



Teaching
Regulation
Agency

Mrs Rebecca-Frances Hansell: Professional conduct panel meeting outcome

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

October 2023

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

Teacher:	Mrs Rebecca-Frances Hansell
Teacher ref number:	2055918
Teacher date of birth:	28 February 1989
TRA reference:	21188
Date of determination:	25 October 2023
Former employer:	Seghill First School, Northumberland

Introduction

A professional conduct panel (“the panel”) of the Teaching Regulation Agency (“the TRA”) convened by virtual means to consider the case of Mrs Rebecca-Frances Hansell.

The panel members were Mr Paul Hawkins (lay panellist – in the chair), Mrs Melissa West (teacher panellist) and Mrs Jane Gotschel (teacher panellist).

The legal adviser to the panel was Mrs Luisa Gibbons of Eversheds Sutherland (International) LLP solicitors.

In advance of the meeting, after taking into consideration the public interest and the interests of justice, the TRA agreed to a request from Mrs Hansell that the allegations be considered without a hearing. Mrs Hansell provided a signed statement of agreed facts and admitted unacceptable professional conduct and/or conduct that may bring the profession into disrepute and conviction of a relevant offence. The panel considered the case at a meeting without the attendance of the presenting officer Ms Melinka Berridge of Kingsley Napley LLP, Mrs Hansell or her representative, Mr Richard Matkin of NASUWT.

The meeting took place in private.

Allegations

The panel considered the allegations set out in the notice of meeting dated 9 August 2023.

It was alleged that Mrs Rebecca-Frances Hansell was guilty of having been convicted of a relevant offence, namely:

1. On 6 July 2022, she was convicted of driving a motor vehicle with excess alcohol on 23 March 2022 contrary to section 5(1)(a) of the Road Traffic Act 1988.

It was also alleged that Mrs Hansell was guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute in that whilst working as a teacher at Seghill First School:

2. She informed her employer that she was not well enough to attend work, when that was not the case, on or around:
 - a) 6 July 2022; and/or
 - b) 7 July 2022.
3. She failed to notify her employer that she was arrested on 23 March 2022 on suspicion of drink driving.
4. She failed to notify her employer that she was convicted of the offence as set out at paragraph 1.
5. By reason of her conduct at paragraphs 2 and/or 3 and/or 4 above she:
 - a) acted dishonestly, and/or
 - b) demonstrated a lack of integrity.

Mrs Hansell admitted both the facts of the allegations and that she was guilty of having been convicted of a relevant offence as well as unacceptable professional conduct and/or conduct that may bring the profession into disrepute.

Preliminary applications

There were no preliminary applications.

Summary of evidence

Documents

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

Section 1: Chronology and list of key people – pages 3 to 5

Section 2: Notice of referral, response and notice of meeting– pages 6 to 25

Section 3: Statement of agreed facts – pages 26 to 32

Section 4: Teaching Regulation Agency documents – pages 33 to 109

Section 5: Teacher documents – pages 110 to 115

The panel members confirmed that they had read all of the documents within the bundle, in advance of the meeting. The panel also received and read a letter from Mrs Hansell's GP dated 23 February 2023.

Statement of agreed facts

The panel considered a statement of agreed facts which was signed on behalf of Mrs Hansell by her representative on 22 June 2023.

Decision and reasons

The panel announced its decision and reasons as follows:

The panel carefully considered the case and reached a decision.

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

Having completed her PGCE in December 2021, Mrs Hansell was employed by Seghill First School ("the School") from 1 January 2022 as a year 3 class teacher on a fixed term contract which ended on 31 August 2022 and was not renewed.

On 23 March 2022, Mrs Hansell was arrested by the police on suspicion of driving under the influence of alcohol.

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. On 6 July 2022, you were convicted of driving a motor vehicle with excess alcohol on 23 March 2022 contrary to section 5(1)(a) of the Road Traffic Act 1988.**

In the statement of agreed facts, Mrs Hansell admitted that she was sent home from School on 23 March 2022 due to her behaviour in slurring her words and acting out of

character. She admitted that she was arrested by the police that day on suspicion of driving under the influence of alcohol. Mrs Hansell also admitted that she attended Newcastle Magistrates Court on 6 July 2022 and was convicted of driving a motor vehicle with excess alcohol on 23 March 2022 contrary to s 5(1)(a) of the Road Traffic Act 1988.

The panel had seen the certificate of conviction confirming Mrs Hansell's conviction for the above offence. The panel accepted the certificate of conviction as conclusive proof of both the conviction and the facts necessarily implied by the conviction. The certificate recorded that Mrs Hansell had driven after consuming so much alcohol that the proportion of it in her breath, namely 164 microgrammes of alcohol in 100 millilitres of breath, exceeded the prescribed limit of 35 microgrammes of alcohol in 100 millilitres of breath.

The certificate also recorded that Mrs Hansell changed her plea to guilty (having originally pleaded not guilty at her first hearing) and that this was taken into account in sentencing. Mrs Hansell received a sentence of imprisonment for a period of 12 weeks by reason of the nature of the offence, and the level of reading having passed the custodial threshold. The sentence was suspended for a period of 18 months and Mrs Hansell was subject to a supervision period of 18 months. Mrs Hansell was also ordered to undertake 200 hours of unpaid work. She was disqualified from driving for a period of 40 months that could be reduced by 40 weeks by completing a driving course.

The panel found this allegation proven.

2. You informed your employer that you were not well enough to attend work, when that was not the case, on or around:

a) 6 July 2022; and/or

b) 7 July 2022.

In the statement of agreed facts, Mrs Hansell admitted that she was absent from the School on sick leave on both 6 and 7 July 2022. She admitted that she had informed the School that she was unwell and could not attend the School for work. Mrs Hansell also admitted that on 6 July 2022, she had attended a hearing at Newcastle Magistrates' in relation to the criminal conviction referred to in allegation 1.

Individual A completed a teacher misconduct referral form. In that form, individual A stated that on 6 July 2022, [redacted] had received a text message from Mrs Hansell at 06:05 stating that she had "been up all night with diarrhoea, vomiting and a temperature which still hasn't stopped", so she would not be at work. Individual A stated that on 7 July 2022, [redacted] had received a text message from Mrs Hansell at 05:38 saying "Sadly I had another awful night and do not feel well enough to teach". Individual A stated that [redacted] received another text from Mrs Hansell at

13:19 stating that she was “finally out of bed and feeling okay”. The panel had seen screenshots of these text messages.

The panel found this allegation proven.

3. You failed to notify your employer that you were arrested on 23 March 2022 on suspicion of drink driving.

In the statement of agreed facts, Mrs Hansell admitted that she had failed to inform her employer that she had been arrested on suspicion of drink driving on 23 March 2022. She admitted that she was aware that she had a duty to inform her employer of the arrest. Mrs Hansell also admitted that she had a return to work meeting with individual A on 28 March 2022 but did not inform individual A during that meeting of her arrest on 23 March 2022.

In the teacher misconduct referral form, individual A stated that she had met with Mrs Hansell for a return to work meeting on 28 March 2022. [redacted] stated that the reasons Mrs Hansell had given for her behaviour in School on 23 March 2022 appeared genuine. [Redacted]. Individual A stated that no mention was made by Mrs Hansell of her arrest on 23 March 2022.

The panel found this allegation proven.

4. You failed to notify your employer that you were convicted of the offence as set out at paragraph 1.

In the statement of agreed facts, Mrs Hansell admitted that she did not inform her employer that she had been convicted of a criminal offence. Mrs Hansell admitted that on 8 July 2022, she had spoken with individual A and did not inform her that she had been convicted of a criminal offence on 6 July 2022.

In the teacher misconduct referral form, individual A stated that on 8 July 2022, [redacted] spoke briefly to Mrs Hansell and checked how she was and that Mrs Hansell had made no mention of the court case or the conviction. [Redacted] stated that Mrs Hansell’s car was not in the car park and that Mrs Hansell had told another member of staff that her car was in the garage. Individual A stated that [redacted] had become aware of Mrs Hansell’s conviction as a result of a news article being brought to [redacted] attention on the morning of 10 July 2022.

The panel found this allegation proven.

5. By reason of your conduct at paragraphs 2 and/or 3 and/or 4 above you:

a) acted dishonestly, and/or

b) demonstrated a lack of integrity.

In the statement of agreed facts, Mrs Hansell admitted that she was not honest with her employer when providing the reason for her non-attendance at the School on 6 and 7

July 2022. She admitted that she was aware that she should have notified her employer immediately upon her arrest as she was subject to a criminal investigation. She also admitted that she was aware that she should have notified her employer immediately when she received the conviction. Mrs Hansell accepted that it was only once the criminal conviction had been reported in the press and a meeting had been called by individual A to discuss this on 11 July 2022, did she admit to individual A that she had been arrested in March 2022 and subsequently convicted. Mrs Hansell admitted that by reason of her conduct at allegations 2 and/or 3 and/or 4 above, she had acted dishonestly and/or demonstrated a lack of integrity.

In the teacher misconduct referral form, individual A stated that when [redacted] spoke with Mrs Hansell after the news report had been published, Mrs Hansell told [redacted] that she had been advised by her solicitor that she was not required to inform her employer of the arrest. individual A stated that [redacted] asked Mrs Hansell if she had really been ill on 6 and 7 July and Mrs Hansell said that she had been at court but was also genuinely ill with sickness. individual A stated that [redacted] asked why Mrs Hansell had not told her about the court case when they spoke on 8 July or on the weekend, and Mrs Hansell stated that she had not wanted to spoil individual A weekend. Individual A stated that [redacted] had said that Mrs Hansell should have spoken with [redacted] in March when she was arrested. Mrs Hansell apologised and said that she knew that.

Mrs Hansell sent an email to individual A on 12 July 2022. This stated "I made a serious misjudgement when I failed to inform you immediately of my offence and then the resulting court ruling. I had been advised not to say anything to you, but now realise that my silence made things even worse. The date for the court hearing was set for 18th July; I had arranged with [redacted] the switch of teaching days. The hearing was brought forward and I was informed only a few days beforehand. This triggered a [redacted] and made me unwell; my absence from school was genuine, but I did have to attend court during that time."

The evidence indicates that Mrs Hansell knew that she should have informed the School of her arrest and subsequent conviction and chose not to do so. Mrs Hansell knew that she would not be able to attend School on 6 July in order that she could attend court and, despite that, provided information to the School that she was unwell. Mrs Hansell may well have been feeling unwell, but she was selective in the information she provided to the School, opting not to refer to the court hearing. The panel considered that the ordinary decent person would consider this behaviour to be dishonest.

Mrs Hansell accepted that there was a professional expectation that an employer be informed of a member of staff's arrest and conviction. It is also expected that an employee is honest when needing to take time off from their duties. Mrs Hansell's conduct therefore fell short of the standards expected of her and demonstrated a lack of integrity.

The panel found this allegation proven.

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

Conviction of a relevant offence

Having found allegation 1 proved, the panel went on to consider whether the facts of this allegation amounted to conviction at any time of a relevant offence.

The panel was satisfied that the conduct of Mrs Hansell in relation to the facts it found proved, involved breaches of the Teachers' Standards. The panel considered that by reference to Part 2, Mrs Hansell 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, 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 noted that the individual's actions were relevant to teaching, working with children and/or working in an education setting. Mrs Hansell accepted that at the time of her arrest, she was not making rational decisions and yet immediately before her arrest she was teaching children entrusted to her care. Teachers are expected to be role models in the way they behave and Mrs Hansell failed to do this when she committed a serious driving offence.

The panel noted that the behaviour involved in committing the offence may have had an impact on the safety and/or security of pupils and/or members of the public. Driving under the influence of alcohol endangered other road users. Pupils taught by Mrs Hansell at the School may have also been at risk if she was not in a position to make rational decisions.

The panel also took account of the way the teaching profession is viewed by others. The panel considered that Mrs Hansell's behaviour in committing the offence would be likely to affect public confidence in the teaching profession, if Mrs Hansell was allowed to continue teaching.

The panel noted that Mrs Hansell's behaviour ultimately led to a sentence of imprisonment, (albeit that it was suspended), which was indicative of the seriousness of the offence committed, and which the Advice states is likely to be considered "a relevant offence".

This was a case concerning a serious driving offence, particularly since it involved alcohol. The Advice indicates that a conviction for such an offence is likely to be considered "a relevant offence".

The panel regarded the offence to be serious, noting that the level of alcohol detected passed the threshold for a custodial sentence to be imposed. This suggested that Mrs Hansell posed a real threat to pedestrians and other road users.

The panel considered whether there were any mitigating circumstances. The panel took into account that Mrs Hansell had, at the time, been experiencing significant difficulties in her personal life. This was recognised and acknowledged by the School at the time. Individual A wrote to Mrs Hansell's [redacted] on the day after Mrs Hansell had been sent home for slurring her words and acting out of character. Individual A email stated "We are all really worried about Rebecca" and referred to putting in place measures to support her on her return. After her suspension, Mrs Hansell sent an email to a colleague saying "my life hit rock bottom and I messed up."

[Redacted].

There do not appear to have been any previous concerns regarding Mrs Hansell's teaching or her conduct. Her representations state that subsequent to her conviction she has proactively sought support for [redacted].

[Redacted].

Although the panel found that the evidence of the surrounding circumstances was likely to have been a trigger, the panel was concerned that Mrs Hansell had every opportunity to talk with her employer who appeared to be supportive of her. Mrs Hansell was aware of the support mechanisms available to her, having [redacted] and had taken advantage of that support in the past. Rather than recognising the relapse and managing the situation, Mrs Hansell created a web of lies. The panel found that the seriousness of the offending behaviour that led to the conviction was relevant to Mrs Hansell's fitness to be a teacher. The panel considered that a finding that this conviction was for a relevant offence was necessary to reaffirm clear standards of conduct so as to maintain public confidence in the teaching profession.

Unacceptable Professional Conduct

Having also found allegations 2 – 4 proved, the panel went on to consider whether the facts of those proved allegations amounted to unacceptable professional conduct and/or conduct that may bring the profession into disrepute.

In doing so, the panel had regard to the document Teacher Misconduct: The Prohibition of Teachers, which is referred to as “the Advice”.

The panel was satisfied that the conduct of Mrs Hansell in relation to the facts found proved, involved breaches of the Teachers’ Standards. The panel considered that, by reference to the preamble of Teachers’ Standards Mrs Hansell fell short of the requirement to act with honesty and integrity; and to forge positive professional relationships. With respect to Part 2, Mrs Hansell 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, 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 was satisfied that the conduct of Mrs Hansell in relation to the facts found proved, involved breaches of Keeping Children Safe In Education (“KCSIE”) in that by being dishonest about her [redacted], Mrs Hansell deprived the School of the opportunity to safeguard children entrusted to her care.

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

The panel also considered whether Mrs Hansell’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 the offence of fraud or serious dishonesty 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 unacceptable professional conduct.

Accordingly, the panel was satisfied that Mrs Hansell was guilty of unacceptable professional conduct.

Conduct that may bring the profession into disrepute

The panel went on to consider 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.

As referred to above, the panel also considered whether Mrs Hansell'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 the offence of fraud or serious dishonesty 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 considered that Mrs Hansell's conduct could potentially damage the public's perception of a teacher.

The panel therefore found that Mrs Hansell's actions constituted 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 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 is appropriate, the panel had to consider the public interest, the seriousness of the behaviour and any mitigation offered by Mrs Hansell 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; the protection of other members of the public; the maintenance of public confidence in the profession; declaring and upholding proper standards of conduct; and the interest of retaining the teacher in the profession.

There was a public interest consideration in respect of the safeguarding and wellbeing of pupils, given the risk posed to pupils as a result of poor decision-making.

The panel considered that public confidence in the profession could be seriously weakened if conduct such as that found against Mrs Hansell 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 Mrs Hansell was outside that which could reasonably be tolerated.

Mrs Hansell was relatively new to the profession and she may be able to make a valuable contribution, there having been no doubt placed upon her abilities as an educator. However, the adverse public interest considerations above appeared to outweigh the interest in retaining Mrs Hansell in the profession, since her behaviour fundamentally breached the standard of conduct expected of a teacher.

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 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;

- 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 disclosure;

- 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...

- violation of the rights of pupils;

- 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 or concealment including: ... concealing inappropriate actions; ...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, 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 the mitigation offered by the teacher and whether there were mitigating circumstances.

There was evidence that the teacher's actions were deliberate given that it was found she acted dishonestly.

There was no evidence to suggest that Mrs Hansell was acting under extreme duress, eg a physical threat or significant intimidation.

There were no previous concerns regarding Mrs Hansell's teaching or conduct. However, she was relatively new to the profession and there was no evidence of her having demonstrated exceptionally high standards in both her personal and professional conduct or of having contributed significantly to the education sector.

Mrs Hansell did not provide any statements attesting to her character or teaching proficiency.

Immediately after Mrs Hansell's suspension she sent a message to a colleague stating that "I hold my hands up to making a mess and not asking for time off when I needed it." On 12 July 2022, she sent a message to individual A stating that she was "writing to sincerely apologise to you and ask for your forgiveness". [Redacted]. She stated that "what happened in March was a terrible mistake to have made and I am full of remorse. I am continuing to receive the support I need." [Redacted]. She explained that she was extremely stressed and anxious at the time of her arrest, and that she appreciated [redacted] that it was likely that her blood alcohol level was over the limit on her drive home. She expressed regret that she was not honest with individual A and that she believed this was attributable to her failure to process information in a rational way, [redacted]. She acknowledged that individual A had been very supportive of her.

[Redacted].

[Redacted].

The panel was concerned that Mrs Hansell still maintains that she was sick on the day of attending court and has not accepted that it was her court appearance, not her ill-health that was the reason she was absent from the School on that day.

Mrs Hansell's representations refer to having been advised by her solicitor that there was no need to disclose any information about her arrest to her employer. She has reflected upon that and stated that she should have known better than to have listened to that advice that went against her own instincts to always be open and honest. "Panic and fear took over; a [redacted] meant I was unable to do what I know was right. For this I will be eternally sorry."

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 Mrs Hansell of prohibition.

The panel was of the view that prohibition was both proportionate and appropriate. The panel decided that the public interest considerations outweighed the interests of Mrs Hansell. Her failure to recognise her difficulties at the time, despite having [redacted], and to seek the support of her employer was a significant factor in forming that opinion. Instead, Mrs Hansell chose a course of dishonesty, depriving the School of the ability to afford her appropriate support and safeguard its pupils. 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 a longer period before a review is considered appropriate. These cases include fraud or serious dishonesty. The panel found that Mrs Hansell was responsible for serious dishonesty that could have had serious consequences for pupils in the School.

The panel noted that Mrs Hansell has exhibited remorse and has some insight as to the triggers [redacted]. However, the panel remained concerned that Mrs Hansell has still sought to justify her behaviour by maintaining that she was physically unwell on the day of her court appearance and by blaming her failure to inform the School of her arrest on the legal advice she had received. The panel was conscious that these events were relatively recent, and that [redacted] would be required in order to minimise the risk of repetition. This will enable Mrs Hansell to have the time to develop the resilience to stress and anxiety that triggers [redacted].

The panel decided that the findings indicated a situation in which a review period would be appropriate and, as such, decided that it would be proportionate, in all the circumstances, for the prohibition order to be recommended with provision for a review period. The panel considered that it would be appropriate for a period of 5 years to lapse before a review is considered appropriate.

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

The panel has made a recommendation to the Secretary of State that Mrs Rebecca-Frances Hansell should be the subject of a prohibition order, with a review period of five years.

In particular, the panel has found that Mrs Hansell 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, 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 was satisfied that the conduct of Mrs Hansell, 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 Mrs Hansell fell significantly short of the standards expected of the profession.

The findings of misconduct are serious as they include a relevant conviction for driving under the influence of alcohol and dishonesty.

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, conduct that may bring the profession into disrepute and a relevant conviction, 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 Mrs Hansell, 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/or safeguard pupils. The panel has observed, "The panel was satisfied that the conduct of Mrs Hansell in relation to the facts found proved, involved breaches of Keeping Children Safe In Education ("KCSIE") in that by being dishonest about [redacted], Mrs Hansell deprived the School of the opportunity to safeguard children entrusted to her care." 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 "Mrs Hansell's representations refer to having been advised by her solicitor that there was no need to disclose any information about her arrest to her employer. She has reflected upon that and stated that she should have known better than to have listened to that advice that went against her own instincts to always be open and honest. "Panic and fear took over; a [redacted] meant I was unable to do what I know was right. For this I will be eternally sorry." However although there was evidence of remorse, the panel go on to refer to a lack of insight. 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. 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 also took account of the way the teaching profession is viewed by others. The panel considered that Mrs Hansell's behaviour in committing the offence would be likely to affect public confidence in the teaching profession, if Mrs Hansell was allowed to continue teaching." 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 given considerable weight to the following "Although the panel found that the evidence of the surrounding circumstances was likely to have been a trigger, the panel was concerned that Mrs Hansell had every opportunity to talk with her employer who appeared to be supportive of her. Mrs Hansell was aware of the support mechanisms available to her, having [redacted] and had taken advantage of that support in the past. Rather than recognising the relapse and managing the situation, Mrs Hansell created a web of lies. The panel found that the seriousness of the offending behaviour that led to

the conviction was relevant to Mrs Hansell's fitness to be a teacher. The panel considered that a finding that this conviction was for a relevant offence was necessary to reaffirm clear standards of conduct so as to maintain public confidence in the teaching 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, conduct that may bring the profession into disrepute and a relevant conviction, 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 Mrs Hansell herself and the panel comment "There were no previous concerns regarding Mrs Hansell's teaching or conduct. However, she was relatively new to the profession and there was no evidence of her having demonstrated exceptionally high standards in both her personal and professional conduct or of having contributed significantly to the education sector."

Mrs Hansell did not provide any statements attesting to her character or teaching proficiency."

A prohibition order would prevent Mrs Hansell 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 full insight. The panel has said, "The panel noted that Mrs Hansell has exhibited remorse and has some insight as to the triggers [redacted]. However, the panel remained concerned that Mrs Hansell has still sought to justify her behaviour by maintaining that she was physically unwell on the day of her court appearance and by blaming her failure to inform the School of her arrest on the legal advice she had received. The panel was conscious that these events were relatively recent, and that [redacted] would be required in order to minimise the risk of repetition. This will enable Mrs Hansell to have the time to develop the resilience to stress and anxiety that triggers [redacted]."

I have also placed considerable weight on the finding "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 Mrs Hansell. Her failure to recognise her difficulties at the time, despite having [redacted], and to seek the support of her employer was a significant factor in forming that opinion. Instead, Mrs Hansell chose a course of dishonesty, depriving the School of the ability to afford her appropriate support

and safeguard its pupils. Accordingly, the panel made a recommendation to the Secretary of State that a prohibition order should be imposed with immediate effect.”

I have given less weight in my consideration of sanction therefore, to the contribution that Mrs Hansell 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 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 5 year review period.

I have considered the panel’s comments “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. These cases include fraud or serious dishonesty. The panel found that Mrs Hansell was responsible for serious dishonesty that could have had serious consequences for pupils in the School.”

In this case, factors mean that allowing a lesser review period is not sufficient to achieve the aim of maintaining public confidence in the profession. These elements are lack of full insight and requiring a longer period to reduce the risk of repetition. In making this decision I have given considerable weight to the following “The panel was conscious that these events were relatively recent, and that [redacted] would be required in order to minimise the risk of repetition. This will enable Mrs Hansell to have the time to develop the resilience to stress and anxiety that triggers [redacted].”

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

This means that Mrs Rebecca-Frances Hansell 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 2028, 5 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, Mrs Hansell remains prohibited from teaching indefinitely.

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

Mrs Hansell 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 'SABuxcey', with a horizontal line underneath.

Decision maker: Sarah Buxcey

Date: 27 October 2023

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