



Teaching
Regulation
Agency

Mr Simon Mumford: Professional conduct panel outcome

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

September 2024

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

Teacher:	Mr Simon Mumford
Teacher ref number:	9358535
Teacher date of birth:	1 June 1969
TRA reference:	22416
Date of determination:	6 September 2024
Former employer:	Clitheroe Royal Grammar School, Clitheroe

Introduction

A professional conduct panel ('the panel') of the Teaching Regulation Agency ('the TRA') convened on 3 to 6 September 2024 by way of a virtual hearing, to consider the case of Mr Simon Mumford.

The panel members were Mr Stephen Chappell (lay panellist – in the chair), Mrs Bernie Whittle (teacher panellist) and Mr Peter Ward (lay panellist).

The legal adviser to the panel was Ms Abigail Reynolds of Birketts LLP solicitors.

The presenting officer for the TRA was Ms Heather Andersen of Browne Jacobson LLP solicitors.

Mr Mumford was present and was represented by Mr Lee Hughes of Lincoln House Chambers.

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 11 June 2024.

It was alleged that Mr Mumford was guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute, in that whilst employed as the head and/or teacher of physics at Clitheroe Royal Grammar School between 1 September 2013 and 3 July 2023:

1. He failed to maintain appropriate professional boundaries with Pupil A, by:
 - a. Organising and/or participating in an overnight camping trip to Priests Hole Cave with Pupil A, which was unauthorised by the School, on or around 18 – 19 June 2021;
 - b. Having contact with Pupil A outside of school hours, including:
 - i. One on one conversations with Pupil A in person and/or on Microsoft teams;
 - ii. Spending time alone with Pupil A during and/or on the journey to and/or from the trip to Priests Hole Cave;
 - c. Engaging in inappropriate physical contact with Pupil A, in that on or around 18 – 19 June 2021, he:
 - i. Kissed Pupil A on her cheek and/or face on one or more occasions;
 - ii. Touched Pupil A's leg;
 - iii. Slept next to Pupil A and/or in between Pupil A and Individual A;
 - iv. Placed his arm/arms around Pupil A's shoulder;
 - v. Leaned over and/or on Pupil A;
 - d. Engaging in inappropriate discussions with Pupil A, by:
 - i. Stating to Pupil A on one or more occasions that he "love[s]" her or using words to that effect; and/or
 - ii. Discussing Pupil A's insecurities with her.
2. His behaviour as may be found proven at 1 above was conduct of a sexual nature and/or was sexually motivated.

Prior to the hearing, Mr Mumford admitted the facts of allegation 1(a) but denied that his conduct amounted to a failure to maintain appropriate professional boundaries with Pupil A. Mr Mumford admitted allegation 1(b). Further, Mr Mumford admitted the facts of allegation 1(d)(ii) but denied that this was inappropriate.

Prior to the hearing, Mr Mumford denied allegations 1(c)(i), 1(c)(ii), 1(c)(iii), 1(c)(iv), 1(c)(v), 1(d)(i) and 2.

Mr Mumford further denied that, in respect of the allegations admitted, such conduct amounted to unacceptable professional conduct and/or conduct that may bring the profession into disrepute.

Preliminary applications

Application to admit additional documents – day 1

The panel considered a preliminary application from the teacher's representative for the admission of additional documents.

The teacher's documents were the teacher's witness statement and accompanying exhibits.

The documents subject to the application had not been served in accordance with the requirements of paragraph 5.37 of the Teacher misconduct: Disciplinary procedures for the teaching profession May 2020 (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 presenting officer did not object to the admission of these additional documents, which the panel noted were already contained within the bundle of documents available to the panel.

The panel considered the additional documents were relevant. Accordingly, the application was granted.

Application for part of the hearing to be heard in private – Pupil A's evidence

The panel considered an application from the presenting officer that Pupil A's evidence should be heard in private.

The panel heard submissions from the presenting officer on the application before reaching its decision. The teacher's representative did not object to the application.

The panel considered that Pupil A was a vulnerable witness, being the alleged victim of conduct which is the subject of an allegation against Mr Mumford of a sexual nature, and

that the interests of Pupil A outweighed any other competing interests. The remaining parts of the hearing were still being held in public and hearing Pupil A's evidence in private would not undermine the public's ability to otherwise understand the case. The panel therefore granted the application.

Application to admit additional documents – day 4

The panel considered a preliminary application from the teacher's representative for the admission of additional documents.

The teacher's documents were character references.

The document was produced pursuant to paragraph 5.112 of the 2020 Procedures which provides that the panel will, following a finding of unacceptable professional conduct or conduct that may bring the teaching profession into disrepute, ask whether the teacher has any evidence to produce which would be relevant to a decision as to whether a prohibition order is appropriate.

The presenting officer did not object to the admission of these additional documents, however noted that the documents had been available since March of this year.

The panel considered the additional documents were relevant. Accordingly, the application was granted.

Summary of evidence

Documents

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

- Section 1: Chronology – pages 5 to 6
- Section 2: Notice of Proceedings, Response and Statement of Agreed and Disputed Facts – pages 8 to 40
- Section 3: TRA Witness Statements – pages 42 to 140
- Section 4: TRA Documents – pages 143 to 306
- Section 5: Teacher Documents – pages 309 to 355.

In addition, the panel agreed to accept the following:

- Character references – 4 pages

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

Witnesses

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

- Pupil A

The panel also heard oral evidence from Mr Mumford.

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 or around 1 September 2013, Mr Mumford commenced his employment as a teacher of physics at Clitheroe Royal Grammar School (“the School”).

Between 18 and 19 June 2021, it is alleged that Mr Mumford organised and went on an overnight camping trip to Priests Hole Cave (“the Cave”) with Pupil A and [REDACTED], Individual A, which was not authorised by the School. During this period, Mr Mumford allegedly engaged in out of hours contact, inappropriate discussions and inappropriate contact with Pupil A.

On 8 February 2023 the School received disclosure from Pupil A and Mr Mumford was suspended.

The matter was referred to the TRA on 14 July 2023.

Findings of fact

The findings of fact are as follows:

1. You failed to maintain appropriate professional boundaries with Pupil A, by:

- a. Organising and/or participating in an overnight camping trip to Priests Hole Cave with Pupil A, which was unauthorised by the School, on or around 18 – 19 June 2021;**

The panel noted that, prior to the hearing, Mr Mumford admitted the facts of allegation 1(a) but denied that his conduct amounted to a failure to maintain appropriate professional boundaries. Notwithstanding this, the panel considered the evidence available to it and reached its conclusion on the basis of the evidence.

The panel considered the oral evidence and written statement of Pupil A. Pupil A stated that, in 2020 and during the COVID-19 “lockdown” period, Mr Mumford gave her the “*idea*” that she should go on a camping trip at the Cave with her family. However, it was Pupil A’s evidence that the conversations developed into discussions about Pupil A and Mr Mumford attending the Cave, with Mr Mumford proposing that he would take Pupil A by himself.

Pupil A’s evidence was that Mr Mumford discussed the trip with her, including talking about how much he “*wanted to show [her] the views and what it is like to experience sleeping under the stars*”. Pupil A’s evidence was that these conversations took place prior to Pupil A asking her parents for permission to go on the trip.

Pupil A stated that her parents gave her permission to go on the trip, but only on the condition that Individual A attended the trip with her. Pupil A stated that she explained this to Mr Mumford, and Mr Mumford was happy for Individual A to attend with them.

Pupil A’s evidence was that, on 18 June 2021, she took a bus to [REDACTED], to meet Mr Mumford after he had finished work. Mr Mumford then drove her to his home in [REDACTED], where he picked up his camper van and equipment, although Pupil A did not enter Mr Mumford’s home. Pupil A and Mr Mumford met with Individual A at the Cave as they had travelled separately, and they set up camp.

The panel was provided with extracts from Pupil A’s personal diaries and reflective journals (referred to throughout this decision as personal diaries) which confirmed the details of the trip.

The panel considered the oral evidence and written statement of Mr Mumford. Mr Mumford accepted that he had organised and participated in a trip to the Cave in June 2021 and that the trip was not authorised by the School. However, Mr Mumford’s evidence was that the trip was discussed with and authorised by Pupil A’s parents, who felt that the trip would benefit Pupil A. Mr Mumford stated that Pupil A was a “*very bright and inquisitive child who enjoyed learning but... on occasion, issues at home would become a distraction and source of anxiety*”.

In his oral evidence, Mr Mumford stated that it was he, and not Pupil A’s parents, who had insisted on Individual A attending the trip. In addition, Mr Mumford stated that it was originally anticipated that [REDACTED], would also go on the trip, and that he had hoped [REDACTED], and Pupil A would grow to support each other emotionally.

The panel considered the evidence available to it and found that Mr Mumford had both organised and participated in an overnight camping trip which was unauthorised by the School and which took place on or around 18 to 19 June 2021.

Having found this element of the allegation proven, the panel went on to consider whether this amounted to a failure to maintain appropriate professional boundaries. The panel considered that, irrespective of whether or not it was Pupil A’s parents or Mr Mumford who

had suggested that Individual A attend the trip, the trip was in itself inappropriate. The panel considered that, under no circumstances, should Mr Mumford have arranged a personal camping trip outside of the School setting. In doing so, Mr Mumford had encouraged a relationship which went beyond a professional teacher and pupil relationship, therefore failing to maintain appropriate professional boundaries. The panel considered that this was the case notwithstanding the permission given by Pupil A's parents.

The panel found allegation 1(a) proven.

b. Having contact with Pupil A outside of school hours, including:

i. One on one conversations with Pupil A in person and/or on Microsoft teams;

The panel noted that, prior to the hearing, Mr Mumford admitted that he had contact with Pupil A outside of School hours. Notwithstanding this, the panel considered the evidence available to it and reached its conclusion on the basis of the evidence.

The panel further considered the evidence of Pupil A.

Pupil A stated that, when she was in [REDACTED], at the School, she had one-to-one conversations with Mr Mumford in person and remotely. Pupil A's evidence was that these were not always related to Physics but were often prompted by emails sent by Pupil A regarding [REDACTED]. Pupil A stated that Mr Mumford encouraged her to reach out to him in this way, and that he would offer to call her over Microsoft Teams to talk through [REDACTED].

Pupil A stated that, on one occasion, Mr Mumford requested that she ask her parents' permission to attend a Microsoft Teams call out of hours. Pupil A stated that her parents consented on this occasion, but Mr Mumford did not seek consent on any other occasion.

The panel was provided with an entry from Pupil A's personal diaries dated 7 April 2020 in which Pupil A stated "*...I emailed Mr Mumford and we ended up having a teams call... I felt better after that*".

The panel was provided with an email dated 8 September 2020 sent by Mr Mumford to Pupil A stating, "*Great catch up today*". The email discussed Pupil A's [REDACTED] and stated, "*Really think our little chats will help you.*"

The panel was also provided with a further diary entry dated 9 September 2020 in which Pupil A discussed an incident at the School. The entry stated, "*Mr Mumford had a Microsoft Teams meeting with me [and] calmed me down. He's the best teacher ever.*"

Pupil A stated that, during the journey to the camping trip, she and Mr Mumford were alone and discussed the upcoming trip. Pupil A stated that Mr Mumford could "*tell [she] was uncomfortable*" and said words to the effect of "*I can tell that you're nervous. Don't*

worry; you'll relax soon". Pupil A further stated that Mr Mumford encouraged her to call him "Simon" on the trip, as they were not at School.

Pupil A stated that, on the morning of the camping trip, Mr Mumford began reading her personal diary entries, and that he began to "reassure" her and give her advice. Pupil A stated that Mr Mumford began to speak about how much Pupil A meant to him.

The panel considered the personal diary entries of Pupil A and noted that she had referenced Mr Mumford calling her on Microsoft Teams on the diary page dated 9 September 2020.

The panel further considered the evidence of Mr Mumford that the role of a teacher is not a "9am – 5pm type of job", and that the role involves conversations with pupils, parents and colleagues as and when needed to provide educational and broader pastoral support. Mr Mumford stated that it was in this context he had contact with pupils he taught, including Pupil A.

Mr Mumford denied that he specifically encouraged Pupil A to stay after lessons to speak to him on a "one-to-one basis". Mr Mumford's evidence was that he operated an "open door" policy, where pupils would often come to speak to him about physics and other matters.

In his oral evidence, Mr Mumford stated that his intention in respect of Pupil A was to provide support and that he was trying to help his student. Mr Mumford's evidence was that he prided himself on being someone Pupil A could talk to.

Mr Mumford admitted, however, that during his conversations with Pupil A, Pupil A would offer him advice on how to deal with [REDACTED], following Pupil A becoming aware of significant issues surrounding Mr Mumford's [REDACTED]. The panel noted a further diary entry from Pupil A's diary in which Pupil A stated "He told me about [REDACTED] so it must be exhausting for sir, and then teach on top of that. I hope he knows how incredibly he's dealing with it all".

The panel considered the evidence presented to it and found that Mr Mumford had one-on-one conversations with Pupil A in person and on Microsoft Teams.

Having found that Mr Mumford had one-on-one conversations with Pupil A on Teams and in person, the panel went on to consider whether this amounted to a failure to maintain appropriate professional boundaries. The panel acknowledged that, in certain situations, one-on-one conversations between a teacher and a pupil may be appropriate. However, the panel considered that, in particular, any discussion which takes place outside of the School setting on an unauthorised overnight trip would by its very nature amount to failure to maintain appropriate professional boundaries, irrespective of the topic discussed. Further, the panel considered that Mr Mumford, by having conversations with Pupil A about his issues with [REDACTED], had encouraged an inappropriately personal discussion. The

panel considered that there was no good reason why, given that the relationship between Mr Mumford and Pupil A should have been that of teacher and pupil, it would be necessary or appropriate for Mr Mumford to discuss such personal matters. To that end, the panel considered that Mr Mumford had failed to maintain the relationship of teacher and pupil, and had therefore failed to maintain appropriate professional boundaries.

The panel therefore found allegation 1(b)(i) proven.

ii. Spending time alone with Pupil A during and/or on the journey to and/or from the trip to Priests Hole Cave;

The panel noted that, prior to the hearing, Mr Mumford admitted that he had contact with Pupil A outside of School hours, including during the journey to and from the Cave. Notwithstanding this, the panel considered the evidence available to it and reached its conclusion on the basis of the evidence.

The panel further considered the evidence of Pupil A in which Pupil A stated that, on 18 June 2021, she met Mr Mumford after he had finished work in [REDACTED], whereafter Mr Mumford drove Pupil A to his house to pick up his campervan and equipment.

Pupil A's evidence was that she waited in Mr Mumford's campervan whilst he collected his things from the house, and he then drove them both to the Cave. Pupil A stated that she was alone with Mr Mumford throughout this journey as Individual A had driven themselves to the camping location.

Pupil A further stated that, on the morning of their departure, Individual A left the Cave to take pictures of the view, and she was left alone with Mr Mumford. Mr Mumford's evidence was that he and Pupil A had been left alone, but that Pupil A had asked Individual A to leave, and that Individual A was never further than a short walk away from them.

It was Pupil A's evidence that, after leaving the camping trip, Mr Mumford drove her, alone, to her [REDACTED] house.

The panel further considered the evidence of Mr Mumford who admitted that he had travelled alone to the Cave with Pupil A. However, Mr Mumford submitted that this was Pupil A's only means of getting to the camping area. Mr Mumford further stated that Pupil A, her parents and Individual A were aware of the travel plans and had agreed the same.

The panel considered the evidence provided to it and found that it was clear that Mr Mumford had spent time alone with Pupil A during and/or on the journey to and/or from the trip to the Cave.

Having found that Mr Mumford had spent time alone with Pupil A, the panel went on to consider whether this amounted to a failure to maintain appropriate professional

boundaries. The panel considered that any time spent alone with Pupil A, whether with permission or at the request of Pupil A, amounted to a failure to maintain appropriate professional boundaries. It was plainly inappropriate in all the circumstances for Mr Mumford to be alone with Pupil A on an unauthorised, out of School hours camping trip. The panel considered that Mr Mumford should have been and was aware of this and the potential safeguarding risks, particularly given that the trip was taking place outside of the School setting. To this end, the panel noted that, during his evidence, Mr Mumford stated that he had organised multiple school trips during his career and had always complied with relevant safeguarding requirements and was plainly aware of his obligations. The panel further considered that, in respect of this behaviour, Mr Mumford had failed to maintain appropriate professional boundaries. Such behaviour did not demonstrate an adherence to the appropriate professional boundaries between a teacher and a pupil.

The panel therefore found allegation 1(b)(ii) proven.

c. Engaging in inappropriate physical contact with Pupil A, in that on or around 18 – 19 June 2021, you:

i. Kissed Pupil A on her cheek and/or face on one or more occasions;

The panel considered the evidence of Pupil A who stated that, on the morning of 19 June 2021, Individual A left the Cave to take pictures. During this time, Mr Mumford read her journal entries, began to “reassure” her and give her advice. Pupil A stated that, after this, Mr Mumford leaned over her body and whispered into her ear “*I love you*” twice, kissing her on the cheek after each time.

The panel was provided with a copy of an entry from Pupil A’s personal diaries dated 19 June 2021, the same date on which it is alleged Mr Mumford kissed Pupil A. The diary read “*He told me he loved me and kissed my cheek. It’s so much so quickly*”.

In her oral evidence, Pupil A reiterated that Mr Mumford had kissed her cheek twice, one after the other. Pupil A’s evidence was that her understanding was that this was done in a “*fatherly*” manner, rather than romantically.

The panel considered the evidence of Mr Mumford. In his written evidence, Mr Mumford denied kissing Pupil A. However, in his oral evidence, Mr Mumford stated that he did not recall kissing Pupil A on the cheek, but stated that, if he did so, it would have been more like a parental “*peck*”.

The panel considered the evidence presented to it and found that, on the balance of probabilities, it was more likely than not that Mr Mumford kissed Pupil A on the cheek on more than one occasion.

The panel found that, irrespective of whether the kiss was given in a fatherly or paternal manner, such physical contact between a teacher and a pupil would be inappropriate in

all circumstances. The panel further considered that, in respect of this behaviour, Mr Mumford had failed to maintain appropriate professional boundaries. Such behaviour did not demonstrate adherence to the appropriate professional boundaries between a teacher and a pupil.

The panel therefore found allegation 1(c)(i) proven.

ii. Touched Pupil A's leg;

The panel considered the evidence of Pupil A in which Pupil A stated that, during the journey to the Cave, Mr Mumford was talking to her and placed his hand on her leg. During her oral evidence, Pupil A confirmed that this took place during the journey from [REDACTED] to [REDACTED]. Pupil A stated that they were having a general discussion about her [REDACTED], and then Mr Mumford tapped her leg. Pupil A demonstrated the action to the panel, indicating two brief but distinct "*taps*".

The panel found Pupil A's oral evidence in this regard to be clear and consistent.

The panel considered the evidence of Mr Mumford in which he stated that, whilst it was possible that his hand could have brushed Pupil A's leg whilst changing gear, reaching for the radio or reaching for a glove box, he could not recall such an event. Mr Mumford's evidence was that, if it had occurred, it would have been as a way of providing reassurance to Pupil A.

The panel considered the evidence presented to it and found that, on the balance of probabilities, it was more likely than not that Mr Mumford had touched Pupil A's leg. The panel accepted Pupil A's account which described two distinct "*taps*" on the leg, and therefore did not accept that any such contact would have been inadvertent or accidental.

The panel found that Mr Mumford's actions in touching Pupil A's leg were inappropriate in all circumstances. The panel did not consider that there would be any circumstance in which it would be appropriate for a teacher to touch a pupil in such a manner. The panel further considered that, in respect of this behaviour, Mr Mumford had failed to maintain appropriate professional boundaries. Such behaviour did not demonstrate an adherence to the appropriate professional boundaries between a teacher and a pupil.

The panel therefore found allegation 1(c)(ii) proven.

iii. Slept next to Pupil A and/or in between Pupil A and Individual A;

The panel considered the evidence of Pupil A who stated that, when they arrived at the Cave, they set up their camp at the entrance of the cave and that Mr Mumford arranged to sleep between her and Individual A. In her oral evidence, however, Pupil A confirmed that, whilst Mr Mumford did sleep next to her, there was no specific discussion about who would sleep where. Pupil A also confirmed that they slept in sleeping bags, and that there

was approximately one foot between each person given the confined space within the Cave.

The panel also considered the evidence of Mr Mumford. The panel noted that, prior to the hearing, Mr Mumford denied the allegation and stated that he slept at the opposite end of a row from Pupil A. However, during the hearing, Mr Mumford acknowledged that he did sleep next to Pupil A, albeit at the end of the “row” and not between Pupil A and Individual A.

The panel considered the evidence and found that it was more likely than not that Mr Mumford had slept next to Pupil A, whether in the middle or at the end of the row. However, there was no evidence presented that, whilst sleeping next to Pupil A, there was physical contact of any kind.

The panel therefore found allegation 1(c)(iii) not proven.

iv. Placed your arm/arms around Pupil A’s shoulder;

The panel considered the evidence of Pupil A who stated that, during the trip to the Cave, Mr Mumford placed his arm around her. Pupil A stated that, at one point, she leaned against Mr Mumford, whereupon he placed his arm around her.

The panel was provided with an extract from Pupil A’s personal diaries dated 19 June 2021 which stated, “*He put his arm round me a lot and last night, when [Individual A] and him were chatting I lay by him and just listened to the conversation...*”. The entry went further to state “*I’m still adjusting to giving sir hugs and that*” and “*...I enjoyed him having his arm round me and stuff but was also a bit cautious*”.

The panel considered the evidence of Mr Mumford who accepted that he placed an arm around Pupil A’s shoulder, however stated that this was in response to Pupil A becoming upset around ongoing insecurities in her personal life, [REDACTED]. Mr Mumford stated that this was purely to provide support and reassurance.

The panel found that, on the balance of probabilities, it was more likely than not that Mr Mumford put his arm around Pupil A. Having made this finding, the panel went on to consider whether this amounted to inappropriate physical contact.

The panel considered that physical contact in the form of placing an arm around Pupil A’s shoulders was inappropriate, particularly given that the physical contact occurred on a personal, unauthorised trip. The panel considered that such physical contact should have been avoided, even if it took place in the context of providing support. The panel further considered that, in respect of this behaviour, Mr Mumford had failed to maintain appropriate professional boundaries. Such behaviour did not demonstrate an adherence to the appropriate professional boundaries between a teacher and a pupil.

The panel therefore found allegation 1(c)(iv) proven.

v. Leaned over and/or on Pupil A;

The panel considered the evidence of Pupil A who stated that Mr Mumford, after a conversation with him in which he gave her reassurance and advice, “*leaned over* [her] *body*”. In her oral evidence, Pupil A confirmed that Mr Mumford leaned over, and not on, her. Pupil A’s evidence was, as set out above, that it was she who leaned on Mr Mumford.

The panel considered the evidence of Mr Mumford who denied that he leaned on Pupil A. Mr Mumford stated that it was possible that, given the confined space in the Cave, he did lean over Pupil A, but not in a manner intended to make Pupil A feel uncomfortable or to become unnecessarily close to her.

The panel considered the evidence presented to it and noted that the evidence indicated that Mr Mumford may have leaned over but not on Pupil A. However, the evidence did not indicate that there was any resulting physical contact, whether inappropriate or otherwise.

As such, the panel found allegation 1(c)(v) not proven.

d. Engaging in inappropriate discussions with Pupil A, by:

- i. Stating to Pupil A on one or more occasions that you “love” her or using words to that effect; and/or**
- ii. Discussing Pupil A’s insecurities with her.**

The panel considered the evidence of Pupil A in which she stated that, on the morning of 19 June 2021, Individual A left the Cave. Pupil A’s evidence was that Mr Mumford read through her personal diary entries which contained information about her insecurities and that he began to reassure her and give her advice. Pupil A stated that Mr Mumford then spoke about how much Pupil A “*meant to him*”.

Pupil A stated that Mr Mumford then said “*I love you*” twice and kissed her on the cheek after each time. In her oral evidence, Pupil A confirmed that her understanding was that this, along with the kiss which is the subject of allegation 1(c)(i), was done in a “*fatherly*” manner, and was not romantic. The panel was provided with a copy of an entry from the personal diary of Pupil A which appeared to be dated 23 July 2021. This entry stated, “*I’m thinking about how Mr M told me he loved me*”.

Pupil A’s evidence was that, more generally, she would discuss her own personal issues with Mr Mumford. The panel heard evidence that Pupil A disclosed significant issues around her confidence, insecurities surrounding [REDACTED].

The panel considered the evidence of Mr Mumford. In his written evidence, Mr Mumford denied having told Pupil A that he loved her. Mr Mumford stated that Pupil A was a pupil and that he saw similarities between Pupil A and [REDACTED]. Mr Mumford stated that he acted towards Pupil A in a paternal way as he was [REDACTED]. Mr Mumford stated that it was possible that, in response to Pupil A's emotional distress and insecurities, he may have reminded her of the fact that she had family and friends who cared for her and loved her.

In respect of allegation 1(d)(ii), Mr Mumford did not deny discussing Pupil A's insecurities with her. Mr Mumford stated that the role of a teacher extends beyond a specific topic, and that it is to encourage pupils to believe in themselves and what they can achieve. Mr Mumford stated that it is important to help pupils address and overcome any insecurities they have, and that this can only be achieved by listening to students when they need it most. Mr Mumford submitted that this was what he tried to do for Pupil A.

Mr Mumford further submitted that, in respect of him reading Pupil A's personal diary entries, this was at Pupil A's request.

In respect of allegation 1(d)(i), the panel accepted Pupil A's evidence, which the panel found to be consistent with contemporaneous documentary evidence. The panel therefore found that, on the balance of probabilities, it was more likely than not that Mr Mumford said the words "*I love you*" to Pupil A.

The panel then considered whether this discussion was inappropriate in nature, and, further, whether this amounted to a failure to maintain appropriate professional boundaries. The panel considered that saying "*I love you*" to a pupil was inappropriate in all circumstances, and in particular given that this took place whilst Mr Mumford was alone with Pupil A, and on an unauthorised trip. The panel further considered that such inappropriate discussions amounted to a failure to maintain appropriate professional boundaries. Such behaviour did not demonstrate an adherence to the appropriate professional boundaries between a teacher and a pupil.

In respect of allegation 1(d)(ii), the panel noted the evidence presented to it, including Mr Mumford's admission, and found that it was more likely than not that Mr Mumford had discussed Pupil A's insecurities with her.

The panel accepted that, in certain circumstances, it may be appropriate for a teacher and a pupil to discuss insecurities. However, the panel considered that the discussion at the Cave, which took place outside the School setting and on an unauthorised trip, was inappropriate in light of the setting in which the discussion took place.

Further, the panel was concerned about the frequency and nature of the other discussions regarding insecurities. The panel considered that Mr Mumford should have recognised and acted upon Pupil A's growing emotional dependency on him.

The panel considered that discussing insecurities in such a personal manner went beyond an appropriate teacher and pupil relationship, and therefore amounted to a failure to maintain appropriate professional boundaries.

The panel found allegation 1(d) proven.

2. Your behaviour as may be found proven at 1 above was conduct of a sexual nature and/or was sexually motivated.

The panel noted that Mr Mumford denied this allegation.

The panel first considered whether any of the conduct as found proven was conduct of a sexual nature. The panel considered each part of allegation 1 as found proven in turn.

In doing so, the panel's attention was drawn to the case of *Sait v The General Medical Council [2018]* in which section 78 of the Sexual Offences Act 2003 was referred to approvingly as a comprehensive definition of what conduct is, or is not, to be regarded as 'sexual'. Section 78 says:

"For the purposes of this Part (except section 71), penetration, touching or any other activity is sexual if a reasonable person would consider that (a) whatever its circumstances or any person's purpose in relation to it, it is because of its nature sexual, or (b) because of its nature it may be sexual and because of its circumstances or the purpose of any person in relation to it (or both) it is sexual."

The panel, when assessing whether the conduct found proven was of a sexual nature, considered the evidence presented to it in respect of the relationship between Mr Mumford and Pupil A.

The panel noted Pupil A's evidence, in which Pupil A recalled her discomfort with Mr Mumford's actions, particularly following the trip to the Cave. However, notwithstanding Pupil A's clear discomfort, Pupil A, in her oral evidence, confirmed that Mr Mumford was a father figure to her insofar as Mr Mumford said things to her that were paternal, but not romantic. When questioned regarding her interpretation of Mr Mumford kissing her on the cheek and stating, "I love you", Pupil A confirmed that her understanding was that these actions were "fatherly" rather than romantic.

The panel considered an entry from Pupil A's personal diaries in which Pupil A stated, "I don't wanna be this [REDACTED]". Pupil A referred to an email sent to Mr Mumford the day after the trip to the Cave, dated 20 June 2021, in which she stated "...I know you miss [REDACTED], and I have trouble with [REDACTED], but we've got to mostly deal with that ourselves in our own lives, whilst helping each other out a bit." A further entry from Pupil A's personal diaries stated, "He misses [REDACTED] which may be the cause of all this".

The panel noted the evidence of Mr Mumford in which he denied that his conduct was sexual or sexually motivated. Mr Mumford stated that he had made a “*huge error of judgement*” but did not do so because of any sexual motivation. Mr Mumford stated that this was a “*wholly misguided*” attempt to support a pupil and that he thought he could help at a time when he was [REDACTED] and felt as though he was [REDACTED].

Mr Mumford’s evidence to the panel was that, at the time of the conduct complained of, his [REDACTED] had confided queries regarding their [REDACTED], that they had issues with [REDACTED], and that there had been instances of [REDACTED]. Mr Mumford stated that Pupil A had offered advice on how to deal with [REDACTED], but that he felt that he had [REDACTED], he was not receiving support and was in the “*worst emotional state of his life*”. Mr Mumford stated that he could not help at home but wanted to do what he could to help in the School setting.

The panel found that there was insufficient evidence to indicate the development of a romantic or sexual relationship as opposed to a relationship which had developed into that of a father and daughter. Whilst the panel did not consider that the development of a father and daughter relationship was in any way appropriate, the panel considered this when determining whether Mr Mumford’s conduct was of a sexual nature.

In respect of the conduct at allegations 1(a) and 1(b), the panel could not infer from the evidence that was provided that the conduct was sexual in nature. The panel found that the evidence indicated that the conduct, whilst inappropriate, came from a place of support.

In respect of the conduct as found proven at allegation 1(c)(i), the panel could not infer from the evidence presented and the context in which the conduct occurred that Mr Mumford’s actions, namely kissing Pupil A on the cheek, two distinct “*taps*” on Pupil A’s leg, and placing an arm around Pupil A at a time of distress, were inherently sexual in nature. The panel noted that the evidence indicated an alternative explanation for such conduct, namely that this occurred in a manner which was “*paternal*” and not romantic.

The panel then considered whether Mr Mumford’s conduct as found proven at allegation 1(d) was sexual in nature. The panel could not infer from the evidence that, in the context in which the conduct occurred, saying “*I love you*” or discussing insecurities was conduct that was by its nature sexual. The panel considered that there was insufficient evidence to indicate that the use of the words “*I love you*” and the discussion relating to insecurities was romantic or sexual, as opposed to any alternative explanation.

The panel therefore did not consider that the evidence supported a finding that Mr Mumford’s conduct as found proven was conduct of a sexual nature.

The panel then went on to consider whether the conduct was sexually motivated. The panel’s attention was drawn to section 78 of the Sexual Offences Act 2003 and to the

cases of *Sait v The General Medical Council [2018]*, *Basson v General Medical Council [2018]* and *The General Medical Council v Haris [2020] EWHC 2518*.

The panel considered whether the conduct was sexually motivated. It noted guidance from *Basson* that: “A sexual motive means that the conduct was done either in pursuit of sexual gratification or in pursuit of a sexual relationship”.

The panel also considered the case of *Haris*, in which it was held that, “in the absence of a plausible innocent explanation for what he did, the facts spoke for themselves.”

As set out above, Mr Mumford denied any sexual motivation.

The panel noted that, during her oral evidence, Pupil A stated that, having spoken to others and undertaken her own research, she began considering whether Mr Mumford’s actions had been sexual. However, Pupil A acknowledged that this was speculative.

The panel had regard to the accounts of both Mr Mumford and Pupil A, and found that the evidence, when viewed as a whole, indicated that the conduct, albeit inappropriate, was in the context of a “*paternal*” relationship. The panel therefore did not consider that there was sufficient evidence to prove, on the balance of probabilities, that the conduct was sexually motivated.

Accordingly, the panel found allegation 2 not proven.

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

Having found a number of the allegations proved, the panel went on to consider whether the facts of those proved allegations amounted to unacceptable professional conduct and/or conduct that may bring the profession into disrepute.

In doing so, the panel had regard to the document *Teacher Misconduct: The Prohibition of Teachers*, which is referred to as “the Advice”.

The panel was satisfied that the conduct of Mr Mumford, in relation to the facts found proved, involved breaches of the Teachers’ Standards. The panel considered that, by reference to Part 2, Mr Mumford 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 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 Mumford amounted to misconduct of a serious nature which fell significantly short of the standards expected of the profession. The panel considered that Mr Mumford's actions in failing to maintain appropriate professional boundaries were particularly serious.

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

The panel found that none of these offences was relevant.

The panel received legal advice as to the possibility of findings being cumulated in accordance with guidance given in the judgment of *Schodlok v General Medical Council [2015]*. However, as the panel concluded that each of the allegations based on the particulars found proved in respect of each allegation amounted to unacceptable professional conduct, the panel did not need to determine whether it would be appropriate to cumulate any of those allegations.

The panel considered whether the conduct at allegations 1(a), 1(b), 1(c)(i) – (ii), 1(c)(iv) and 1(d) amounted to conduct which took place outside the education setting. However, the panel noted that, although allegations 1(a), 1(b), 1(c)(i) – (ii), 1(c)(iv) and 1(d) took place outside the education setting insofar as the facts involved conduct which took place outside of School hours, they were relevant to Mr Mumford's profession as a teacher as the conduct involved Pupil A who was a pupil of Mr Mumford at the School at the material times.

Accordingly, the panel was satisfied that Mr Mumford 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 the individual's status as a teacher, potentially damaging the public perception.

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

Having found the facts of allegations 1(a), 1(b), 1(c)(i) – (ii), 1(c)(iv) and 1(d) proved, the panel further found that Mr Mumford'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 a 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 the light of the panel's findings against Mr Mumford which involved failing to maintain appropriate boundaries by talking to Pupil A one-on-one outside of school hours, taking her on an unauthorised overnight stay, kissing her cheek, touching her leg, putting his arm around her and stating to her that he loved her, there was a strong public interest consideration in the safeguarding and wellbeing of pupils and the protection of other members of the public.

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

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 Mumford. 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 Mumford. 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;
- abuse of position or trust (particularly involving pupils); and
- failure in their duty of care towards a child, including exposing a child to risk or failing to promote the safety and welfare of the children (as set out in Part 1 of KCSIE).

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

There was no evidence that Mr Mumford's actions were not deliberate.

There was no evidence to suggest that Mr Mumford was acting under extreme duress. However, the panel heard evidence from Mr Mumford that the conduct took place during a time of emotional distress. The panel heard that he was struggling with significant personal issues, including [REDACTED], issues which remain ongoing to some extent. Mr Mumford described his behaviour during this period as "*impulsive and irrational*". The panel acknowledged Mr Mumford's difficulties and how this may have influenced his behaviour to some degree.

Whilst there was insufficient evidence submitted which indicated that Mr Mumford had demonstrated exceptionally high standards and contributed significantly to the education sector, the panel noted that the character evidence, set out below, indicated that Mr Mumford had been a committed teacher, who was passionate about his subject. Mr Mumford provided written character references from the following individuals which indicated that some of the witnesses were aware of these proceedings. The panel noted the following comments:

- "*The pressures in Simon's life have been unsustainable and yet Simon has always tried to give back. Before all this happened in 2021... he tried to manage massive*

family demands as well as his post of Head of Department. After Simon's [REDACTED] in July 2022, he had one week off at the end of Summer Term and arrived back on time at the start of the Autumn term."

Individual B, friend

- *"...He was highly regarded by the students and... his enthusiasm inspired many to enjoy physics and continue with it beyond school level."*

Individual C, former colleague

- *"...he was inspiring, encouraging, supportive and caring. Simon always gave willingly of his time and boundless energy when they needed help, both educationally and emotionally... He cared passionately about the success of students and the physics department. His efforts also included the staff and he was instrumental in setting up an afterschool cycling group, trips away walking in the countryside and a "period 6" social event on Friday that even a physics teacher and technician who have left the school continue to attend."*

Individual D, former colleague

- *"I felt his approach to student was exemplary, being an approachable person who was easy to communicate with. He brought energy to the job, had a positive attitude and I was always impressed with his imaginative and creative teaching style. He was innovative in the classroom and was dedicated to achieving the best academic outcomes for his students."*

Individual E, former colleague

- *"Simon is an individual of unwavering dedication and profound selflessness, consistently placing the needs of others above his own. His deep concern for his colleagues and students is readily apparent... As a new teacher, I was profoundly impressed by Simon's remarkable teaching abilities. His boundless passion for his subject matter is truly unparalleled, and he possesses an innate talent for igniting enthusiasm amongst his students..."*
- *"Simon's tireless dedication to teaching is unmistakable, and his exceptional skills in this regard would be a substantial loss to our field should he be unable to continue pursuing his passion and expertise."*

Individual F, former colleague

- *"...I found him to be a dedicated professional who spent most lunchtimes offering additional group study sessions to those who needed them, as well as offering guidance and support to new members of staff."*

- *“Simon has a boundless enthusiasm for science, and physics in particular, and was constantly striving to improve lessons and increase engagement...”*

Individual G, former colleague

The panel noted, in particular, the following comments from Individual H, Principal of Mr Mumford’s current employer:

- *“Simon is an outstanding teacher and is highly regarded and respected by his colleagues and the students for his dedication to student success...”*
- *“We have received nothing but praise for Simon during his time with us and we feel very fortunate that our students have such a dedicated and caring teacher working with them. He takes a keen interest in the progress of all of our students and always attends our weekly assemblies to give praise for his students, despite this being outside of his paid hours.”*
- *“All of our lessons are recorded for safeguarding and training purposes... In regularly watching a random selection of Simon’s lessons, there has been no indication of any inappropriateness and Simon always maintains a highly professional attitude towards the students.”*
- *“...a professional and dedicated member of the teaching profession, committed to supporting students to achieve the potential and realise their ambitions.”*

The panel considered carefully whether Mr Mumford had shown remorse and insight into his conduct, accepting that a denial of the conduct is not a bar to a finding of insight.

The panel heard evidence from Mr Mumford that he was very sorry in respect of the incident and also of the impact it had on Pupil A. However, whilst the panel was mindful that this had been a very difficult period of Mr Mumford’s life, the panel was concerned that the personal issues that Mr Mumford stated had contributed significantly to his conduct remained, to some extent, ongoing. Whilst the panel acknowledged that Mr Mumford stated that he was now seeking support, the panel was concerned that Mr Mumford had failed to establish fully how such behaviour would be avoided in the future should Mr Mumford suffer again such significant personal difficulties. Further, Mr Mumford had failed to persuade the panel that he fully understood the importance of his safeguarding obligations moving forward. As such, the panel was concerned that there may be a risk of repetition.

The panel therefore found that Mr Mumford had shown some degree of insight and remorse but had failed to establish fully how such behaviour would be avoided in the future.

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 Mr Mumford 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 Mr Mumford. The serious failure to maintain appropriate professional boundaries and address clear safeguarding risks 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 behaviours that, if proved, would militate against the recommendation of a review period. The panel found none of these behaviours to be relevant.

The Advice also indicates that there are behaviours that, if proved, would have greater relevance and weigh in favour of a longer review period. The panel found none of these behaviours to be relevant.

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 provision for a 2-year review period. The panel considered that this would allow Mr Mumford the opportunity to reflect on his behaviour and explore how such behaviour will be avoided in the future.

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 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 some 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 Mr Simon Mumford should be the subject of a prohibition order, with a review period of two years.

In particular, the panel has found that Mr Mumford 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 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 Mumford involved breaches of the responsibilities and duties set out in statutory guidance 'Keeping children safe in education'.

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

The findings of misconduct are particularly serious as they include a teacher failing to maintain appropriate professional boundaries with a pupil.

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 Mumford, 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 makes this observation:

“In the light of the panel’s findings against Mr Mumford which involved failing to maintain appropriate boundaries by talking to Pupil A one-on-one outside of school hours, taking her on an unauthorised overnight stay, kissing her cheek, touching her leg, putting his arm around her and stating to her that he loved her, there was a strong public interest consideration in 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 heard evidence from Mr Mumford that he was very sorry in respect of the incident and also of the impact it had on Pupil A. However, whilst the panel was mindful that this had been a very difficult period of Mr Mumford’s life, the panel was concerned that the personal issues that Mr Mumford stated had contributed significantly to his conduct remained, to some extent, ongoing. Whilst the panel acknowledged that Mr Mumford stated that he was now seeking support, the panel was concerned that Mr Mumford had failed to establish fully how such behaviour would be avoided in the future should Mr Mumford suffer again such significant personal difficulties. Further, Mr Mumford had failed to persuade the panel that he fully understood the importance of his safeguarding obligations moving forward. As such, the panel was concerned that there may be a risk of repetition.”

In my judgement, the lack of evidence that Mr Mumford has attained full insight into his behaviour 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 makes this observation:

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

I am particularly mindful of the finding of a teacher failing to maintain appropriate boundaries with a pupil in this case and the impact that such a finding has on the reputation of the profession.

I have had to consider that the public has a high expectation of professional standards of all teachers and that the public might regard a failure to impose a prohibition order as a failure to uphold those high standards. In weighing these considerations, I have had to

consider the matter from the point of view of an “ordinary intelligent and well-informed citizen.”

I have considered whether the publication of a finding of unacceptable professional conduct 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 Mumford himself. The panel records having the benefit of seeing a number of witness statements attesting to Mr Mumford’s good character, his ability as an educator and his commitment to his pupils. It also notes the personal challenges that Mr Mumford was dealing with at the time that the misconduct occurred.

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

In this case, I have placed considerable weight on the panel’s comments concerning the lack of evidence that Mr Mumford has gained full insight into his actions, and the risk that this creates that there could be a repetition of this behaviour in the future.

I have given less weight in my consideration of sanction therefore, to the contribution that Mr Mumford 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, 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 two-year review period.

I have considered the panel’s concluding comments:

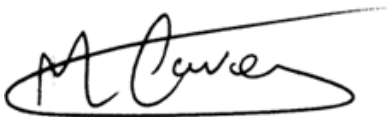
“The panel decided that the findings indicated a situation in which a review period would be appropriate and, as such, decided that it would be proportionate, in all the circumstances, for the prohibition order to be recommended with provision for a 2-year review period. The panel considered that this would allow Mr Mumford the opportunity to reflect on his behaviour and explore how such behaviour will be avoided in the future.”

I have considered whether a two-year review period reflects the seriousness of the findings and is a proportionate period to achieve the aim of maintaining public confidence in the profession. In this case, factors mean that, in my judgment, such a period is sufficient to achieve the aim of maintaining public confidence in the profession. In particular, I agree with the panel's assessment that it is necessary that Mr Mumford take some time to consider and demonstrate how, in the event that he faces personal challenges in the future, he would avoid a repetition of the behaviour found.

This means that Mr Simon Mumford is prohibited from teaching indefinitely and cannot teach in any school, sixth form college, relevant youth accommodation or children's home in England. He may apply for the prohibition order to be set aside, but not until 12 September 2026, two years from the date of this order at the earliest. This is not an automatic right to have the prohibition order removed. If he does apply, a panel will meet to consider whether the prohibition order should be set aside. Without a successful application, Mr Mumford remains prohibited from teaching indefinitely.

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

Mr Mumford has a right of appeal to the King's Bench Division of the High Court within 28 days from the date he is given notice of this order.

A handwritten signature in black ink, appearing to read 'M Cavey', enclosed within a large, loopy oval stroke.

Decision maker: Marc Cavey

Date: 12 September 2024

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