



Teaching
Regulation
Agency

Mrs Hellen Maiden: Professional conduct panel meeting outcome

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

November 2023

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

Teacher:	Mrs Hellen Maiden
Teacher ref number:	1081511
Teacher date of birth:	4 June 1974
TRA reference:	15710
Date of determination:	14 November 2023
Former employer:	The Joseph Whitaker School, Mansfield

Introduction

A professional conduct panel (“the panel”) of the Teaching Regulation Agency (“the TRA”) convened remotely on 14 November 2023, to consider the case of Mrs Hellen Maiden.

The panel members were Mr Terry Hyde (former teacher panellist – in the chair), Ms Laura Flynn (teacher panellist) and Ms Jan Stoddard (lay panellist).

The legal adviser to the panel was Mr Delme Griffiths of Blake Morgan 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 Maiden that the allegations be considered without a hearing.

Mrs Maiden provided a signed statement of agreed facts and admitted unacceptable professional conduct and conduct that may bring the profession into disrepute.

The panel considered the case at a meeting without the attendance of the presenting officer, Mrs Maiden or any representative on her behalf.

The meeting took place in private.

Allegations

The panel considered the allegations set out in the notice of meeting dated 22 August 2023.

It was alleged that Mrs Maiden was guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute, in that whilst employed as a teacher at The Joseph Whitaker School, she:

1. On one or more occasions:
 - a. hugged Pupil A
 - b. held Pupil A's hand
 - c. allowed Pupil A to babysit at her home
 - d. allowed Pupil A to sleep overnight at her home
 - e. purchased gifts for Pupil A
 - f. securing sponsorship money for Pupil A
 - g. provided Pupil A with her personal mobile telephone number
 - h. exchanged text messages with Pupil A
 - i. sent inappropriate text messages to Pupil A
 - j. wrote and gave inappropriate letters to Pupil A
2. In or around July 2015 slept in the same room as Pupil A;
3. Dishonestly informed the School that she was unable to work for three days in July 2015 because she was successively at a funeral and too ill to work, when she was in fact attending a [REDACTED] with Pupil A;
4. By her conduct set out at paragraph 1 and/or paragraph 2 and/or paragraph 3 she failed to maintain proper professional boundaries;
5. By her conduct set out at paragraph 1 and/or paragraph 2 and/or paragraph 3 she developed an inappropriate relationship with Pupil A.

Mrs Maiden admitted the facts of all of the allegations and that her conduct amounted to unacceptable professional conduct and 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, anonymised pupil list and list of key people – pages 6 to 8

Section 2: Notice of referral, response and Notice of Meeting – pages 9 to 20

Section 3: Statement of agreed facts and presenting officer representations – pages 9 to 20

Section 4: Teaching Regulation Agency documents – pages 30 to 877

Section 5: Teacher documents – pages 878 to 898

The panel members confirmed that they had read all of the documents within the bundle, in advance of the meeting.

Statement of agreed facts

The panel considered a statement of agreed facts which was signed by Mrs Maiden electronically on 9 November 2023.

Decision and reasons

The panel announced its decision and reasons as follows:

In advance of the meeting, the TRA agreed to a request from Mrs Maiden 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.

The panel proceeded to consider the case carefully, having read all of the documents, and reached a decision. It accepted the legal advice provided.

On 1 September 2013, Mrs Maiden commenced work at The Joseph Whitaker School, Mansfield ("the School") as a newly qualified teacher.

On 1 September 2015, she was appointed as an academic mentor at the School.

In June 2016, concerns were brought to the attention of the School regarding Mrs Maiden's contact with a pupil.

For the purposes of these proceedings, the pupil is referred to as Pupil A.

On 6 July 2016, Mrs Maiden was suspended by the School. On 18 July 2016, following the discovery of letters from Mrs Maiden to Pupil A, she was arrested. The police ultimately resolved to take no further action.

On 4 September 2016, Mrs Maiden resigned from her position at the School.

On 1 January 2017, Mrs Maiden was referred to the TRA.

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 one or more occasions:**
 - a. hugged Pupil A**
 - b. held Pupil A's hand**
 - c. allowed Pupil A to babysit at your home**
 - d. allowed Pupil A to sleep overnight at your home**
 - e. purchased gifts for Pupil A**
 - f. securing sponsorship money for Pupil A**
 - g. provided Pupil A with your personal mobile telephone number**
 - h. exchanged text messages with Pupil A**
 - i. sent inappropriate text messages to Pupil A**
 - j. wrote and gave inappropriate letters to Pupil A**

Mrs Maiden admitted allegations 1(a) to (j). Mrs Maiden accepted the following matters:

- She hugged Pupil A and held her hand on more than one occasion. She accepts that the hugging included hugging outside of school and that physical contact with

Pupil A, in these circumstances, was unprofessional and inappropriate. The panel noted that this physical contact was also referenced with the letters sent by Mrs Maiden and there were also accounts from several individuals, within the papers, who had witnessed this behaviour.

- She allowed Pupil A to babysit at her home on multiple occasions.
- She also allowed Pupil A to sleep overnight at her home on two occasions when Pupil A was babysitting, which was not notified to the School. Mrs Maiden accepted that this was personal contact with Pupil A, in contravention of the School's policies. The panel noted that the various references within the papers to the precise arrangements, including the remuneration received by Pupil A for performing this role.
- She purchased gifts for Pupil A on more than one occasion, including gifts at Christmas and birthdays. This included giving Pupil A a mobile telephone when the screen on her existing mobile telephone became damaged. Mrs Maiden did not inform the School, or seek permission from the School, to purchase gifts for Pupil A.
- She secured sponsorship money for Pupil A on more than one occasion. This including giving Pupil A money in the sum of £250 from a company that she is a director of and the sum of £500 from a club she was associated with.
- She gave Pupil A her personal mobile telephone number and exchanged multiple text messages with Pupil A, including inappropriate text messages. Copies of these messages were included in the hearing papers. The panel was satisfied that these messages were inappropriate, in totality but also in relation to numerous messages individually. They contained language that the panel considered to be highly inappropriate, such as those which referenced sexual language and suggestive behaviour. On one occasion, the panel noted the suggestion that communication move to Snapchat, a platform that would allow for communication of a more personal and less transparent nature.
- This contact included text messages with Pupil A during Mrs Maiden's suspension from the School, despite Mrs Maiden being advised not to contact her.
- She did not adhere to the School policy relating to contact with pupils outside of school, which requires all staff to, "...not give their personal details such as home/mobile telephone number or email address to the pupils unless the need to do so is agreed with the Headteacher".

- She wrote and gave inappropriate letters to Pupil A, which were personal in nature and included repeated references to her missing Pupil A, that she loves her, and references to making physical contact with Pupil A, including ‘snuggles’, stroking her wrist, touching her cheek, and holding her in her arms. Mrs Maiden accepted writing about their relationship and her feelings, and provided Pupil A with false body ‘tattoos’.
- She did not inform the School, at any time prior to the School’s formal investigation, that she was engaging in contact with Pupil A outside of School

Mrs Maiden also accepted the accuracy of two appendices listing the messages and letters she sent.

In light of Mrs Maiden’s admissions, which were consistent with the other evidence presented, the panel found allegations 1(a) to (j) proved.

2. In or around July 2015 slept in the same room as Pupil A;

Mrs Maiden admitted allegation 2. Mrs Maiden accepted the following matters:

- She slept in the same room as Pupil A, when Pupil A was attending a [REDACTED] and they spent a single night in Pupil A’s accommodation.
- She did not inform the School or seek the permission in this regard and there was no educational purpose for her to stay in the same room as Pupil A.

In light of Mrs Maiden’s admissions, which were consistent with the other evidence presented, the panel found allegation 2 proved.

3. Dishonestly informed the School that you were unable to work for three days in July 2015 because you were successively at a funeral and too ill to work, when you were in fact attending a [REDACTED] with Pupil A;

Mrs Maiden admitted allegation 3. Mrs Maiden accepted that:

- In advance of 14 July 2015, she submitted a Planned Absence Request Form seeking they date off work, purportedly for a funeral.
- Pursuant to this request, she did not attend work on that date.
- Subsequently, on 15 and 16 July 2015, she also did not come into work. She informed the School that she was unwell.
- In actual fact, on these dates, Mrs Maiden attended an event with Pupil A.

These events and Mrs Maiden's admissions were corroborated by the wider evidence before the panel.

The panel considered that this was dishonest by the standards of ordinary decent people, which Mrs Maiden accepted. Very clearly, she misled the School regarding the true reason for her absence.

The panel therefore found allegation 3 proved.

4. By your conduct set out at paragraph 1 and/or paragraph 2 and/or paragraph 3 you failed to maintain proper professional boundaries;

Having found allegations 1 to 3 proved, the panel went on consider whether her conduct was such that she failed to maintain proper professional boundaries.

As a teacher, Mrs Maiden had a duty to maintain appropriate professional boundaries with all her pupils and at all times.

In relation to her conduct with Pupil A in each of the respects particularised in allegations 1(a) to (j) and 2, the panel was satisfied that Mrs Maiden had breached her duties in this regard, which she admitted. This was a protracted episode involving a single pupil during which Mrs Maiden had clearly failed to adhere to her professional responsibilities.

Her actions were also contrary to the School's policies and expectations in relation to personal and out of school contact with pupils.

The panel therefore found allegation 4 proved.

5. By your conduct set out at paragraph 1 and/or paragraph 2 and/or paragraph 3 you developed an inappropriate relationship with Pupil A.

Mrs Maiden admitted allegation 5.

She accepted that, with reference to her conduct in allegations 1, 2 and 3, she developed an inappropriate relationship with Pupil A in circumstances where the School and Pupil A's parents had expressed concerns about the relationship. She nevertheless allowed it to continue and develop in circumstances where her failings were multi-faceted and contrary to the School's policies.

Mrs Maiden also accepted that she was treating Pupil A differently to other pupils, which she acknowledged was inappropriate and unprofessional.

The panel agreed with Mrs Maiden's admissions and found allegation 5 proved.

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

Having found all 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.

This was admitted by Mrs Maiden. Whilst the panel took her admission into account, it made its own, independent assessment.

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 Maiden in relation to the facts found proved, involved breaches of the Teachers’ Standards. The panel considered that, by reference to Part 2, Mrs Maiden 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 also considered whether Mrs Maiden’s conduct displayed behaviours associated with any of the offences listed in 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.

However, the panel found that none of these offences was relevant.

Over and above the breaches of the Teachers’ Standards identified above, in relation to all of the proven allegations the panel took into account the wider context.

Mrs Maiden's failings were multi-faceted and occurred over a prolonged period of time, without appropriate transparency in terms of the School's knowledge. In terms of the communications, the content and language was highly inappropriate as between a teacher and a pupil. The text messages included sexualised and suggestive language. The extent and intensity to the messaging was a matter of particular concern.

In relation to the letters, the panel considered these to be highly concerning in terms of the content of the documents, which again included sexualised and suggestive language in terms whereby Mrs Maiden also acknowledged certain vulnerabilities on the part of Pupil A.

Indeed, there were various references within the hearing papers to Pupil A having certain, recognised vulnerabilities. Whilst it was not alleged that Mrs Maiden's actions were sexually motivated, at the very least they presented a risk of feelings of dependency on the part of the pupil and a clear risk that her actions may not have been in the pupil's best interests. Through her actions and the development of an inappropriate personal relationship, whether or not Mrs Maiden was sexually motivated, the panel was satisfied that there was every possibility that Mrs Maiden may have impeded other professionals from seeking to address Pupil A's vulnerabilities.

More broadly, the conduct included the purchasing of gifts for Pupil A, of items of not insignificant value, together with inappropriate physical contact, attendance at Mrs Maiden's home and overnight stays, on one occasion in the same room.

These actions were all contrary to the School's policies in circumstances where Mrs Maiden was, from an early point, on clear notice of concerns regarding the relationship. They occurred within a dynamic in which professional boundaries were, very plainly, not being maintained. By her own admission, Mrs Maiden allowed an inappropriate, personal relationship to develop, which was highly concerning and serious in the specific circumstances of this case.

Not least, Mrs Maiden was in a position of trust and responsibility as an experienced teacher. She was a role model, with a duty to maintain appropriate professional boundaries with all pupils and at all times. She had clearly breached her obligations in that regard.

With reference to allegation 3, Mrs Maiden had also behaved dishonestly, which was a serious matter in and of itself.

For all these reasons, in relation to each of the proven allegations, considered individually and together, the panel was satisfied that Mrs Maiden's conduct was of a serious nature and fell significantly short of the standards expected of the profession.

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

In relation to whether Mrs Maiden's conduct may bring the profession into disrepute, the panel took into account the way the teaching profession is viewed by others. It also considered the influence that teachers may have on pupils, parents and others in the community. The panel also had regard to the uniquely influential role that teachers can hold in pupils' lives and the fact that pupils must be able to view teachers as role models in the way they behave.

Having regard to these matters, the panel and the fact that the findings of misconduct were serious, it concluded that the conduct displayed would be likely to have a negative impact on Mrs Maiden's status as a teacher, potentially damaging the public perception.

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

In conclusion, having found the facts of the allegations proved, the panel further found that Mrs Maiden'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 a number of them to be relevant in this case, namely:

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

In the light of the panel's findings, which involved an egregious and protracted breach of professional boundaries concerning a pupil with some known vulnerabilities, there was a strong public interest in the safeguarding and wellbeing of pupils.

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

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 Mrs Maiden was outside that which could reasonably be tolerated.

The panel also considered whether there was a public interest in terms of Mrs Maiden remaining in the profession. It noted that no doubt had been cast upon her abilities as a teacher. However, there was no evidence that Mrs Maiden ought to be regarded as an exceptional practitioner. The panel was not presented with references and testimonials and Mrs Maiden had not indicated she was intending to return to the profession. Accordingly, whilst there may always be a degree of public interest in qualified teachers remaining in or returning to the profession, the panel did not consider this to be a strong interest in the specific circumstances of this case.

Notwithstanding the clear public interest considerations that were present, the panel considered carefully whether or not it would be proportionate to impose a prohibition order, taking into account the effect that this would have on Mrs Maiden.

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 Mrs Maiden.

The panel took further account of the Advice, which suggests that a prohibition order may be appropriate if certain behaviours of a teacher have been proved.

In the list of such behaviours, those that are relevant in this case are:

- serious departure from the personal and professional conduct elements of the Teachers' Standards;
- misconduct seriously affecting the education and/or safeguarding and well-being of pupils, and particularly where there is a continuing risk;
- abuse of position or trust (particularly involving pupils);
- failure to act on evidence that indicated a child's welfare may have been at risk e.g., 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;

- 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);
- 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:
 - lying to prevent the identification of wrongdoing.

Even though some of the behaviour found proved in this case indicated that a prohibition order would be appropriate, the panel went on to consider the mitigating factors. 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:

- Mrs Maiden had not been subject to any previous disciplinary or regulatory proceedings. She had an otherwise unblemished record and the panel noted that the police had determined not to proceed with its investigation.
- Mrs Maiden had engaged in these proceedings and, ultimately, admitted all of the allegations.
- Mrs Maiden alluded to the impact of these events on her health and to certain pressures she experienced at the time, albeit the panel considered this had minimal, if any relevance in relation to its findings.
- To some extent, with reference to her admissions, Mrs Maiden recognised and accepted that she had fallen short of the standards expected.

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

- Mrs Maiden's actions amounted to a clear breach of the Teachers' Standards and the panel had identified various factors that may be considered incompatible with her being a teacher.
- In the panel's view, Mrs Maiden had shown extremely limited insight, regret or remorse despite having ample opportunity to do so. Whilst she had accepted she had fallen short of the standards expected of her, in large part she had sought to minimise the extent of her wrongdoing and to justify her actions. In particular, the

panel did not consider Mrs Maiden had evidenced a clear understanding of the impact of her actions, particularly in relation to Pupil A. It follows there was little evidence of reflection and, accordingly, remediation. The panel considered that, considered as a whole, Mrs Maiden's representations suggested that she was resistant to criticism of her actions even accounting for her full admissions.

- In that regard, the panel repeats that Mrs Maiden's actions had the potential to cause emotional harm in relation to Pupil A, for example in terms of feelings of dependency. Pupil A had known vulnerabilities, even if there was no evidence of long standing harm to the pupil. The panel had concluded that, through Mrs Maiden's actions and the development of an inappropriate personal relationship, there was every possibility that Mrs Maiden may have impeded other professionals from seeking to address Pupil A's vulnerabilities. To the contrary, she took it upon herself to seek to meet these concerns.
- Mrs Maiden's failings were multi-faceted and occurred over a prolonged period of time. This was, therefore, a protracted instance of misconduct in which Mrs Maiden acted deliberately.
- Her actions were a clear breach of the School's policies and procedures in circumstances where she acted without transparency.
- Mrs Maiden had been put on clear notice regarding concerns about her relationship with Pupil A, yet continued regardless.
- In terms of the communications, the content was highly inappropriate and included sexualised and suggestive language. The extent and intensity of the text messaging was a matter of particular concern.
- This was an egregious instance of professional boundaries being breached in which, by her own admission, Mrs Maiden allowed an inappropriate, personal relationship to develop. The panel repeats that Mrs Maiden had not shown an awareness of this or an understanding of the implications of her actions.
- Mrs Maiden was in a position of trust and responsibility and a role model, with a duty to maintain appropriate professional boundaries with all pupils and at all times. She had clearly breached her obligations in that regard.
- With reference to allegation 3, Mrs Maiden had also behaved dishonestly. The panel considered that her response and attitude towards that allegation evidenced a lack of remorse and there was no acknowledgment that she believed she had acted inappropriately.

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.

Having carefully considered the specific circumstances of this case and taking account of the mitigating and aggravating features present, 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.

The panel concluded that prohibition was both proportionate and appropriate. It decided that the public interest considerations outweighed the interests of Mrs Maiden.

The fact that this was a serious, protracted and multi-faceted instance of misconduct, coupled with the lack of insight shown by Mrs Maiden, were significant factors in forming that opinion.

Mrs Maiden did not fully recognise the inappropriate nature of her actions. In the panel's view, she had not, therefore, taken full responsibility for her conduct. Mrs Maiden had allowed an inappropriate relationship to develop with a pupil in circumstances where she was on clear notice as regards concerns about her actions. There were clear safeguarding implications to her conduct, which Mrs Maiden had failed to acknowledge.

Mrs Maiden had also behaved dishonestly, lying to the School to cover up an engagement with Pupil A.

Notwithstanding the admissions made by Mrs Maiden, there appeared to be no substantive progression in her reflections, in terms of her professional practice, or any acceptance of responsibility, between the submissions she made at previous stages through to what she submitted in these proceedings.

It followed, at the present time, the panel was satisfied that there remained a risk of repetition of the same or similar conduct.

The panel went on to consider whether or not it would be appropriate to recommend that a review period of the order should be considered.

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

The Advice indicates that there are behaviours that, if proved, would militate against the recommendation of a review period.

However, none of these behaviours were relevant in this case.

Nonetheless, the panel considered that, considered in totality, this was misconduct at the serious end of spectrum, particularly having regard to the absence of insight, regret and remorse on the part of Mrs Maiden.

Mrs Maiden had sufficient time and opportunity to demonstrate that she was capable of full remediation, to show that she had gained insight and to take responsibility for her actions. She had failed to do so.

The panel had regard to the fact that prohibition orders should not be given in order to be punitive. However, in all the circumstances and having regard to the proven conduct in totality, the panel concluded that her actions were fundamentally incompatible with being a teacher.

The panel therefore decided that its findings indicated a situation in which a review period would not be appropriate and, as such, decided that it would be proportionate, in all the circumstances, for the prohibition order to be recommended without provision for a review period. The public interest considerations that Mrs Maiden's behaviour gave rise to were such that this was necessary and 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 and conduct that may bring the profession into disrepute.

The panel has made a recommendation to the Secretary of State that Mrs Hellen Maiden should be the subject of a prohibition order, with no provision for a review period.

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

The findings of misconduct are particularly serious as they include a finding of failing to maintain proper professional boundaries and developing an inappropriate relationship with a vulnerable pupil. They are also serious as they include a finding of behaving dishonestly.

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 Mrs Maiden, 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, "Whilst it was not alleged that Mrs Maiden's actions were sexually motivated, at the very least they presented a risk of feelings of dependency on the part of the pupil and a clear risk that her actions may not have been in the pupil's best interests. Through her actions and the development of an inappropriate personal relationship, whether or not Mrs Maiden was sexually motivated, the panel was satisfied that there was every possibility that Mrs Maiden may have impeded other professionals from seeking to address Pupil A's vulnerabilities." 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. The panel has noted that Mrs Maiden admitted all of the allegations but has found that "Mrs Maiden had shown extremely limited insight, regret or remorse despite having ample opportunity

to do so. Whilst she had accepted she had fallen short of the standards expected of her, in large part she had sought to minimise the extent of her wrongdoing and to justify her actions. In particular, the panel did not consider Mrs Maiden had evidenced a clear understanding of the impact of her actions, particularly in relation to Pupil A. It follows there was little evidence of reflection and, accordingly, remediation. The panel considered that, considered as a whole, Mrs Maiden's representations suggested that she was resistant to criticism of her actions even accounting for her full admissions." In my judgement, the lack of full insight and remorse 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 concluded, "the conduct displayed would be likely to have a negative impact on Mrs Maiden's status as a teacher, potentially damaging the public perception." I am particularly mindful of the finding of inappropriate physical contact and breach of professional boundaries with a vulnerable pupil 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 Mrs Maiden herself. The panel has commented, "Mrs Maiden had not been subject to any previous disciplinary or regulatory proceedings. She had an otherwise unblemished record and the panel noted that the police had determined not to proceed with its investigation." The panel has also commented, "It noted that no doubt had been cast upon her abilities as a teacher. However, there was no evidence that Mrs Maiden ought to be regarded as an exceptional practitioner. The panel was not presented with references and testimonials and Mrs Maiden had not indicated she was intending to return to the profession."

A prohibition order would prevent Mrs Maiden from teaching. A prohibition order would also clearly deprive the public of her contribution to the profession for the period that it is in force.

In this case, I have placed considerable weight on the panel's comments concerning the lack of insight or remorse. The panel has said, "Mrs Maiden had sufficient time and

opportunity to demonstrate that she was capable of full remediation, to show that she had gained insight and to take responsibility for her actions. She had failed to do so.” The panel found Mrs Maiden had failed to acknowledge the safeguarding implications of, and take full responsibility for, her actions, and “there remained a risk of repetition of the same or similar conduct”.

I have also placed considerable weight on the finding of the panel that “Mrs Maiden’s failings were multi-faceted and occurred over a prolonged period of time. This was, therefore, a protracted instance of misconduct in which Mrs Maiden acted deliberately.” The panel has emphasised that Mrs Maiden’s actions had the potential to cause emotional harm to the pupil and may have impeded other professionals from seeking to address the pupil’s vulnerabilities. The panel has also found that the content of Mrs Maiden’s communications with the pupil were highly inappropriate and included sexualised and suggestive language.

I have given less weight in my consideration of sanction therefore, to the contribution that Mrs Maiden 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 and remorse, 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 that no provision should be made for a review period.

I have considered the panel’s comments that “considered in totality, this was misconduct at the serious end of spectrum, particularly having regard to the absence of insight, regret and remorse on the part of Mrs Maiden” and “her actions were fundamentally incompatible with being a teacher”.

I have considered whether not allowing a review period reflects the seriousness of the findings and is a proportionate period to achieve the aim of maintaining public confidence in the profession. In this case, factors mean that allowing a review period is not sufficient to achieve the aim of maintaining public confidence in the profession. These elements are the serious and protracted nature of Mrs Maiden’s actions, the dishonesty found and the lack of full insight and remorse.

I consider therefore that allowing for no review period is necessary to maintain public confidence and is proportionate and in the public interest.

This means that Mrs Hellen Maiden is prohibited from teaching indefinitely and cannot teach in any school, sixth form college, relevant youth accommodation or children's home in England. Furthermore, in view of the seriousness of the allegations found proved against her, I have decided that Mrs Maiden shall not be entitled to apply for restoration of her eligibility to teach.

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

Mrs Maiden 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', with a large, sweeping flourish at the end.

Decision maker: David Oatley

Date: 16 November 2023

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