



Teaching  
Regulation  
Agency

# **Mr Pawel Letowski: Professional conduct panel outcome**

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

**June 2024**

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

**Teacher:** Mr Pawel Letowski

**TRA reference:** 20938

**Date of determination:** 21 June 2024

**Former employer:** Burford School, Oxfordshire

### **Introduction**

A professional conduct panel ('the panel') of the Teaching Regulation Agency ('the TRA') convened on 17 to 21 June 2024 by way of a virtual hearing, to consider the case of Mr Letowski.

The panel members were Ms Amanda Godfrey (teacher panellist– in the chair), Mr Richard Young (lay panellist) and Ms Janette McCormick (lay panellist).

The legal adviser to the panel was Mr Nicholas West of Birketts LLP solicitors.

The presenting officer for the TRA was Mr Scott Smith of Capsticks LLP solicitors.

Mr Letowski was present and was not represented.

The hearing took place by way of a virtual hearing in public and was recorded.

## Allegations

The panel considered the allegations set out in the notice of proceedings dated 5 April 2024.

It was alleged that Mr Letowski was guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute in that, while employed as a teacher at Burford School, Cheltenham Road, Burford, Oxfordshire, OX18 4PL ('the School'):

1. He was under the influence of alcohol on the School premises on 24 January 2022.
2. He drove to the School whilst under the influence of alcohol on the morning of 31 January 2022.
3. He was under the influence of alcohol on the School premises on 31 January 2022.

At the start of the hearing Mr Letowski confirmed that he denied allegations 1, 2 and 3, as set out in the response to the notice of referral form, which was signed by Mr Letowski but left undated.

## Preliminary applications

### Application to admit additional documents

The panel considered a preliminary application from Mr Letowski for the admission of additional documents.

Mr Letowski's documents were a 10-page bundle of documents (including character references and a letter [REDACTED]) and a six-page witness statement dated 14 June 2024.

The documents subject to the application had not been served in accordance with the requirements of paragraph 5.37 of the 2020 Procedures. Therefore, the panel was required to decide whether the documents should be admitted under paragraph 5.34 of the 2020 Procedures.

The panel heard representations from Mr Letowski in respect of the application. Mr Letowski explained that his legal representation had been withdrawn at short notice on Friday, 14 June 2024 and he understood that this evidence had already been sent to the TRA. Mr Letowski also mistakenly believed that a witness statement had been sent to the TRA on his behalf. Mr Letowski confirmed that he was content to proceed with the hearing unrepresented.

The panel considered the additional documents were relevant. The panel noted the latest character reference was dated 18 April 2024 and the [REDACTED] letter was dated 1

February 2024 so the panel accepted that Mr Letowski may have thought that this evidence had already been served on the TRA. Accordingly, the panel considered that the documents were relevant to the proceedings, and it would be fair to admit them. The documents were therefore added to the bundle.

## **Summary of evidence**

### **Documents**

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

- Section 1: Chronology, anonymised pupil list and list of key people– pages 3 to 5
- Section 2: Notice of proceedings and response – pages 6 to 30
- Section 3: Teaching Regulation Agency witness statements – pages 31 to 58
- Section 4: Teaching Regulation Agency documents – pages 59 to 171
- Section 5: Teacher documents – pages 172 to 173.

In addition, the panel agreed to accept the following:

- A 10-page bundle of additional evidence from Mr Letowski – pages 174 to 183
- A witness statement of Mr Letowski dated 14 June 2024 – pages 184 to 189.

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 the following witnesses called by the TRA:

- Witness A - [REDACTED]
- Witness B - [REDACTED]
- Witness C - [REDACTED]
- Witness D - [REDACTED]
- Witness E - [REDACTED]

## **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 2011, Mr Letowski commenced employment at the School.

On 24 January 2022, Mr Letowski was seen stumbling at School and later suspected of being under the influence of alcohol.

On 31 January 2022, Mr Letowski was suspected of driving to the School under the influence of alcohol and collapsed shortly after exiting his car. Mr Letowski was suspended on 1 February 2022 pending disciplinary proceedings.

On 27 May 2022, Mr Letowski submitted his written resignation from his employment with the School.

On 23 June 2022, Mr Letowski was issued with a first and final written warning.

On 7 July 2022, the matter was referred to the TRA.

On 31 August 2022, Mr Letowski's employment at the School formally terminated.

## **Findings of fact**

The findings of fact are as follows:

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

### **1. You were under the influence of alcohol on the School premises on 24 January 2022.**

The panel considered the oral evidence and witness statement of Mr Letowski, who stated that he was not under the influence of alcohol on 24 January 2022. Mr Letowski's initial account during the disciplinary investigation meeting with [REDACTED] on 16 February 2022 did not mention alcohol but he accepted *"I came into work, stumbled in the corridor between the maths block and language block, dropped a few things and was picking them up as the member of staff passed"*.

Mr Letowski's initial statement provided to the TRA in or around April 2023 confirmed *"I was not under the influence of alcohol on the 24<sup>th</sup> January 2022"* and this position was maintained during his oral evidence at the hearing. The panel noted Mr Letowski's witness statement dated 14 June 2024 which stated that *"On walking through the 'tunnel' between Maths and French I tripped on the curb (I think) and fell"* and he also maintained his denial that he was under the influence of alcohol on 24 January 2022.

The panel considered the oral evidence and witness statement of [REDACTED], who stated that on 24 January 2022, he opened his classroom door and heard something to the right of him. He stated that he looked and saw Mr Letowski “*clutching to the wall*”. [REDACTED] explained that when he went over to Mr Letowski he was “*slurring his words*” and “*was dazed and looked like he had been hit*”. He stated that Mr Letowski told him he tripped over but he “*could see from his behaviour that he was intoxicated*”.

The panel noted that there were differing recollections of the interaction between [REDACTED] and Mr Letowski on 24 January 2022 in each of their evidence. Mr Letowski’s evidence was that [REDACTED] “*popped his head out of his classroom*” to see what happened, whereas [REDACTED] stated he “*went over to him*” and “*approached*” him. During questioning, [REDACTED] clarified that he was “*crouched down next to him*” and “*within one metre*”. [REDACTED] account was consistent throughout his evidence that he did not smell alcohol on Mr Letowski on 24 January 2022.

[REDACTED] witness statement confirmed he reported the incident to [REDACTED], [REDACTED], the following morning after discussing what had happened with his [REDACTED]. During questioning [REDACTED] clarified that he had discussed his concerns with another teacher, [REDACTED], and had asked him to “*keep an eye*” on Mr Letowski on 24 January 2022.

The panel considered the oral evidence and witness statement of [REDACTED], who was aware [REDACTED] had informed [REDACTED] that he had concerns about Mr Letowski in that he saw him “*stumble into work and brush against the wall in front of a student*”. [REDACTED] witness statement stated that she approached [REDACTED] to discuss the incident and he said “*it could have been anything else and he was not 100% sure*” that Mr Letowski was drunk. [REDACTED] stated that she did not think [REDACTED] wanted to accuse Mr Letowski of being drunk at School in case he was incorrect.

The panel accepted the evidence of Mr Letowski that he continued to teach five lessons to pupils on 24 January 2022, after his fall that morning, and there was no evidence of any other concerns from any staff members or pupils about his conduct on this day.

Taking all of the available evidence into account, the panel was not satisfied, on the balance of probabilities, that there was sufficient evidence to prove that Mr Letowski was under the influence of alcohol on 24 January 2022. The panel therefore did not find allegation 1 proven.

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

**2. You drove to the School whilst under the influence of alcohol on the morning of 31 January 2022.**

**3. You were under the influence of alcohol on the School premises on 31 January 2022.**

The panel considered the oral evidence and witness statement of Mr Letowski. In Mr Letowski's initial disciplinary investigation meeting on 16 February 2022, he accepted that he drove into work and when asked if he was under the influence of alcohol in the medical room on 31 January 2022, he replied *"With the information that I was being given, I felt that yes, I must have still been under the influence of alcohol on that day"*.

Mr Letowski's initial statement provided to the TRA in or around April 2023 confirmed *"On the morning of the 31<sup>st</sup> I did drive to work, and accept that I may have still been under the influence of alcohol as I had been drinking heavily the previous evening"*. Mr Letowski further admitted *"I accept that I may have still been under the influence of alcohol on school premises on the 31<sup>st</sup> as I had been drinking heavily on the previous evening"*.

Mr Letowski's witness statement dated 14 June 2024 stated, *"I do not believe I was under the influence of alcohol"*. During questioning at the hearing Mr Letowski accepted that he did not know whether he was under the influence of alcohol or not on 31 January 2022. Mr Letowski accepted that he drove into school but denied he was under the influence of alcohol.

The panel considered the oral evidence and witness statement of [REDACTED], who stated that on 31 January 2022, she was driving to School and saw Mr Letowski on the left side of the road, stood by the fence. [REDACTED] stated that as she reversed her car, she saw Mr Letowski *"on the floor"*, under a tree.

[REDACTED] stated that she ran towards Mr Letowski but by the time she got there *"he was up on his feet"*. She stated that she asked Mr Letowski to continue holding onto the fence as he was *"unsteady on his feet"*. [REDACTED] oral evidence provided a consistent account of events and was unchallenged by Mr Letowski at the hearing.

[REDACTED] evidence was that she thought Mr Letowski had collapsed due to a medical condition and she stated *"it did not occur to me during the incident that Mr Letowski was drunk"*. [REDACTED] clarified in her oral evidence that she did make a *"flippant"* comment later that day to her colleague, [REDACTED], that *"if this was Friday night in Witney I'd have thought he was drunk, but 8am on Monday made me think it was a serious medical issue"*. The panel noted that this comment was also included in [REDACTED] contemporaneous investigation minutes from her interview on 2 February 2022.



[REDACTED] evidence was consistent that she could not smell alcohol on Mr Letowski during her interaction with him on 31 January 2022 but she added that she did not think she would have been close enough to him to smell anything.

The panel considered the record of investigation meeting with [REDACTED] on 3 February 2022. [REDACTED] supported Mr Letowski in walking from the car park where he fell to the medical room on 31 January 2022. [REDACTED] did not mention smelling alcohol on Mr Letowski on 31 January 2022 but the panel noted that he was not specifically asked this question. [REDACTED] was not available for questioning at the hearing and the panel considered that limited weight could therefore be given to the fact that he did not report smelling alcohol on Mr Letowski despite being in close proximity to him whilst supporting Mr Letowski to the medical room.

The panel considered the oral evidence and witness statement of [REDACTED], who stated that [REDACTED] told her that Mr Letowski had “*collapsed*”, and that they ran to the car park and found Mr Letowski being supported by [REDACTED]. [REDACTED] confirmed that Mr Letowski was taken to the medical room by [REDACTED] and [REDACTED] and in oral evidence she clarified that she followed “*probably a couple of feet behind [REDACTED]*”. [REDACTED] submitted that whilst in the medical room with Mr Letowski she could smell “*very strong alcohol on him*”, so she asked him if he had too much to drink to which he replied yes.

[REDACTED] submitted that Mr Letowski’s speech was “*not so slurred*” but he looked “*really defeated and slumped*” and was “*struggling to hold himself upright*”.

The panel considered the oral evidence and written statement of [REDACTED], who stated that someone told her on the reception phone that Mr Letowski had fallen in the car park. She stated that she and [REDACTED] ran to the car park and found Mr Letowski being physically supported by [REDACTED] stated that she “*could smell alcohol on Mr Letowski immediately*”.

[REDACTED] stated that she helped Mr Letowski to the medical room and clarified in her oral evidence that she helped to support Mr Letowski in walking from the car park to the medical room. [REDACTED] stated Mr Letowski was putting “*quite a lot*” of weight through her whilst supporting him and he would not have been able to stand on his own without support as he was “*incredibly unsteady on his feet*”.

The panel noted [REDACTED] oral evidence was consistent with her initial investigation interview on 2 February 2022 that “*the smell of alcohol became very obvious*” when she was in the medical room with Mr Letowski.

[REDACTED] stated that Mr Letowski was emotional and crying and it was “*difficult to say whether he was slurring his words*” due to his emotional state or because he was intoxicated. [REDACTED] submitted that his eyes were “*very starry*” and “*glazed*”.

[REDACTED] stated that when [REDACTED] had left the room, she asked Mr Letowski what he had to drink, to which he began to call himself a “waster”. [REDACTED], *“I then asked him the direct question whether he had a problem”* [REDACTED].

[REDACTED] clarified in her oral evidence that she was with Mr Letowski in the medical room for around two hours whilst waiting for a taxi to collect him from the School. She stated that Mr Letowski said [REDACTED] that he *“acknowledged this and admitted that he did drive under the influence of alcohol”*.

[REDACTED] stated that the smell of alcohol in the medical room was so extreme that even when Mr Letowski left the medical room, the room *“still smelt very strong of alcohol”*.

During questioning, [REDACTED] was asked if the smell in the medical room could have come from cleaning products used in the medical room or hand sanitiser used by Mr Letowski. These suggestions were dismissed by [REDACTED] as she said the medical room would not have been used by anyone that morning and it would not have therefore been cleaned since the night before. [REDACTED] added the smell *“became much stronger”* when Mr Letowski was in the room.

The panel considered the oral evidence and written statement of [REDACTED], who stated that he spoke to Mr Letowski remotely via Teams on 16 February 2022 for an investigation interview. [REDACTED] confirmed that Mr Letowski *“did admit that he had been drinking the night before”* but he *“did not admit to being under the influence of alcohol”*. The panel noted [REDACTED] did not directly ask Mr Letowski what he had been drinking, how much he had had to drink the night before or when he had stopped drinking.

The panel further considered Mr Letowski’s oral evidence at the hearing. The panel accepted Mr Letowski’s oral evidence that he had not drunk alcohol from June 2022 until January 2024 and still experienced difficulty walking. Mr Letowski recalled four falls that occurred during the period whilst he was not drinking and confirmed that he now uses a stick to aid his walking. [REDACTED].

Mr Letowski’s contemporaneous evidence from the investigation interview dated 16 February 2022 stated he *“felt a little bit unwell”* when he woke up on 31 January 2022 and he felt his conduct resulted from *“a combination of things, I felt very under the weather, I have been undergoing a lot of emotional stress over the last couple of years”* and *“I have been feeling very tired and overwhelmed”*. Mr Letowski was specifically questioned at the hearing whether it was possible he was feeling that way because he was hungover and he accepted this was possible.

Mr Letowski was asked how much he had drunk the night before on a number of occasions but his evidence was consistent that he could not recall. In oral evidence, Mr

Letowski confirmed he *“can’t recall precisely but don’t recall it was out of the ordinary. I mentioned maybe a bottle of wine, maybe more”*. The panel noted Mr Letowski’s written statement provided to the TRA in or around April 2023 accepted he *“had been drinking heavily the previous evening”*. During questioning, Mr Letowski denied that he had drunk so much the previous evening that he literally couldn’t remember exactly how much.

Mr Letowski was asked whether he would consider himself to be a ‘high functioning alcoholic’ which he denied. The panel accepted Mr Letowski’s oral evidence that he had only had one day off work during his 11 years of teaching at Burford School and this was supported by character reference evidence that he had *“the best attendance of all staff”* from February 2019.

The panel considered that it would not be appropriate to draw inferences from the alleged parallels between the incidents on 24 January 2022 and 31 January 2022. The panel noted the main distinction between the two incidents was that Mr Letowski picked himself up from his fall and was able to continue teaching without any issues being reported on 24 January 2022. In contrast, Mr Letowski accepted in contemporaneous evidence dated 16 February 2022 that he *“shouldn’t have come in”* on 31 January 2022 and that he had *“overstepped the mark”*. This is supported by the evidence that Mr Letowski agreed to go home and not continue teaching on 31 January 2022 and he handed his car keys to [REDACTED]

Mr Letowski submitted at the hearing that he doesn’t believe he was under the influence of alcohol to the extent that it would have impaired his ability to teach properly on 31 January 2022. The panel considered that this position was not supported by the witness evidence of [REDACTED] who was questioned on whether Mr Letowski was in a position to teach a class on the morning of 31 January 2022 and she replied, *“not at all”*. The panel considered [REDACTED] presented herself as a credible and consistent witness with significant empathy for Mr Letowski, whom she had previously supported.

Based on all of the evidence available, the panel accepted that Mr Letowski’s fall on 31 January 2022 may not have been solely because he was under the influence of alcohol but also due to other factors including his difficulty walking, the fact that the ground was described by witnesses as muddy and slippery, and the emotional stress he was experiencing at the time. However, the panel considered that Mr Letowski’s alcohol consumption was likely a contributing factor to his fall on 31 January 2022.

The panel accepted the evidence of [REDACTED], [REDACTED] and [REDACTED] that Mr Letowski was unsteady on his feet after his fall and required support with walking from the car park to the medical room. The panel did not consider there was sufficient witness evidence to suggest Mr Letowski was slurring his words and accepted that this may have been as a result of his emotional state on the day.

The panel noted [REDACTED] evidence that Mr Letowski accepted he was [REDACTED] in the medical room. [REDACTED].

The panel further accepted the evidence of [REDACTED] and [REDACTED] that they could smell alcohol emanating from Mr Letowski in the medical room. The panel considered the descriptions of the smell as “*very strong*” by both [REDACTED] and [REDACTED] was persuasive evidence that Mr Letowski continued to be under the influence of alcohol whilst he was on School premises on 31 January 2022.

The panel took into account [REDACTED] evidence that she “*had to pull Pawel hip-to-hip to keep him steady and upright*” and “*had to grab him again to stop him falling*” when she walked with him to the taxi at approximately 10am. Mr Letowski’s oral evidence suggested he would have left his house at around 6.30am on 31 January 2022 as he drove from his flat to Lidl in Witney to charge his car for approximately one hour, and then drove to the School arriving before 8am. The panel considered [REDACTED] evidence that Mr Letowski was unable to walk unaided over three hours after he left his flat was indicative that Mr Letowski remained under the influence of alcohol on School premises on 31 January 2022 and was not hungover from alcohol that he had consumed the night before.

Taking all of the available evidence into account, the panel concluded that, on the balance of probabilities, it was more likely than not that Mr Letowski was under the influence of alcohol on School premises on 31 January 2022. It was accepted by Mr Letowski that he drove to School on 31 January 2022 and the panel therefore concluded that, on the balance of probabilities, it was more likely than not that Mr Letowski drove to the School whilst under the influence of alcohol on the morning of 31 January 2022.

The panel therefore found that allegations 2 and 3 are proven.

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

Having found two 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 Mr Letowski, in relation to the facts found proved, involved breaches of the Teachers’ Standards. The panel considered that, by reference to Part 2, Mr Letowski 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, and maintain high standards in their own attendance and punctuality.
- Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities.

The panel was satisfied that the conduct of Mr Letowski amounted to misconduct of a serious nature which fell significantly short of the standards expected of the profession.

The panel also considered whether Mr Letowski's conduct displayed behaviours associated with any of the offences listed on pages 12 and 13 of the Advice.

The panel found that his conduct displayed behaviours associated with the offence of serious driving offences, particularly those involving alcohol.

The panel noted that although allegation 2 took place outside the education setting, it was relevant to Mr Letowski's position as a teacher in that he was driving to the School to teach pupils whilst under the influence of alcohol.

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

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

The findings of misconduct are serious, and the conduct displayed would be likely to have a negative impact on Mr Letowski's status as a teacher, potentially damaging the public perception.

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

Having found the facts of allegations 2 and 3 proved, the panel further found that Mr Letowski'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 should be made, the panel had to consider whether it would be an appropriate and proportionate measure, and whether it would be in the public interest to do so.

The panel was aware that prohibition orders should not be given in order to be punitive, or to show that blame has been apportioned, although they are likely to have punitive effect.

The panel had regard to the particular public interest considerations set out in the Advice and, having done so, found a number of them to be relevant in this case, namely: the safeguarding and wellbeing of pupils and the protection of other members of the public, the maintenance of public confidence in the profession, declaring and upholding proper standards of conduct and that prohibition strikes the right balance between the rights of the teacher and the public interest, if they are in conflict.

In light of the panel's findings against Mr Letowski, which involved being under the influence of alcohol on School premises on 31 January 2022 and driving to the School whilst under the influence of alcohol on 31 January 2022, there was a strong public interest consideration in declaring and upholding proper standards of conduct.

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

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

The panel decided that there was also a strong public interest consideration in retaining Mr Letowski in the profession, since no doubt had been cast upon his abilities as an educator and he is able to make a valuable contribution to the profession.

The panel accepted the character evidence of his ex-colleagues who noted Mr Letowski would *"act for the benefit of the students he taught. He was particularly popular in his pastoral role as a form tutor because students trusted that he cared about them"* and that he was *"an exceptionally reliable staff member"* with only one day off sick over 11 years of teaching at the School.

In view of the clear public interest considerations that were present, the panel considered carefully whether or not it would be proportionate to impose a prohibition order, taking into account the effect that this would have on Mr Letowski. The panel was mindful of the need to strike the right balance between the rights of the teacher and the public interest.

In carrying out the balancing exercise, the panel had regard to the public interest considerations both in favour of, and against, prohibition as well as the interests of Mr Letowski. The panel took further account of the Advice, which suggests that a prohibition order may be appropriate if certain behaviours of a teacher have been proved. In the list of such behaviours, those that were relevant in this case were:

- serious departure from the personal and professional conduct elements of the Teachers' Standards;
- misconduct seriously affecting the education and/or well-being of pupils, and particularly where there is a continuing risk;

Even though some of the behaviour found proved in this case indicated that a prohibition order would be appropriate, the panel went on to consider the mitigating factors. Mitigating factors may indicate that a prohibition order would not be appropriate or proportionate.

Based on all of the evidence available, the panel considered there was not sufficient evidence to suggest Mr Letowski's actions were not deliberate. However, the panel accepted Mr Letowski's evidence that he did not drive into School or attend School premises knowingly under the influence of alcohol on 31 January 2022 and it was not his conscious decision to do so.

There was no evidence to suggest that Mr Letowski was acting under extreme duress.

The panel noted that, aside from the incident in this matter, Mr Letowski demonstrated exceptionally high standards in both his personal and professional conduct and contributed significantly to the education sector in his role as an A-Level Mathematics teacher.

The panel noted that there was insight and remorse on the part of Mr Letowski. The panel accepted that Mr Letowski was remorseful and reflective of his actions when he spoke, without being prompted, about the impact his behaviour could have had on pupils that he taught. In particular, A-Level aged pupils that he taught who were above the legal age to start drinking alcohol. Mr Letowski was also reflective of the impact that his unhealthy alcohol consumption had had on his own health and his family and he was aware of the significant risk that this could have on his life, if repeated.

The panel noted Mr Letowski's oral evidence that he believed he could now identify and understand motivations and triggers related to his unhealthy alcohol consumption. He

stated that he was able to demonstrate how this could be avoided in the future, through support from his close-knit network of friends and family [REDACTED]. It was particularly noted by the panel that one of Mr Letowski's ex-colleagues supported him throughout the entire course of these proceedings as a public observer.

Although Mr Letowski contested the allegations, the panel considered there was a high level of frankness, integrity and truthfulness throughout his evidence.

The panel noted the significant mitigation from Mr Letowski in his witness statement, character references and oral evidence which explained why he had started to drink more heavily [REDACTED].

The panel accepted that the COVID-19 pandemic was an incredibly testing time for all teachers, especially when coupled with the other personal issues Mr Letowski was facing at the time. Although the panel considered Mr Letowski's behaviour on 31 January 2022 was enormously disruptive to the School, it noted that it was a one-off incident. The panel was conscious that the wider context cannot be underestimated and Mr Letowski would have normally had a more effective support network than he had at this time.

Mr Letowski submitted that he [REDACTED] was able to maintain being alcohol free between June 2022 and January 2024. Mr Letowski stated that he has reflected on the time leading up to the incident and has realised that he should have sought help earlier.

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

The panel was of the view that, applying the standard of the ordinary intelligent citizen, the recommendation of no prohibition order would be both a proportionate and an appropriate response. Given that the nature and severity of the behaviour on 31 January 2022 was at the less serious end of the possible spectrum and was seemingly a one-off incident and, having considered the significant mitigating factors that were present, the panel determined that a recommendation for a prohibition order would not be appropriate in this case.

The panel was of the view that prohibition was not proportionate and publication of the adverse findings was a less intrusive measure available. Taking all of the circumstances into account, the panel decided that the public interest considerations weighed in favour of retaining Mr Letowski in the profession. The fact that A-Level Mathematics teachers are in high demand and Mr Letowski has secured alternative employment to start in September 2024 were both significant factors in forming that opinion. Mr Letowski stated in his oral evidence that he had been honest and transparent with his prospective employer about the nature of these proceedings and the fact it was alcohol related



misconduct. The panel considered that prohibition would not produce any material change or serve any useful purpose.

The panel considered that the publication of the adverse findings it had made was sufficient to send an appropriate message to Mr Letowski 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. The panel noted Mr Letowski has a duty to disclose the publication of adverse findings to future employers. With this in mind, the panel consider it is of utmost importance that Mr Letowski has effective support and strategies in place for the future, which could include having a pastoral supervisor and mentor to provide support at school. The panel further noted Mr Letowski should reflect and consider setting himself an absolute limit on his level of alcohol consumption going forward to avoid the risk of any future repetition.

## **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 and found that 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 one of the allegations not proven. 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 should be published and that such an action is proportionate and in the public interest.

In particular, the panel has found that Mr Letowski 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, and maintain high standards in their own attendance and punctuality.
- Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities.

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

The findings of misconduct are serious as they include a teacher driving to and being present on school premises while under the influence of alcohol.

I have to determine whether the imposition of a prohibition order is proportionate and in the public interest. In assessing that for this case, I have considered the overall aim of a prohibition order which is to protect pupils and to maintain public confidence in the profession. I have considered the extent to which a prohibition order in this case would achieve that aim taking into account the impact that it will have on the individual teacher. I have also asked myself, whether a less intrusive measure, such as the published finding of unacceptable professional conduct and conduct that may bring the profession into disrepute, would itself be sufficient to achieve the overall aim. I have to consider whether the consequences of such a publication are themselves sufficient. I have considered therefore whether or not prohibiting Mr Letowski, 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 observes that: “The panel had regard to the particular public interest considerations set out in the Advice and, having done so, found a number of them to be relevant in this case, namely: the safeguarding and wellbeing of pupils and the protection of other members of the public...” 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:

“The panel noted that there was insight and remorse on the part of Mr Letowski. The panel accepted that Mr Letowski was remorseful and reflective of his actions when he spoke, without being prompted, about the impact his behaviour could have had on pupils that he taught. In particular, A-Level aged pupils that he taught who were above the legal age to start drinking alcohol. Mr Letowski was also reflective of the impact that his unhealthy alcohol consumption had had on his own health and his family and he was aware of the significant risk that this could have on his life, if repeated.

The panel noted Mr Letowski’s oral evidence that he believed he could now identify and understand motivations and triggers related to his unhealthy alcohol consumption.

He stated that he was able to demonstrate how this could be avoided in the future, through support from his close-knit network of friends and family [REDACTED]. It was particularly noted by the panel that one of Mr Letowski's ex-colleagues supported him throughout the entire course of these proceedings as a public observer."

In my judgement, the degree of insight and remorse demonstrated by Mr Letowski means that there is a limited of the repetition of this behaviour. I have therefore given this element considerable weight in reaching my decision.

I have gone on to consider the extent to which a prohibition order would maintain public confidence in the profession. The panel observe, "The findings of misconduct are serious, and the conduct displayed would be likely to have a negative impact on Mr Letowski's status as a teacher, potentially damaging the public perception." I am particularly mindful of the finding that Mr Letowski was found to have driven to school while under the influence of alcohol and the negative impact this 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 that may bring the profession into disrepute, in the absence of a prohibition order, can itself be regarded by such a person as being a proportionate response to the misconduct that has been found proven in this case.

I have also considered the impact of a prohibition order on Mr Letowski himself. The panel records that it "...noted that, aside from the incident in this matter, Mr Letowski demonstrated exceptionally high standards in both his personal and professional conduct and contributed significantly to the education sector in his role as an A-Level Mathematics teacher." The panel also notes having seen evidence attesting to Mr Letowski's commitment to teaching and reliability as a colleague.

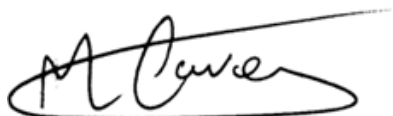
A prohibition order would prevent Mr Letowski from teaching. A prohibition order would also clearly deprive the public of his contribution to the profession for the period that it is in force.

In this case, I have placed considerable weight on the panel's concluding remarks on the matter of whether Mr Letowski should be prohibited from teaching:

"The panel was of the view that prohibition was not proportionate and publication of the adverse findings was a less intrusive measure available. Taking all of the circumstances into account, the panel decided that the public interest considerations

weighed in favour of retaining Mr Letowski in the profession. The fact that A-Level Mathematics teachers are in high demand and Mr Letowski has secured alternative employment to start in September 2024 were both significant factors in forming that opinion. Mr Letowski stated in his oral evidence that he had been honest and transparent with his prospective employer about the nature of these proceedings and the fact it was alcohol related misconduct. The panel considered that prohibition would not produce any material change or serve any useful purpose.”

I agree with the panel that, given the insight and remorse Mr Letowski has demonstrated and the contribution he will be able to make to teaching in the future, a prohibition order is not proportionate or in the public interest. I consider that the publication of the findings made would be sufficient to send an appropriate message to the teacher as to the standards of behaviour that were not acceptable and that the publication would meet the public interest requirement of declaring proper standards of the profession.

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

**Decision maker: Marc Cavey**

**Date: 1 July 2024**

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