



Teaching  
Regulation  
Agency

# **Miss Bethany Woodcock: Professional conduct panel outcome**

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

**June 2023**

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

<b>Teacher:</b>	Miss Bethany Woodcock
<b>Teacher ref number:</b>	1174270
<b>Teacher date of birth:</b>	04/11/1993
<b>TRA reference:</b>	0020851
<b>Date of determination:</b>	28 June 2023
<b>Former employer:</b>	Hollingworth Learning Trust at Newhouse Academy, Heywood

### **Introduction**

A professional conduct panel (“the panel”) of the Teaching Regulation Agency (“the TRA”) convened on 27 to 28 June 2023 by virtual means to consider the case of Miss Bethany Woodcock.

The panel members were Mr Neil Hillman (teacher panellist - in the chair), Mrs Shabana Robertson (lay panellist) and Mrs Jane Gotschel (teacher panellist).

The legal adviser to the panel was Mr Priyesh Dave of Eversheds Sutherland (International) LLP solicitors.

The presenting officer for the TRA was Mr Mark Millin of Kingsley Napley solicitors.

Miss Woodcock 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 17 April 2023.

It was alleged that Miss Woodcock was guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute in that whilst working as a Maths Teacher in Newhouse Academy:

1. Between September and November 2021, she engaged in over-familiar and/or inappropriate communications via email with Pupil A;
2. Between September and October 2021, on one or more occasions she hugged Pupil A;
3. Between September and November 2021, she failed to report safeguarding concerns in relation to comments made by Pupil A to her including:
  - a. Pupil A's feeling towards to her;
  - b. Pupil A's disclosure to her in relation to [REDACTED]

In response to the notice of referral form, Miss Woodcock admitted allegations 1 and 3 but denied allegation 2. Miss Woodcock admitted that, in respect of those alleged facts, she was guilty of unacceptable professional conduct and conduct that may bring the profession into disrepute. Miss Woodcock did not respond to the notice of hearing and the panel therefore treated the allegations as not admitted.

## Preliminary applications

### Application to admit late documents

1. The presenting officer applied to admit a bundle of service documents. Those documents were not served in accordance with the requirements of paragraph 5.35 of the Procedures, and as such the panel is required to decide whether those documents should be admitted under paragraph 5.34 of the Procedures. The panel took into account the representations from the presenting officer to the admission of the documents. This application was heard prior to hearing any application on proceeding in the absence of the teacher, since the admission of the documents would be relevant to the determination of that application.
2. Under paragraph 5.33 of the Procedures, the panel may admit any evidence, where it is fair to do so, which may reasonably be considered to be relevant to the case.

3. The panel was satisfied that the documents were relevant to the case in so far as they set out the correspondence between the TRA's representatives and the teacher.
4. With regard to the overall question of fairness, the panel's attention was drawn to the fact that the correspondence bundle contained documents to which the teacher was party. Given the absence of the teacher at this stage, the panel considered whether she had received the documents. The panel noted that one document showed the teacher responding with a Notice of Referral Form and the panel further noted that she had accessed the documents.
5. By reason of the above, the panel decided to admit each of the documents and these should be paginated as set out in the service bundle. Any express reference to documents in the service bundle shall be referred to as the "Service Bundle".

### **Proceeding in Absence**

The panel considered whether this hearing should continue in the absence of the teacher.

The panel was satisfied that the TRA has complied with the service requirements of paragraph 19 a to c of the Teachers' Disciplinary (England) Regulations 2012, (the "Regulations").

The panel was also satisfied that the Notice of Proceedings complied with paragraphs 5.23 and 5.24 of the Teacher Misconduct: Disciplinary Procedures for the Teaching Profession, (the "Procedures").

The panel determined to exercise its discretion under paragraph 5.47 of the Procedures to proceed with the hearing in the absence of the teacher.

The panel took as its starting point the principle from *R v Jones* that its discretion to commence a hearing in the absence of the teacher had to be exercised with the utmost care and caution, and that its discretion was a severely constrained one. In considering the question of fairness, the panel recognised that fairness to the professional is of prime importance but that it also encompasses the fair, economic, expeditious and efficient disposal of allegations against the professional, as was explained in *GMC v Adeogba & Visvardis*.

In making its decision, the panel noted that the teacher may waive her right to participate in the hearing. The panel firstly took account of the various factors drawn to its attention from the case of *R v Jones* [2003] 1 AC1.

- i) On the last occasion that contact was established with Miss Woodcock on 16 January 2023, she provided the TRA representatives with a copy of the Notice of Referral Form. Further correspondence from the TRA representative was sent to Miss Woodcock's email address however no responses were received.
- ii) The panel noted that Miss Woodcock was later contacted by the TRA representative on 22 May 2023 using the same email address. The correspondence stated the hearing date. The panel therefore considered that the teacher had knowledge of when and where the hearing was taking place and had waived her right to be present at the hearing.
- iii) Miss Woodcock's Notice of Referral Form indicated that she admitted the allegations and that the facts amounted to unacceptable professional conduct and/or conduct that may bring the profession into disrepute. Miss Woodcock also indicated that she wanted these allegations to be considered without a hearing. However, as within the same document, she later contested one of the allegations, it was decided that a public hearing was required.
- iv) The panel considered it unlikely that an adjournment might result in the teacher attending voluntarily.
- v) At the stage of the panel's considerations, it was unclear how long any such adjournment would be required to obtain Miss Woodcock's engagement with the hearing.
- vi) The panel noted that Miss Woodcock was not represented and the panel had not received any correspondence or application from Miss Woodcock to adjourn the hearing to obtain legal representation.
- vii) The panel noted that the witness whose evidence is relied upon by the TRA was to be called to give evidence and the panel was able to test that evidence in questioning that witness, and also consider such points as are favourable to Miss Woodcock. The panel was also able to exercise vigilance in making its decision taking into account the degree of risk of the panel reaching the wrong decision as a result of not having heard the teacher's account.
- viii) The panel recognised that the allegations against the teacher are serious and that there was a real risk that if proven, the panel would be required to consider whether to recommend that the teacher ought to be prohibited from teaching.
- ix) The panel recognised that the efficient disposal of allegations against teachers was required to ensure the protection of pupils and to maintain confidence in the profession.

- x) The panel also noted that there was one witness present at the hearing, who was prepared to give evidence, and that it would be inconvenient for them to return again.

The panel decided to proceed with the hearing in the absence of the teacher. The panel recognised that the teacher waived her right to appear and determined that, by taking such measures referred to above to address that unfairness insofar as is possible, and taking account of the inconvenience an adjournment would cause to the witnesses, that on balance, that there was a public interest in this hearing proceeding within a reasonable time. Given the seriousness of the allegations the panel was therefore in favour of the hearing continuing as scheduled.

## Summary of evidence

### Documents

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

Section 1: Chronology and List of key people – pages 7 to 8 and 10

Section 2: Notice of proceedings – pages 11 to 15

Section 3: Teaching Regulation Agency witness statements – pages 17 to 23

Section 4: Teaching Regulation Agency documents – pages 24 to 317

Placeholders were provided for the Anonymised Pupil List and response to notice of hearing.

In addition, the panel agreed to accept the Service Bundle consisting of 31 pages.

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:

- Witness A, [REDACTED]

The witness was called by the presenting officer.

## Decision and reasons

The panel announced its decision and reasons as follows:

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

In April 2020, Miss Woodcock was employed by Newhouse Academy (“the Academy”). In November 2021, an investigation was undertaken by the Academy into Miss Woodcock’s communications with Pupil A including to determine whether she had failed to notify the Academy of a serious safeguarding concern through its safeguarding processes. Prior to the outcome of the Academy’s disciplinary meeting Miss Woodcock resigned on 28 February 2022.

## 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:

### Whilst employed as a teacher at Newhouse Academy:

#### 1. Between September and November 2021, you engaged in over-familiar and/or inappropriate communications via email with Pupil A;

The panel was provided with a vast array of email communications from Miss Woodcock to Pupil A, dated from 10 September 2021 to 1 November 2021 via their school Gmail accounts. Gmail was used as a method of communication between staff and students for issues related to school, for example to communicate regarding homework or to provide feedback. Within Miss Woodcock’s communications with Pupil A the panel noted that the emails in September were mainly regarding maths homework. This changed in October 2021.

The panel observed that Miss Woodcock used language such as “*mate*” and “*you are the sweetest*” to Pupil A. Miss Woodcock also described the relationship between Pupil A and herself as [REDACTED], referring to herself in communications as the [REDACTED] and Pupil A as [REDACTED].

Miss Woodcock also stated in emails that:

- “... just know that you’re not going through this on your own you’ll always have me. Forever. You’re not allowed to shut me out.”
- “... always going to be there for you. You’re never going to go through anything without me by your side.”
- “I’m never leaving you ever”
- “You are safe with me and you always will be safe with me.”

Pupil A also stated that [REDACTED] would rather have Miss Woodcock as [REDACTED] mum than [REDACTED] own family. Miss Woodcock did not use this as an



opportunity to end the discussion but rather continued the discussion in a number of exchanges.

The panel also saw Pupil A make references to Miss Woodcock adopting [REDACTED]. This topic did not give Miss Woodcock the impetus to stop the email exchange but she went on to state that “...regardless I’m always going to be here for you, even when you’ve left school...” and “...if there was a chance then yes I would”.

Miss Woodcock also stated to Pupil A that “... you mean the world to me... You know how I care about you so much.”

When Pupil A mentioned that [REDACTED] was going [REDACTED] on a number of occasions Miss Woodcock begged [REDACTED] not to and stated that [REDACTED] was in tears.

Having reviewed the exchanges, the panel concluded that Miss Woodcock relished the flattery she was receiving from Pupil A, especially when Miss Woodcock was probing for further information on the reasons for the compliments. In their exchanges, Miss Woodcock also appeared at times to be emotionally blackmailing Pupil A. It was clear that the professional teacher-student boundary had been crossed during these exchanges, especially as Pupil A was a [REDACTED] and dependent on Miss Woodcock.

The panel noted that the notes of the investigation meeting with Miss Woodcock and the statement that Miss Woodcock provided stated that she was worried about how she would be perceived in light of Pupil A’s statement about her crush. For example, she mentioned how she felt compromised, concerned how colleagues would perceive her, and that they may discriminate against her. In light of the risks to Pupil A, the panel was not convinced that these perceptions were justified given the seriousness of the safeguarding risks to Pupil A.

Miss Woodcock, in relation to her familiar tone, stated during the investigation meeting and the investigation statement that she was like this with everyone and it was her style of communication. However, Witness A confirmed that this was not the case and Witness A had seen a professional teacher-student relationship between Miss Woodcock and students in school.

During the investigation, Miss Woodcock stated that she was concerned that Pupil A had done the “*unthinkable*” with regards [REDACTED]. Furthermore, in relation to the [REDACTED] from Pupil A, Miss Woodcock expressed during the investigation meeting that Pupil A was a joker and sarcastic. Miss Woodcock did not feel Pupil A was at the point of [REDACTED] and went on to say “*Someone that is going to do that or [REDACTED], you don’t keep saying I am going to... They will not say it more than once. I should have replied with no. Was I crying? No. I said what [REDACTED] needed to hear.*”

The panel found it alarming that Miss Woodcock reached her own conclusion about Pupil A's threats of [REDACTED], particularly given there was a documented history showing that Pupil A was a [REDACTED] and Miss Woodcock admitted to knowing this during the investigation meeting.

Having considered the content of the email communications from Miss Woodcock, the panel concluded that these clearly were over-familiar in their tone and that a vast number of examples amounted to inappropriate communication.

The panel found this allegation proven.

## **2. Between September and October 2021, on one or more occasions you hugged Pupil A;**

There are a number of requests for hugs made by Pupil A via email, which in September were ignored by Miss Woodcock.

The panel has noted the following exchanges

8 October 2021

*Pupil A: "... I will probably want more hugs on monday in form"*

*Miss Woodcock: "Good! Ha will you now? And why's that?!"*

*Pupil A: "Coz u give the best hugs"*

*Miss Woodcock: "Awww thanks!!"*

23 October 2021

*Pupil A: "When I give you hugs when I'm back would u let me just walk up to you and give you a hug"*

*Miss Woodcock: "I'm glad its made your day because you have put a smile on my face You just have to be careful you can't just do it when there's loads of people around you see"*

27-28 October 2021

*Pupil A: "Thanks lovely you're the best I won't forget anything especially ur hugs"*

*Miss Woodcock: "... Good!! Because hugs cure everything!!"*

30 October 2021

*Pupil A: "... I can't wait and I especially can't wait for the hugs"*

*Miss Woodcock: "... Aww me too I can't wait to get back now it's been far too long!!"*

The panel noted that in the investigation meeting with Miss Woodcock, Miss Woodcock stated that she did not give Pupil A a hug but rather put a supportive arm around the shoulder.

Witness A gave evidence that during [REDACTED] interview with Pupil A, Pupil A stated that Miss Woodcock had hugged [REDACTED] during form time. Witness A confirmed that she had spoken with Pupil A about the meeting notes to ensure that Pupil A agreed it was an accurate reflection of the interview. The panel noted that the account Pupil A provided to Witness A was consistent with the emails [REDACTED] and Miss Woodcock exchanged. Pupil A's evidence was therefore not the sole or decisive evidence in support of the allegation. The panel considered that the notes of Witness A's interview with Pupil A were admissible, and that some weight could be placed upon them.

Witness A stated that any form of physical contact between a teacher and a student was not recommended and there was no difference between a hug or a supportive arm.

Based on the email evidence from both Pupil A and Miss Woodcock, and the investigation interview with Pupil A, on the balance of probabilities, the panel found that it was more likely than not that Miss Woodcock hugged Pupil A on at least one occasion between September – October 2021.

The panel found this allegation proven.

**3. Between September and November 2021, you failed to report safeguarding concerns in relation to comments made by Pupil A to you including:**

- a. Pupil A's feeling towards you;**
- b. Pupil A's disclosure to you in relation to [REDACTED]**

The panel saw evidence of the safeguarding slides and training that was delivered at the Academy. The panel noted that Miss Woodcock attended relevant safeguarding sessions and would have had a clear understanding of safeguarding and the process and procedures within the Academy.

Considering allegation 3(a) first, the panel noted that in the email exchanges there was evidence of Pupil A stating that they missed Miss Woodcock a lot and that Pupil A had a crush on Miss Woodcock. In response to the crush comment, Miss Woodcock asked how Pupil A knew that [REDACTED] had a crush, to which Pupil A responded that [REDACTED] found Miss Woodcock "*really cute*".

Pupil A's feelings have been referred to above regarding Miss Woodcock adopting [REDACTED]. There was also reference in the email communications that Pupil A would [REDACTED] because Miss Woodcock had asked [REDACTED] not to.

Miss Woodcock also admitted during the investigation meeting that she did not believe she had followed the Guidance for Safe Working Practice and that in terms of safeguarding, she did not meet that part of the Teachers' Standards, which she regretted.

The panel was satisfied that it was more likely than not that Miss Woodcock would have known how the safeguarding process operated and that she had received sufficient training to understand that there were clear safeguarding duties regarding Pupil A's feelings towards Miss Woodcock.

The panel found this sub-allegation proven.

Considering allegation 3(b), the panel was satisfied that Pupil A made a number of references in email correspondence to [REDACTED].

During the investigation meeting, Miss Woodcock stated that she wished that she had reported the information about [REDACTED] but that she was scared about losing her job.

In Miss Woodcock's statement for the investigation, she stated that she believed that Pupil A was being overly dramatic in relation to [REDACTED] statements about [REDACTED] in order to gain Miss Woodcock's attention.

The panel believes that irrespective of Miss Woodcock's belief that Pupil A was being overly dramatic, there was email evidence where Miss Woodcock expresses relief that Pupil A has responded after references to [REDACTED].

The panel was satisfied that Miss Woodcock had failed to abide by her safeguarding duties in failing to report that Pupil A had made disclosures in relation to [REDACTED].

The panel found this sub-allegation proven and the allegation proven as a whole.

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

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

In doing so, the panel had regard to the document Teacher Misconduct: The Prohibition of Teachers (February 2022), which is referred to as "the Advice".

The panel was satisfied that the conduct of Miss Woodcock, in relation to the facts found proved at allegation 1, 2 and 3 involved breaches of the Teachers' Standards. The panel considered that, by reference to Part 2, Miss Woodcock was in breach of the following standards:

Teachers uphold public trust in the profession and maintain high standards of ethics and behaviour, within and outside school, by

- treating pupils with dignity, building relationships rooted in mutual respect, and at all times observing proper boundaries appropriate to a teacher's professional position
- having regard for the need to safeguard pupils' well-being, in accordance with statutory provisions

Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach.

Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities.

The panel was satisfied that the conduct of Miss Woodcock, in relation to the facts found proved, involved breaches of Keeping Children Safe In Education ("KCSIE"). The panel considered that Miss Woodcock was in breach of the requirement to consider, at all times, what was in the best interests of the child noting in particular paragraph 56 which states that "*if staff have **any concerns** about a child's welfare, they should act on them **immediately***".

The panel was satisfied that the conduct of Miss Woodcock, in relation to the facts found proved, involved breaches of statutory guidance. The panel considered that Miss Woodcock failed to have regard to the child centred approach which is fundamental to safeguarding and promoting the welfare of every child. Miss Woodcock was required to put the needs of Pupil A first when determining what action to take when concerns arose regarding [REDACTED] welfare.

The panel was satisfied that the conduct of Miss Woodcock fell significantly short of the standard of behaviour expected of a teacher.

The panel noted that some of the conduct found proven in allegation 1 took place outside school hours, including late at night/early hours of the morning, weekends and during school holidays. Miss Woodcock was engaging with Pupil A in an over-familiar and inappropriate manner via email. Pupil A was a [REDACTED] and by communicating with Pupil A in such a manner, Miss Woodcock posed a risk to Pupil A. This was especially the case as Pupil A had admitted that [REDACTED] had a crush on Miss Woodcock and wanted to be adopted by [REDACTED]; further, Miss Woodcock labelled their relationship as [REDACTED] and stated that she would be there for Pupil A "*forever*". These types of exchanges can be harmful to pupils, particularly when made to [REDACTED] who have additional needs and require well considered support.

The panel also considered whether Miss Woodcock's conduct displayed behaviours associated with any of the offences in the list that begins on page 12 of the Advice.

The panel found that none of these offences was relevant.

The panel noted that the advice is not intended to be exhaustive and there may be other behaviours that panels consider to be unacceptable professional conduct. The panel considered that this would include serious breaches of professional boundaries and failing to raise safeguarding concerns. In communicating with Pupil A, Miss Woodcock put her own interests before the needs of Pupil A, and prevented action being taken to support Pupil A via the school's safeguarding processes in a timely manner.

Accordingly, the panel was satisfied that Miss Woodcock was guilty of unacceptable professional conduct.

The panel then considered the issue of disrepute.

The panel took into account the way the teaching profession is viewed by others, the responsibilities and duties of teachers in relation to the safeguarding and welfare of pupils 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 panel also considered whether Miss Woodcock's conduct displayed behaviours associated with any of the offences in the list that begins on page 12 of the Advice.

The panel found that none of these offences was relevant.

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 conduct that may bring the profession into disrepute.

The panel noted that the advice is not intended to be exhaustive and there may be other behaviours that panels consider to be "conduct that may bring the profession into disrepute". The panel considered that engaging with a [REDACTED] as Miss Woodcock did and failing to report serious safeguarding concerns was such behaviour.

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.

The panel considered that Miss Woodcock's conduct could potentially damage the public's perception of a teacher.

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

Having found the facts of particulars 1, 2, and 3 proved, the panel further found that Miss Woodcock'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, 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 is appropriate, the panel had to consider the public interest, the seriousness of the behaviour and any mitigation offered by Miss Woodcock and whether a prohibition order is necessary and proportionate. Prohibition orders should not be given in order to be punitive, or to show that blame has been apportioned, although they are likely to have punitive effect.

The panel had regard to the particular public interest considerations set out in the Advice and, having done so, found a number of them to be relevant in this case, namely, the safeguarding and wellbeing of pupils, and 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 light of the panel's findings against Miss Woodcock, as stated above, there was a strong public interest consideration in respect of the safeguarding and wellbeing of pupils, given the serious findings of overly-familiar and inappropriate communications with children.

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

The panel was of the view that a strong public interest consideration in declaring proper standards of conduct in the profession was also present as the conduct found against Miss Woodcock was outside that which could be reasonably tolerated.

The panel considered carefully the seriousness of the behaviour, noting that the Advice states that the expectation of both the public and pupils, is that members of the teaching profession maintain an exemplary level of integrity and ethical standards at all times. The panel noted that a teacher's behaviour that seeks to exploit their position of trust should be viewed very seriously in terms of its potential influence on pupils and be seen as a possible threat to the public interest.

The panel took further account of the Advice, which suggests that a panel will likely consider a teacher's behaviour to be incompatible with being a teacher if there is evidence of one or more of the factors that begin on page 15. In the list of such factors, those that were relevant in this case were:

serious departure from the personal and professional conduct elements of the Teachers' Standards;

misconduct seriously affecting the education and/or safeguarding and well-being of pupils, and particularly where there is a continuing risk;

abuse of position or trust (particularly involving vulnerable pupils);

failure to act on evidence that indicated a child's welfare may have been at risk, eg, failed to notify the designated safeguarding lead and/or make a referral to children's social care, the police or other relevant agencies when abuse, neglect and/or harmful cultural practices were identified; and

failure in their duty of care towards a child, including exposing a child to risk or failing to promote the safety and welfare of the children (as set out in Part 1 of KCSIE).

The panel gave weight and seriousness to Miss Woodcock's online behaviours with Pupil A, details about these behaviours are stated above in the facts.

Even though some of the behaviour found proved in this case indicated that a prohibition order would be appropriate, taking account of the public interest and the seriousness of the behaviour and the likely harm to the public interest were the teacher be allowed to continue to teach, the panel went on to consider whether there were mitigating circumstances.

In light of the panel's findings:

There was evidence that Miss Woodcock's actions were deliberate.

There was no evidence to suggest that Miss Woodcock was acting under extreme duress.

The panel received no evidence that Miss Woodcock had a previously good history, or had demonstrated exceptionally high standards in both her personal and professional conduct and had contributed significantly to the education sector.

The panel notes that no references or testimonies were provided from any colleagues that could attest to her abilities as a teacher.

Miss Woodcock had been teaching at the Academy since April 2020, but there was no evidence of exceptional contribution to teaching.

The panel first considered whether it would be proportionate to conclude this case with no recommendation of prohibition, considering whether the publication of the findings made by the panel would be sufficient.

The panel was of the view that, applying the standard of the ordinary intelligent citizen, it would not be a proportionate and appropriate response to recommend no prohibition



order. Recommending that the publication of adverse findings would be sufficient would unacceptably compromise the public interest considerations present in this case, despite the severity of the consequences for Miss Woodcock of prohibition.

The panel considered whether Miss Woodcock had evidenced any insight or remorse as part of the investigation process. The panel noted the statement Miss Woodcock provided as part of the investigation which stated:

- she was *“upset and disappointed with myself”, and “I am annoyed and embarrassed to have found myself in such a position”.*
- *“Consequently, I had to safeguard [REDACTED] privacy and anonymity of [REDACTED] disclosure, [REDACTED].”*
- *“I wholeheartedly wish that I had spoken up and out to someone with regards to the whole situation and I have felt it was escalating beyond my capabilities.”*
- *“I had never been in such a situation before where a student was effectively ‘hounding me’ - and this made me feel hugely foolish and embarrassed...”*

Although the panel noted the comments regarding feeling remorse about incidents with Pupil A, Miss Woodcock then states that Pupil A was *“hounding”* her. This does not show evidence of insight into Miss Woodcock’s actions or genuine remorse. Miss Woodcock is placing the blame on Pupil A rather than on her participation in the inappropriate communications. Furthermore, the comments regarding how Miss Woodcock is upset with herself and annoyed rather than being predominantly concerned about how her actions have placed Pupil A in a situation requiring safeguarding support do not show the level of insight or remorse that the panel would expect in this situation. Due to the lack of insight or genuine remorse shown by Miss Woodcock, the panel was concerned that there could be instances of repetition were Miss Woodcock to continue teaching without 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 Miss Woodcock. The absence of any insight or genuine remorse was a significant factor in forming that opinion. Accordingly, the panel made a recommendation to the Secretary of State that a prohibition order should be imposed with immediate effect.

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

The Advice indicates that there are cases involving certain conduct where it is likely that the public interest will have greater relevance and weigh in favour of not offering a review period. None of those cases was relevant to Miss Woodcock’s conduct.

The Advice indicates that there are cases involving certain conduct where it is likely that the public interest will have greater relevance and weigh in favour of a longer period before a review is considered appropriate. None of those cases was relevant to Miss Woodcock's conduct.

The panel took into account the issue of mitigation, however no mitigation was provided for the panel to consider. The lack of insight and genuine remorse shown by Miss Woodcock meant that the panel could not be satisfied that there would not be repeated inappropriate communications or failure to follow the relevant safeguarding processes and procedures.

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, given all the circumstances, for the prohibition order to be recommended with provisions for a review period. As such, the panel decided that it would be proportionate for the prohibition order to be recommended with provision for a review period after 3 years.

## **Decision and reasons on behalf of the Secretary of State**

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

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

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

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

In particular, the panel has found that Miss Woodcock is in breach of the following standards:

Teachers uphold public trust in the profession and maintain high standards of ethics and behaviour, within and outside school, by

- treating pupils with dignity, building relationships rooted in mutual respect, and at all times observing proper boundaries appropriate to a teacher's professional position
- having regard for the need to safeguard pupils' well-being, in accordance with statutory provisions

Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach.

Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities.

The panel was satisfied that the conduct of Miss Woodcock involved breaches of the responsibilities and duties set out in statutory guidance Keeping children safe in education (KCSIE).

The panel finds that the conduct of Miss Woodcock fell significantly short of the standards expected of the profession.

The findings of misconduct are particularly serious as they include findings of overly-familiar and inappropriate communications with children.

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 likely to 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 Miss Woodcock, 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, "Miss Woodcock failed to have regard to the child centred approach which is fundamental to safeguarding and promoting the welfare of every child". 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, "Although the panel noted the comments regarding feeling remorse about incidents with Pupil A, Miss Woodcock then states that Pupil A was "hounding" her. This does not show evidence of insight into Miss Woodcock's actions or genuine remorse." The panel also commented, "Due to the lack of insight or genuine remorse shown by Miss Woodcock, the panel was concerned that there could be instances of repetition were Miss Woodcock to continue teaching without prohibition." In my judgement, the lack of insight means that there is some risk of the repetition of this behaviour and this puts at risk the future wellbeing of pupils. I have therefore given this element considerable weight in reaching my decision.

I have gone on to consider the extent to which a prohibition order would maintain public confidence in the profession. The panel observe, “public confidence in the profession could be seriously weakened if conduct such as that found against Miss Woodcock were not treated with the utmost seriousness when regulating the conduct of the profession.” I am particularly mindful of the findings of overly-familiar and inappropriate communications with children 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 and conduct likely to bring the profession into disrepute, 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 Miss Woodcock herself. The panel notes that it “received no evidence that Miss Woodcock had a previously good history, or had demonstrated exceptionally high standards in both her personal and professional conduct and had contributed significantly to the education sector.”

A prohibition order would prevent Miss Woodcock 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 said, “The lack of insight and genuine remorse shown by Miss Woodcock meant that the panel could not be satisfied that there would not be repeated inappropriate communications or failure to follow the relevant safeguarding processes and procedures.”

I have given less weight in my consideration of sanction therefore, to the contribution that Miss Woodcock 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 full remorse and 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 three year review period.

I have considered the panel's comments that "the findings indicated a situation in which a review period would be appropriate and, as such, decided that it would be proportionate, given all the circumstances, for the prohibition order to be recommended with provisions for a review period. As such, the panel decided that it would be proportionate for the prohibition order to be recommended with provision for a review period after 3 years."

I have considered whether a three 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.

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

**This means that Miss Bethany Woodcock 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 three 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, Miss Bethany Woodcock remains prohibited from teaching indefinitely.

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

Miss Bethany Woodcock has a right of appeal to the King's Bench Division of the High Court within 28 days from the date she is given notice of this order.

A handwritten signature in black ink, appearing to read 'D Oatley', written in a cursive style.

**Decision maker: David Oatley**

**Date: 30 June 2023**

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