



Teaching
Regulation
Agency

Mrs Ruth Ejvet: Professional conduct panel outcome

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

March 2024

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

Teacher:	Ruth Ejvet
TRA reference:	18723
Date of determination:	19 March 2024
Former employer:	St Margaret's Church of England Primary School, Barking

Introduction

A professional conduct panel ("the panel") of the Teaching Regulation Agency ("the TRA") convened between 11 and 19 March 2024 by way of virtual meeting to consider the case of Mrs Ruth Ejvet.

The panel members were Mr Paul Millett (lay panellist – in the chair), Ms Gill Lyon (teacher panellist) and Mr Richard Young (lay panellist).

The legal adviser to the panel was Mr Tom Walker of Blake Morgan LLP.

The presenting officer for the TRA was Mr Lee Bridges.

Mrs Ejvet was not present but was represented by Mr Timothy Stirrup (lay representative).

The hearing took place in public and was recorded.

The Committee was satisfied that Mrs Ejvet was aware of the hearing and had voluntarily absented herself, and had instructed Mr Stirrup to act for her at the hearing. Mr Stirrup confirmed that Mrs Ejvet wanted the hearing to proceed in her absence. On this basis, the Committee decided to proceed with the hearing in the absence of Mrs Ejvet.

Allegations

The panel considered the allegations set out in the notice of proceedings dated 21 December 2023. The TRA made two separate applications to amend the allegations as follows:

First Application

1. To amend Allegation 4 to read “on a date after” 1 September 2017
2. To amend Allegation 9 b) to read “Staff Member 6”

Second Application

3. To amend Allegations 7 to 9 to refer to “In 2017” (as opposed to “On or before 1 April 2017”)

The applications were not opposed by Mrs Ejvet. The panel took the view that the amendments would have no bearing on the presentation of her defence. The panel took the view that the amendments proposed were in the interests of justice and reflected the evidence in the case without altering the substance of the case. The panel agreed to the amendments and considered the amended allegations below.

It was alleged that Mrs Ejvet was guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute in that, whilst a teacher at St Margaret’s Church of England Primary School (the School):

- 1. On or after 3 March 2008, you completed reimbursement forms which authorised cheque payments to be made to [REDACTED] (Individual A)**
- 2. On or after 3 March 2008, you arranged for a Costco Membership Card to be issued to the School in the name of [REDACTED] (Individual A)**
- 3. In or after April 2016, you set up a mobile phone account in the name of the School using your home address.**
- 4. On a date after 1 September 2010, you signed a payroll variation authorising an amendment to your own salary scale and requesting that it be backdated to 1 September 2010, when this was not appropriate.**
- 5. Prior to 19 April 2016, you did not make a declaration of interest to the School regarding [REDACTED] (Individual A) involvement in [REDACTED] on occasions at meetings requiring such a declaration to be made**

6. Prior to 7 March 2017, you did not carry out an open tender process for the award of contract(s) for building works at the School worth approximately £145,250
7. In 2017, you allowed the following to complete work at the School without evidence of completed pre-employment checks:
 - a) Staff Member 1; and/or
 - b) Staff Member 2; and/or
 - c) Staff Member 3
8. In 2017, you allowed Staff Member 7 and/or Staff Member 8 to work at the School without proof of their right to work in the United Kingdom
9. In 2017, in relation to the appointment of Staff Member 1 you:
 - a) Advised Staff Member 6 that Staff Member 1 could be appointed without an observation or interview; and/or
 - b) Subsequently asked Staff Member 4 and/or Staff Member 6 to backdate the record of an interview with Staff Member 1
10. Prior to December 2017, you did not ensure that the following information was retained in the School records in respect of every member of staff and/or recorded in an accessible Single Central Record:
 - a) Professional qualifications; and/or
 - b) References; and/or
 - c) Prohibition checks
11. By reason of your conduct in the following allegations you have failed to act with integrity:
 - a) Allegation 1; and/or
 - b) Allegation 2; and/or
 - c) Allegation 3; and/or
 - d) Allegation 4; and/or
 - e) Allegation 5; and/or
 - f) Allegation 6; and/or

g) Allegation 9a; and/or

h) Allegation 9b.

12. By reason of your conduct in the following allegations, you have failed to have proper regard for the need to safeguard pupils

a) Allegation 7; and/or

b) Allegation 8; and/or

c) Allegation 10

13. By reason of your conduct in the following allegations you were dishonest:

a) Allegation 4; and/or

b) Allegation 5; and/or

c) Allegation 9a; and/or

d) Allegation 9b

Mrs Ejvet did not accept the allegations and the allegations were taken as not admitted.

Summary of evidence

Mrs Ejvet was employed by the School as a headteacher from March 2008. On 1 April 2017, the School became part of a multi academy trust, the Genesis Education Trust. On 15 June 2017, Strictly Education Support Services conducted a visit and subsequently produced a report. On 13 July 2017, Haslers conducted a visit and subsequently produced a report. As a result of concerns regarding management of finances, Mrs Ejvet was suspended on 6 September 2017.

It is alleged that Mrs Ejvet was engaged in financial and administrative mismanagement at the School, and that her actions posed safeguarding risks to children, lacked integrity and were dishonest. In particular, it is alleged that Mrs Ejvet exploited her position by securing benefits, and/or contracts with the School, for the advantage of family members and did so without following the School's financial and procurement procedures. It is also alleged that her management of records was poor and resulted in staff members working at the School without proper evidence of their suitability to work in place and/or in circumstances where they may not have the appropriate authorisation to work, thus resulting in safeguarding failures.

Mrs Ejvet vigorously contested the allegations. The majority of the allegations were found not proved.

Documents

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

Section 1: Chronology and anonymised pupil list – pages 18 to 22

Section 2: Notice of Proceedings and Response - pages 23 to 36

Section 3: Teaching Regulation Agency Witness Statements - pages 37 to 335

Section 4: Teaching Regulation Agency Documents – pages 336 to 1464

Section 5: Teacher's Documents – pages 1465 to 5103

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

Witnesses

The panel heard oral evidence from

1. Witness A, [REDACTED];
2. Witness B, [REDACTED];
3. Witness C, [REDACTED];
4. Witness D, [REDACTED];
5. Witness E, [REDACTED];
6. Witness F, [REDACTED];
7. Witness G, [REDACTED];
8. Witness H, [REDACTED].

Decision and reasons

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

The panel announced its decision and reasons as follows.

Findings of fact

The findings of fact are as follows. The panel found the following particulars of the allegations against you proved/not proved, for these reasons:

It was alleged that Mrs Ejvet was guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute in that, whilst a teacher at St Margaret's Church of England Primary School (the School):

1. **On or after 3 March 2008, you completed reimbursement forms which authorised cheque payments to be made to [REDACTED] (Individual A)**

The panel has carefully considered this allegation. It was accepted between the parties that Individual A was [REDACTED] of Mrs Ejvet, and that he volunteered to assist with some activities at the School, to include buying catering or cleaning supplies and seeking reimbursement.

The panel regarded this factual background as agreed between the parties. However, having carefully considered the evidence and the documents produced by Witness E, the panel was not able to discern which specific reimbursement forms, completed by Mrs Ejvet, authorised cheque payments to Individual A.

The panel was unable to determine which of the documents within the bundle comprised reimbursement forms which authorised cheque payments to Individual A. There was reference in the internal School report to the existence of such forms, but the panel could find no such documents within the Bundle which would clearly support this allegation.

The panel found this allegation not proved.

2. On or after 3 March 2008, you arranged for a Costco Membership Card to be issued to the School in the name of [REDACTED] (Individual A)

It was not disputed that Individual A had a Costco Membership card, and it was issued to the School in his name. The admission of Mrs Ejvet is consistent with the other evidence in the case on this point.

The panel found this allegation proved.

3. In or after April 2016, you set up a mobile phone account in the name of the School using your home address.

It was not disputed that mobile phone accounts were set up in the name of the School using Mrs Ejvet's home address.

The panel found this allegation proved.

4. On a date after 1 September 2010, you signed a payroll variation authorising an amendment to your own salary scale and requesting that it be backdated to 1 September 2010, when this was not appropriate.

The panel was presented with a form which indicated that Mrs Ejvet had signed a payroll variation form which authorised an amendment to her salary scale and requested it to be backdated to 1 September 2010.

The panel received written evidence from [REDACTED], [REDACTED], which was presented by Mrs Ejvet. [REDACTED] stated that a pay increase had been authorised. However, [REDACTED] did not say that she had expressly authorised it, nor why specifically she had been unavailable to authorise it herself.

The panel accepts that the salary scale increase had been agreed. However, this is not determinative of whether it was appropriate for Mrs Ejvet to authorise this herself, in her own name.

Mrs Ejvet signed the form to authorise her own pay increase without any explanation as to how this had been authorised. The implied authorisation on behalf of the [REDACTED] was not made clear on the form.

In these circumstances, the panel takes the view that that it was inappropriate for Mrs Ejvet to authorise her own pay increase without at least some form of explanation as to the authorisation and/or properly constituted confirmation of authorisation.

The panel found this allegation proved.

5. Prior to 19 April 2016, you did not make a declaration of interest to the School regarding [REDACTED] (Individual A) involvement in [REDACTED] on occasions at meetings requiring such a declaration to be made

The relationship between Mrs Ejvet and [REDACTED] through Individual A, [REDACTED], was known to the School and the Governing Body, and there is clear evidence that this was declared in a meeting in or around 19 April 2016.

Mrs Ejvet's case is that this interest was made known to the School much earlier. Indeed, the panel was presented with an email from August 2013 which declared this interest to the Governing Body. There were also minutes referencing meetings in July 2013 and June 2015 in which this interest was noted. Mrs Ejvet also submitted emails from 2008 not long after she commenced employment with the School, in which this interest was declared and/or made known to individuals within the School and the Governing Body.

The panel was not able to identify other minutes of meetings where Mrs Ejvet was present and, perhaps more importantly, where she would have been specifically required to make a further declaration of interest regarding her connection to [REDACTED].

The panel is satisfied that Mrs Ejvet did, prior to 19 April 2016, make various declarations of interest to the School regarding [REDACTED] involvement in [REDACTED], and finds this allegation not proved.

6. Prior to 7 March 2017, you did not carry out an open tender process for the award of contract(s) for building works at the School worth approximately £145,250

A number of building works at the School were contracted to [REDACTED]. The final contract value was said to be approximately £145,250 (excluding VAT).

The School had in place a Procurement and Tendering Policy from June 2015 which was authored by Mrs Ejvet. The School also had a Best Value Policy (November 2016). The

Best Value Policy required the Governing Body and Head Teacher to do their best through management and decision-making processes and within the constraints of the available budget to obtain value for money, which included the requirement to promote competition between potential providers to ensure the economic, efficient and effective purchase of services.

The Financial Procedures Policy set out that all purchases estimated to be above £20,000 should be put to tender. This policy set out that Governors should ensure that at least three contractors were invited to submit tenders. Above £50,000 and up to EU thresholds, four tenders were required. Three quotations should be submitted to the Governing Body for estimates of £5,000 and up to £20,000. Estimates under £5,000 should follow the principles of best value for money.

When earlier work was being planned in October 2015, the [REDACTED] proposed that [REDACTED] should be used for the next three years. The Minutes of this meeting record as follows: the “Governors discussed and agreed to be open, transparent, accountable and credible. Governors were not in agreement to use [REDACTED] and decided to go to tender” for the works. The panel heard evidence from Witness D, [REDACTED], which supported this.

The panel heard evidence that in February 2016, a new Buildings Sub Committee was convened at the School and they decided to use [REDACTED] on the basis of best value. The Governors were not aware of this decision until April 2016. [REDACTED] in turn invoiced the School at various points over 2016. There was no formal or open tender process for the appointment of [REDACTED].

Mrs Ejvet’s case is that the Governing Body (and not her) were responsible for the appointment, but that, in any event, given the circumstances of the need for the work, the fact that [REDACTED] had knowledge of the School and previously provided good value, their appointment was legitimate and there was no need for any tender processes.

Mrs Ejvet, as the headteacher, had overall responsibility for the School’s activities, and had a duty to ensure that the policies, financial systems and controls in place were followed. This included a responsibility to ensure that the Governing Body also complied with the relevant policies and procedures. Mrs Ejvet was the author of some of the policies which set out the principles applicable to tendering for works.

The panel has carefully considered the documentary and oral evidence in this case. It is clear that, in accordance with the School’s policies, as a result of the value of the works in question, a tender process should have been followed, obtaining at least three quotes. There is no evidence that a tender process was conducted in accordance with policies. There is also no evidence that the work was required with such expedition that this tender process could not have been followed. In any event, proper planning could have avoided any such pressures.

The panel is satisfied that this allegation is proven.

7. In 2017, you allowed the following to complete work at the School without evidence of completed pre-employment checks:

a) Staff Member 1; and/or

b) Staff Member 2; and/or

c) Staff Member 3

The panel heard evidence from Witness F that she conducted an audit of staff members at the School and found the records to be incomplete in a number of respects. Her findings are recorded in a spreadsheet. However, her evidence is not determinative of the allegation.

The allegation does not specify precisely what form of pre-employment checks should have been undertaken or where this information is to be recorded or retained.

Mrs Ejvet's case is that pre-employment DBS checks were carried out, and refers to emails (Appendix 48) which support this contention.

The evidence in relation to allegations 7 a); and 7 b) is neither clear nor convincing. As regards allegation 7 c) the panel is not satisfied that Mrs Ejvet would have had responsibility for conducting such checks herself as this staff member was provided by an agency.

The absence of evidence of such checks is indicative of poor record keeping and management at the School, but the panel is not able to determine to the requisite standard that such checks were not undertaken.

The panel find this allegation not proven.

8. In 2017, you allowed Staff Member 7 and/or Staff Member 8 to work at the School without proof of their right to work in the United Kingdom

There is no dispute that Staff Members 7 and 8 had the right to work in the UK when they were employed.

The agreed evidence was that there was a lapse and the records and/or relevant permissions or proofs were not updated. Mrs Ejvet's case is that the [REDACTED] at the time had not updated her as to the approaching expiry date concerning evidence of the right to work. Mrs Ejvet states that as soon as she became aware of it, she sought advice from external HR services and both members of staff were immediately asked to leave the School premises. Mrs Ejvet states that these staff members returned to the School once they had provided updated evidence of their right to work in the UK.

The panel takes the view that Mrs Ejvet had ultimate responsibility for the management of staff at the School, to include ensuring that all relevant permissions and authorisations were in place. All of this information should have been retained in an accessible Single Central Record which Mrs Ejvet should have monitored on a regular basis. In as far as Mrs Ejvet failed to do that in relation to the two staff members in question, she allowed them both to work in the School without proof of their right to work in the UK. This was not a deliberate or intentional act, and Mrs Ejvet allowed this to occur by omission. However, Mrs Ejvet should have had a system in place to monitor these issues and identify them in advance so that action could be taken.

The panel find this allegation proven.

9. In 2017, in relation to the appointment of Staff Member 1 you:

- a) Advised Staff Member 6 that Staff Member 1 could be appointed without an observation or interview; and/or**
- b) Subsequently asked Staff Member 4 and/or Staff Member 6 to backdate the record of an interview with Staff Member 1**

The evidence for this allegation was said to come from Staff Member 6 and an email of 3 November 2017 in which she states that she was advised that she could appoint a staff member without an observation/interview and that she could backdate an interview record.

Staff Member 6 stated in evidence that the interviews in question occurred prior to the September 2017 term when Staff Member 1 started work. The panel noted the documents confirming this and accepted this evidence.

Staff Member 6 further stated in evidence that she was unable to recall writing the email, or what the email specifically related to. Whilst Staff Member 6 did state that she would not have written such an email if the events described had not occurred, her failure to recollect anything is fatal to the allegations concerning Staff Member 6.

As regards Staff Member 4, the panel were presented with an email of 3 November 2017 which was ambiguous. The panel were not given an opportunity to question this witness.

Given this, the panel were not satisfied that any elements of this allegation were found proved.

10. Prior to December 2017, you did not ensure that the following information was retained in the School records in respect of every member of staff and/or recorded in an accessible Single Central Record:

- a) Professional qualifications; and/or**
- b) References; and/or**

c) Prohibition checks

The maintenance of a Single Central Record is a statutory requirement and is set out in 'Keeping Children Safe in Education' (KCSIE). KCSIE sets out that Schools must maintain a single central record of pre-appointment checks. The Single Central Record must indicate whether the following checks have been carried out or certificates obtained, and the date on which each check was completed or certificate obtained. Checks should include an individual's right to work in the UK.

The panel heard evidence the School did not have an accessible Single Central Record containing the information specified in the allegation. The evidence of Witness F was that none of this information was readily available when she attended in September 2017, and thus she had to recreate the information.

However, Witness H gave evidence that a Single Central Record did exist and that it was to be found in a locked cabinet, albeit she had never seen it.

Mrs Ejvet's case is that a Single Central Record did exist, but that it was found on the [REDACTED] computer and was password protected. Mrs Ejvet also refers to other emails in which the Single Central Record was referred to which is indicative of such a Record existing. Mrs Ejvet also provided information *after* December 2017 which referenced the notion that the Single Central Record had been updated in the Summer of 2017.

However, the panel found the evidence of Witness F convincing that, regardless of whether some of the information needed to complete a Single Central Record was available previously, when she attended there was no such document readily accessible as per the statutory guidance.

The panel reviewed the Single Central Record compiled by Witness F and noted that a number of entries relating to references and professional qualifications were missing. The panel is satisfied that the information in relation to staff professional qualifications and references were not recorded in an accessible format and find allegation 10 a) and b) proven on this basis.

The panel noted that there was no reference in the Single Central Record compiled by Witness F to prohibition checks. The panel was thus not clear what prohibition checks should have been recorded as part of a Single Central Record, and so is not satisfied that this allegation 10 c) is proved.

The panel found allegations 10 a) and b) proved; and allegation 10 c) not proved.

11. By reason of your conduct in the following allegations you have failed to act with integrity:

a) Allegation 1; and/or

- b) Allegation 2; and/or**
- c) Allegation 3; and/or**
- d) Allegation 4; and/or**
- e) Allegation 5; and/or**
- f) Allegation 6; and/or**
- g) Allegation 9a; and/or**
- h) Allegation 9b.**

The panel found allegations 2, 3, 4, and 6 proven.

Having found allegation 2 proved, the panel went on to consider whether this amounted to a lack of integrity.

A Costco Membership card is not a credit card and simply enables access to the store. The panel is of the view that arranging for such a card to be issued to the School in the name of [REDACTED] was unwise and could create a potential for misuse and confusion. However, there is no evidence that there was any abuse. The panel was satisfied that the card issued to [REDACTED] was a second free card and was given to him so he could assist the School. Therefore the panel was not satisfied that this crosses the threshold so as to amount to a lack of integrity. The panel thus finds allegation 11 b) not proved.

Having found allegation 3 proved the panel went on to consider whether this amounted to a lack of integrity. Mrs Ejvet's case is that the School had a policy of no direct debits and hence her home address was used to enable mobile phones to be used by the School. The evidence of Witness E was to the effect that the School could make use of direct debits. The panel was unable to resolve this factual dispute. The panel took the view that the evidence of Mrs Ejvet, whilst unorthodox, is plausible. Because of the use of different billing addresses, it was a course of action which, without explanation, was potentially liable to create concerns about propriety. However, the panel were not presented with any clear evidence as to what had occurred, or whether any particular policy had been breached by virtue of these actions. The panel accepts that the phones were used for School business. There is no evidence that the School suffered any prejudice or detriment as a result of this, or that any other harm was caused.

The panel takes the view that the actions of Mrs Ejvet in facilitating this arrangement may be capable of description as unwise, but this does not cross the threshold to amount to a lack of integrity. The panel found allegation 11 c) not proved.

Having found allegation 4 proved, the panel went on to consider whether this action amounts to a lack of integrity. The panel took the view that the actions of Mrs Ejvet

represented a departure from the high standards of procedural and financial propriety expected of a teacher and commensurate with someone in her leadership position. The panel is satisfied that the actions of Mrs Ejvet represent a lack of integrity. The panel found allegation 11 d) proved.

Having found allegation 6 proven, the panel has gone on to consider whether such actions amount to a lack of integrity. Mrs Ejvet allowed the award of the contracts in question in breach of the School's financial policies, some of which she had drafted and would have been aware of. Her actions represent a significant departure from the high standards of propriety expected from a teacher in her position. The fact that she had a personal interest and connection to the company receiving the contract is also a feature in the finding that her actions lacked integrity. The panel found allegation 11 f) proved.

12. By reason of your conduct in the following allegations, you have failed to have proper regard for the need to safeguard pupils

a) Allegation 7; and/or

b) Allegation 8; and/or

c) Allegation 10

The panel found allegations 8 and 10 a) and b) proved.

Having found allegation 8 proven, the panel went on to consider whether the actions of Mrs Ejvet amounted to a failure to have proper regard to the need to safeguard pupils. There is extensive guidance in relation to the need to ensure that pupils are not exposed to individuals who may pose a risk of harm to them. Failing to ensure that staff members can produce evidence confirming that they have the right to work in the UK is a potential safeguarding issue. It was the responsibility of Mrs Ejvet to ensure that this information was monitored at regular intervals. The panel is satisfied that, although there is no evidence of any actual harm or risk of harm in this case, the failure does represent a failure to have proper regard for safeguarding principles.

The panel finds allegation 12 b) proved.

Having found allegations 10 a) and b) proven, the panel went on to consider whether the actions of Mrs Ejvet amounted to a failure to have proper regard to the need to safeguard pupils. The panel was satisfied that there was no Single Central Record available which was readily accessible. It was further satisfied that the information that did exist did not include all professional qualifications and references for all staff as required by KCSIE. This was Mrs Ejvet's responsibility and the panel is satisfied that she demonstrated a failure to have proper regard for the need to safeguard pupils.

The panel finds allegation 12 c) proved.

13. By reason of your conduct in the following allegations you were dishonest:

- a) Allegation 4; and/or
- b) Allegation 5; and/or
- c) Allegation 9a; and/or
- d) Allegation 9b

The panel did not find allegations 5 or 9 proven.

Having found allegation 4 proved, the panel went on to consider whether the actions of Mrs Ejvet represented dishonesty. The panel was satisfied that Mrs Ejvet was due a salary increase and her actions represented a breach of procedural standards and expectations of transparency. However, her actions were not done with a dishonest intention to obtain a benefit not otherwise due, or to mislead anyone. The panel found this allegation not proven.

The panel finds allegation 13 not proven.

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

Having found a number of the allegations proven (allegations 2; 3; 4; 6; 8; 10 b) and c); 11 d) and f); 12 b) and c) 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 did not find that allegations 2 and 3 amounted to a lack of integrity. The panel did not regard allegations 2 or 3 as serious enough to cross the threshold as to amount to unacceptable professional conduct or conduct capable of bringing the profession into disrepute.

The panel regarded allegations 4, 6, 8 and 10 to be misconduct of a serious nature. The panel was satisfied that the conduct of Mrs Ejvet, in relation to the facts found proved, involved breaches of the Teachers’ Standards. The panel considered that, by reference to Part 2, Mrs Ejvet 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.
- 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 Ejvet, which concerned financial and administrative mismanagement of a School, amounted to misconduct of a serious nature which fell significantly short of the standards expected of the profession, and thus amounted to unacceptable professional conduct.

The actions of Mrs Ejvet involved a departure from the relevant standards and statutory frameworks.

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

The panel took the view that the actions of Mrs Ejvet, for the reasons set out above, would negatively impact the public perception of teachers. The panel therefore found that Mrs Ejvet's actions constituted conduct that may bring the profession into disrepute.

Panel's recommendation to the Secretary of State

Given the panel's findings, 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 and protection of other members of the public; the maintenance of public confidence in the profession and the declaring and upholding of proper standards of conduct.

In light of the panel's findings against Mrs Ejvet, namely unacceptable professional conduct and conduct which may bring the profession into disrepute by virtue of the core allegations of 4, 6, 8 and 10, there was a strong public interest consideration in respect of the protection of 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 Mrs Ejvet 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 present. The conduct found against Mrs Ejvet was outside that which could reasonably be tolerated.

The panel also considered whether there was a public interest in retaining Mrs Ejvet in the profession and it concluded that there was.

No doubt had been cast upon Mrs Ejvet's core abilities as a teacher and there was positive evidence available as to her previous practice. She was clearly a well-regarded teacher and had successfully reached the role of headteacher.

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

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 Ejvet.

The panel took further account of the Advice, which suggests that a prohibition order may be appropriate if certain behaviours of a teacher have been proved. In the list of such behaviours, those that were relevant in this case were:

- serious departure from the personal and professional conduct elements of the Teachers' Standards;
- 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);
- lack of integrity.

Whilst the above features were relevant in this case, the panel makes a number of observations. The serious departure from the personal and professional conduct elements by virtue of Mrs Ejvet's failures and the findings in relation to lack of integrity, were procedural in nature and there is no evidence of any significant harm or financial detriment.

Similarly, the safeguarding failures posed a risk but there is no evidence of any actual or significant risk in this case.

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.

The panel considered there were a number of mitigating factors present in this case, including:

- Mrs Ejvet had an otherwise unblemished record. She had not been subject to any previous regulatory proceedings and worked for 32 years;
- Mrs Ejvet worked in a busy inner city School and her commitment to the children at the School was not called into question;
- Mrs Ejvet has recognised that the records and administration at the School was not as good as it should have been, and has accepted responsibility for this;
- Mrs Ejvet had worked successfully since the time of the allegations as a mental health counsellor.

Weighed against this, there were some aggravating features, including:

- Mr Ejvet was an experienced teacher. She ought to have known what was required of her and conducted herself accordingly;
- Given her experience and seniority at the time, Mrs Ejvet should have set the highest standards and been an exemplary role model.
- Mrs Ejvet's actions amounted to a breach of the Teachers' Standards.

The panel was of the view that, applying the standard of the ordinary intelligent citizen, recommending no prohibition order was a proportionate and appropriate response.

In all the circumstances, the panel concluded that whilst the nature and implications of Mrs Ejvet's conduct was a serious matter, it was highly specific to the nature of the School she worked at. The conduct complained of also dated back to between 2008 to 2017, and so was historic. In light of these factors, the panel was satisfied that the risk of repetition was minimal.

The panel also considered that, given her experience and prior good service, there was every prospect that Mrs Ejvet would be able to make a contribution to the education profession in the future. Given all the circumstances, the published finding of unacceptable professional conduct and conduct which may bring the profession into disrepute in this case amounts to a form of sanction in itself which fulfils the public interest considerations.

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

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

The panel considered this to be a proportionate outcome which struck a fair balance between the public interest and Mrs Ejvet's interests. It did not consider that Mrs Ejvet presents an ongoing risk to the public. The panel was satisfied that its decision maintains public confidence and upholds professional standards.

Decision and reasons on behalf of the Secretary of State

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

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

In this case, the panel has found some of the allegations proven in whole or in part and found that some of those proven facts amount to unacceptable professional conduct and/or conduct that may bring the profession into disrepute.

In this case, the panel has also found some of the allegations not proven in whole or in part and/or found that some allegations do not amount to unacceptable professional conduct or conduct likely to bring the profession into disrepute. I have therefore put those matters entirely from my mind.

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

In particular, the panel has found that Mrs Ejvet 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.

- 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 Ejvet 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 Ejvet fell significantly short of the standards expected of the profession.

The findings of misconduct are serious as they include failures to have a proper regard for the need to safeguard pupils. They also include behaviour on the part of Mrs Ejvet which lacked integrity.

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 Mrs Ejvet, 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 observe that “Failing to ensure that staff members can produce evidence confirming that they have the right to work in the UK is a potential safeguarding issue. It was the responsibility of Mrs Ejvet to ensure that this information was monitored at regular intervals. The panel is satisfied that, although there is no evidence of any actual harm or risk of harm in this case, the failure does represent a failure to have proper regard for safeguarding principles.” 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 recorded as follows, “Mrs Ejvet has recognised that the records and administration at the School was not as good as it should have been, and has accepted responsibility for this.” In my judgement, the insight demonstrated by Mrs Ejvet means that there is a limited risk of the repetition of this behaviour. I have therefore given this element 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 took the view that the actions of Mrs Ejvet, for the reasons set out above, would negatively impact the public

perception of teachers.” I am particularly mindful of the finding on this case that aspects of Mrs Ejvet’s behaviour lacked integrity and the 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 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 Ejvet herself. I note that the panel record that she has been working successfully as a mental health counsellor since the time of the allegations. I also note the panel’s comments that “Mrs Ejvet had an otherwise unblemished record. She had not been subject to any previous regulatory proceedings and worked for 32 years”. The panel also record that “Mrs Ejvet worked in a busy inner city School and her commitment to the children at the School was not called into question.”

A prohibition order would prevent Mrs Ejvet 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 regarding the circumstances surrounding Mrs Ejvet’s misconduct and the risk of repetition:

“In all the circumstances, the panel concluded that whilst the nature and implications of Mrs Ejvet’s conduct was a serious matter, it was highly specific to the nature of the School she worked at. The conduct complained of also dated back to between 2008 to 2017, and so was historic. In light of these factors, the panel was satisfied that the risk of repetition was minimal.”

I have also noted the panel’s conclusion as set out below:

“Having very carefully taken account of the public interest considerations present, the panel considered that the publication of the adverse findings it made would be sufficient to send an appropriate message to the teacher as to the standards of behaviour that were not acceptable.

The panel considered this to be a proportionate outcome which struck a fair balance between the public interest and Mrs Ejvet’s interests. It did not consider that Mrs Ejvet

presents an ongoing risk to the public. The panel was satisfied that its decision maintains public confidence and upholds professional standards.”

I agree with the panel that, in this case, a prohibition order is not proportionate or in the public interest. In doing so I have taken account both of Mrs Ejvet’s contribution to the profession and the insight she has demonstrated. I consider that the publication of the findings made would be sufficient to send an appropriate message to the teacher as to the standards of behaviour that were not acceptable and that the publication would meet the public interest requirement of declaring proper standards of the profession.

A handwritten signature in black ink, appearing to read 'M. Cavey', with a long horizontal stroke extending to the right.

Decision maker: Marc Cavey

Date: 21 March 2024

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