



Teaching
Regulation
Agency

Miss Rebecca Betteridge: 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: Miss Rebecca Betteridge
Teacher ref number: 3740796
Teacher date of birth: 20 January 1991
TRA reference: 21027
Date of determination: 8 March 2024
Former employer: Oriol High School, Crawley

Introduction

A professional conduct panel (“the panel”) of the Teaching Regulation Agency (“the TRA”) convened on 7 March 2024 by virtual means, to consider the case of Miss Rebecca Betteridge.

The panel members were Mr Tom Snowdon (teacher panellist – in the chair), Mrs Dawn Hawkins (teacher panellist) and Mrs Jane Brothwood (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 Georgina Tobolewska of Browne Jacobson LLP solicitors.

Miss Betteridge was not present and was not represented.

The hearing took place in public and was recorded.

Allegations

The panel considered the allegations set out in the notice of hearing dated 20 December 2023.

It was alleged that Miss Rebecca Betteridge was guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute, in that whilst employed as a teacher at Oriel High School, Crawley between around July 2016 and July 2020:

1. She failed to take appropriate action and/or ensure appropriate action was taken to safeguard Pupil A, including by:
 - a. failing to disclose to the School that Pupil A emailed her on or around 25 March 2019 with the lyrics to the James Arthur song, “You walked into the room and now my heart has been stolen”,
 - b. failing to disclose to the School that Pupil A told her that he loved her in or around May 2019;
2. She engaged in and/or developed an inappropriate relationship with Pupil A, including by:
 - a. providing her personal email address to Pupil A in or around April 2019;
 - b. engaging in email correspondence with Pupil A via her personal email address from around April 2019;
 - c. engaging in correspondence with Pupil A by text message from around April 2019;
3. On or around December 2018 to May 2019 she engaged in inappropriate physical contact with Pupil A, including by kissing Pupil A on one or more occasions;
4. Her conduct as referred to at 3 above. constituted a criminal offence, for which she accepted a caution in or around March 2020;
5. Her behaviour as may be found proven at 2. and 3. above was conduct of a sexual nature and/or sexually motivated;
6. Her conduct as may be found proven at 1. – 3. above was despite a concern being raised about Pupil A’s feelings towards her on/or around 19 March 2019.

In Miss Betteridge’s response to the notice of hearing dated 5 January 2024, Miss Betteridge admitted all of the allegations and that she was guilty of unacceptable professional conduct and conduct that may bring the profession into disrepute.

As Miss Betteridge did not attend the hearing and there was no statement of agreed facts, the hearing proceeded as a disputed hearing, but the admissions received from Miss Betteridge formed part of the evidence considered in this case.

Preliminary applications

Proceeding in Absence

The panel considered the presenting officer's application as to whether this hearing should continue in the absence of the teacher.

The panel was satisfied that TRA has complied with the service requirements of paragraph 19(1) (a) to (c) of the Teachers' Disciplinary (England) Regulations 2012, (the "Regulations").

The panel was also satisfied that the notice of hearing complied with paragraphs 5.23 and 5.24 of the Teacher misconduct: Disciplinary procedures for the teaching profession May 2020, (the "Procedures").

The panel determined to exercise its discretion under paragraph 5.47 of the Procedures to proceed with the hearing in the absence of the teacher.

The panel took as its starting point the principle from R v Jones that its discretion to commence a hearing in the absence of the teacher had to be exercised with the utmost care and caution, and that its discretion is a severely constrained one. In considering the question of fairness, the panel has recognised that fairness to the professional is of prime importance but that it also encompasses the fair, economic, expeditious and efficient disposal of allegations against the professional, as was explained in GMC v Adeogba & Visvardis.

In making its decision, the panel noted that the teacher may waive her right to participate in the hearing. The panel firstly took account of the various factors drawn to its attention from the case of R v Jones.

- i) The panel noted that Miss Betteridge completed the response to the notice of hearing form and responded that she did not intend to be present at the hearing, nor did she intend to be represented at the hearing. The panel noted this response was consistent with an email sent by Miss Betteridge to the TRA on 27 April 2023 in which Miss Betteridge stated that she would "not be attending any hearings – please go ahead and complete this without my attendance." The panel was also provided with a further email exchange relevant to the panel's decision whether to proceed in absence, dated 28 April 2023. This contained a request from Miss Betteridge that only things that legally had to be sent to her be sent by email and that she would not be reading them. The panel therefore considers that the teacher waived her right to be present at the hearing in the knowledge of when and where the hearing was taking place.

- ii) There was no indication that an adjournment might result in Miss Betteridge attending voluntarily, nor has she expressed any wish to adjourn in able to obtain legal representation.
- iii) The panel has the benefit of representations made by the teacher and is able to ascertain the lines of defence and mitigation. The panel noted that the witness relied upon by the TRA is to be called to give evidence and the panel can test that evidence in questioning that witness, considering such points as are favourable to Miss Betteridge, as are reasonably available on the evidence. The panel is also able to exercise vigilance in making its decision, taking into account the degree of risk of the panel reaching the wrong decision as a result of not having heard the teacher's account.
- iv) The panel considered there was little risk of reaching an improper conclusion about the absence of the teacher. Miss Betteridge has been clear that she will not be in attendance and her reasons for this.
- v) The panel recognised that the allegations against the teacher are serious and that there is a real risk that if proven, the panel will be required to consider whether to recommend that the teacher ought to be prohibited from teaching.
- vi) The panel recognised that the efficient disposal of allegations against teachers is required to ensure the protection of pupils and to maintain confidence in the profession. The conduct alleged was said to have taken place whilst the teacher was employed at the School. The School had an interest in this hearing taking place in order to move forwards.
- vii) The panel also noted that there was one witness who was prepared to give evidence, and that it would be inconvenient for this to be rearranged. Delaying the case further may impact upon the memory of that witness.

. The panel considered that since:

- Miss Betteridge had waived her right to appear;
- there was no suggestion that an adjournment might facilitate her attendance;
- the panel could exercise vigilance in making its decisions;
- further delay could impact upon the memory of the witness to be called to give evidence; and
- the public interest in this hearing proceeding within a reasonable time was in favour of this hearing continuing today,

the panel decided to proceed with the hearing in the absence of Miss Betteridge.

Admission of Late Document

The presenting officer applied to admit an exchange between herself and Sussex Police dated between 24 April 2023 and 1 September 2023 consisting of 4 pages.

The panel decided the evidence was relevant as it contained confirmation that redacted email exchanges disclosed by the police were between Miss Betteridge and “the student”, which the panel understood to be a reference to Pupil A.

The panel then considered the question of fairness. The exchange had been provided to Miss Betteridge on 13 February 2024 and no response had been received from Miss Betteridge objecting or otherwise to its admission. The evidence was limited in its content and extended to only 4 pages. Miss Betteridge was a party to the underlying emails discussed in the exchange and admitted engaging with Pupil A via email. Whilst the email exchange with Sussex Police could have been included in the draft panel bundle at an earlier stage, the panel understood that enquiries had been ongoing with the School to obtain the unredacted emails and extended version of the CCTV footage referred to in the exchange. The panel considered that it was fair to admit the document.

Summary of evidence

Documents

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

Section 1: Anonymised pupil list – page 4

Section 2: Notice of hearing – pages 5 to 9

Section 3: Teaching Regulation Agency witness statements – pages 10 to 28

Section 4: Teaching Regulation Agency documents – pages 29 to 127

Section 5: Teacher documents – pages 128 to 127

In addition, the panel agreed to accept the following:

An exchange between Miss Betteridge and the presenting officer dated 28 April 2023 – 2 pages

An email exchange between the presenting officer and Sussex Police – 4 pages.

The panel members confirmed that they had read all of the documents within the bundle, in advance of the hearing and the additional documents that the panel decided to admit.

Witnesses

The panel heard oral evidence from Witness B – [redacted], 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.

Miss Betteridge was employed at Oriel High School, Crawley (“the School”) from 1 September 2015 as a trainee teacher and subsequently qualified in 2016. From 1 September 2018, Miss Betteridge was appointed as head of the Asia learning community at the School. On 28 May 2019 an allegation was made regarding Miss Betteridge’s conduct towards Pupil A. A police investigation commenced. Miss Betteridge was suspended on 31 May 2019. On 18 May 2020, Miss Betteridge resigned from the School with effect from 31 August 2020. The disciplinary proceedings continued and Miss Betteridge’s employment was terminated with effect from 17 July 2020. Miss Betteridge was referred to the TRA on 4 August 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:

Whilst employed as a teacher at Oriel High School, Crawley between around July 2016 and July 2020:

- 2. You engaged in and/or developed an inappropriate relationship with Pupil A, including by:**
 - a. providing your personal email address to Pupil A in or around April 2019;**
 - b. engaging in email correspondence with Pupil A via your personal email address from around April 2019;**
 - c. engaging in correspondence with Pupil A by text message from around April 2019;**

In Miss Betteridge’s police interview she stated that Pupil A had communicated with her by email. She was asked if this was the School’s email account, and responded “No, my own email.” She was then asked how he had obtained this address and responded “From the school email.” She was asked to explain further and responded “I emailed him about

some work, and then we were talking on school email and then, then we started talking on my own email.” She was then asked how long they had been talking outside of the school environment, through personal emails or text messages. Miss Betteridge responded “Easter holidays”.

Miss Betteridge also referred in her police interview to “there’s just been some text messages” which were “sporadic” and that these had been exchanged for the past four or five weeks. She was asked if there had been anything of a sexual nature and Miss Betteridge stated “No, he has spoken about like kissing before in the messages, and then he said that he loved me.”

The panel therefore found it proven that Miss Betteridge had provided her personal email address to Pupil A in or around April 2019 and engaged in email correspondence with him since then. The panel also found it proven that she had engaged in correspondence with Pupil A by text message since April 2019.

Witness B explained that Pupil A was [redacted].

The School’s code of conduct contained a section relating to “Social Contact with students”. Miss Betteridge signed to acknowledge receipt of the Code of conduct on 15 September 2017. This section required that “home or mobile phone numbers, addresses, or email addresses should not be exchanged.” There was no evidence that Miss Betteridge’s contact with Pupil A was of a social nature given that Pupil A was a pupil for whom the School had identified that additional support should be provided, and Miss Betteridge had a pastoral role towards him. The panel noted that one email, for example, provided to the panel suggested interview questions [redacted].

However, the panel considered that the spirit of the Code of conduct was that contact should not be through staff’s personal email addresses or telephone numbers and that this was emphasised by the section “Communication with Students (including the use of Technology)” which required that “Staff should ensure that all communications are transparent and open to scrutiny.”

The panel considered that Miss Betteridge had engaged in and/or developed an inappropriate relationship with Pupil A to the extent she had used her personal telephone number and email address to communicate with him and this failed to uphold professional boundaries.

3. On or around December 2018 to May 2019 you engaged in inappropriate physical contact with Pupil A, including by kissing Pupil A on one or more occasions;

The panel viewed CCTV footage of an incident on 29 May 2019, during half term, that occurred in the car park of the School. Witness B confirmed that the persons depicted in the footage were Miss Betteridge and Pupil A. The footage showed Miss Betteridge sat in the driver’s seat of her car with Pupil A standing at her open door. A lamppost obscures

the view, but it can be seen that there are occasions on which Pupil A leant into the car, consistent with them kissing. Miss Betteridge and Pupil A are very close together and at times appear to touch each other.

On 9 March 2020, Miss Betteridge accepted a caution in respect of the incident on 29 May 2019 which establishes that she made a clear admission of guilt in respect of committing the offence for which the caution was given. The panel noted it could not deem evidence of the caution to be conclusive evidence of the facts referred to in the caution, but it carried significant weight in the panel's consideration.

The panel found it proven that on 29 May 2019, Miss Betteridge had kissed Pupil A on one or more occasions, and that this constituted inappropriate physical contact given the professional boundaries that she was expected to maintain with pupils of the School.

The panel was provided with a transcript of an interview that the police conducted with Pupil A. This stated that Pupil A stated he had kissed Miss Betteridge and that it "only happened a couple of times." He was asked when this had occurred for the first time and responded "This year, after Christmas." Pupil A did not provide a witness statement for the purpose of these proceedings, nor did he attend to give oral evidence. The panel was not able to test his evidence and did not consider that it could place any weight upon it. There was no other evidence that any inappropriate physical contact between Miss Betteridge and Pupil A had occurred prior to 29 May 2019. The panel therefore found this allegation proven but only in respect of the kissing that occurred on 29 May 2019 in the car park of the School.

4. Your conduct as referred to at 3. above constituted a criminal offence, for which you accepted a caution in or around March 2020;

The panel was provided with a record of the caution issued to Miss Betteridge dated 9 March 2020. The caution recorded the following in respect of the details of the offence:

"Adult abuse of position of trust – sexual activity with a boy 13 – 17 – not s21 premises

On 29/05/2019 at Crawley in the County of West Sussex being a person aged 18 or over in a position of trust in relation to a boy aged 16 and not reasonably believing he was aged 18 or over, intentionally touched him and the touching was sexual.

Contrary to section 16(1)(a) – (c), (e) (i) and (5) of the Sexual Offences Act 2003."

Miss Betteridge signed the caution acknowledging that she admitted the offence and agreed to be cautioned.

The panel found it proven that the kissing of Pupil A on 29 May 2019 constituted a criminal offence, for which Miss Betteridge accepted a caution.

5. Your behaviour as may be found proven at 2. and 3. above was conduct of a sexual nature and/or sexually motivated;

The panel did not consider that there was any content in the emails that the panel had been provided with that could be considered to be of a sexual nature. The panel noted that it had been provided with emails that had been selected, rather than the entire chain of communications between Miss Betteridge and Pupil A, and that text messages were not available.

Miss Betteridge referred in her police interview to “there’s just been some text messages” which were “sporadic” and that these had been exchanged for the past four or five weeks. She was asked if there had been anything of a sexual nature and Miss Betteridge stated “No, he has spoken about like kissing before in the messages, and then he said that he loved me.” However, there was no evidence of Miss Betteridge’s response to such messages that the panel could evaluate to assess whether her conduct was of a sexual nature or sexually motivated.

The panel did not consider there was any evidence available to it that could lead it to find that it was more probable than not that the conduct found proven at allegation 2 was conduct of a sexual nature and/or sexually motivated.

The panel then considered the conduct found proven at allegation 3. above.

The panel noted Miss Betteridge’s explanation that she was [redacted] and that she was not afforded support by the School. Miss Betteridge’s representations state that she asked for help and that [redacted]. Witness B referred to having seen Miss Betteridge at times upset in response to something that had happened. Although Witness B provided generic details of support available to staff, her evidence was vague in relation to the support specifically provided to Miss Betteridge. Miss Betteridge stated that she now recognises that she “[redacted]”

The panel considered that a reasonable person could consider that kissing could be sexual. The panel observed the body language and content made between Miss Betteridge and Pupil A on the CCTV footage. The body language of Miss Betteridge indicated conduct of a flirtatious nature and physical contact was being made between them. An outside observer could have formed the impression that they were in a relationship given the proximity of their bodies, and the kissing that took place. Miss Betteridge may have been seeking solace from Pupil A as a result of [redacted]. However, the panel’s observation and inference from the CCTV footage was that it was more likely than not that her purpose at the time of kissing Pupil A was sexual, in that it was in pursuit of sexual gratification or a future sexual relationship.

The panel therefore found this allegation partially proved in that only her behaviour found proven at allegation 3. above was conduct of a sexual nature and/or sexually motivated.

The panel found the following particulars of the allegations against you not proved, for these reasons:

1. You failed to take appropriate action and/or ensure appropriate action was taken to safeguard Pupil A, including by:

a. failing to disclose to the School that Pupil A emailed you on or around 25 March 2019 with the lyrics to the James Arthur song, “You walked into the room and now my heart has been stolen”,

The panel has seen an email dated 25 March 2019 with an attachment entitled “You walked into the room and now my heart has been stolen.” The sender’s name is redacted, but the recipient was Miss Betteridge. The panel understood this email to have been disclosed by the police during the TRA’s investigation and noted that Surrey Police would not provide unredacted copies of emails that it had disclosed. However, Surrey Police confirmed that “the teacher is corresponding with the student”. The panel understood that the police had only been investigating Miss Betteridge’s interactions with Pupil A, so it was a reasonable inference that the student referred to was Pupil A.

The email message simply stated “please may you print” and had an attachment of song lyrics. Witness B was asked if pupils had the facility to print documents and she responded that pupils could print documents in the School library. However, she went on to state that staff members were permitted to print and that if a student wanted something to be printed, they would email the document and ask for the teacher to have it printed. Witness B stated that the subject of the email seemed unusual and caused her to be suspicious if it was genuinely a print request. There was no other evidence that the email was unrelated to Pupil A’s studies.

The School’s code of conduct contained a section relating to infatuations stating that occasionally, a pupil may develop an infatuation with a staff member. The code of conduct required all staff to deal with these situations sensitively and appropriately, and stated that “should any student become infatuated with a member of staff, this must be reported to the Headteacher immediately.” Miss Betteridge signed to acknowledge receipt of the Code of conduct on 15 September 2017. However, the panel did not consider that there was sufficient evidence that this email signified an infatuation, or that the email was anything other than a print request made by Pupil A in the course of his studies.

As to whether any disclosure had been made by Miss Betteridge in respect of this email, initially Witness B gave oral evidence that Miss Betteridge had not reported receipt of this email. However, on being questioned by the panel, Witness B stated in oral evidence that since the investigation of Miss Betteridge’s interactions with Pupil A had been undertaken by the police, no investigation had been undertaken by the School of its system for recording safeguarding concerns (either CPOMs or an earlier system) as to whether Miss Betteridge had recorded safeguarding concerns following receipt of this email or

otherwise in relation to Pupil A. Witness B could not confirm whether CPOMs had been in use at this time, or whether an earlier cause for concern system had still been in place.

The panel noted that Miss Betteridge had admitted this allegation along with all of the other allegations against her. The panel noted that Miss Betteridge had said that she would not be reading material sent to her, so could not be confident that Miss Betteridge had appreciated the allegation made when she made the admission.

The panel did not consider that it had been proven on the balance of probabilities that Miss Betteridge should have reported this email, nor that she had failed to do so.

b. failing to disclose to the School that Pupil A told you that he loved you in or around May 2019;

The transcript of Miss Betteridge's interview with the police states that Miss Betteridge was asked about the messages between her and Pupil A and was then asked whether there was anything of a sexual nature between them. Miss Betteridge responded "No, he has spoken about like kissing before in the messages, and then he said that he loved me". Miss Betteridge was asked when Pupil A first said that he loved her and Miss Betteridge responded "Maybe two, two three weeks ago, maybe not that, no maybe two weeks ago."

Initially Witness B gave oral evidence that Miss Betteridge had not reported that Pupil A had said he loved her. However, on being questioned by the panel, Witness B stated in oral evidence that since the investigation of Miss Betteridge's interactions with Pupil A had been undertaken by the police, no investigation had been undertaken by the School of its system for recording safeguarding concerns (CPOMs or an earlier system) as to whether Miss Betteridge had recorded safeguarding concerns following receipt of this message or otherwise in relation to Pupil A.

As referred to above, the Code of conduct required Miss Betteridge to report Pupil A having said that he loved her. Miss Betteridge stated in representations that she had put a concern on the safeguarding system that Pupil A "seemed to always be around". She further stated that she believed Pupil A developed a need to always be around her and that this was commented on by many staff members named by Miss Betteridge. No indication was provided as to when these concerns began.

The panel did not consider that there was sufficient evidence to prove on a balance of probabilities that the disclosure had not been made.

6. Your conduct as may be found proven at 1. – 3. above was despite a concern being raised about Pupil A's feelings towards you on/or around 19 March 2019.

The panel was provided with a heavily redacted email from a cover supervisor and was asked to infer that it concerned Pupil A. It was apparent that Miss Betteridge had been

sent the email as she responded, but the email had also been sent to other members of staff whose names were redacted. The email referred to an incident in the corridor whereby pupils had been referring to a “rumour going round that [redacted] had a thing for Miss Betteridge”, that the cover supervisor had tried to disperse the situation but that the pupil had said he was going to “Slap them up” when he found out “who it was”, which the panel thought to be a reference to the person who had circulated the rumour.

Witness B was not aware of this particular email exchange or what happened next, in terms of reporting of the incident, or any advice given to anyone. The panel can see that Miss Betteridge responded, but the panel was not provided with any subsequent follow up documentation. Based on the email alone, there was no indication whether there was any truth in the rumour that was circulating, and could have been interpreted as a warning that physical action might be about to ensue between the pupils. The panel did not consider that what it could see of this email (given its heavy redaction) and absence of any follow up documentation provided sufficient warning to Miss Betteridge that there was a cause for concern regarding her interaction with Pupil A.

The cover supervisor who authored the email did not give evidence, and the panel was not able to test what that person saw, what they expected in response, or what happened next.

The panel found this allegation 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 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 Miss Betteridge in relation to the facts found proved, involved breaches of the Teachers’ Standards. The panel considered that, by reference to Part 2, Miss Betteridge was in breach of the following standards:

- Teachers uphold public trust in the profession and maintain high standards of ethics and behaviour, within and outside school, by
 - treating pupils with dignity, building relationships rooted in mutual respect, and at all times observing proper boundaries appropriate to a teacher’s professional position
 - having regard for the need to safeguard pupils’ well-being, in accordance with statutory provisions

- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach...
- 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 Miss Betteridge in relation to the facts found proved, involved breaches of Keeping Children Safe In Education (“KCSIE”). The panel considered Miss Betteridge was in breach of the requirement to safeguard the welfare of children and to act, at all times, in the best interests of the child.

The panel was satisfied that the conduct of Miss Betteridge in kissing Pupil A fell significantly short of the standard of behaviour expected of a teacher.

The panel did not consider that the conduct found proven in allegation 2 fell significantly short of the standard of behaviour expected of a teacher. The panel heard from Witness B that Pupil A was [redacted]. Although Miss Betteridge used her personal email address and personal number which was inappropriate, the panel saw nothing within the communications provided to it that suggested the communications were sexually motivated or of a sexual nature and the exchanges could have been providing the additional support anticipated.

The panel also considered whether the teacher’s conduct in kissing Pupil A 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 sexual activity was relevant.

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

The panel noted that the conduct found proven in allegation 3. occurred during half term in a car park used by the School. Her conduct affected the way she fulfilled her teaching role as she failed to maintain appropriate professional boundaries. Kissing Pupil A may have lead to him being exposed to or influenced by the behaviour in a harmful way.

Accordingly, the panel was satisfied that Miss Betteridge was guilty of unacceptable professional conduct.

The panel went on to consider whether Miss Betteridge 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.

In considering the issue of disrepute, the panel also considered whether Miss Betteridge's 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 sexual activity 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 in respect of kissing Pupil A are serious, and the conduct displayed would be likely to have a negative impact on the individual's status as a teacher.

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

The panel therefore found that Miss Betteridge'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 Miss Betteridge 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 all of them to be relevant in this case: the safeguarding and wellbeing of pupils; the protection of other members of the public; the maintenance of public confidence in the profession; and declaring and upholding proper standards of conduct; and the interest of retaining the teacher in the profession.

There was a strong public interest consideration in respect of the safeguarding and wellbeing of pupils, given the serious finding that Miss Betteridge had kissed a [redacted] pupil and that this was conduct that was sexually motivated.

Similarly, the panel considered that public confidence in the profession could be seriously weakened if conduct such as that found against Miss Betteridge 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 Miss Betteridge was outside that which could reasonably be tolerated.

The panel decided that there was a strong public interest consideration in retaining the teacher in the profession, since no doubt had been cast upon her abilities as an educator and she is able to make a valuable contribution to the profession. It was apparent that Miss Betteridge had been quickly promoted to head of the Asia learning community at the School two years after she had qualified and was responsible for a quarter of the pupils' pastoral care and monitoring their academic performance. In the circumstances of this case (referred to in more detail below), and particularly given the passage of time since the incident, the panel considered that prohibition would be overly punitive.

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 noted that a teacher's behaviour that seeks to exploit their position of trust should be viewed very seriously in terms of its potential influence on pupils and be seen as a possible threat to the public interest.

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

- serious departure from the personal and professional conduct elements of the Teachers' Standards;
- the commission of a serious criminal offence, including those that resulted in a conviction or caution, paying particular attention to offences that are "relevant matters" for the purposes of the Police Act 1997 and criminal record disclosure;
- abuse of position or trust (particularly involving vulnerable pupils);
- an abuse of any trust, knowledge, or influence gained through their professional position in order to advance a romantic or sexual relationship with a pupil or former pupil;
- sexual misconduct, for example, involving actions that were sexually motivated or of a sexual nature and/or that use or exploit the trust, knowledge or influence derived from the individual's professional position; and

- 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, 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.

The panel had found Miss Betteridge's actions in kissing Pupil A were deliberate, given that it had found proven that her conduct was sexually motivated.

There was no evidence to suggest that Miss Betteridge was acting under extreme duress, eg a physical threat or significant intimidation. However, she has referred to the circumstances at the time, [redacted].

Miss Betteridge also described [redacted].”

Miss Betteridge did not provide any [redacted]. However, the panel noted that Miss Betteridge was not legally represented in these proceedings, and would not therefore have been advised as to the evidence it would be helpful to adduce. The panel found that Miss Betteridge description of [redacted] at the time of the conduct to be compelling, and the panel was concerned that there was an absence of evidence as to the support provided to Miss Betteridge at the time. Miss Betteridge refers to there having been a lack of support, but acknowledges that she had not made it completely clear how much she was struggling.

The panel also noted that given the passage of time between her dismissal and the TRA referral having been made, Miss Betteridge's union representation had lapsed. Had the referral been made promptly, she would have had better access to representation which would have advised her on the evidence and upon her mitigation.

There was no record of any previous disciplinary action having been taken against Miss Betteridge nor were there any records of either formal or informal discussions about any concerns regarding Miss Betteridge's conduct or performance prior to the matters giving rise to the allegations in this case. Miss Betteridge had a previously good history, and there was evidence of having demonstrated exceptionally high standards in both her personal and professional conduct and having contributed significantly to the education sector. She was promoted quickly to the post of head of the Asia learning community and was responsible for the pastoral care of a quarter of the pupils in the School. Witness B referred to this being a challenging role that Miss Betteridge was very good at, and that Miss Betteridge would go above and beyond to support the students

Miss Betteridge did not provide any testimonial references attesting to her character or teaching proficiency, but the panel noted that she did not have representation to advise her to provide these.

Miss Betteridge was clearly passionate about teaching. She referred to the School having given her a chance to pursue her dream and having “lost everything that I worked my adult life for, and ultimately that is my punishment.” She refers to grieving for the job that she adored, “knowing full well that I have lost that.”

Miss Betteridge explained that she believed there was nothing that she could write that would “excuse what happened or defend herself in a way that may be ‘good enough’ for anyone to properly acknowledge” and that the situation was far from black and white. She has stated that she was not “putting blame on anyone about what happened” and “I take full responsibility for getting into that situation. She has stated that she was supporting a student who needed it and ultimately lines were blurred due to [redacted]. She stated “It has become very hard to explain because I cannot recognise that person who allowed this to happen.” She accepted the caution, admitting what happened after she was made aware of the CCTV footage and sought to admit all of the conduct alleged in the present proceedings.

Miss Betteridge has referred to [redacted]. She describes that the person she was then, is unrecognisable from the person she is now. The panel was of the view that the impact on Miss Betteridge is such that the risk of repetition now is extremely low. She has explained her reason for not participating in this hearing or the School’s disciplinary hearing was out of concern for [redacted].

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.

Had the referral been made promptly at the time of Miss Betteridge’s dismissal, the panel would have been of the view that a prohibition order with a review period of two years was a proportionate and appropriate response to Miss Betteridge’s conduct. However, it has now been almost five years since the incident occurred, and the panel noted that a period of two years passed between her dismissal and the referral to the TRA without any apparent explanation. The panel recognises that the longer the threat or prohibition has been hanging over Miss Betteridge’s head, and with it the deprivation of her practice as a teacher, the more severe a prohibition order now would be, and the more punitive it would appear to Miss Betteridge.

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 some of the allegations proven in full 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, and 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 made a recommendation to the Secretary of State that the findings of unacceptable professional conduct and/or conduct likely to bring the profession into disrepute, or a relevant conviction should be published and that such an action is proportionate and in the public interest.

In particular, the panel has found that Miss Betteridge is in breach of the following standards:

- Teachers uphold public trust in the profession and maintain high standards of ethics and behaviour, within and outside school, by
 - treating pupils with dignity, building relationships rooted in mutual respect, and at all times observing proper boundaries appropriate to a teacher's professional position
 - having regard for the need to safeguard pupils' well-being, in accordance with statutory provisions
- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach...
- 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 Miss Betteridge involved breaches of the responsibilities and duties set out in statutory guidance 'Keeping children safe in education'.

The panel finds that the conduct of Miss Betteridge fell significantly short of the standards expected of the profession.

The findings of misconduct are particularly serious as they include sexually motivated behaviour towards a pupil which resulted in Miss Betteridge accepting a police caution.

I have to determine whether the imposition of a prohibition order is proportionate and in the public interest. In considering that for this case, I have considered the overall aim of a prohibition order which is to protect pupils and to maintain public confidence in the profession. I have considered the extent to which a prohibition order in this case would achieve that aim taking into account the impact that it will have on the individual teacher. I have also asked myself, whether a less intrusive measure, such as the published finding of unacceptable professional conduct and conduct 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 Miss Betteridge, 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, "There was a strong public interest consideration in respect of the safeguarding and wellbeing of pupils, given the serious finding that Miss Betteridge had kissed a [redacted] pupil and that this was conduct that was sexually motivated." 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 it sets out as follows:

"Miss Betteridge explained that she believed there was nothing that she could write that would "excuse what happened or defend herself in a way that may be 'good enough' for anyone to properly acknowledge" and that the situation was far from black and white. She has stated that she was not "putting blame on anyone about what happened" and "I take full responsibility for getting into that situation."

In my judgment, and taking into account the comments of the panel, Miss Betteridge appears to have attained a significant degree of remorse for and insight into her actions which means that there is a limited risk of a repetition of this behaviour in the future. 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 noted that, "...public confidence in the profession could be seriously weakened if conduct such as that found against Miss Betteridge were

not treated with the utmost seriousness when regulating the conduct of the profession.” I am particularly mindful of the finding of sexually motivated behaviour towards a pupil in this case and the very negative impact that such a finding could have on the standing 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 Miss Betteridge herself. The panel record that:

“Miss Betteridge had a previously good history, and there was evidence of having demonstrated exceptionally high standards in both her personal and professional conduct and having contributed significantly to the education sector. She was promoted quickly to the post of head of the Asia learning community and was responsible for the pastoral care of a quarter of the pupils in the School. Witness B referred to this being a challenging role that Miss Betteridge was very good at, and that Miss Betteridge would go above and beyond to support the students.”

The panel also observe that “Miss Betteridge has referred to [redacted]. She describes that the person she was then, is unrecognisable from the person she is now.”

A prohibition order would prevent Miss Betteridge 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 weight on the panel’s comments concerning the degree of insight or remorse demonstrated by Miss Betteridge, the mitigating circumstances referred to by the panel including [redacted], as well as her previous good history and contribution to the education sector. I have also noted the panel’s comments regarding the amount of time that has passed since the events under consideration took place.

However, I have also had to take into account the very serious nature of the misconduct found by the panel, including sexually motivated behaviour toward a pupil which resulted in a police caution. It is my judgment that such behaviour on the part of a teacher constitutes a grave abuse of trust and has the potential to have a deeply damaging effect on the standing of the teaching profession.

Therefore, given the seriousness of the misconduct found it is, in my view, 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 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 doing so I have noted the panel's comments "Had the referral been made promptly at the time of Miss Betteridge's dismissal, the panel would have been of the view that a prohibition order with a review period of two years was a proportionate and appropriate response to Miss Betteridge's conduct."

I have also noted the Advice which indicates that there are circumstances where it is likely that the public interest will have greater relevance and weigh in favour of not offering a review period:

- serious sexual misconduct e.g. where the act was sexually motivated and resulted in, or had the potential to result in, harm to a person or persons, particularly where the individual has used their professional position to influence or exploit a person or persons;
- any sexual misconduct involving a child

I have also noted the panel's assessment that the misconduct found, while deliberate, was "...at the less serious end of the possible spectrum".

In light of these considerations, and balancing the mitigating factors in this case with the serious nature of Miss Betteridge's misconduct which included sexually motivated behaviour toward a pupil resulting in a police caution, I consider that a two-year review period is required to satisfy the maintenance of public confidence in the profession

This means that Miss Rebecca Betteridge is prohibited from teaching indefinitely and cannot teach in any school, sixth form college, relevant youth accommodation or children's home in England. She may apply for the prohibition order to be set aside, but not until 22 March 2026, two years from the date of this order at the earliest. This is not an automatic right to have the prohibition order removed. If she does apply, a panel will meet to consider whether the prohibition order should be set aside. Without a successful application, Miss Betteridge remains prohibited from teaching indefinitely.

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

Miss Rebecca Betteridge has a right of appeal to the King's Bench Division of the High Court within 28 days from the date she is given notice of this order.

A handwritten signature in black ink, appearing to read 'Marc Cavey', with a long horizontal stroke extending from the end of the signature.

Decision maker: Marc Cavey

Date: 12 March 2024

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