



Teaching  
Regulation  
Agency

# **Mr Lian Laidlaw (previously Ian Featherstone) Professional conduct panel meeting outcome**

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

**October 2024**

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

<b>Teacher:</b>	Mr Lian Laidlaw (previously Ian Featherstone)
<b>Teacher ref number:</b>	0746764
<b>Teacher date of birth:</b>	18 August 1978
<b>TRA reference:</b>	21373
<b>Date of determination:</b>	22 October 2024
<b>Former employer:</b>	Abbotsholme School, Rocester

### Introduction

A professional conduct panel (“the panel”) of the Teaching Regulation Agency (“the TRA”) convened virtually on 22 October 2024 to consider the case of Mr Laidlaw.

The panel members were Mr Alan Wells (former teacher panellist – in the chair), Ms Debra Vaughan (lay panellist) and Mrs Karen Graham (teacher panellist).

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

In advance of the meeting, after taking into consideration the public interest and the interests of justice, the TRA agreed to a request from Mr Laidlaw that the allegations be considered without a hearing. Mr Laidlaw provided a signed statement of agreed facts and admitted unacceptable professional conduct, conduct that may bring the profession into disrepute and a conviction of a relevant offence. The panel considered the case at a meeting without the attendance of the presenting officer or Mr Laidlaw.

The meeting took place in private.

## Allegations

The panel considered the allegations set out in the Notice of Meeting dated 24 July 2024.

It was alleged that Mr Laidlaw was guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute in that whilst working as a Teacher at Abbotsholme School (“the School”):

1. Between around November 2021 and June 2022, Mr Laidlaw did not disclose to the School an inappropriate relationship and/or a suspicion of an inappropriate relationship between Teacher A and Pupil B.
2. Between around November 2021 and February 2022, Mr Laidlaw disclosed confidential information to Pupil C in relation to the matters set out at paragraph 1 above.
3. On or around 20 June 2022, Mr Laidlaw denied any knowledge in relation to the matters set out at paragraph 1 above, when this was not the case.
4. By reason of his conduct at paragraph 1 above, Mr Laidlaw did not disclose a safeguarding concern relating to Pupil B.
5. Mr Laidlaw’s actions at paragraphs 1 and/or 3 and/or 4:
  - a) Were dishonest; and/or
  - b) Lacked integrity.

It was also alleged that Mr Laidlaw was guilty of having been convicted of a relevant offence, namely:

6. On 30 November 2022, Mr Laidlaw was convicted of Count 1 sexual activity with a girl 13 to 17 – not s.21 premises – adult abuse of position of trust, contrary to s.16(1)(e)(i) of the Sexual Offences Act 2003.
7. On 30 November 2022, Mr Laidlaw was convicted of Count 3 sexual activity with a girl 13 to 17 – not s.21 premises – adult abuse of position of trust, contrary to s.16(1)(e)(i) of the Sexual Offences Act 2003.

In a statement of agreed facts, Mr Laidlaw admitted the allegations.

Mr Laidlaw admitted allegations 1 to 5 amounted to unacceptable professional conduct and/or conduct that may bring the profession into disrepute and admitted allegations 6 and 7 constituted a conviction of a relevant offence.

## Preliminary applications

The panel considered a letter [REDACTED]. The letter requests that the proceedings against Mr Laidlaw be in private [REDACTED].

In light of the above letter, the panel considered that it may, if it considered it to be in the interest of justice or not contrary to the public interest to do so, direct that the name and identity of a school should not be disclosed, pursuant to paragraph 5.88(i) of the Teacher Misconduct: Disciplinary Procedures for the Teaching Profession (the “Procedures”).

The panel had regard to whether anonymity of the School ran contrary to the public interest. The panel also had regard to the principle that limited interference with the public nature of the proceedings is preferable to a permanent exclusion of the public.

The panel decided that, on balance, and in the circumstances of this case, it was not appropriate to anonymise the name of the School as the case was being considered in private and there would be no public announcement of the decision. Therefore, any further exclusion of the public, by providing anonymity, would interfere with the public nature of the proceedings more than what is reasonably required.

## **Summary of evidence**

### **Documents**

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

Section 1: Chronology and list of key people – pages 3 to 4

Section 2: Notice of referral, response and meeting – pages 5 to 25

Section 3: Statement of agreed facts – pages 26 to 29

Section 4: Teaching Regulation Agency documents – pages 30 to 217

Section 5: Teacher documents – pages 218 to 225

The panel members confirmed they read all of the documents within the bundle in advance of the meeting.

### **Statement of agreed facts**

The panel considered a statement of agreed facts which was signed by Mr Laidlaw on 21 March 2023.

## **Decision and reasons**

The panel announced its decision and reasons as follows:

The panel carefully considered the case and reached a decision.

In advance of the meeting, the TRA agreed to a request from Mr Laidlaw for the allegations to be considered without a hearing. The panel had the ability to direct that the case be considered at a hearing if required in the interests of justice or in the public interest. The panel did not determine that such a direction was necessary or appropriate in this case.

Mr Laidlaw was employed as a teacher and head of department at the School from 1 September 2017 to 28 July 2022.

On 18 July 2022, Mr Laidlaw attended a disciplinary meeting in respect of allegations that he disclosed confidential matters to Pupil C pertaining to his employment at the School.

Mr Laidlaw was subsequently dismissed from his employment at the School on 28 July 2022.

A referral was made to the TRA regarding Mr Laidlaw [REDACTED] on 23 December 2022.

## **Findings of fact**

The findings of fact are as follows:

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

**1. Between around November 2021 and June 2022, you did not disclose to the School an inappropriate relationship and/or a suspicion of an inappropriate relationship between Teacher A and Pupil B.**

Mr Laidlaw admitted the allegation in the statement of agreed facts signed on 21 March 2023.

The panel considered Individual A's witness statement dated 23 February 2024. The panel had regard to the fact that the direct source of this evidence was not before it and that the panel had not had the opportunity to question or assess their credibility. However, the panel considered the evidence was admissible since it was not the sole or decisive evidence on any allegation, in light of Mr Laidlaw's admissions.

The panel considered the notice of dismissal letter dated 28 July 2022, sent from the School to Mr Laidlaw, which is exhibit 6 of Individual A's witness statement. The letter stated that Mr Laidlaw confirmed he "did at least have sufficient suspicion to warrant a safeguarding report as early as June of that year" when questioned about an inappropriate relationship between Teacher A and a pupil at a disciplinary meeting on 18 July 2022.

The panel further considered a summary of the strategy meeting [REDACTED] on 9 February 2022, to discuss allegations against Mr Laidlaw, which is exhibit 8 of Individual

A's witness statement. The panel noted from this summary that a representative of the School at the meeting, Individual B, explained that he was aware that Mr Laidlaw worked very closely with Teacher A. It was further explained that Pupil C provided information to the safeguarding team at the School, stating that Mr Laidlaw had spent "a considerable amount of time" with Teacher A and Pupil B in the summer of the 2021 term. The panel noted this timeframe was outside of that indicated by the allegation. However, the panel considered this information was relevant in demonstrating that Mr Laidlaw was likely to have been aware of an inappropriate relationship between Teacher A and Pupil B, given that he had spent time with them together and had a close relationship with Teacher A.

Given Mr Laidlaw's admission, which is supported by him having spent considerable time with both Teacher A and Pupil B, and in particular having a close relationship with Teacher A, the panel was satisfied that Mr Laidlaw had sufficient suspicion of their inappropriate relationship to warrant a disclosure to the School.

The panel noted that the School first became aware of Mr Laidlaw's knowledge of the inappropriate relationship between Teacher A and Pupil B following a disclosure by Pupil B to a teacher at the School that they "were worried that [Mr Laidlaw] knew something related to Teacher A" as outlined at paragraph 8 of Individual A's witness statement.

The panel saw no evidence to show that Mr Laidlaw had disclosed any information relating to an inappropriate relationship between Teacher A and Pupil B to the School, despite discussing with Pupil C "that he felt there was something inappropriate going on between Pupil B and Teacher A" as outlined in the strategy meeting at exhibit 8 of Individual A's witness statement. To the contrary, Mr Laidlaw denied any knowledge of the relationship, as he stated he was "not aware of inappropriate relations between Teacher A and a student" in his letter dated 20 June 2022, which is exhibit 2 of Individual A's witness statement.

The allegation was admitted by Mr Laidlaw and was supported by evidence presented to the panel. Allegation 1 was therefore, found proven.

## **2. Between around November 2021 and February 2022, you disclosed confidential information to Pupil C in relation to the matters set out at paragraph 1 above.**

Mr Laidlaw admitted the allegation in the statement of agreed facts signed on 21 March 2023.

The panel considered a letter sent from Pupil C's parent to the School, which is exhibit 4 of Individual A's witness statement. The letter states that Mr Laidlaw "shared information with Pupil C that he had contacted Teacher A after he had left employment with [the School], about Pupil B".

As referred to above, the summary of the strategy meeting at exhibit 8 of Individual A's witness statement, explained that Mr Laidlaw told Pupil C "that he felt there was something inappropriate going on between Pupil B and Teacher A". It was further stated

that Pupil C's parent could only know information relating to Mr Laidlaw's employment at the School through Pupil C, and therefore Mr Laidlaw had disclosed confidential matters with Pupil C.

In light of the above evidence and Mr Laidlaw's admission, the panel was satisfied that Mr Laidlaw disclosed his knowledge and/or suspicions of an inappropriate relationship between Teacher A and Pupil B to Pupil C.

The allegation was admitted by Mr Laidlaw and was supported by evidence presented to the panel. Allegation 2 was therefore, found proven.

**3. On or around 20 June 2022, you denied any knowledge in relation to the matters set out at paragraph 1 above, when this was not the case.**

Mr Laidlaw admitted the allegation in the statement of agreed facts signed on 21 March 2023.

The panel further considered exhibit 2 of Individual A's witness statement which was a letter sent by Mr Laidlaw to the School on 20 June 2022. The panel acknowledged that Mr Laidlaw stated in the letter that he was "not aware of inappropriate relations between Teacher A and a student". The panel therefore noted that Mr Laidlaw denied any knowledge of an inappropriate relationship between Teacher A and Pupil B on 20 June 2022.

The panel considered the notice of dismissal sent from the School to Mr Laidlaw dated 28 July 2022, which was exhibit 6 of Individual A's witness statement. When asked about an inappropriate relationship between Teacher A and Pupil B at a disciplinary meeting on 18 July 2022, Mr Laidlaw confirmed that this "was incorrect and [he] did at least have sufficient suspicion to warrant a safeguarding report as early as June of that year".

In light of the above evidence, and Mr Laidlaw's admission, the panel was satisfied that Mr Laidlaw denied any knowledge of an inappropriate relationship between Teacher A and Pupil B in his letter dated 20 June 2022. Thereafter, Mr Laidlaw admitted in the disciplinary meeting on 18 July 2022 that this was a lie, as he stated that he did have a suspicion that an inappropriate relationship existed between them at that time.

The allegation was admitted by Mr Laidlaw and was supported by evidence presented to the panel. Allegation 3 was therefore, found proven.

**4. By reason of your conduct at paragraph 1 above, you did not disclose a safeguarding concern relating to Pupil B.**

Mr Laidlaw admitted the allegation in the statement of agreed facts signed on 21 March 2023.

As the panel found allegation 1 proven, the panel considered the same set of evidence in relation to this allegation.



The panel considered exhibit 2 of Individual A's witness statement, being a letter from Mr Laidlaw to the School dated 20 June 2022, within which he stated that "he was not aware of anything and would report this to safeguarding" in relation to Teacher A's inappropriate relationship with Pupil B. The panel was satisfied that Mr Laidlaw was aware that an inappropriate relationship between a teacher and a pupil was a safeguarding concern which should be reported.

As referred to above, Mr Laidlaw later confirmed that his letter dated 20 June 2022 was inaccurate during a disciplinary meeting with the School on 18 July 2022, stating that he "did at least have sufficient suspicion to warrant a safeguarding report as early as June of that year". The panel further noted from the dismissal notice, exhibit 6 of Individual A's witness statement, that Mr Laidlaw "expressly confirmed that [he] should have" when asked whether he should have made a safeguarding report. The panel determined that Mr Laidlaw had sufficient suspicion regarding an inappropriate relationship between Teacher A and Pupil B in June 2022 to warrant raising a safeguarding concern in relation to Pupil B, and further admitted that he should have done so.

Whilst the panel saw evidence that Mr Laidlaw discussed his concerns regarding Pupil B with Pupil C, as referred to above, the panel saw no evidence to show that Mr Laidlaw had raised a safeguarding concern to the School relating to Pupil B, notwithstanding that he admitted to being suspicious in June 2022.

The panel determined that the School first became aware of Mr Laidlaw's knowledge of the safeguarding issue following a disclosure by Pupil B to a teacher at the School that they "were worried that [Mr Laidlaw] knew something related to Teacher A" as outlined at paragraph 8 of Individual A's witness statement.

The allegation was admitted by Mr Laidlaw and was supported by evidence presented to the panel. Allegation 4 was therefore, found proven.

#### **5. Your actions at paragraphs 1 and/or 3 and/or 4:**

**a) Were dishonest; and/or**

**b) Lacked integrity.**

Mr Laidlaw admitted the allegation in the statement of agreed facts signed on 21 March 2023.

The panel considered whether Mr Laidlaw had failed to act with integrity and/or was dishonest by his conduct in allegations 1 and/or 3 and/or 4. The panel considered the case of *Wingate & Anor v The Solicitors Regulation Authority* [2018] in respect of integrity and the case of *Ivey v Genting Casinos (UK) Ltd t/a Crockford* [2017] in respect of dishonesty.

The panel was mindful of the legal advice it received, being that the concepts of dishonesty and integrity are separate and distinct. Integrity is a more nebulous concept

than honesty for which it is not possible to formulate an all-purpose comprehensive definition but connotes adherence to the ethical standards of one's own profession.

In reaching a decision in respect of dishonesty, the panel needed to first ascertain, subjectively, the actual state of Mr Laidlaw's knowledge or belief as to the facts. Secondly, the panel needed to determine whether Mr Laidlaw's state of mind was honest or dishonest by the application of the objective standards of the ordinary honest person.

The panel firstly turned its mind to the actual state of Mr Laidlaw's knowledge or belief as to the facts. The panel concluded that Mr Laidlaw, in his position as a teacher, should have known to report the potential safeguarding issue relating to an inappropriate relationship between Teacher A and Pupil B, rather than attempt to conceal the information by denying all knowledge in his letter dated 20 June 2022.

In weighing up the evidence as to Mr Laidlaw's knowledge of the facts, the panel further considered that Mr Laidlaw understood his conduct to be dishonest, as he admitted to lying during the disciplinary meeting on 18 July 2022. The panel was of the view that Mr Laidlaw's denial to the School was a deliberate and a conscious decision, having found that Mr Laidlaw shared his concern regarding the inappropriate relationship to Pupil C.

The panel then considered the objective standards of the ordinary honest person, and was further satisfied that an ordinary honest person would not provide incorrect information to their employer, especially in relation to child safeguarding issues.

The panel therefore determined Mr Laidlaw's conduct as found proven at allegation 1, 3 and 4 to be dishonest.

In reaching a decision in respect of integrity, the panel considered whether other teachers would consider Mr Laidlaw's conduct to lack the integrity that they would expect from other members of the profession. The panel considered that the information Mr Laidlaw knew regarding an inappropriate relationship between Teacher A and Pupil B should have been reported, rather than concealed.

The panel was satisfied that Mr Laidlaw's actions impacted upon the trust and confidence that the School had in him, particularly in relation to his failure to report safeguarding concerns regarding Pupil B.

The panel further considered that Mr Laidlaw's conduct as found proven did not meet the relevant professional standards, as he disclosed confidential matters to a pupil at the School. The panel determined that Mr Laidlaw had the necessary qualifications to understand that such disclosures was a breach of his professional boundaries and ethical standards.

The panel was therefore satisfied that Mr Laidlaw's conduct as found proven at allegation 1, 3 and 5 lacked integrity.

The allegation was admitted by Mr Laidlaw and was supported by evidence presented to the panel. Allegation 5 was therefore, found proven.

**6. On 30 November 2022, you were convicted of Count 1 sexual activity with a girl 13 to 17 – not s.21 premises – adult abuse of position of trust, contrary to s.16(1)(e)(i) of the Sexual Offences Act 2003.**

**7. On 30 November 2022, you were convicted of Count 3 sexual activity with a girl 13 to 17 – not s.21 premises – adult abuse of position of trust, contrary to s.16(1)(e)(i) of the Sexual Offences Act 2003.**

Mr Laidlaw admitted the allegations in the statement of agreed facts signed on 21 March 2023.

The panel considered the certificate of conviction from Derby Crown Court, confirming that Mr Laidlaw was convicted on 30 November 2022 of the offences particularised in these allegations.

Mr Laidlaw was sentenced on 16 January 2023 to a total of:

- 12 months imprisonment, suspended for 2 years;
- rehabilitation activity for 55 days;
- electronic monitoring for 6 months;
- 200 hours unpaid work;
- 45 days on the sex offender programme;
- 10 years on the sex offenders register; and
- £156 surcharge.

The panel was presented with the transcript of the sentencing remarks dated 16 January 2023, summarising the offences and the reason for the sentences imposed. In particular, the panel had regard to the following statements made in the sentencing remarks:

- “At the time you were [REDACTED], and the student was [REDACTED] and that means there was a [REDACTED]-year age difference”; and
- “Whether it was twice or three times perhaps it matters not, that you had sexual intercourse”.

Mr Laidlaw had provided no further evidence to persuade the panel there were exceptional circumstances to call into question the facts necessarily implied by the convictions. The panel therefore accepted the certificate of conviction as conclusive proof of the commission of these offences by Mr Laidlaw.

The allegations were admitted by Mr Laidlaw and supported by evidence presented to the panel. Allegation 6 and 7 was therefore, found proven.

## **Findings as to unacceptable professional conduct and/or conduct that may bring the profession into disrepute and conviction of a relevant offence**

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

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

### Unacceptable professional conduct

The panel was satisfied that the conduct of Mr Laidlaw, in relation to allegation 1 to 5, involved breaches of the Teachers’ Standards. The panel considered that, by reference to Part 2 of the Teachers’ Standards, Mr Laidlaw 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; and
  - showing tolerance of and respect for the rights of others.
- 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 Laidlaw, in relation to the facts found proved, involved breaches of Keeping Children Safe In Education (“KCSIE”). The panel considered that Mr Laidlaw was in breach of the following provisions:

- All staff have a responsibility to provide a safe environment in which children can learn;
- All staff should be prepared to identify children who may benefit from early help. Early help means providing support as soon as a problem emerges at any point in a child’s life, from the foundation years through to the teenage years; and

- Any staff member who has any concerns about a child's welfare should follow the processes set out in paragraphs 51-67. Staff should expect to support social workers and other agencies following any referral.

The panel was satisfied that the conduct of Mr Laidlaw, in relation to the facts found proved, involved breaches of Working Together to Safeguard Children. The panel considered that Mr Laidlaw was in breach of the following provisions:

- Everyone who works with children has a responsibility for keeping them safe. No single practitioner can have a full picture of a child's needs and circumstances and, if children and families are to receive the right help at the right time, everyone who comes into contact with them has a role to play in identifying concerns, sharing information and taking prompt action; and
- In order that organisations, agencies and practitioners collaborate effectively, it is vital that everyone working with children and families, including those who work with parents/carers, understands the role they should play and the role of other practitioners. They should be aware of, and comply with, the published arrangements set out by the local safeguarding partners.

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

The panel also considered whether Mr Laidlaw's conduct displayed behaviours associated with any of the offences in the list that begins on page 12 of the Advice. The panel found that the offence of serious dishonesty was relevant. The Advice indicates that where behaviours associated with such an offence exist, a panel is likely to conclude that an individual's conduct would amount to unacceptable professional conduct.

Accordingly, the panel was satisfied that Mr Laidlaw was guilty of unacceptable professional conduct in respect of allegations 1 to 5.

#### Conduct that may bring the profession into disrepute

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

The panel also considered whether Mr Laidlaw's conduct displayed behaviours associated with any of the offences in the list that begins on page 12 of the Advice. The panel found that the offence of serious dishonesty was relevant. The Advice indicates that where behaviours associated with such an offence exist, a panel is likely to conclude that an individual's conduct would amount to conduct that may bring the profession into disrepute.

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

The panel considered that Mr Laidlaw's conduct could potentially damage the public's perception of a teacher, as the public would expect a teacher to report any concerns that would arise regarding child safeguarding.

The panel therefore found that Mr Laidlaw's actions in respect of allegations 1 to 5 constituted conduct that may bring the profession into disrepute.

### Conviction of a relevant offence

The panel was satisfied that the conduct of Mr Laidlaw, in relation to allegations 6 and 7, involved breaches of the Teachers' Standards. The panel considered that by reference to Part 2 of the Teachers' Standards, Mr Laidlaw 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;
  - showing tolerance of and respect for the rights of others; and
  - not undermining fundamental British values, including democracy, the rule of law, individual liberty and mutual respect, and tolerance of those with different faiths and beliefs.
- 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 noted that the individual's actions were relevant to teaching, working with children and working in an education setting as Mr Laidlaw's convictions relate to sexual offences [REDACTED].

In particular, the panel noted that the behaviour involved in committing the offences would have been likely to have had an impact on the safety and security of pupils and members of the public as it raised significant safeguarding concerns [REDACTED] whilst Mr Laidlaw was in a position of trust.

The panel also took account of the way the teaching profession is viewed by others. The panel considered that Mr Laidlaw's behaviour in committing the offence would likely affect public confidence in the teaching profession, if Mr Laidlaw was allowed to continue teaching.

The panel noted that Mr Laidlaw's behaviour ultimately led to a sentence of imprisonment, (albeit that it was suspended), which was indicative of the seriousness of the offences committed, and which the Advice states is likely to be considered "a relevant offence".

This was a case concerning an offence involving sexual activity with a child. The Advice indicates that a conviction for any offence that relates to or involves such an offence is likely to be considered "a relevant offence".

The panel noted evidence of mitigating circumstances, such as the sentencing remarks dated 16 January 2023, which stated the following:

"When I say you are of good character, I do not mean you are just without previous convictions, I mean that you are of good character. You have, whatever you have done, whether it be in teaching or other forms of employment, you have excelled at. You are highly regarded by your former students, you have done charity work, and you have clearly excelled as a teacher."

Whilst the panel acknowledged the above sentencing remarks, the panel saw no evidence in relation to Mr Laidlaw's previous ability as a teacher. Even had they done so, the panel found the seriousness of the offending behaviour that led to the convictions was relevant to Mr Laidlaw's fitness to be a teacher. The panel considered a finding that these convictions were for relevant offences was necessary to reaffirm clear standards of conduct so as to maintain public confidence in the teaching profession.

The panel therefore found that Mr Laidlaw was guilty of having been convicted of a relevant offence in respect of allegation 6 and 7.

In summary, the panel found that Mr Laidlaw was guilty of unacceptable professional conduct and conduct that may bring the profession into disrepute in respect of allegations 1 to 5 and was guilty of a conviction of a relevant offence in respect of allegations 6 and 7.

## **Panel's recommendation to the Secretary of State**

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

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

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

- the safeguarding and wellbeing of pupils and protection of other members of the public;
- the maintenance of public confidence in the profession;
- declaring and upholding proper standards of conduct within the teaching profession; and
- the interest of retaining the teacher in the profession.

There was an extremely strong public interest consideration in respect of the safeguarding and wellbeing of pupils and protection of other members of the public given the panel's findings relating to sexual activity with a child, which raises significant public and child protection concerns.

Similarly, the panel considered that public confidence in the profession could be seriously weakened if conduct such as that found against Mr Laidlaw was not treated with the utmost seriousness when regulating the conduct of the profession. This was conduct that was, very clearly, at the most serious end of the spectrum, amounting to a breach of the trust placed in him as a teacher.

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 Laidlaw was outside that which could reasonably be tolerated.

The panel concluded there was not a public interest consideration in retaining Mr Laidlaw in the profession. The panel considered the adverse public interest considerations above outweighed any interest in retaining Mr Laidlaw in the profession given the nature of the allegations in this case, regardless of whether there had been any evidence that Mr Laidlaw ought to be regarded as an exceptional teacher.

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 Laidlaw.

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



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

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

- serious departure from the personal and professional conduct elements of the Teachers' Standards;
- the commission of a serious criminal offence, including those that resulted in a conviction or caution, paying particular attention to offences that are "relevant matters" for the purposes of the Police Act 1997 and criminal record disclosure;
- misconduct seriously affecting the education and/or safeguarding and well-being of pupils, and particularly where there is a continuing risk;
- abuse of position or trust (particularly involving vulnerable pupils);
- an abuse of any trust, knowledge, or influence gained through their professional position in order to advance a romantic or sexual relationship with a pupil or former pupil;
- sexual misconduct, for example, involving actions that were sexually motivated or of a sexual nature and/or that use or exploit the trust, knowledge or influence derived from the individual's professional position;
- failure to act on evidence that indicated a child's welfare may have been at risk, e.g., failed to notify the designated safeguarding lead and/or make a referral to children's social care, the police or other relevant agencies when abuse, neglect and/or harmful cultural practices were identified;
- 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);
- violation of the rights of pupils;
- dishonesty or a lack of integrity, including the deliberate concealment of their actions or purposeful destruction of evidence, especially where these behaviours have been repeated or had serious consequences, or involved the coercion of another person to act in a way contrary to their own interests; and
- collusion or concealment including: any activity that involves knowingly substantiating another person's statements where they are known to be false; failure to challenge inappropriate actions, defending inappropriate actions or

concealing inappropriate actions; encouraging others to break rules; lying to prevent the identification of wrongdoing.

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

Based on the evidence available, the panel considered that Mr Laidlaw's actions in respect of not disclosing an inappropriate relationship at the School was deliberate, given that he admitted to lying to the School in his letter dated 20 June 2022 when questioned at the disciplinary meeting on 18 July 2022. Additionally, the panel considered Mr Laidlaw's actions in respect of his offences to be deliberate, given that he was aware of the boundaries that should be in place between an adult and a child, and especially a teacher and a pupil, as he identified similar concerns in relation to another teacher at the School.

The panel acknowledged there was no evidence to suggest that Mr Laidlaw was acting under extreme duress, such as due to a physical threat or significant intimidation.

There was no evidence before the panel of Mr Laidlaw having demonstrated exceptionally high standards in professional conduct or of having contributed significantly to the education sector. Neither did the panel see any evidence that showed Mr Laidlaw was previously subject to disciplinary proceedings or warnings.

The panel were not provided with any character references regarding Mr Laidlaw. In the absence of this evidence, the panel had regard to the sentencing remarks dated 16 January 2023, which stated that Mr Laidlaw is "of good character" and "highly regarded by [his] former students". It is further stated that Mr Laidlaw had "clearly excelled as a teacher". Whilst the panel noted these statements, the panel placed limited weight on them as there had not been an opportunity to test the evidence.

Whilst the panel acknowledged that Mr Laidlaw ultimately pleaded guilty to the offences and therefore had taken accountability for his actions, the panel noted that Mr Laidlaw was initially un-cooperative with the police investigation as shown by his repeated "no comment" response during his interview with the police as shown in the record of interview document. The panel also saw no evidence that Mr Laidlaw was remorseful for his conduct.

[REDACTED].

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

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 Laidlaw 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 Laidlaw. The multiple safeguarding concerns that have arisen in respect of Pupil B and Pupil C, as a result of Mr Laidlaw's actions, 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 panel considered the list of behaviours at paragraph 50 of the Advice. The Advice indicates that there are cases involving certain conduct where it is likely that the public interest will have greater relevance and weigh in favour of not offering a review period. These cases include:

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

The panel found the above behaviours to be relevant in this case, as Mr Laidlaw had been convicted of offences relating to sexual activity with a child.

The panel further considered the list of behaviours at paragraph 51 of the Advice. The Advice indicates that there are cases involving certain conduct where it is likely that the public interest will have greater relevance and weigh in favour of a longer period before a review is considered appropriate. One case includes serious dishonesty, which the panel determined to be relevant as Mr Laidlaw was found to have been dishonest in respect of his actions in allegations 1, 3 and 4.

The panel decided that the findings indicated a situation in which a review period would not be appropriate and, as such, decided that it would be proportionate, in all the circumstances, for the prohibition order to be recommended without provision for a review period.

## Decision and reasons on behalf of the Secretary of State

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

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

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

The panel has made a recommendation to the Secretary of State that Mr Lian Laidlaw should be the subject of a prohibition order, with no provision for a review period

In particular, the panel has found that Mr Laidlaw 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;
  - showing tolerance of and respect for the rights of others; and
  - not undermining fundamental British values, including democracy, the rule of law, individual liberty and mutual respect, and tolerance of those with different faiths and beliefs.
- 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 Laidlaw involved breaches of the responsibilities and duties set out in statutory guidance Keeping children safe in education (KCSIE) and/or involved breaches of Working Together to Safeguard Children.

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

The findings of misconduct are extremely serious as they include a finding of failing to report a safeguarding concern, conduct found to be dishonest and to lack integrity and an offence involving sexual activity with a child.

I have to determine whether the imposition of a prohibition order is proportionate and in the public interest. In considering that for this case, I have considered the overall aim of a prohibition order which is to protect pupils and to maintain public confidence in the profession. I have considered the extent to which a prohibition order in this case would achieve that aim taking into account the impact that it will have on the individual teacher. I have also asked myself, whether a less intrusive measure, such as the published finding of unacceptable professional conduct or conduct likely to bring the profession into disrepute, or a relevant conviction, 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 Laidlaw, and the impact that will have on the teacher, is proportionate and in the public interest.

In this case, I have considered the extent to which a prohibition order would protect children/safeguard pupils. The panel has observed, "There was an extremely strong public interest consideration in respect of the safeguarding and wellbeing of pupils and protection of other members of the public given the panel's findings relating to sexual activity with a child, which raises significant public and child protection concerns." A prohibition order would therefore prevent such a risk from being present in the future.

I have also taken into account the panel's comments on insight and remorse, which the panel sets out as follows, "Whilst the panel acknowledged that Mr Laidlaw ultimately pleaded guilty to the offences and therefore had taken accountability for his actions, the panel noted that Mr Laidlaw was initially un-cooperative with the police investigation as shown by his repeated "no comment" response during his interview with the police as shown in the record of interview document. The panel also saw no evidence that Mr Laidlaw was remorseful for his conduct." In my judgement, the lack of full remorse or insight means that there is some risk of the repetition of this behaviour and this puts at risk the future wellbeing of pupils. I have therefore given this element considerable weight in reaching my decision.

I have gone on to consider the extent to which a prohibition order would maintain public confidence in the profession. The panel observe, "the panel considered that public confidence in the profession could be seriously weakened if conduct such as that found against Mr Laidlaw was not treated with the utmost seriousness when regulating the conduct of the profession. This was conduct that was, very clearly, at the most serious end of the spectrum, amounting to a breach of the trust placed in him as a teacher." I am particularly mindful of the finding of sexual activity with a child in this case and the impact that such a finding has on the reputation of the profession.

I have had to consider that the public has a high expectation of professional standards of all teachers and that the public might regard a failure to impose a prohibition order as a

failure to uphold those high standards. In weighing these considerations, I have had to consider the matter from the point of view of an “ordinary intelligent and well-informed citizen.”

I have considered whether the publication of a finding of unacceptable professional conduct or conduct likely to bring the profession into disrepute, or a relevant conviction, 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 Laidlaw himself and the panel comment “There was no evidence before the panel of Mr Laidlaw having demonstrated exceptionally high standards in professional conduct or of having contributed significantly to the education sector. Neither did the panel see any evidence that showed Mr Laidlaw was previously subject to disciplinary proceedings or warnings.”

A prohibition order would prevent Mr Laidlaw 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, “The panel considered carefully the seriousness of the behaviour, noting that the Advice states that the expectation of both the public and pupils, is that members of the teaching profession maintain an exemplary level of integrity and ethical standards at all times. The panel noted that a teacher’s behaviour that seeks to exploit their position of trust should be viewed very seriously in terms of its potential influence on pupils and be seen as a possible threat to the public interest.”

I have also placed considerable weight on the finding of the panel that “Based on the evidence available, the panel considered that Mr Laidlaw’s actions in respect of not disclosing an inappropriate relationship at the School was deliberate, given that he admitted to lying to the School in his letter dated 20 June 2022 when questioned at the disciplinary meeting on 18 July 2022. Additionally, the panel considered Mr Laidlaw’s actions in respect of his offences to be deliberate, given that he was aware of the boundaries that should be in place between an adult and a child, and especially a teacher and a pupil, as he identified similar concerns in relation to another teacher at the School.”

I have given less weight in my consideration of sanction therefore, to the contribution that Mr Laidlaw 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 remorse or 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 that no provision should be made for a review period.

I have considered the panel's comments "The panel considered the list of behaviours at paragraph 50 of the Advice. The Advice indicates that there are cases involving certain conduct where it is likely that the public interest will have greater relevance and weigh in favour of not offering a review period. These cases include:

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

The panel found the above behaviours to be relevant in this case, as Mr Laidlaw had been convicted of offences relating to sexual activity with a child."

In this case, factors mean that allowing a review period is not sufficient to achieve the aim of maintaining public confidence in the profession. These elements are the seriousness of the findings involving sexual activity with a child.

I consider therefore that allowing for no review period is necessary to maintain public confidence and is proportionate and in the public interest.

**This means that Mr Lian Laidlaw is prohibited from teaching indefinitely and cannot teach in any school, sixth form college, relevant youth accommodation or children's home in England.** Furthermore, in view of the seriousness of the allegations found proved against him, I have decided that Mr Laidlaw shall not be entitled to apply for restoration of his eligibility to teach.

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

Mr Laidlaw 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.



**Decision maker: Sarah Buxcey**

**Date: 25 October 2024**

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