



Teaching
Regulation
Agency

Mr Simon Hall: Professional conduct panel hearing 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: Mr Simon Hall

TRA reference: 21218

Date of determination: 22 March 2024

Former employer: Walthamstow Academy, London (“the School”)

Introduction

A professional conduct panel (“the panel”) of the Teaching Regulation Agency (“the TRA”) convened on 22 March 2024 by virtual means, to consider the case of Mr Simon Hall.

The panel members were Ms Elizabeth Pollitt (teacher panellist – in the chair), Mr Adrian Meadows (teacher panellist) and Mrs Anila Rai (lay panellist).

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

The presenting officer for the TRA was Ms Cher Lyne Peh of Browne Jacobson solicitors.

Mr Hall was present and was not represented.

The hearing took place in public, save that confidential matters were heard in private. The hearing was recorded.

Allegations

The panel considered the allegations set out in the notice of proceedings dated 15 December 2023

It was alleged that Mr Hall was guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute, in that:

1. On and around 5 September 2022 whilst employed as a teacher at Walthamstow Academy he provided a falsified degree certificate to the school following his employment application.
2. His conduct as may be proven at Allegation 1 was dishonest and/or lacked integrity.

Mr Hall admitted both the facts of the allegation and that he was guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute.

Preliminary applications

There were no preliminary applications.

Summary of evidence

Documents

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

Section 1: Notice of referral and response form, notice of proceedings – pages 4 to 26

Section 2: Teaching Regulation Agency witness statements – pages 27 to 110

Section 4: Teaching Regulation Agency documents – pages 111 to 241

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 Witness A, called by the presenting officer.

Decision and reasons

The panel announced its decision and reasons as follows:

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

Mr Hall applied for the role of Head of Media at the School in November 2021. Mr Hall commenced his employment on 19 April 2022. A disciplinary hearing took place on 3 October 2022. Mr Hall was referred to the TRA on 2 November 2022.

Findings of fact

The findings of fact are as follows:

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

- 1. On and around 5 September 2022 whilst employed as a teacher at Walthamstow Academy he provided a falsified degree certificate to the school following your employment application.**

Mr Hall admitted this allegation both in the present proceedings and when interviewed as part of the School's investigation and at his disciplinary hearing.

Witness A gave evidence that Mr Hall applied for the role of Head of Media in November 2021. He was offered and accepted this role on 24 November 2021. Witness A gave evidence that, as part of the checks that had to be conducted, the School needed copies of both Mr Hall's degree and qualified teacher status certificates. She stated that she first asked Mr Hall on 8 February 2022 by email to bring his degree certificate and other documents to the School on 14 February 2022 and reminded him of this on 11 February 2022. She stated that on 14 February 2022, Mr Hall failed to bring his degree certificate stating that he had been unable to locate it, and that he would re-order a new copy.

On 18 March 2022, Witness A stated she was told by Mr Hall that the certificate had not arrived, but that he hoped it would arrive over the Easter holidays and that he would bring it with him on his first day on 19 April 2022. Witness A stated that Mr Hall failed to bring the certificate with him on 19 April 2022. She stated that Mr Hall had told her the wrong one had been posted to him and that he had to order another one. After two further requests, Witness A stated that Mr Hall changed his position and said that it had not been the wrong certificate but that it had been posted to an old address. She stated that Mr Hall had said that a new one was being sent and that it would take four weeks.

Witness A stated that there were multiple conversations between herself, her colleagues and Mr Hall between May and July 2022. Witness A stated that on 20 July 2022, Mr Hall responded to say that the certificate had been received at his parent's house, that he would be visiting over the summer holidays and that he would bring the certificate in when the term commenced in September.

Witness A stated that at the beginning of the term in September 2022, Mr Hall failed to bring in the certificate, saying that he had not gone home during the holidays. She stated that she asked Mr Hall to have his parents take a photograph of the certificate and to email it, and to post the certificate directly to the School and provide proof of delivery.

She stated that she did not receive the photograph and asked him again the following day. Witness A stated that it was not until her colleague, on 5 September, asked Mr Hall for the photograph that he sent one, saying he would provide the hard copy as soon as he could.

Mr Hall was then told that he had until 23 September to produce the certificate. Mr Hall responded and informed Witness A that his [REDACTED] would post the certificate that week and he would provide proof of postage. Witness A stated that by the end of that week she still had not received proof of postage. Again, Mr Hall confirmed that his [REDACTED] would post the certificate. Witness A stated that by 20 September, she asked for a progress update and reminded Mr Hall of the deadline. She stated that she received proof of postage, but it confirmed the certificate had been posted to Mr Hall's [REDACTED] address and not the School. Witness A stated that when she sought to track the package using the tracking number, she was unable to confirm the status of the item and received the same error message over the course of the next few days.

Witness A stated that she made enquiries with Solent University who confirmed Mr Hall's degree. She also checked with his previous employer who stated they had a witnessed copy of Mr Hall's degree certificate on file. She stated that over the following days, she had further email correspondence with Mr Hall as the certificate had still not been received.

On 28 September, Witness A stated that she received the copy of the degree certificate that Mr Hall's previous employer had on file, and that it was different from the photograph she had received from Mr Hall. The panel has seen both the photograph copy provided by Mr Hall and the copy from the previous employer. They are different, in that the name of the course is stated to be slightly different. The photograph states "TV and Video Production June 2015", whereas the version from Mr Hall's previous employer records the programme as "Television and Video Production July 2015". The degree classification is different in that the photograph refers to a first-class honours degree, whereas the version from Mr Hall's previous employer records a second class honours degree (first division). The names of those who have signed the certificate are also different.

Having noted these differences, Witness A stated she contacted Solent University providing copies of both documents. Solent University confirmed that the copy provided by Mr Hall's previous employer was genuine and the photograph provided by Mr Hall was not. The panel has seen a copy of this email.

Witness A stated that she asked the School's IT team to check Mr Hall's search history and searches for "Solent University degree certificate" and similar were found. The degree template that was first to appear when conducting the search appeared to be the one Mr Hall had used to provide the photograph to the School. The panel has seen this browsing history of 5 September 2022 and the search result referred to by Witness A.

In light of the documents reviewed by the panel, the evidence of Witness A and the admissions made by Mr Hall during the School's disciplinary investigation and hearing, and before this panel, the panel found this allegation proven.

2. Your conduct as may be proven at Allegation 1 was dishonest and/or lacked integrity.

Mr Hall admitted this allegation.

The panel noted that it did not appear that Mr Hall had any intention to lie about the classification of degree he received. His application to the school stated that he had a second-class degree (first division). Witness A confirmed in oral evidence that there was no advantage to be gained, having already been awarded his position, in claiming to have a first-class honours degree. The inclusion of the reference to a first-class honours degree in the falsified certificate appears to have been a result of the template used by Mr Hall to create the document.

However, the panel did believe that Mr Hall had falsified the certificate with the intention of convincing the School that he had evidence of his degree certificate. The panel was of the view that this was a calculated decision, building upon the web of lies he had told in the preceding months that he was actively trying to obtain a copy of his certificate. In oral evidence, Mr Hall confirmed that it was not until September 2022 that he applied for a copy certificate from Solent University, despite having had ample opportunity to do so over the previous months, including during the summer holidays when Mr Hall was travelling.

The panel understood that Mr Hall had been facing personal difficulties over the summer term [REDACTED]. Mr Hall stated that he felt under pressure to produce a certificate given the potential consequences for his employment if he failed to do so. However, Mr Hall understood that the School had to verify his certificate in order to ensure he was appropriately qualified to teach his subject. Mr Hall knew that in falsifying the certificate he was diverting the School's attention away from his failure to apply for a replacement certificate when he had promised to do so, and having said that he had made the application. The panel considered that the ordinary honest person would consider this to be dishonest.

The panel also found that Mr Hall's actions lacked integrity. The ethical standards of the profession required him to abide by the principles of Safer Recruitment and his actions undermined those processes.

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 Hall in relation to the facts found proved, involved breaches of the Teachers’ Standards. The panel considered that Mr Hall had breached the requirement set out in the Preamble to “act with honesty and integrity”. The panel considered that, by reference to Part 2, Mr Hall was also in breach of the requirement to uphold public trust in the profession and maintain high standards of ethics and behaviour and the following standards:

- 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 Mr Hall in relation to the facts found proved, showed a disregard for Keeping Children Safe in Education (“KCSIE”). The panel considered that Mr Hall’s conduct undermined the principles of Safer Recruitment in place to ensure the suitability of employees for their position.

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

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

The panel found that the offence of fraud or serious dishonesty was relevant. The falsification of the certificate was the culmination of a prolonged series of lies, and an effort to cover up that he had not made efforts to obtain a replacement certificate.

The Advice indicates that where behaviours associated with such an offence exist, a panel is likely to conclude that an individual’s conduct would amount to unacceptable professional conduct.

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

The panel went on to consider whether Mr Hall was guilty of conduct that may bring the profession into disrepute.

The panel took into account the way the teaching profession is viewed by others, the responsibilities and duties of teachers in relation to the safeguarding and welfare of pupils and considered the influence that teachers may have on pupils, parents and others in the community. The panel also took account of the uniquely influential role that teachers can hold in pupils' lives and the fact that pupils must be able to view teachers as role models in the way that they behave. Acting dishonestly does not serve as an appropriate role model for pupils.

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

As referred to above, the panel found that the offence of fraud or serious dishonesty was relevant.

The Advice indicates that where behaviours associated with such an offence exist, a panel is likely to conclude that an individual's conduct would amount to conduct that may bring the profession into disrepute.

The findings of misconduct are serious, and the conduct displayed would be likely to have a negative impact on the individual's status as a teacher. Parents would expect a teacher to act honestly.

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

The panel therefore found that Mr Hall'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 is appropriate, the panel had to consider the public interest, the seriousness of the behaviour and any mitigation offered by Mr Hall and whether a prohibition order is necessary and proportionate. Prohibition orders should not be given in order to be punitive, or to show that blame has been apportioned, although they are likely to have punitive effect.

The panel had regard to the particular public interest considerations set out in the Advice and, having done so, found a number of them to be relevant in this case, namely, the

maintenance of public confidence in the profession; declaring and upholding proper standards of conduct; and the interest of retaining the teacher in the profession.

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

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

The panel decided that there was also a strong public interest consideration in retaining the teacher in the profession, since no doubt had been cast upon his ability as an educator and he is able to make a valuable contribution to the profession. In the circumstances of this case, the panel considered that the benefit of retaining Mr Hall in the profession outweighed the adverse public interest considerations referred to above.

The panel considered carefully the seriousness of the behaviour, noting that the Advice states that the expectation of both the public and pupils, is that members of the teaching profession maintain an exemplary level of integrity and ethical standards at all times.

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

- serious departure from the personal and professional conduct elements of the Teachers' Standards;
- 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; and
- collusion or concealment including: any activity that involves knowingly substantiating another person's statements where they are known to be false; failure to challenge inappropriate actions, defending inappropriate actions or concealing inappropriate actions; encouraging others to break rules; lying to prevent the identification of wrongdoing.

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

There was evidence that Mr Hall's actions were deliberate. He acted dishonestly in seeking to cover up that he had not applied for a replacement degree certificate. However, his intention was not to mislead as to his qualification; he had the degree that he purported to have at the time of his application to the School.

There was no evidence to suggest that Mr Hall was acting under extreme duress, e.g. a physical threat or significant intimidation. However, Mr Hall told the panel that he had been experiencing pressures at the time of having started a position in a new School, managing the different expectations of his new role and at the same time having a tumultuous life outside of school [REDACTED]. The panel saw no independent evidence of this, but accepted Mr Hall's explanation.

Mr Hall had a previous good history, although there was no evidence of having demonstrated exceptionally high standards in both his personal and professional conduct or of having contributed significantly to the education sector.

Mr Hall was not represented in these proceedings and did not adduce any statements testifying to his good character or history as a teacher, as he might have done had he received legal advice. However, the panel noted from Mr Hall's application form to the School that he acquired his PGCE in 2019 and started working as a teacher of English and Media in his previous school, then moved to the School acquiring a more senior post as head of media. A reference was provided from the headteacher of his previous school confirming that he rated Mr Hall as "good" in all of the categories names save for "strategic leadership" and "analysis and use of data". The reference stated, "Simon is a good member of staff, we wish him well." The referee confirmed he had never had any cause to be concerned about Mr Hall's honesty and integrity, that he would re-employ Mr Hall and that Mr Hall was suitable to work with children.

Mr Hall demonstrated insight into his behaviour. He has admitted the allegations both in the School's investigation, his disciplinary hearing and before this panel. He has accepted that he erred in the months leading up to the falsification of the certificate and accepted the deficiencies in his conduct. He demonstrated that he appreciated why the School needed to verify his certificate. He referred to having spent the last two years regretting his actions, and that he would accept "any punishment" that the panel considered appropriate.

Mr Hall also explained his passion for teaching and gave the panel an insight as to why he had chosen to enter the profession, having not felt supported or cared for himself whilst in school. He referred to having made it his goal to provide that support for children in the course of his career. He explained that he had always put his best efforts into teaching and always wanted to present his "best self in the classroom." He referred to having helped lots of children who found it difficult to engage in education.

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

The panel was of the view that, applying the standard of the ordinary intelligent citizen, the recommendation of no prohibition order would be both a proportionate and an appropriate response. Given that the nature and severity of the behaviour were at the less serious end of the possible spectrum and, having considered the mitigating factors that were present, the panel determined that a recommendation for a prohibition order would not be appropriate in this case. The panel considered that the publication of the adverse findings it had made was sufficient to send an appropriate message to the teacher as to the standards of behaviour that are not acceptable, and the publication would meet the public interest requirement of declaring proper standards of the profession.

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 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 Mr Simon Hall should not be the subject of a prohibition order. 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 Mr Hall is in breach of the following standards:

- 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 Mr Hall, involved breaches of the responsibilities and duties set out in statutory guidance Keeping children safe in education (KCSIE) and/or involved breaches of Working Together to Safeguard Children.

The panel finds that the conduct of Mr Hall fell significantly short of the standards expected of the profession.

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 or 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 Mr Hall, 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/safeguard pupils. The panel has observed, "The panel took into account the way the teaching profession is viewed by others, the responsibilities and duties of teachers in relation to the safeguarding and welfare of pupils and considered the influence that teachers may have on pupils, parents and others in the community. The panel also took account of the uniquely influential role that teachers can hold in pupils' lives and the fact that pupils must be able to view teachers as role models in the way that they behave. Acting dishonestly does not serve as an appropriate role model for pupils." A prohibition order would therefore prevent such a risk from being present in the future.

I have also taken into account the panel's comments on insight and remorse, which the panel sets out as follows, "Mr Hall demonstrated insight into his behaviour. He has admitted the allegations both in the School's investigation, his disciplinary hearing and before this panel. He has accepted that he erred in the months leading up to the falsification of the certificate and accepted the deficiencies in his conduct. He demonstrated that he appreciated why the School needed to verify his certificate. He referred to having spent the last two years regretting his actions, and that he would accept "any punishment" that the panel considered appropriate." 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 findings of misconduct are serious, and the conduct displayed would be likely to have a negative impact on the individual's status as a teacher. Parents would expect a teacher to act honestly.

The panel considered that Mr Hall's conduct could potentially damage the public's perception of a teacher."

I am particularly mindful of the finding of dishonesty in this case and the impact that such a finding has on the reputation of the profession.

I have 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 or 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 Mr Hall himself and the panel comment “Mr Hall was not represented in these proceedings and did not adduce any statements testifying to his good character or history as a teacher, as he might have done had he received legal advice. However, the panel noted from Mr Hall’s application form to the School that he acquired his PGCE in 2019 and started working as a teacher of English and Media in his previous school, then moved to the School acquiring a more senior post as head of media. A reference was provided from the headteacher of his previous school confirming that he rated Mr Hall as “good” in all of the categories names save for “strategic leadership” and “analysis and use of data”. The reference stated, “Simon is a good member of staff, we wish him well.” The referee confirmed he had never had any cause to be concerned about Mr Hall’s honesty and integrity, that he would re-employ Mr Hall and that Mr Hall was suitable to work with children.”

A prohibition order would prevent Mr Hall 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 panel’s comments, “Mr Hall also explained his passion for teaching and gave the panel an insight as to why he had chosen to enter the profession, having not felt supported or cared for himself whilst in school. He referred to having made it his goal to provide that support for children in the course of his career. He explained that he had always put his best efforts into teaching and always wanted to present his “best self in the classroom.” He referred to having helped lots of children who found it difficult to engage in education.”

I have also placed considerable weight on the finding of the panel that “Mr Hall told the panel that he had been experiencing pressures at the time of having started a position in a new School, managing the different expectations of his new role and at the same time having a tumultuous life outside of school [REDACTED].”

I have given weight in my consideration of sanction therefore, to the contribution that Mr Hall has made and could continue to make to the profession.

For these reasons, I have concluded that a prohibition order is not proportionate or in the public interest. 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 'SABuxcey', with a horizontal line underneath.

Decision maker: Sarah Buxcey

Date: 26 March 2024

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