



Teaching  
Regulation  
Agency

# **Mr Lloyd Bartlett: Professional conduct panel meeting outcome**

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

**January 2024**

## Contents

Introduction	3
Allegations	4
Preliminary applications	4
Summary of evidence	4
Documents	4
Statement of agreed facts	5
Decision and reasons	5
Findings of fact	5
Panel's recommendation to the Secretary of State	8
Decision and reasons on behalf of the Secretary of State	11

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

<b>Teacher:</b>	Mr Lloyd Bartlett
<b>Teacher ref number:</b>	213994
<b>Teacher date of birth:</b>	5 December 1979
<b>TRA reference:</b>	21593
<b>Date of determination:</b>	31 January 2024
<b>Former employer:</b>	Livingstone Road Primary School, Poole

### **Introduction**

A professional conduct panel (“the panel”) of the Teaching Regulation Agency (“the TRA”) convened virtually on 30 and 31 January 2024, to consider the case of Mr Lloyd Bartlett.

The panel members were Mrs Emma Hendry (lay panellist – in the chair), Mrs Bernie Whittle (teacher panellist) and Mr Suhel Ahmed (teacher panellist).

The legal adviser to the panel was Mr Ben Schofield of Blake Morgan LLP.

In advance of the meeting, after taking into consideration the public interest and the interests of justice, the TRA agreed to a request from Mr Bartlett that the allegations be considered without a hearing. Mr Bartlett 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 and Mr Bartlett.

The meeting took place in private and was not recorded.

## **Allegations**

The panel considered the allegations set out in the notice of meeting dated 26 January 2024.

It was alleged that Mr Bartlett was guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute, in that whilst employed at Livingstone Road Primary;

1. He failed to take appropriate action and/or ensure appropriate action was taken to safeguard child A, in that;
  - a. in or around August 2022, he allowed Child A to go with Individual A alone who he knew had previously abused a child;
  - b. Around August 2022 – October 2022 he failed to report to the police and/or local authority that Child A had reported that they had been sexually abused by Individual A;
2. His conduct at allegation 1 placed Child A and/or other children at risk of harm.

## **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 anonymised pupil list – pages 6 to 7

Section 2: Notice of proceedings and response – pages 8 to 22

Section 3: Statement of Agreed Facts and Presenting Officer Representations – pages 23 to 29

Section 4: Teaching Regulation Agency documents – pages 30 to 180

Section 5: Teacher documents – pages 181 to 223

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 Mr Bartlett on 29 November 2023.

In the statement, Mr Bartlett admitted the allegations and that they would amount to unacceptable professional conduct and conduct that might bring the profession into disrepute.

## 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 Mr Bartlett 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.

Mr Lloyd Bartlett was employed at Livingstone Primary School (“the School”), from November 2019 as a Higher-Level Teaching Assistant. In September 2021 Mr Bartlett started his teaching apprenticeship and the following year Mr Bartlett commenced classroom teaching at the School.

Individual A and Child A (REDACTED).

In August 2022, Individual A and Child A (REDACTED), Child A called Mr Bartlett and disclosed to him that Individual A had sexually abused him the night before.

In October 2022, Mr Bartlett informed Person B of Child A’s disclosure and that he was aware that Individual A had previously sexually abused a child. (REDACTED). Person B further disclosed these events to her counsellor during a therapy session. The counsellor then went on to inform the Multi-Agency Safeguarding Hub.

During the resulting investigations, Mr Bartlett resigned his position at the School in January 2023. On 10 March 2023, the School referred Mr Bartlett to the TRA, which has resulted in these proceedings.

## Findings of fact

The findings of fact are as follows:

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

**1. You failed to take appropriate action and/or ensure appropriate action was taken to safeguard child A, in that;**

**a. In or around August 2022, you allowed Child A to go with Individual A alone who you knew had previously abused a child;**

**b. Around August 2022 – October 2022 you failed to report to the police and/or local authority that Child A had reported that they had been sexually abused by Individual A;**

In the statement of agreed facts, Mr Bartlett admitted this allegation in full.

The panel was satisfied that Mr Bartlett's admissions were unequivocal and consistent with the surrounding evidence in case.

In accounts set out by Mr Bartlett, he explained that although Individual A (REDACTED), Individual A had (REDACTED). As a result, he allowed Child A to (REDACTED). At no point following Child A's disclosure did Mr Bartlett report these circumstances to the police or local authority. Before the panel was a short account from (REDACTED), which recorded that Mr Bartlett explained the situation to her on 11 October 2022 and that her response was that he should immediately inform the police. In their next conversation on 13 October 2022, she noted that Mr Bartlett confirmed that he still had not reported the matter to the police himself (and that he was made aware that Person B's counsellor had otherwise reported it to the local authority). There was also an account from (REDACTED). (REDACTED). It noted that she also advised Mr Bartlett to report the situation to the police on 13 October and that she also made a provision that his class would be covered whilst he did so.

The panel was satisfied there was a professional duty on Mr Bartlett to safeguard all children, including children who were not directly his or the School's pupils. This duty stemmed principally from the statutory guidance contained in "Keeping Children Safe in Education". The panel was satisfied that this duty also extended to the events relating to Child A, (REDACTED). Therefore Mr Bartlett had failed in his professional duty.

Accordingly, the panel found Allegation 1 proved.

**2. Your conduct at allegation 1 placed Child A and/or other children at risk of harm**

In the statement of agreed facts, Mr Bartlett admitted this allegation in full.

The panel was satisfied that Mr Bartlett's admissions were unequivocal and consistent with the surrounding evidence in case.

In the record of a conversation between Mr Bartlett and a local authority social worker, it was noted:

*“LADO are involved re transference of risk regarding Lloyd Bartlett and also re potential risk to children posed by the alleged perpetrator who is also known to work with children...*

*I asked [Mr Bartlett] whether he had ever considered that the children [Individual A] worked with could have been at risk of sexual abuse. Mr Bartlett said that when he considers it now then yes, he does see that he would pose a risk but previously he had never allowed himself to think about it... He recognises now that he should have raised concerns with relevant agencies long ago and his failure to do so may have placed numerous children at risk of significant harm.”*

Accordingly, the panel found Allegation 2 proved.

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

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

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

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

Mr Bartlett had demonstrated a fundamental lack of judgement relating to safeguarding decisions. Despite advice from colleagues and superiors, those failures continued and the safeguarding concern was only informed to the appropriate authorities when a third party raised them.

The panel also considered whether Mr Bartlett's conduct displayed behaviours associated with any of the offences listed on pages 12 onwards of the Advice. The panel found that none of these offences were relevant. The panel noted this was an unusual case on its facts and the absence of an associated behaviour on this list was not a compelling factor to suggest unacceptable professional conduct was not present.

The panel noted that parts of the allegations took place outside the education setting. However, the panel was satisfied that the conduct affected the way in which Mr Bartlett fulfilled his teaching role and may have led to children being exposed to or influenced by the behaviour in a harmful way. Safeguarding children at all times is the backbone of practise in the teaching profession.

The panel was satisfied that the conduct of Mr Bartlett fell significantly short of the standards expected of the profession.

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

The panel took into account the way the teaching profession is viewed by others and considered the influence that teachers may have on pupils, parents and others in the community. The panel also took account of the uniquely influential role that teachers can hold in pupils' lives and the fact that pupils must be able to view teachers as role models in the way they behave.

The teaching profession is at the forefront of safeguarding children. It is fundamental to the public's trust placed in professionals that they are able to identify safeguarding issues and act on their duty to raise concerns to protect children. The findings of misconduct in this case were serious and the conduct displayed would be likely to have a negative impact on the individual's status as a teacher, potentially damaging the public perception.

The panel therefore found that Mr Bartlett'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 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 protection of pupils and other members of the public;
- the maintenance of public confidence in the profession;
- declaring and upholding proper standards of conduct.

In the light of the panel's findings against Mr Bartlett, which involved a wholesale failure to fulfil his safeguarding duties, there was a strong public interest consideration in respect of the protection of pupils and other members of the public. Similarly, the panel considered that public confidence in the profession could be seriously weakened if conduct such as that found against Mr Bartlett were not treated with the utmost seriousness when regulating the conduct of the profession. The panel decided that a strong public interest consideration in declaring proper standards of conduct in the profession was also present as the conduct found against Mr Bartlett was outside that which could reasonably be tolerated.

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 Mr Bartlett.

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

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.

There was no evidence that Mr Bartlett's actions were not deliberate. There was no evidence to suggest that Mr Bartlett was acting under duress. The panel noted Mr Bartlett had no previous regulatory findings against him, although this was not a significant factor taking into account Mr Bartlett's relatively junior status.

Mr Bartlett had engaged with the regulatory process, although he had not provided any material evidence which the panel considered showed any strengthening of his practice in regards to safeguarding. Mr Bartlett raised (REDACTED). lay at the heart of his poor decision making in this case. Mr Bartlett provided a copy of a (REDACTED). By (REDACTED). dated 19 April 2023, in which he provided an opinion regarding Mr Bartlett's future abilities regarding safeguarding practises. The panel received advice from its legal adviser following the courts guidance in *Yeong v General Medical Council* [2009] EWHC 1923. The High Court expressed that professional tribunals were unlikely to require expert evidence as a psychiatrist's expertise carried little weight in regard to the assessment of the future risk a registered professional may present. The Court highlighted that the assessment of such a risk was regularly undertaken by court and tribunals without expert evidence. The panel was satisfied that it had other sufficient material in the bundle in order to properly assess this risk without reference to any expert evidence. Accordingly, the panel did not place any weight on (REDACTED). opinions expressed in his report.

The panel noted the remarks of the (REDACTED). noted in one of the LADO meetings:

*"Lloyd does not seem to understand why this is happening to him and why everyone is concerned"*

Similarly, the panel considered that Mr Bartlett's response to these regulatory proceedings demonstrated he still had significant shortfalls in his understanding of his safeguarding responsibilities and duties. On that basis, the panel was concerned that Mr Bartlett still posed a risk to children and considered the risk to be too high not to take restrictive regulatory action.

The panel first considered whether it would be proportionate to conclude this case with no recommendation of prohibition and whether the publication of the adverse 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 was sufficient would unacceptably compromise the public interest considerations present in this case, despite the severity of the consequences for Mr Bartlett 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 Mr Bartlett. His serious and repeated failures, in the absence of evidence of any strengthened practice regarding safeguarding 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 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 or only after an extended period of time. The panel found none of those factors relevant.

The panel took account that Mr Bartlett was early on in his career and the personal connection with Child A may have blurred some boundaries. Although concerned by the repeated failures in his safeguarding practices, the panel considered that with evidence of strengthened safeguarding awareness, training and practice, these concerns may be remedial. The panel noted that (REDACTED)., both of which were likely to take a substantial period of time to resolve. The panel considered that this, alongside the wider public interest factors of maintaining confidence in the profession and upholding and declaring standards, required a review period of five years.

Accordingly, the panel recommended that a prohibition order be imposed in this case, with an opportunity for Mr Bartlett to seek a review of the order after a period of five 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/or conduct that may bring the profession into disrepute.

The panel has made a recommendation to the Secretary of State that Mr Lloyd Bartlett should be the subject of a prohibition order, with a review period of five years.

In particular, the panel has found that Mr Bartlett 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
  - 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 Mr Bartlett 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 Mr Bartlett fell significantly short of the standards expected of the profession.

The findings of misconduct are particularly serious as they include a finding of placing a child and/or other children at risk of harm.

I have to determine whether the imposition of a prohibition order is proportionate and in the public interest. In assessing that for this case, I have considered the overall aim of a prohibition order which is to protect pupils and to maintain public confidence in the profession. I have considered the extent to which a prohibition order in this case would achieve that aim taking into account the impact that it will have on the individual teacher. I have also asked myself, whether a less intrusive measure, such as the published finding of unacceptable professional conduct and conduct that may bring the profession into disrepute, would itself be sufficient to achieve the overall aim. I have to consider whether the consequences of such a publication are themselves sufficient. I have considered therefore whether or not prohibiting Mr Bartlett, 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 that "Mr Bartlett had demonstrated a fundamental lack of judgement relating to safeguarding decisions. Despite advice from colleagues and superiors, those failures continued and the safeguarding concern was only informed to the appropriate authorities when a third party

raised them.” 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, and have noted that it records the following quote from the School’s (REDACTED). (taken from a LADO meeting), “Lloyd does not seem to understand why this is happening to him and why everyone is concerned”.

The panel goes on to record that, “Similarly, the panel considered that Mr Bartlett’s response to these regulatory proceedings demonstrated he still had significant shortfalls in his understanding of his safeguarding responsibilities and duties. On that basis, the panel was concerned that Mr Bartlett still posed a risk to children and considered the risk to be too high not to take restrictive regulatory action.” In my judgement, the lack of evidence 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 teaching profession is at the forefront of safeguarding children. It is fundamental to the public’s trust placed in professionals that they are able to identify safeguarding issues and act on their duty to raise concerns to protect children. The findings of misconduct in this case were serious and the conduct displayed would be likely to have a negative impact on the individual’s status as a teacher, potentially damaging the public perception.” I am particularly mindful of the finding that Mr Bartlett put a child/other children at risk of harm in this case and the potential serious negative impact that such a finding may have 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 damage the standing of the teaching profession, 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 Mr Bartlett. The panel note that he was in the early stages of his teaching career when these proceedings started and it records no evidence of having seen any evidence that Mr Bartlett had made an outstanding contribution to the profession.

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

In this case, I have placed considerable weight on the seriousness of the misconduct found, including allowing a child and/or other children to be placed at risk of harm. I have also placed weight on the lack of evidence recorded by the panel regarding Mr Bartlett's insight into his behaviour.

I have given less weight in my consideration of sanction therefore, to the contribution that Mr Bartlett 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 or 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 five-year review period.

In doing so, the panel made reference to the Advice which indicates that there are behaviours that, if proved, would militate against the recommendation of a review period or only after an extended period of time. The panel found none of those factors relevant.

I have considered the panel's comments "The panel took account that Mr Bartlett was early on in his career and the personal connection with Child A may have blurred some boundaries. Although concerned by the repeated failures in his safeguarding practices, the panel considered that with evidence of strengthened safeguarding awareness, training and practice, these concerns may be remedial. The panel noted that (REDACTED), both of which were likely to take a substantial period of time to resolve. The panel considered that this, alongside the wider public interest factors of maintaining confidence in the profession and upholding and declaring standards, required a review period of five years."

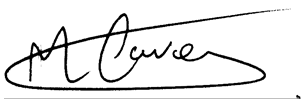
I have considered whether a five-year review period reflects the seriousness of the findings and is a proportionate period to achieve the aim of maintaining public confidence in the profession. In this case, factors mean that I agree with the panel that allowing a five-year review period is sufficient and appropriate to achieve the aim of maintaining public confidence in the profession. These elements are the seriousness of the misconduct found and the lack of evidence of full insight.

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

**This means that Mr Lloyd Bartlett is prohibited from teaching indefinitely and cannot teach in any school, sixth form college, relevant youth accommodation or children's home in England.** He may apply for the prohibition order to be set aside, but not until 01 March 2029 five years from the date of this order at the earliest. This is not an automatic right to have the prohibition order removed. If he does apply, a panel will meet to consider whether the prohibition order should be set aside. Without a successful application, Mr Bartlett remains prohibited from teaching indefinitely.

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

Mr Bartlett has a right of appeal to the King's Bench Division of the High Court within 28 days from the date he is given notice of this order.

A handwritten signature in black ink, appearing to read 'M. Cavey', enclosed within a thin black rectangular border.

**Decision maker: Marc Cavey**

**Date: 12 February 2024**

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