



Teaching  
Regulation  
Agency

# **Mrs Lucy Laphorne: Professional conduct panel meeting outcome**

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

**June 2024**

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

**Teacher:** Mrs Lucy Lapthorne

**Teacher ref number:** 0943925

**Teacher date of birth:** 1 January 1988

**TRA reference:** 21171

**Date of determination:** 17 June 2024

**Former employer:** [REDACTED]

### Introduction

A professional conduct panel ('the panel') of the Teaching Regulation Agency ('the TRA') convened on 17 June 2024 by way of a virtual meeting, to consider the case of Mrs Lucy Lapthorne.

The panel members were Mr Duncan Tilley (lay panellist – in the chair), Mrs Kate Hurley (teacher panellist) and Ms Rachael Fidler (teacher panellist).

The legal adviser to the panel was Ms Maddie Taylor of Birketts 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 Mrs Lapthorne that the allegations be considered without a hearing. Mrs Lapthorne provided a signed statement of agreed facts and admitted the allegations in full, and that the conduct admitted to represented unacceptable professional conduct and/or conduct that may bring the profession into disrepute. The panel considered the case at a meeting without the attendance of the presenting officer, Ms Sophie Allen of Kingsley Napley LLP, Mrs Lapthorne or any representative for Mrs Lapthorne.

The meeting took place in private by way of a virtual meeting.

## Allegations

The panel considered the allegations set out in the notice of meeting dated 10 June 2024.

It was alleged that Mrs Laphorne was guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute, in that [REDACTED]:

1. Between or around [REDACTED], she engaged in a sexual relationship with Individual A.
2. Her conduct at paragraph 1 continued despite:
  - a) Being spoken to [REDACTED] about setting boundaries [REDACTED];
  - b) Receiving [REDACTED] around additional guidance [REDACTED].
3. Her conduct at paragraph 1 was sexually motivated.
4. On or around [REDACTED], she accepted a police caution in relation to the conduct as set out at paragraph 1 above, [REDACTED].

## Preliminary applications

Within the documents received from Mrs Laphorne was a written application regarding privacy, anonymisation and redaction. The panel noted that as the meeting was held in private and with no observers from the press or public, a certain level of privacy had already been attained. Notwithstanding, the panel agreed to redact sensitive information relating to [REDACTED], as is standard practice in such processes.

However, the panel concluded that the ultimate decision on anonymity (particularly in respect of the teacher's name) and redaction is for the TRA and the panel was therefore unable to make a determination on this issue.

The panel resolved to flag Mrs Laphorne's applications to the TRA for its consideration, along with the supporting paperwork provided by Mrs Laphorne.

## 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 4 to 6.

- Section 2: Notice of referral, response and notice of meeting – pages 7 to 14.
- Section 3: statement of agreed facts – pages 15 to 18.
- Section 4: Teaching Regulation Agency documents – pages 19 to 209.
- Section 5: Teacher documents – pages 210 to 267.

In addition, the panel agreed to accept a two-page document submitted to the TRA by Mrs Lapthorne and which was uploaded to the TRA's portal on 14 June 2024, which contained her comments on the bundle.

The panel members and the legal adviser confirmed that they had read all of the documents within the bundle, in advance of the meeting and the additional document admitted.

### **Statement of agreed facts**

The panel considered a statement of agreed facts which was signed by Mrs Lapthorne on 8 May 2024, and subsequently signed by the presenting officer on 20 May 2024. The panel noted that Mrs Lapthorne admitted allegations 1, 2(a), 2(b), 3 and 4 in the statement of agreed facts, and that she further admitted that her conduct in respect of the allegations amounted to unacceptable professional conduct and/or conduct that may bring the profession into disrepute.

### **Decision and reasons**

The panel carefully considered the case and reached the following decision and reasons:

In advance of the meeting, the TRA agreed to a request from Mrs Lapthorne 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.

[REDACTED].

### **Findings of fact**

The findings of fact are as follows:

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

## **1. Between or around [REDACTED], you engaged in a sexual relationship with Individual A.**

The panel noted that Mrs Lapthorne had already admitted in the statement of agreed facts that this alleged conduct had occurred. However, the panel was aware that it had a duty to undertake an investigative exercise to satisfy itself of the facts and establish that the allegation was factually proven.

[REDACTED].

The panel considered correspondence sent by Mrs Lapthorne to the TRA as part of these proceedings, in which she stated that she met up with Individual A and that “*very regrettably sexual activity happened over a few sporadic occasions*”. She stated that her actions of blurring boundaries caused the sexual situation which was “*criminal, unjustifiable and inexcusable*”.

Overall, the panel found Individual A’s version of events regarding the specifics of the sexual relationship between Individual A and Mrs Lapthorne extremely compelling. The panel found that the level of detail in Individual A’s account, combined with a remarkable level of insight and reflection (including consideration of the impact on Mrs Lapthorne), demonstrated that [REDACTED] provided a measured recollection of events.

However, the panel also noted that while the specifics and level of detail regarding the sexual relationship differed between Individual A and Mrs Lapthorne, both versions were categoric in confirming that a sexual relationship had in fact taken place between [REDACTED].

Accordingly, the panel found this allegation proven.

## **2. Your conduct at paragraph 1 continued despite:**

### **a) Being spoken to [REDACTED] about setting boundaries [REDACTED];**

The panel noted that Mrs Lapthorne had already admitted in the statement of agreed facts that this alleged conduct had occurred. However, the panel was aware that it had a duty to undertake an investigative exercise to satisfy itself of the facts and establish that the allegation was factually proven.

[REDACTED].

The panel noted a letter in the bundle dated [REDACTED] from [REDACTED] to Mrs Lapthorne confirming the conversation which had taken place on [REDACTED], and reiterating what was discussed.

The panel concluded that Mrs Lapthorne was spoken to by [REDACTED] about setting boundaries with Individual A as early as [REDACTED].

The panel noted that both Mrs Lapthorne and Individual A referred to their having sexual contact after this point. [REDACTED].

The panel was therefore satisfied that Mrs Lapthorne continued to engage in a sexual relationship with Individual A despite having been spoken to by [REDACTED] about setting boundaries [REDACTED].

[REDACTED].

The panel noted the vastly significant difference between the nature of the conversation Mrs Lapthorne had with [REDACTED] around setting appropriate boundaries, and the reality of Mrs Lapthorne's relationship with Individual A at that time, which was sexual.

Accordingly, the panel found this allegation proven.

#### **b) Receiving [REDACTED] around additional guidance [REDACTED].**

The panel noted that Mrs Lapthorne had already admitted in the statement of agreed facts that this alleged conduct had occurred. However, the panel was aware that it had a duty to undertake an investigative exercise to satisfy itself of the facts and establish that the allegation was factually proven.

[REDACTED].

The panel considered a letter sent by [REDACTED] to Mrs Lapthorne on [REDACTED], confirming the discussions which were held in the meeting [REDACTED].

The letter also confirmed a number of actions which were agreed during the meeting. [REDACTED].

The panel considered the witness statement of Mrs Lapthorne, who referred to certain behaviours of herself being "*against all advice*" [REDACTED]. The panel found this to be compelling evidence and were satisfied that Mrs Lapthorne had received advice and [REDACTED].

As laid out above with respect to allegation 2(a), the panel concluded that Mrs Lapthorne engaged in a sexual relationship with Individual A over a number of months [REDACTED].

The panel was therefore satisfied that Mrs Lapthorne had continued to engage in a sexual relationship with Individual A despite having received specific [REDACTED] around additional guidance [REDACTED].

Accordingly, the panel found this allegation proven.

### **3. Your conduct at paragraph 1 was sexually motivated.**

The panel noted that Mrs Lapthorne had already admitted in the statement of agreed facts that this alleged conduct had occurred. However, the panel was aware that it had a duty to undertake an investigative exercise to satisfy itself of the facts and establish that the allegation was factually proven.

The panel considered that the acts of kissing Individual A and having sex with Individual A were, by their nature, sexual.

The panel considered the guidance from *Haris v General Medical Council [2021] EWCA Civ 763* in which the Court held that “*in the absence of a plausible innocent explanation [...] the facts spoke for themselves. A sexual motive was plainly more likely than not; I would go so far as to say that that inference was overwhelming*”.

Therefore, in considering this case, the panel found that on the balance of probabilities, Mrs Lapthorne’s conduct was sexually motivated.

Accordingly, the panel found this allegation proven.

#### **4. On or around [REDACTED], you accepted a police caution in relation to the conduct as set out at paragraph 1 above, [REDACTED].**

The panel noted that Mrs Lapthorne had already admitted in the statement of agreed facts that this alleged conduct had occurred. However, the panel was aware that it had a duty to undertake an investigative exercise to satisfy itself of the facts and establish that the allegation was factually proven.

The panel considered the Certificate of Simple Caution issued by [REDACTED] Police and signed by all relevant individuals on [REDACTED].

[REDACTED].

Mrs Lapthorne also made reference to the caution in correspondence she sent to the TRA as part of these proceedings.

Accordingly, the panel found this allegation proven.

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

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

The panel noted that Mrs Lapthorne had already accepted in the agreed statement of facts that her behaviour constituted both unacceptable professional conduct and conduct that may bring the profession into disrepute. However, the panel needed to consider



the matter itself and determine whether it was satisfied that Mrs Lapthorne had committed 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 Mrs Lapthorne in relation to the facts found proven, involved breaches of the Teachers' Standards. [REDACTED].

- 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 Mrs Lapthorne fell significantly short of the standards expected of the profession.

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

This was a case involving a sexual offence, which the Advice states is likely to be considered a relevant offence.

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

The Advice further states that it is likely that a panel would consider the acceptance of a caution for an offence involving behaviour associated with any of the relevant offence types, as an admission of behaviours that would amount to unacceptable professional conduct.

[REDACTED].

Accordingly, the panel was satisfied that Mrs Lapthorne was guilty of unacceptable professional conduct.

The panel took into account the way the teaching profession is viewed by others [REDACTED].

[REDACTED].

The findings of misconduct are serious and the conduct displayed clearly had a negative impact on the individual's status as a teacher as outlined above, and potentially damaging the public perception. The panel concluded that if the public were aware of the seriousness of the matter, it would have damaged their perception of the profession.

The panel also considered the Advice, which states that it is likely that a panel would consider the acceptance of a caution for an offence involving behaviour associated with any of the relevant offence types (such as sexual activity, as the panel identified was relevant in this case), as an admission of behaviours that would amount to conduct that may bring the profession into disrepute.

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

Having found the facts of allegations 1, 2(a), 2(b), 3 and 4 proven, the panel further found that Mrs Lapthorne'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/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 noted that prohibition orders should not be given in order to be punitive, or to show that blame has been apportioned, although they are likely to have punitive effect.

The panel had regard to the particular public interest considerations set out in the Advice and, having done so, found a number of them to be relevant in this case, namely: [REDACTED] 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 Mrs Lapthorne in that all allegations were proven, there was a strong indication that all of the aforementioned public interest considerations were present.

There was a particularly strong public interest consideration in respect of the safeguarding, wellbeing and protection of [REDACTED] given the serious findings of an inappropriate sexual relationship, including sexual activity with [REDACTED].

The panel considered that public confidence in the profession would be seriously weakened if conduct such as that committed by Mrs Laphorne was not treated with the utmost seriousness when regulating the conduct of the profession.

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

Notwithstanding 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 Mrs Laphorne. 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 Mrs Laphorne.

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 proven. In the list of such behaviours, those that are relevant in this case are:

- 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 disclosures.
- [REDACTED].
- [REDACTED].
- [REDACTED].
- [REDACTED].
- a deep-seated attitude that leads to harmful behaviour;
- 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;

- collusion of concealment including:
  - defending inappropriate actions or concealing inappropriate actions;
  - encouraging others to break rules;
  - lying to prevent the identification of wrongdoing.

Although much of the behaviour found proven 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.

The panel considered the specific examples of mitigation factors as laid out in the Advice.

However, the panel concluded that none of them were applicable in this case.

There was no evidence that Mrs Lapthorne's actions were not deliberate and in fact the panel found that much of the conduct had been planned. [REDACTED].

The panel also found there was no evidence to suggest that Mrs Lapthorne was acting under extreme duress. As above, the panel found Mrs Lapthorne's actions to be calculated and of her own design, rather than having been influenced or encouraged by another person. [REDACTED].

There was no evidence to suggest that Mrs Lapthorne demonstrated exceptionally high standards in both personal and professional conduct and had contributed significantly to the education sector. The panel was unable to identify that Mrs Lapthorne had contributed anything to the profession beyond what would be expected.

On the matter of insight and remorse, the panel considered Mrs Lapthorne's written statement where she expressed that she feels "*truly ashamed*" of the effect of her actions on Individual A and understands how her actions may have negatively impacted Individual A's "*social, emotional, mental, physical wellbeing and development*". Mrs Lapthorne submitted that she has grown considerably as a person and that "*words cannot truly express the level of*" her remorse, as she is deeply sorry. [REDACTED].

[REDACTED].

Mrs Lapthorne submitted that she is now a matured woman with a different perspective on life and she is determined to make an indirect positive difference to children and make a positive impact on society.

The panel noted that Mrs Lapthorne presented as having a degree of insight and remorse into her actions, however it ultimately concluded that this commentary was more indicative of her being forced to reflect on her offending conduct after Individual A reported it to [REDACTED], rather than insight and remorse which arose organically.

The panel was of the view that if Individual A had not reported the misconduct, Mrs Lapthorne would not have shown any insight or remorse on the basis of her own initiative.

The panel also considered the risk of repetition of the kinds of behaviour underpinning this matter. The panel was not satisfied that there was no risk of repetition of behaviour of this nature from Mrs Lapthorne [REDACTED]. The panel concluded that, [REDACTED] and her inability to identify what specifically triggered her to embark on a sexual relationship with Individual A in the context [REDACTED], there was an ongoing risk that Mrs Lapthorne could fall into a similar pattern of behaviour if the situation were to arise again in the future.

The panel 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 was sufficient would unacceptably compromise the public interest considerations present in this case, despite the severity of the consequences for Mrs Lapthorne 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 Mrs Lapthorne. The need to safeguard children - as an integral duty of the profession - 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 to recommend that a review period of the order should be considered. 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 proven, would advise against the recommendation of a review period. Such behaviours include serious sexual misconduct, such as where the act was sexually motivated and resulted in, or had the potential to result in, harm to a person or persons, [REDACTED].

The panel found that Mrs Lapthorne had engaged in a sexual relationship with Individual A despite being spoken to about [REDACTED] and receiving [REDACTED] around additional guidance [REDACTED]. She accepted a police caution in relation to that

conduct. These behaviours constituted those which the Advice indicates would suggest against the recommendation of a review period.

The Advice also indicates that there are behaviours that, if proven, 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 not be appropriate and, as such, decided that it would be proportionate in all the circumstances for the prohibition order to be recommended without provisions 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 conduct that may bring the profession into disrepute.

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

[REDACTED]

The panel finds that the conduct of Mrs Lapthorne fell significantly short of the standards expected of the profession.

The findings of misconduct are particularly serious [REDACTED].

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, 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 Mrs Lapthorne, and the impact that will have on the teacher, is proportionate and in the public interest.

[REDACTED].

[REDACTED], 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.

[REDACTED].

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 Mrs Lucy Laphorne 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 her, I have decided that Mrs Laphorne shall not be entitled to apply for restoration of her eligibility to teach.

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

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

A handwritten signature in black ink, appearing to read 'S Buxcey', with a horizontal line underneath.

**Decision maker: Sarah Buxcey**

**Date: 20 June 2024**

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