in relation to his actions and he had been candid in terms of acknowledging his wrongdoing, although it was unfortunate that he had not appeared in person before the panel.

In light of all these matters and the other mitigating factors identified above, the panel determined that a recommendation for a prohibition order would not be appropriate in this case.

Having very carefully taken account of the public interest considerations his proven conduct gave rise to, the panel considered that the publication of the adverse findings it has made would be sufficient to send an appropriate message as to the standards of behaviour that were not acceptable.

The panel considered this is a proportionate outcome, which struck a fair balance between the public interest and Mr Scott's interests.

In the panel's judgment, this decision maintains public confidence and upholds professional standards in circumstances where it was satisfied there was a minimal risk of repetition.

## **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 and conduct that may bring the profession into disrepute.

The panel has recommended that the findings of unacceptable professional conduct and conduct likely to bring the profession into disrepute, should be published and that such an action is proportionate and in the public interest.

The panel was satisfied that the conduct of Mr Scott involved breaches of the Teachers' Standards.

The panel considered that, by reference to Part 2, Mr Scott 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 ...
- Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities.

The panel also considered that Mr Scott's actions engaged the following provision of Part 1 of the Teachers' Standards, namely that a teacher must:

- Make accurate and productive use of assessment, including by knowing and understanding how to assess the relevant subject and curriculum areas, including statutory assessment requirements.

The panel was satisfied that the conduct of Mr Scott 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 dishonesty on the part of a teacher, in relation to amending coursework before submitting it to the exam board.

I have to determine whether the imposition of a prohibition order is proportionate and in the public interest. In considering that for this case, I have considered the overall aim of a prohibition order which is to protect pupils and to maintain public confidence in the profession. I have considered the extent to which a prohibition order in this case would achieve that aim taking into account the impact that it will have on the individual teacher. I have also asked myself, whether a less intrusive measure, such as the published finding of unacceptable professional conduct and conduct that may bring the profession into disrepute, would itself be sufficient to achieve the overall aim. I have to consider whether the consequences of such a publication are themselves sufficient. I have considered therefore whether or not prohibiting Mr Scott, 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/safeguard pupils. The panel has observed, "The coursework was submitted to the examination board in circumstances where Mr Scott knew that it was not solely the result of Pupil A's own, individual efforts. This was, very clearly, a breach of the examination board's requirements and the School's policies and procedures. It also had the potential to detrimentally impact on these pupils." The panel also observed, "whilst Mr Scott's actions had the potential to negatively impact on pupils, the panel was satisfied that Mr Scott was ultimately motivated to seek to assist the pupils in question, albeit in a way that was misconceived. He wrongly believed that he was acting in the pupils' interests in circumstances where they had some specific educational needs." 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, "He (Mr Scott) had shown regret, remorse and some insight in relation to his actions and he had been candid in terms of acknowledging his wrongdoing, although it was unfortunate that he had not appeared in person before the panel." In my judgement, the 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', however "the panel concluded that the risk of repetition was low. Having gone through this experience, the panel considered it was unlikely that Mr Scott would put himself in the same situation again." 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 considered that public confidence in the profession could be seriously weakened if conduct such as that found against Mr Scott were not treated with the utmost seriousness when regulating the conduct of the profession". The panel also observed, "The nature of the proven conduct in this case was serious for the reasons outlined. Given it occurred in the context of a

formal assessment, there was a strong public interest in terms of maintaining public confidence in 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 Mr Scott himself. The panel comment, “The panel also considered whether there was a public interest consideration in retaining Mr Scott in the profession. In that regard, with the exception of the matters before the panel, the panel noted there were no known regulatory or disciplinary proceedings recorded against him. It followed that no doubt had been cast upon his abilities as an educator and he had a long and unblemished career. In those circumstances, the panel was satisfied that, should Mr Scott return to work in education, it was possible he could make a positive contribution to the profession.”

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

I have also placed considerable weight on, “the panel considered that the publication of the adverse findings it has made would be sufficient to send an appropriate message as to the standards of behaviour that were not acceptable.”

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.



**Decision maker: John Knowles**

**Date: 15 February 2023**

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