



Teaching
Regulation
Agency

Ms Katie Watson: Professional conduct panel outcome

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

May 2024

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

Teacher:	Ms Katie Watson
Teacher ref number:	0035221
Teacher date of birth:	19 July 1980
TRA reference:	22255
Date of determination:	22 May 2024
Former employer:	Lisle Marsden Church of England Primary Academy, Grimsby

Introduction

A professional conduct panel (“the panel”) of the Teaching Regulation Agency (“the TRA”) convened on 22 and 23 May 2024 via virtual means, to consider the case of Ms Katie Watson.

The panel members were Mr Paul Hawkins (lay panellist – in the chair), Mrs Ashley Emmerson (teacher panellist), and Ms Gill Lyon (teacher panellist).

The legal adviser to the panel was Miss Shanie Probert of Eversheds Sutherland (International) LLP solicitors.

The presenting officer for the TRA was Miss Katherine Hannigan of Browne Jacobson LLP solicitors.

Ms Watson 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 proceedings dated 12 March 2024.

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

Whilst employed as a Teacher at the Lisle Marsden Church of England Primary Academy between September 2001 and July 2023;

1. She was found to be under the influence of alcohol on or around 22 May 2023 when she was expected to be present and/or teaching at the school;
2. Her conduct at allegation 1 demonstrated a lack of insight into concerns and/or management advice relating to consuming alcohol raised by the school on or around;
 - a. 21 April 2021;
 - b. 17 April 2023.

Allegation 1 was admitted. Allegation 2 was not admitted.

For allegation 1 only, it was admitted by Ms Watson that her conduct amounted to unacceptable professional conduct and/or conduct that may bring the profession into disrepute.

Preliminary applications

Proceeding in absence

The panel considered an application from the presenting officer to proceed in the absence of the teacher.

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

Therefore, 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 into account as its starting point the principle from R v Jones [2003] 1 AC1, that its discretion to commence a hearing in the absence of the teacher has 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 recognised that fairness to the teacher is of prime importance but that it also encompasses the fair, economic, expeditious and efficient disposal of allegations against the teacher, 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 following factors drawn to its attention from the case of R v Jones:

1. The panel was satisfied that the teacher was aware of the proceedings. The panel had sight of the teacher's response to the notice of proceedings dated 9 April 2024, which was signed by the teacher. Within that response, the teacher confirmed that she did not intend to attend the hearing. Therefore, the panel was satisfied that the teacher deliberately and voluntarily absented herself from the hearing, and waived her right to be present, in the knowledge of when and where the hearing was taking place;
2. The panel did not consider that an adjournment would result in the teacher attending voluntarily, in light of the teacher deliberately absenting herself from the hearing;
3. The panel noted from the documentation provided that the teacher was represented by a union representative, who was not present at the hearing. The panel also noted that within the teacher's response to the notice of proceedings, the teacher confirmed that she did not intend to be represented at the hearing. In addition, the panel had sight of email correspondence between the teacher's representative and the TRA dated 20 May 2024, in which the teacher's representative confirmed they had no objection to the presenting officer's application to proceed in the teacher's absence;
4. The panel had sight of a letter from the teacher's representative to the TRA dated 11 September 2023, which set out the teacher's initial response to the allegations. The panel also had sight of a statement of agreed and disputed facts. Whilst the statement had not been signed by the teacher, the panel did have sight of email correspondence from the teacher's representative to the TRA dated 21 May 2024, which confirmed that the statement was agreed. The panel also noted that the statement of agreed and disputed facts reflected the teacher's position as adopted in her signed response to the notice of proceedings. As a result, the panel was satisfied that it was able to ascertain the teacher's position, her lines of defence and

her evidence addressing mitigation, and was able to take this into account at the relevant stage;

5. The panel noted that all witnesses relied upon were to be called to give evidence and the panel was able to test that evidence in questioning those witnesses, considering such points as were favourable to the teacher, and as reasonably available on the evidence. The panel had not identified any significant gaps in the documentary evidence provided to it and considered that, were such gaps to arise during the course of the hearing, the panel would be able to take such gaps into consideration in considering whether the hearing should be adjourned for such documents to become available, and in considering whether the presenting officer had discharged the burden of proof. The panel was 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;
6. The panel recognised that the allegations against the teacher were serious and that there was a real risk that if proven, the panel would be required to consider whether to recommend that the teacher ought to be prohibited from teaching;
7. 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. In particular, the conduct alleged is said to have taken place whilst the teacher was employed at the Lisle Marsden Church of England Primary Academy (the "Academy"). The panel considered that the Academy would have an interest in this hearing taking place in order to move forward;
8. The panel noted that there were 2 witnesses present at the hearing, who were prepared to give evidence. The panel considered that it would be inconvenient for them to return again. The panel also considered that an adjournment would potentially impact upon the memories of those witnesses.

Taking into account these points, the panel decided to proceed with the hearing in the absence of the teacher. The panel was satisfied that there was a deliberate waiver by the teacher of her right to appear. The panel also considered that by taking such measures referred to above to address any unfairness caused insofar as is possible, and taking account of the inconvenience that an adjournment would cause the witnesses, that on balance, these were serious allegations and the public interest in this hearing proceeding within a reasonable time was in favour of the hearing continuing as listed.

Amending the allegations

The panel considered an application made by the presenting officer to amend the notice of proceedings by amending the date “September 2021” to “September 2001”.

The panel noted that it had the power to, in the interests of justice, amend an allegation or the particulars of an allegation, at any stage before making its decision about whether the facts of the case have been proved.

Before making an amendment, the panel noted it was required to consider any representations made by the presenting officer and by the teacher, and the parties were afforded that opportunity. In particular, the panel had sight of email correspondence between the teacher’s representative and the TRA, in which the TRA had provided a copy of the application to the teacher’s representative and invited them to confirm whether they had any objection. In an email dated 21 May 2024, the teacher’s representative confirmed that there was no objection to this amendment.

The panel considered that the amendment proposed, being a correction of a typographical error, did not change the nature, scope or seriousness of the allegations. There was no prospect of the teacher’s case being presented differently had the amendment been made at an earlier stage, and therefore there was no unfairness or prejudice caused to the teacher. The panel therefore decided to amend the allegation as proposed.

Excluding the public

The panel considered whether to exercise its discretion under paragraph 11 of the Regulations and paragraph 5.85 of the Procedures, to exclude the public from all or part of the hearing. This followed an application from the presenting officer to exclude the public from parts of the hearing during which the teacher’s medical history would be discussed.

The panel determined to exercise its discretion under paragraph 11(3)(a) of the Regulations, and the first bullet point of paragraph 5.85 of the Procedures, and agreed that the public should be excluded from part of the hearing only when the teacher’s private medical history was being discussed.

The panel took into account the general rule that hearings should be held in public and that this is generally desirable to maintain public confidence in the administration of these proceedings, and also to maintain confidence in the teaching profession. On this occasion, the panel considered the request for part of the hearing to be in private to be a reasonable one, given concerns about confidential matters relating to the teacher’s health being placed in the public domain. The panel considered that confidential matters relating to the teacher’s health could appropriately be dealt with separately from the core facts of the case and therefore, agreed it would be practicable to exclude the public from parts of the hearing only.

The panel had regard to whether the presenting officer's request ran contrary to the public interest. The panel noted that it was required to announce its decisions in public as to whether the facts were proven and whether those facts amounted to unacceptable professional conduct and/or conduct that may bring the profession into disrepute. In the event the case was to continue, any decision of the Secretary of State would also be in public. The panel considered that in the circumstances of the case the public interest would be satisfied by these public announcements. Those public announcements would ensure that public confidence in these proceedings and in the standards of the profession were maintained.

Summary of evidence

Documents

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

Section 1: Chronology – page 4

Section 2: Notice of proceedings and response – pages 6 to 16

Section 3: Teaching Regulation Agency witness statements – pages 19 to 57

Section 4: Teaching Regulation Agency documents – pages 59 to 84

Section 5: Teacher documents – pages 87 to 90

The panel also had sight of a statement of agreed and disputed facts, and correspondence between the TRA and the teacher's representative, which were provided separately to the main bundle.

The panel members confirmed that they had read all of the documents within the bundle, together with the statement of agreed and disputed facts, and correspondence between the TRA and the teacher's representative, in advance of the hearing.

Witnesses

The panel heard oral evidence from the following witnesses, called by the TRA:

1. Witness A – [REDACTED] at the Lisle Marsden Church of England Primary Academy; and
2. Witness B – [REDACTED] at the Lisle Marsden Church of England Primary Academy.

Decision and reasons

The panel announced its decision and reasons as follows:

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

On 1 September 2001, Ms Watson commenced employment at the Academy as a Teacher.

On 21 April 2021, Ms Watson received a letter containing management advice from the Academy. The advice related to allegations concerning her general conduct at the Academy, which included concerns that she had been under the influence of alcohol whilst at work on one or more occasions.

Ms Watson was absent from work for a period of [REDACTED] between 9 May 2022 and 15 March 2023. Ms Watson returned to work on 16 March 2023, under a phased return arrangement that had been agreed between the Academy and Ms Watson. As part of that arrangement, it was agreed that random alcohol testing would be implemented.

On 17 April 2023, Witness B held a meeting with Ms Watson to discuss concerns that had been raised by other members of staff. In particular, it was alleged that Ms Watson had been seen out at a pub on the weekend of 18-19 March 2023, that she was under the influence of alcohol, and was behaving inappropriately considering her profession. During the meeting on 17 April 2023, Witness B relayed to Ms Watson that her behaviour, particularly her drinking, had concerned them [REDACTED], which was known to the Academy. However, no further action was taken by the Academy.

On 22 May 2023, Ms Watson had the first of her scheduled random alcohol tests that had been agreed as part of her phased return programme. The test revealed that Ms Watson had a blood alcohol concentration level of 0.51mg per 100ml of breath, which was over the Academy's zero baseline, and was also over the drink-drive limit of 0.35mg per 100ml. Ms Watson was suspended from the Academy, and an investigation was commenced.

On 29 June 2023, a disciplinary hearing took place. On 3 July 2023, Ms Watson's employment was terminated with immediate effect, based on findings of gross misconduct.

On 5 July 2023, Ms Watson was referred to the TRA.

Findings of fact

The findings of fact are as follows:

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

Whilst employed as a Teacher at the Lisle Marsden Church of England Primary Academy between September 2001 and July 2023;

- 1. You were found to be under the influence of alcohol on or around 22 May 2023 when you were expected to be present and/or teaching at the school.**

The allegation was admitted by Ms Watson.

Both Witnesses A and B confirmed that as part of Ms Watson's phased return programme, they had arranged a series of alcohol tests with the Academy's [REDACTED] provider. These tests were to take place across random dates, with no prior notice provided to Ms Watson. The first of these tests was scheduled for the morning of 22 May 2023 at 9:30am. Witness A confirmed that she accompanied Ms Watson to the test.

Ms Watson underwent the test and tested positive for alcohol. The panel had sight of Ms Watson's Drug and Alcohol Screening results dated 22 May 2023, and signed by a member of the [REDACTED] Staff team, which stated the following:

"Alcohol Screen breath mg/l (legal driving limit in the UK is 0.35mg/l)

<i>Alcohol level test 1</i>	<i>0.51mg/l</i>
<i>Alcohol level test 2</i>	<i>0.51mg/l"</i>

Witness A explained to the panel that Ms Watson underwent three tests on 22 May 2023. She explained that "test 1" was the first test. As this test revealed a positive result, Ms Watson was required to undergo an additional test exactly 20 minutes later. Witness A explained that Ms Watson did undergo a second test, but as this was only 18 minutes later, the [REDACTED] staff member wanted to conduct a third test at exactly 20 minutes later to ensure that the results were accurate. As a result, Ms Watson underwent a third test which is referred to in the results as "test 2".

Witness A confirmed that she saw the test results and discussed these with the [REDACTED] staff member, who advised that as the test results were all consistent, it was difficult to identify when the alcohol had been consumed.

The panel found this allegation proved.

- 2. Your conduct at allegation 1 demonstrated a lack of insight into concerns and/or management advice relating to consuming alcohol raised by the school on or around;**
 - a. 21 April 2021;**
 - b. 17 April 2023.**

The panel had sight of a letter dated 21 April 2021, sent to Ms Watson from the Academy. The letter was headed "Management Advice". This letter was sent following a meeting that took place between Ms Watson, Witness B and another member of staff on 1 April 2021. The letter referred to concerns that had been raised in respect of Ms Watson allegedly being under the influence of alcohol at work on one or more occasions.

The first incident related to Ms Watson's conduct at a staff training day on Friday 5 March 2021. Witness B explained that Ms Watson's role at this training day was to lead the teachers and teaching assistants in respect of preparation for the following term, with a focus on curriculum development.

Witness B explained that he had received reports from other staff members that Ms Watson had disrupted the training day and had not conducted the work that she was meant to be doing. In particular, Witness B received complaints that Ms Watson was behaving erratically, that she disrupted the sessions, that she appeared to be distressed, and that she had exhibited severe mood changes during the day. As a result, staff members had complained that they were unable to properly prepare for the following term. It was believed by staff that Ms Watson was under the influence of alcohol during this training day, due to the way she had behaved.

The panel noted that Ms Watson has denied that she was under the influence of alcohol on 5 March 2021. In addition, Ms Watson has alleged that the complaint was "*unsubstantiated*", as it was made by a member of staff that had allegedly been bullying her. Witness B stated that he had no indication that these allegations were malicious, and that complaints had been made by several staff members. The panel noted that it did not have sight of any additional evidence in respect of this point.

Witness B also stated that Ms Watson had explained that her behaviour at the training day was as a result of her being upset that [REDACTED] did not get accepted into the secondary school of her choice. Witness B confirmed that there was no evidence to prove that Ms Watson had been under the influence of alcohol at work on 5 March 2021, and therefore, this complaint was not upheld.

The letter also referred to concerns that were raised in respect of Ms Watson presenting as being under the influence of alcohol, on at least three occasions, whilst conducting governors' Zoom and staff colleague Teams' meetings. Witness B explained that Ms Watson denied being under the influence of alcohol during these meetings, although she did later accept that she had consumed alcohol prior to one meeting.

The letter stated that "*being under the influence of alcohol at work could be considered to be an act of gross misconduct and could result in dismissal*". The letter also provided the following advice: "*I am strongly recommending that you do not consume any alcohol prior to attending any after school meetings. I am making you aware that excessive consumption of alcohol over the weekend or over an evening is likely to have an effect on your performance in the classroom and be noticed by colleagues.*"

The letter also set out the support that was going to be offered to Ms Watson by the Academy. In particular, Witness B requested that Ms Watson attended a meeting with the Academy's [REDACTED] doctor, [REDACTED].

The panel accepted that Ms Watson had clearly received management advice, that related to the consumption of alcohol, on 21 April 2021 (regardless of whether or not she had consumed alcohol on 5 March 2021). In particular, this advice related to Ms Watson's consumption of alcohol over weekends or evenings, the impact that this may have on her performance at work, and the potential consequences if Ms Watson was found to be under the influence of alcohol at work.

The panel considered that a lot of time had passed between April 2021 and March 2023, and that by this point, Ms Watson should have had more insight into her behaviour and the impact this would have on her teaching role. In her response to the allegations dated 11 September 2023, Ms Watson stated that she did take on board the directives set out by Witness B on 21 April 2021. However, the panel did not have sight of any evidence to support this. The panel considered that by repeating similar behaviours, which clearly contradicted the advice provided, Ms Watson's conduct on 22 May 2023 did demonstrate a lack of insight into the management advice dated 21 April 2021.

The panel also had sight of a file note of a meeting that was held between Witness B and Ms Watson on 17 April 2023. The file note was prepared by Witness B, and dated 21 April 2023. Witness B also confirmed that this meeting took place as recorded.

The panel heard from Witness B how this meeting was called as a result of concerns raised in respect of Ms Watson's conduct at a pub over the weekend of 18-19 March 2023. In particular, concerns had been raised that Ms Watson was acting inappropriately, and appeared to be under the influence of a significant amount of alcohol. Witness B confirmed that Ms Watson had been seen by relatives of other staff members who knew her and were aware of her role at the Academy. During the meeting, Witness B stated that Ms Watson's behaviour had raised questions and legitimate concerns. Witness B informed Ms Watson that people were worried about her, as they were aware of her history and [REDACTED].

The file note recorded Witness B as having explained that Ms Watson "*was under close scrutiny from people based on what had previously occurred and needed to be mindful of this.*" Witness B confirmed to the panel that these concerns were raised during an "informal chat", rather than a formal meeting as the conduct took place outside of work. He also confirmed that whilst he wanted to talk to her as a Headteacher, he also wanted to talk to her as a colleague and a friend. In response, Ms Watson had stated that she understood the concerns raised, but had only had a couple of drinks.

The panel noted that whilst the concerns related to Ms Watson's behaviour outside of the workplace, and accepted that Ms Watson was entitled to a private life, Witness B had clearly raised concerns in respect of Ms Watson's consumption of alcohol, in light of her role as a teacher. The panel noted that Ms Watson's positive alcohol test on 22 May 2023 occurred shortly after these concerns were raised on 17 April 2023. Therefore, the panel considered that these concerns should have been fresh in Ms Watson's mind. The panel found that, in light of Ms Watson's previous conduct and the concerns that had been raised

more recently, Ms Watson's conduct on 22 May 2023 did demonstrate a lack of insight into the concerns that were raised on 17 April 2023.

The panel also heard from Witness B in respect of the level of support that was offered to Ms Watson by the Academy, after her phased return to work. In particular, Witness B explained that Ms Watson had very little teaching to do upon initially returning, and she was put into a secure phased return with additional support. Witness B explained that the Leader of Learning would conduct regular class drop-ins, and that he would also have regular meetings with Ms Watson to discuss her wellbeing and to allow her to express any concerns. The panel felt that the Academy had been supportive of Ms Watson.

The panel had sight of the note of the disciplinary hearing that took place at the Academy on 29 June 2023. The panel decided to admit this note as the document was relevant to the allegations and fair to admit in circumstances where there was limited evidence. The panel was also able to test this evidence by questioning Witness B, and the evidence had withstood this challenge. In particular, the panel noted that Ms Watson stated that she did not understand Witness B's safeguarding concerns that had been raised as a result of her being under the influence of alcohol whilst at work, as she had planned for her lessons and was prepared to teach. The panel felt that Ms Watson's lack of understanding of the concerns raised at this late stage clearly demonstrated that she did not have insight into the management advice and the concerns raised previously, when she attended school under the influence of alcohol on 22 May 2023.

Overall, the panel found allegation 2 proved in its entirety.

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 Ms Watson, in relation to the facts found proved, involved breaches of the Teachers' Standards. The panel considered that, by reference to Part 2, Ms Watson 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

- ... 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 considered that whilst Ms Watson's conduct did not directly impact other staff members or pupils, it found that being at work and in the presence of colleagues and pupils under the influence of alcohol was a clear failure to observe a proper boundary appropriate to a teacher's position. In particular, but for the alcohol test, Ms Watson would have met with parents during the morning of 22 May 2023.

The panel was satisfied that the conduct of Ms Watson, in relation to the facts found proved, involved breaches of Keeping Children Safe In Education ("KCSIE"). The panel was particularly concerned that on 22 May 2023, Ms Watson did intend to continue to teach young children (and would have done so, had she not been called for an alcohol test), whilst under the influence of alcohol. As a result, the panel felt that Ms Watson's behaviour did pose a real potential risk to young children, and exposed them to a potentially harmful and unsafe environment whilst at school.

In his letter to Ms Watson dated 21 April 2021, Witness B referred to the Academy's policies, including the Staff Code of Conduct and Code of Good Practice, and the Alcohol and Drug Misuse Policy. Whilst the panel did not have sight of these policies in the bundle, the panel considered it was likely that Ms Watson's behaviour would be wholly contrary to these policies, drawing upon its experience of the teaching profession. In addition, the panel noted that Ms Watson's behaviour was in direct non-compliance with the phased return to work arrangement that had been agreed.

Therefore, the panel was satisfied that the conduct of Ms Watson fell significantly short of the standard of behaviour expected of a teacher. When considering the seriousness of Ms Watson's misconduct, the panel noted that Ms Watson arriving at work where she would be knowingly responsible for the safety of young children whilst under the influence of alcohol, was a very serious concern. The panel noted that whilst there was no evidence to suggest that Ms Watson had committed a criminal offence whilst under the influence of alcohol, the misconduct was still serious, as it posed a risk to children.

The panel also considered whether Ms Watson'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 none of these offences were relevant.

Accordingly, the panel was satisfied that Ms Watson was guilty of unacceptable professional conduct.

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.

The panel also considered whether Ms Watson'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 none of these offences were relevant.

The panel considered that Ms Watson's conduct could potentially damage the public's perception of a teacher. In particular, the panel considered that the public would be highly concerned about teachers arriving at work to teach young children under the influence of alcohol, potentially placing them at risk.

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

Having found the facts of allegations 1 and 2 proved, the panel further found that Ms Watson's conduct amounted to both unacceptable professional conduct and conduct that may bring the profession into disrepute.

Panel's recommendation to the Secretary of State

Given the panel's findings in respect of unacceptable professional conduct and conduct that may bring the profession into disrepute, it was necessary for the panel to go on to consider whether it would be appropriate to recommend the imposition of a prohibition order by the Secretary of State.

In considering whether to recommend to the Secretary of State that a prohibition order is appropriate, the panel had to consider the public interest, the seriousness of the behaviour and any mitigation offered by Ms Watson 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 safeguarding and wellbeing of pupils, the maintenance of public confidence in the profession and declaring and upholding proper standards of conduct.

In the light of the panel's findings against Ms Watson, which involved finding that she had been under the influence of alcohol at work, there was a strong public interest consideration in respect of the safeguarding and wellbeing of pupils, given the potential risk posed to children.

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

Whilst Witness B stated that Ms Watson did have ability as an educator, the panel considered that the adverse public interest considerations above outweigh any interest in retaining Ms Watson in the profession, since her behaviour fundamentally breached the standard of conduct expected of a teacher.

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;

- misconduct seriously affecting the education and/or safeguarding and well-being of pupils, and particularly where there is a continuing risk.

In particular, the panel felt that there was a continuing risk given that but for the alcohol test that took place on 22 May 2023, Ms Watson would have gone on to teach young children that day whilst under the influence of alcohol.

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/or whether there were mitigating circumstances.

The teacher's actions were deliberate, insofar as Ms Watson did deliberately drink alcohol prior to attending work on 22 May 2023 (although the panel accepted that there was no evidence to suggest the exact date and time that this alcohol was consumed). However, the panel recognised that due to Ms Watson's history with alcohol [REDACTED], Ms Watson may not have appreciated that she had a level of alcohol in her system, which was over the Academy's limit and/or the drink drive limit.

There was no evidence to suggest that Ms Watson was acting under extreme duress, e.g. a physical threat or significant intimidation.

The panel did not have sight of any evidence to show that Ms Watson had demonstrated exceptionally high standards in both her personal and professional conduct, and that she had contributed significantly to the education sector. In fact, the panel did have evidence to show that Ms Watson had previously been subject to a number of concerns raised in respect of the consumption of alcohol whilst she was at work. These concerns were relayed to Ms Watson on 21 April 2021, and Ms Watson was provided with management advice in order to prevent any further misconduct. As a result, the panel found that Ms Watson did exhibit a potential pattern of behaviour in respect of being under the influence of alcohol whilst at work, and this was not just an isolated occurrence. In addition, further concerns were relayed to Ms Watson on 17 April 2023 in respect of her consumption of alcohol outside of the workplace in a public setting.

The panel did hear from Witness B how, following Ms Watson's phased return to work on 16 March 2023 and prior to the alcohol test on 22 May 2023, Ms Watson had been doing well and there was nothing to suggest that Ms Watson was unable to carry out her teaching role. Witness B also stated that prior to the last 5 years, Ms Watson was a "really good teacher", and there were no concerns around her performance. Witness B described her as "strong" and "inspiring" in terms of her leadership with other members of staff. Whilst the panel considered this to be some evidence of Ms Watson's good character, it noted that no additional references were provided that could attest to her abilities as a teacher.

The panel considered Ms Watson's mitigating evidence provided by letter to the TRA on 11 September 2023. [REDACTED]. As a result, Ms Watson stated that she had drunk alcohol the previous evening before attending work on 22 May 2023. Ms Watson has also stated that she "*made a mistake, which she has taken very seriously*".

Ms Watson also stated that she has since "*engaged in a variety of support, even since her dismissal*" and that she "*feels better than she ever has before*". However, the panel noted that it did not have sight of any evidence in the bundle to demonstrate the measures that Ms Watson had taken [REDACTED], or the support she had received, in order to resolve [REDACTED].

The panel also did not have sight of any evidence to show that Ms Watson did have insight into her misconduct and the impact this had on the Academy, the public, colleagues and potentially pupils. In particular, the panel noted that at the disciplinary hearing on 29 June 2023, Ms Watson stated that she could not understand the safeguarding concerns that had been raised by Witness B as she had been prepared for her lesson. The panel found this to be concerning given that, had Ms Watson not undergone an alcohol test on 22 May 2023, she would have thought it was acceptable to continue to meet with parents and teach young children.

The panel did not have sight of any evidence in respect of Ms Watson's level of remorse.

Proportionality

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, it would not be a proportionate and appropriate response to recommend no prohibition order. Recommending that the publication of adverse findings would be sufficient would unacceptably compromise the public interest considerations present in this case, despite the severity of the consequences for Ms Watson of prohibition.

The panel was of the view that prohibition was both proportionate and appropriate. The panel decided that the public interest considerations outweighed the interests of Ms Watson. The potential safeguarding risk posed to children as a result of Ms Watson attending work whilst under the influence of alcohol, and her intention to teach those children but for the alcohol test, was a significant factor in forming that opinion. Accordingly, the panel made a recommendation to the Secretary of State that a prohibition order should be imposed with immediate effect.

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

The Advice indicates that there are cases involving certain conduct where it is likely that the public interest will have greater relevance and weigh in favour of not offering a review period. The panel considered that none of these factors were relevant.

The Advice also indicates that there are cases involving certain conduct where it is likely that the public interest will have greater relevance and weigh in favour of a longer period before a review is considered appropriate. The panel also considered that none of these factors were relevant.

As set out above, the panel did not have sight of sufficient evidence to demonstrate that Ms Watson did have insight into her actions, and/or any remorse. In particular, the panel also noted that one of the allegations it found proven was that Ms Watson's conduct had demonstrated a lack of insight into advice provided and concerns raised previously. The panel considered that Ms Watson's conduct in respect of the consumption of alcohol whilst at work had raised concerns on multiple occasions, and that Ms Watson was provided with a number of opportunities to seek support to overcome her [REDACTED], in order to rectify her behaviour. [REDACTED]. As a result of Ms Watson's repeated lack of insight, including at the disciplinary hearing on 29 June 2023, the panel felt that there was currently a risk of repetition of similar behaviour. In particular, the panel was concerned that Ms Watson did

intend to meet with parents, and teach young children, on 22 May 2023 but for the alcohol test and did not appear to recognise the concerns that this had raised. However, the panel also acknowledged that Ms Watson [REDACTED], and that she did state that she had been engaging in a variety of support. As a result, the panel felt that she should be provided with the opportunity to demonstrate that she had been able to overcome her [REDACTED], and to show that she did not pose a risk to pupils, in the future.

The panel decided that the findings indicated a situation in which a review period would be appropriate and, as such, decided that it would be proportionate, in all the circumstances, for the prohibition order to be recommended with provisions for a review period. Therefore, the panel recommended a review period after which the teacher may apply for a prohibition order to be set aside of 2 years.

Decision and reasons on behalf of the Secretary of State

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

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

In this case, the panel has found all of the allegations proven and found that those proven facts amount to unacceptable professional conduct and conduct that may bring the profession into disrepute.

The panel has made a recommendation to the Secretary of State that Ms Katie Watson should be the subject of a prohibition order, with a review period of two years.

In particular, the panel has found that Ms Watson 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

- ... 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 Ms Watson, 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 Ms Watson 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 and conduct likely to bring the profession into disrepute, would itself be sufficient to achieve the overall aim. I have to consider whether the consequences of such a publication are themselves sufficient. I have considered therefore whether or not prohibiting Ms Watson, 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, "In the light of the panel's findings against Ms Watson, which involved finding that she had been under the influence of alcohol at work, there was a strong public interest consideration in respect of the safeguarding and wellbeing of pupils, given the potential risk posed to children." 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, "The panel also did not have sight of any evidence to show that Ms Watson did have insight into her misconduct and the impact this had on the Academy, the public, colleagues and potentially pupils. In particular, the panel noted that at the disciplinary hearing on 29 June 2023, Ms Watson stated that she could not understand the safeguarding concerns that had been raised by Witness B as she had been prepared for her lesson. The panel found this to be concerning given that, had Ms Watson not undergone an alcohol test on 22 May 2023, she would have thought it was acceptable to continue to meet with parents and teach young children." In my judgement, the lack of insight means that there is some risk of the repetition of this behaviour and this puts at risk the future wellbeing of pupils. I have therefore given this element considerable weight in reaching my decision.

I have gone on to consider the extent to which a prohibition order would maintain public confidence in the profession. The panel observe, "the panel considered that public confidence in the profession could be seriously weakened if conduct such as that found against Ms Watson were not treated with the utmost seriousness when regulating the conduct 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 Ms Watson and the panel comment “The panel did not have sight of any evidence to show that Ms Watson had demonstrated exceptionally high standards in both her personal and professional conduct, and that she had contributed significantly to the education sector. In fact, the panel did have evidence to show that Ms Watson had previously been subject to a number of concerns raised in respect of the consumption of alcohol whilst she was at work.”

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

In this case, I have placed considerable weight on the panel’s comments concerning the lack of insight or remorse. The panel has said, “the panel did not have sight of sufficient evidence to demonstrate that Ms Watson did have insight into her actions, and/or any remorse. In particular, the panel also noted that one of the allegations it found proven was that Ms Watson’s conduct had demonstrated a lack of insight into advice provided and concerns raised previously. The panel considered that Ms Watson’s conduct in respect of the consumption of alcohol whilst at work had raised concerns on multiple occasions, and that Ms Watson was provided with a number of opportunities to seek support to overcome her [REDACTED], in order to rectify her behaviour.”

I have also placed considerable weight on the finding that “the panel was satisfied that the conduct of Ms Watson fell significantly short of the standard of behaviour expected of a teacher. When considering the seriousness of Ms Watson’s misconduct, the panel noted that Ms Watson arriving at work where she would be knowingly responsible for the safety of young children whilst under the influence of alcohol, was a very serious concern. The panel noted that whilst there was no evidence to suggest that Ms Watson had committed a criminal offence whilst under the influence of alcohol, the misconduct was still serious, as it posed a risk to children.”

I have given less weight in my consideration of sanction therefore, to the contribution that Ms Watson has made to the profession. In my view, it is necessary to impose a prohibition order in order to maintain public confidence in the profession. A published

decision, in light of the circumstances in this case, that is not backed up by full insight or remorse, does not in my view satisfy the public interest requirement concerning public confidence in the profession.

For these reasons, I have concluded that a prohibition order is proportionate and in the public interest in order to achieve the intended aims of a prohibition order.

I have gone on to consider the matter of a review period. In this case, the panel has recommended a 2year review period.

I have considered the panel's comments "the panel felt that she should be provided with the opportunity to demonstrate that she had been able to overcome her [REDACTED], and to show that she did not pose a risk to pupils, in the future."

I agree with the panel that a two year review period is proportionate to the misconduct that has been found proven in this case and is necessary to maintain public confidence.

This means that Ms Katie Watson 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 2026, 2 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, Ms Watson remains prohibited from teaching indefinitely.

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

Ms Watson 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 'SABuxcey', with a horizontal line underneath.

Decision maker: Sarah Buxcey

Date: 29 May 2025

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