



Teaching
Regulation
Agency

Mr Mike Turner: Professional conduct panel outcome

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

December 2024

Contents

| | |
|--|----|
| Introduction | 3 |
| Allegations | 4 |
| Preliminary applications | 6 |
| Summary of evidence | 10 |
| Documents | 10 |
| Witnesses | 11 |
| Decision and reasons | 11 |
| Findings of fact | 11 |
| Panel's recommendation to the Secretary of State | 26 |
| Decision and reasons on behalf of the Secretary of State | 29 |

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

| | |
|-------------------------------|----------------------------------|
| Teacher: | Mr Mike Turner |
| Teacher ref number: | 7268815 |
| Teacher date of birth: | 20 April 1954 |
| TRA reference: | 14988 |
| Date of determination: | 10 December 2024 |
| Former employer: | River House School, Warwickshire |

Introduction

A professional conduct panel (“the panel”) of the Teaching Regulation Agency (“the TRA”) convened between 2 to 10 December 2024 by way of a virtual hearing, to consider the case of Mr Turner.

The panel members were Mr Terry Hyde (teacher panellist – in the chair), Mr Ian Hylan (teacher panellist) and Mr Paul Millett (lay panellist).

The legal adviser to the panel was Miss Sarah Price of Blake Morgan LLP solicitors.

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

Mr Turner was not present and not represented.

[REDACTED]

The hearing took place in public and was recorded.

Allegations

The panel considered the allegations set out in the notice of proceedings dated 23 September 2024.

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

1. He caused and/or permitted and/or failed to prevent the improper use of school funds, in that;
 - a) Between 2006 and 2015 he received and/or accepted one or more payments of 'Recruitment and Retention' up to approximately £36,000 when he knew or should reasonably have known he was only entitled to receive such payments for a period of 1 year, between 1 April 2005 to 31 March 2006.
 - b) He failed to inform the School Governors of the 'Independent Learning Provision' budget;
 - c) Between 2006 and 2015 he authorised one or more payments to be made to Individual D which he knew or ought reasonably to have known he was not entitled to and/or which he knew or ought reasonably to have known were excessive, including but not limited to
 - i. Authorisation of the provision of a car under the Warwickshire County Council Car Lease Scheme at the cost of approximately £16,700.
 - ii. Authorisation of excessive and/or unnecessary claims for mileage expenses in the sum of approximately £21,000.
 - iii. Authorisation of excessive and/or unnecessary claims for payment of overtime in the sum of approximately £174,419, without the necessary approval from the Governing Body.
 - iv. Authorisation of continuing payment in the sum of approximately £4,967 in payment for duties Individual D was no longer responsible for, nor performing, as he was doing so.
 - v. Authorisation of excessive and/or unnecessary claims for hotel accommodation in the sum of approximately £739.56.
2. He failed to comply with the Warwickshire County Council and/or River House School financial policies and/or procedures, including;

- a) Between 2010 to 2015 by entering into a procurement contract for the provision of IT services with [REDACTED] on behalf of River House School to the value of approximately £180,000, which was;
 - i. Not approved by the Governing Body who were required to approve all payments in excess of £5,000.
 - ii. In excess of the EU Procurement Threshold.
 - iii. Not procured in compliance with the EU procurement Regulations.
 - iv. To the benefit of Individual A, [REDACTED].
 - b) Between 2010 to 2013 by procuring maintenance and DIY work from [REDACTED] to the value of approximately £14,421.78 which was;
 - i. Without the requisite approval of the Governing Body who were required to approve all payments in excess of £5,000.
 - ii. Procured and approved by him without provision of sufficient evidence in accordance with Warwickshire County Council Contract Standing Order Rules.
 - iii. To the benefit of Individual B, [REDACTED].
3. He failed to follow safer recruitment practices and/or failed to appraise the school's governance in the employment of one or more members of staff including by;
 - a) Failing to conduct a Disclosure and Barring Service check prior to commencement of their employment at the school.
 - b) Failing to conduct an updated Disclosure and Barring Service check in 2010 in relation to Individual D.
 4. He employed one or more members of staff without sufficient justification and/or without having advertised the vacancy and/or without prior approval from the Governing Body including but not limited to Individual C.
 5. His conduct, as may be found proven, at allegations 3 and 4 above placed one or more pupils at risk of harm.
 6. His conduct, as may be found proven, at allegations 1 to 4 above was dishonest and/or lacked integrity.

In the absence of Mr Turner the allegations were treated as not admitted.

Preliminary applications

Application to proceed in Mr Turner's absence

The panel carefully considered all relevant documentation, and the submissions made. It accepted the legal advice provided.

First, the panel was satisfied that the Notice of Proceedings has been served in accordance with the document Teacher Misconduct: Disciplinary Procedures for the Teaching Profession 2018 (the "Procedures").

The panel also concluded that the TRA had made reasonable efforts to bring the hearing to the attention of Mr Turner.

The panel went on to consider whether the hearing should proceed in Mr Turner's absence.

The panel was provided with correspondence from Mr Turner, within which he had clearly stated the following:

"I am content that the panel proceeds in my absence

That I voluntarily waive my right to attend the final hearing

That I am content for the panel to make a decision in my absence."

The panel was satisfied that Mr Turner had voluntarily waived his right to attend the hearing. He had given no reason for his non-attendance and no request for an adjournment had been made. There was no indication that Mr Turner would attend on a future date. He had expressly stated that he would not attend any hearing.

The panel also took into account that there is a public interest in hearings taking place within a reasonable time; this was a case that had been ongoing for quite some time already and there was no reason to delay these proceedings. The panel also noted that there are witnesses scheduled to give evidence before this panel. Further, this matter has been joined to be heard together with another case and any further delay may result in prejudice to the other teacher, Individual D.

For the reasons set out above, the panel decided to proceed with the hearing in the absence of Mr Turner. The panel will take great care and caution and have close regard to the overall fairness of the proceedings bearing in mind that Mr Turner is not present nor represented.

Application for additional documents

The panel heard applications for additional documents to be admitted.

The TRA applied for a further version of the hearing bundle to be admitted, along with a statement of Mr Turner dated 10 November 2023 and a letter from Mr Turner's [REDACTED] dated 7 November 2023.

Counsel on behalf of Individual D made an application to admit a bundle of evidence, comprising of Individual D's witness statement dated 2 December 2024, exhibits and some testimonials.

The panel carefully considered the documents, and the submissions made. It accepted the legal advice provided.

The panel was satisfied that all of the documents were relevant.

The panel was disappointed that there had been disclosure of evidence so late, particularly in regards to Individual D's witness statement. There was some duplication of documents, and this was also the third version of the hearing bundle that had been provided to the panel. However, the panel concluded that all of the documents should be admitted in the interests of fairness and justice.

The documents were admitted.

Application for privacy

The panel heard an application for privacy made on behalf of Individual D. It was submitted that any references to Individual D's [REDACTED] should be heard in private. As part of the panel's decision on that application, the panel also determined that any references to [REDACTED] of Mr Turner would also be heard in private.

Application to admit hearsay

At the end of the TRA's case, the TRA made an application to admit the witness statement of Witness A as hearsay evidence.

The TRA submitted that the statement of Witness A was relevant to the case and therefore the issue was about fairness. In brief, the TRA submitted:

- this is not the sole or decisive evidence;
- there is considerable other evidence in support of the documents;
- there has not been much challenge to the evidence;
- there is no reason why Witness A would fabricate her evidence;

- these are serious charges, but the teacher is retired so it cannot be said that it will affect his career;
- the TRA cannot give a good reason for Witness A's non attendance because none has been given by Witness A;
- the TRA have made numerous efforts to contact Witness A;
- the teacher had been given prior notice that Witness A may not attend the hearing.

The application was opposed by counsel instructed on behalf of Individual D. In summary, it was submitted:

- None of the statements have been agreed, and all witnesses were required to attend for cross examination;
- An opportunity to cross examine Witness A has been lost;
- Witness A's evidence is not the sole evidence, but could be decisive. Witness A was the [REDACTED] and only they could answer questions in relation to the [REDACTED] in the School;
- Unless the evidence is tested, the unreliability cannot be established;
- It is not agreed that just because a teacher is retired that a serious outcome would not have an adverse impact. These are very serious allegations and have potential for reputation damage;
- The TRA may have taken steps to secure attendance, but there is no good reason for non-attendance of the witness. The witness' decision not to attend is of their own volition. There is no evidence of ill health or bereavement for example that a panel could consider to be a good reason for non attendance;
- The panel should approach hearsay evidence with caution. The panel should consider admissibility before determining weight to be attached.

The panel carefully considered all of the evidence and the parties' submissions. It accepted the legal advice provided.

The panel decided that the application should be allowed for the following reasons:

- Witness A's evidence was not the sole and decisive evidence in support of the allegations.

- The panel was satisfied that the TRA had made every effort to engage Witness A and secure their attendance.
- The panel was not provided with any good reason for the absence of Witness A but accepted that this was because the TRA had not heard from them. The panel noted that Witness A was not a teacher and was not under the same obligation as teachers to engage with their regulator.
- The panel noted that Mr Turner had raised a concern regarding the credibility of Witness A but concluded that no evidence to support this had been provided.
- The panel was satisfied that any prejudice to the teacher could be adequately addressed by assessing the weight to be attached to Witness A's hearsay evidence.

Further application to admit additional document

During the proceedings, the panel heard a further application for additional documents to be admitted on behalf of Individual D, namely a copy of the Ofsted Report in 2013. The TRA did not object to the application. The panel accepted the legal advice provided. The panel was satisfied that the Ofsted Report was both relevant and fair. Therefore, it decided to admit the document as evidence.

Panel amendment to allegation

During the panel's deliberations, it noted that allegation 5 alleged that Mr Turner's conduct at 'allegations 3 **and** 4 (emphasis added) placed one or more pupils at risk of harm'. The panel considered that this required an amendment to '*allegation 3 and/or 4*'.

The panel noted that it had a discretion to amend the allegations before it had made its decision. The panel considered that this was a minor amendment that did not change the meaning of the allegation. Therefore, it made the amendment. Allegation 5 now reads as follows:

5. Your conduct, as may be found proven, at allegations 3 and/or 4 above placed one or more pupils at risk of harm.

Summary of evidence

Documents

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

Section 1: Notice of Proceedings and Response – Mike Turner – pages 9 to 21

Section 2: Notice of Proceedings and Response – Individual D – pages 23 to 48

Section 3: Anonymised Persons List – page 50

Section 4: Teaching Regulation Agency witness statements – pages 52 to 356

Section 5: Teaching Regulation Agency documents – pages 358 to 753

Section 6: Teacher documents – Individual D – pages 756 to 814

Section 7: Teacher documents – Mike Turner – page 818

Supplementary bundle consisting of 712 pages.

In addition, the panel agreed to accept the following:

- A further version of the final hearing bundle. The content of this bundle was the same as set out above (Sections 1 to 6), save for some additional redactions;
- Mr Turner’s statement dated 10 November 2023;
- A letter from Mr Turner’s [REDACTED] dated 7 November 2023;
- Bundle comprising of Individual D’s witness statement dated 2 December 2024, exhibits and some testimonials.
- 2013 Ofsted Inspection Report.

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.

In the consideration of this case, the panel had regard the “Procedures”.

Witnesses

The panel heard oral evidence from:

1. Witness B, [REDACTED];
2. Witness C, [REDACTED].
3. Individual D, [REDACTED].

Decision and reasons

The panel announced its decision and reasons as follows:

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

Mr Turner was employed at River House School (“the School”) as the substantive Headteacher in June 2000. Prior to this he had been seconded to the School from Warwickshire County Council (“WCC”).

Witness C, an [REDACTED], was asked to work with the School as a [REDACTED]. [REDACTED] began this post in March 2015. Witness C discovered potential financial irregularities which they reported to the [REDACTED]. In April 2015, the [REDACTED] requested an audit.

An initial audit was carried out by WCC. During this, a number of concerns were identified which required further investigation. A detailed audit was then commenced, and a report was produced by Witness B, dated 28 October 2015.

Mr Turner retired on 31 August 2015.

Mr Turner was referred to the TRA in January 2016.

Findings of fact

The findings of fact are as follows:

The panel considered the particulars of the allegations as follows:

- 1. You caused and/or permitted and/or failed to prevent the improper use of school funds, in that;**
 - a) Between 2006 and 2015 you received and/or accepted one or more payments of ‘Recruitment and Retention’ up to approximately £36,000**

when you knew or should reasonably have known you were only entitled to receive such payments for a period of 1 year, between 1 April 2005 to 31 March 2006.

The panel heard oral evidence from Witness B. Witness B was an [REDACTED] with [REDACTED] and prepared a detailed investigation report, which the panel had sight of. In their written statement, Witness B stated that in 2005, the Governing Body approved a one off payment of £4,000 to Mr Turner in relation to a Recruitment and Retention Allowance. However, Mr Turner continued to be paid this allowance annually up until 2015 when the audit began. Witness B also stated *“An overpayment of £36,000 had been paid to Mike Turner which he had failed to advise that he was still being paid. He agreed to pay back. He was invoiced for the net amount....He has not paid any of this.”*

In their statement, Witness B stated: *“The Teachers Terms and Conditions 2004 clearly states in Section 51 that this award can only be for a set period, maximum 3 years.”*

In Witness B's report they stated: *“The allowance was clearly identified on his payslip so he was also aware that he was still in receipt of it.”*

Mr Turner had provided some written comments to the TRA as part of its investigation. Within that document, Mr Turner stated *“I never made any claim for any of the payments. I did ask on a number of occasions that the payment to me was not described as a Recruitment and Retention allowance.”*

The panel was satisfied that the evidence demonstrated that Mr Turner received and/or accepted one or more payments for 'Recruitment and Retention' allowance.

The panel further concluded that Mr Turner knew or should have known that he was only entitled to receive such payments for one year between April 2005 and March 2006. The panel considered that Mr Turner's comment that he had asked for the payment to him not to be described as a Recruitment and Retention allowance was clear evidence that he knew he was not entitled to receive the payment.

For the reasons above, the panel concluded that Mr Turner had caused and/or permitted and/or failed to prevent the improper use of school funds.

Allegation 1(a) is found proved.

b) You failed to inform the School Governors of the 'Independent Learning Provision' budget;

Witness B confirmed that as part of their investigation into the School, it was discovered that the School was running two separate budgets, the main School budget and an Individual Learning Programme (“ILP”) budget. Witness B told the panel that they had never seen split budgets in WCC or Coventry. Witness B stated that *“There was no*

evidence found in the Governing Body minutes that suggests Mike Turner informed the School's Governing Body of the separate ILP budget, nor gave any reasons for its creation."

In Witness B's report, they confirmed that they spoke to the [REDACTED], Witness A, during the investigation and they stated *"In Governor meetings Mike would ask me just to copy the main school budget sheets but not the project sheets...the main school budget looked quite healthy but the ILP project was overspending."*

The panel was provided with copies of the interview held with [REDACTED], as part of the School's investigation. Within that it is recorded that [REDACTED] stated: *"For the last couple of years the ILP work has been a concern for the Governors. It became such a big part of our spending but originally was considered separate from school spending. But even for that we didn't see enough figures..."* He further stated: *"We didn't have breakdowns for staffing for the ILP."*

In the comments Mr Turner provided to the TRA, he stated that *"the budget sheets were issued to governors at the relevant governor meetings and individual copies were sent to the chair of governors."*

The panel had been provided with minutes of Governors Meetings and accompanying statements. These statements did not break down the budget for the ILP provision. The panel saw evidence of budget monitoring for the whole School, but not the ILP. The panel was satisfied that Mr Turner had not informed the School Governors of the distribution, or expenditure, of the 'Independent Learning Provision' budget.

The panel further found that in not informing the Governing Body of the ILP budget, Mr Turner had caused and/or permitted and/or failed to prevent the improper use of school funds.

Allegation (1)(b) is found proved.

- c) Between 2006 and 2015 you authorised one or more payments to be made to Individual D which you knew or ought reasonably to have known he was not entitled to and/or which you knew or ought reasonably to have known were excessive, including but not limited to**
 - i. Authorisation of the provision of a car under the Warwickshire County Council Car Lease Scheme at the cost of approximately £16,700.**

Witness B stated that during her investigation they had established that Mr Turner had authorised the renewal of the car lease on two occasions in 2006 and 2009, even though he would have been aware that Individual D was not entitled to be part of the scheme.

It was noted by Witness B that Mr Turner had previously leased a car himself but, when he took up the position at the School, he surrendered the lease in line with the terms and conditions.

During their oral evidence. Witness B accepted that Individual D would have been entitled to the lease up to 2008, as he was employed by WCC up to that point.

In his written comments, Mr Turner stated that the lease was not authorised by him but by a senior officer of WCC.

The panel was satisfied that Mr Turner knew or should have known that Individual D was not entitled to the lease payments and by definition they were excessive. In authorising the payments, the panel was satisfied that Mr Turner caused and/or permitted and/or failed to prevent the improper use of school funds.

The panel was provided with evidence that Individual D was entitled to the car lease up to 2008 because he was seconded to the School from WCC until then. Therefore, the panel was of the view that the sum of £16,700 was unlikely to be accurate. The panel considered that it was likely that the correct figure would be around £4,000 less. However, the panel did not consider that this meant that the allegation failed because the figure included is an approximate one.

Allegation 1(c)(i) is found proved.

ii. Authorisation of excessive and/or unnecessary claims for mileage expenses in the sum of approximately £21,000.

In their report Witness B stated "*The travel expenses that were claimed by Simon and then authorised by Mike Turner were found to be incorrect.*" In their statement, Witness B confirmed that the rate that should have been claimed was £0.11288. However, a rate between £0.44 and £0.52 was claimed by Individual D, which was then authorised by Mr Turner.

The panel was provided with examples of the travel claim forms, which were signed by Mr Turner.

The panel was satisfied that Mr Turner authorised the claims, and that these claims were excessive. In authorising the excessive claims, the panel was satisfied that Mr Turner caused and/or permitted and/or failed to prevent the improper use of school funds.

Allegation 1(c)(ii) is found proved.

iii. Authorisation of excessive and/or unnecessary claims for payment of overtime in the sum of approximately £174,419, without the necessary approval from the Governing Body.

In their evidence Witness B stated that Individual D had made overtime claims which had not been supported by any evidence and appeared unnecessary and excessive.

Witness B's report stated that Mr Turner "*acted outside of his delegated limit of authorisation by approving the overtime expenditure, to his Deputy, which, with the travel payments resulted in the Deputy being reimbursed annual amounts that exceeded his Head Teacher's annual salary.*"

Witness B also stated that the Governing Body were unaware of the reimbursements that Individual D was receiving.

The panel was also provided with examples of the overtime claims that had been signed by Mr Turner. The panel had been provided with copies of overtime claims. Within the claim form template, the panel noted that it included the following wording:

"Please note: teachers' involvement in any out-of-school-hours learning activity is entirely voluntary and so cannot be counted as directed time and that teachers should be paid for the additional work. In addition, Head Teachers, Deputy Head Teachers and Advanced Skills Teachers are not eligible for OSLA [out of school learning agreements] payments."

The panel was satisfied that Mr Turner authorised the claims for overtime, and that these claims were excessive and unnecessary. The panel was told that the limit was £5,000. The panel noted that the overall sum claimed was £174,000 which when taken at an annual rate far exceeded the delegated limit. The panel was also satisfied that Mr Turner had authorised the payments without necessary approval from the Governing Body. In authorising the claims, the panel was satisfied that Mr Turner caused and/or permitted and/or failed to prevent the improper use of school funds.

Allegation 1(c)(iii) is found proved.

iv. Authorisation of continuing payment in the sum of approximately £4,967 in payment for duties Individual D was no longer responsible for, nor performing, as you were doing so.

In their statement, Witness B stated that Mr Turner was absent from the School between September 2013 to January 2014, and his return was phased before returning to full duties in April 2014. When Mr Turner was absent from the School, Individual D took on the role of acting Headteacher. Individual D claimed an enhancement to their salary for this acting headship role whilst Mr Turner was absent. However, the payments continued after Mr Turner returned to the School.

In Witness B's investigation report, they stated "*during the period from 28th April 2014 until 26 March 2015 Mike Turner had approved payments to Individual D for duties Individual D was neither responsible for, nor performing.*"

Individual D stated that Mr Turner had authorised the payments.

Notwithstanding what Witness B and Individual D told the panel, the panel concluded that when the payments started Mr Turner was absent from School so could not have approved them. The panel saw no evidence that Mr Turner took active steps to authorise the payments after his return.

The panel would have expected to see documentary evidence of Mr Turner authorising these payments and in the absence of that evidence, the panel cannot find the allegation proved.

Allegation 1(c)(iv) is not proved.

v. Authorisation of excessive and/or unnecessary claims for hotel accommodation in the sum of approximately £739.56.

In their investigation report, Witness B stated that on several occasions Individual D stayed in hotels and claimed the cost of this.

In their oral evidence, Individual D stated that the first time he claimed was during an Ofsted inspection. He stated that he had subsequently asked Mr Turner if he could stay in a local hotel on further occasions when he had a late meeting at a cost to the School. Individual D had told the panel that he lived a significant distance from the School. Witness B highlighted that the Teachers' Pay and Conditions Document stated that meetings are an accepted part of the school duties and it would be reasonable to expect the Deputy to attend meetings.

Mr Turner, in his written comments provided to the TRA, stated that he does "*remember checking the payment for hotel fees acceptable with the [REDACTED]. This was agreed verbally.*" It was not clear to the panel whether this related to a specific claim or whether it related to Individual D being able to claim for hotel expenses on a weekly basis.

The panel was provided with a handwritten note which set out the various dates and payments for hotel stays that the School had paid for.

The panel was satisfied that it was more likely than not that Mr Turner authorised the claims for hotel accommodation that were excessive and unnecessary. The panel did not consider that it was acceptable for the School to pay for Individual D to stay in a hotel when he had early or late meetings. He should have met the cost of doing so himself. The panel was also satisfied that in authorising the payments, Mr Turner had caused and/or permitted and/or failed to prevent the improper use of school funds.

Allegation 1(c)(v) is proved.

2. You failed to comply with the Warwickshire County Council and/or River House School financial policies and/or procedures, including;

a) Between 2010 to 2015 by entering into a procurement contract for the provision of IT services with [REDACTED] on behalf of River House School to the value of approximately £180,000, which was;

i. Not approved by the Governing Body who were required to approve all payments in excess of £5,000.

In their investigation report, Witness B stated that Mr Turner entered into a contract with [REDACTED] to supply all IT for the School, without undertaking a competitive procurement exercise.

The panel was provided with copies of Governing Body meeting minutes. The panel noted that whilst there was mention of IT in general, there was no mention of approval of the IT services contract in the meeting minutes.

In his comments, Mr Turner stated “*all payments were made following checking with the chair of governors and [REDACTED] informing me that all was ok to proceed.*” The panel saw no evidence of this.

The panel was satisfied that Mr Turner had entered into a procurement contract for the provision of IT services with [REDACTED], without approval by the Governing Body. The panel was satisfied that Mr Turner had therefore failed to comply with WCC financial policies and procedures, because it was a requirement for Mr Turner to seek approval from the Governing Body for all payments in excess of £5,000.

Allegation 2(a)(i) is found proved.

ii. In excess of the EU Procurement Threshold.

iii. Not procured in compliance with the EU procurement Regulations.

The panel considered allegation 2(a)(ii) and 2(a)(iii) together.

In their investigation report, Witness B stated “*The school had not followed EU procurement regulations whereby they should have gone out to tender for this level of spend.*”

The panel was provided with a copy of the Contract Standing Orders. It noted that the EU threshold was set out within that document and that the IT services exceeded the £156,442 threshold.

The panel was satisfied that Mr Turner had entered into a procurement contract for the provision of IT services with [REDACTED], which was in excess of the EU Procurement Threshold and was not procured in compliance with the EU Procurement Regulations.

The panel was satisfied that Mr Turner had a duty to comply with the EU Procurement Threshold and Procurement Regulations and failed to do so.

Allegation 2(a)(ii) and 2(a)(iii) are both found proved.

iv. To the benefit of Individual A, [REDACTED].

In their report, Witness B stated that the [REDACTED] was Mr Turner's [REDACTED]. There is evidence that this personal interest had been declared to the Governing Body.

The panel was not provided with any evidence that in engaging [REDACTED], Mr Turner had failed to comply with the Warwickshire County Council and/or River House School financial policies and/or procedures, as there was no obvious prohibition to him doing so.

Allegation 2(a)(iv) is not proved.

b) Between 2010 to 2013 by procuring maintenance and DIY work from [REDACTED] to the value of approximately £14,421.78 which was;

i. Without the requisite approval of the Governing Body who were required to approve all payments in excess of £5,000.

In the investigation report, Witness B stated that Mr Turner procured [REDACTED] to the value of £14,242.78. In their evidence, Witness B stated that Mr Turner should have sought approval from the Governing Body as the payment was in excess of £5,000.

The panel was provided with copies of meeting minutes from the Governing Body meetings. In the minutes dated 6 February 2012, there is a record of the governors examining a "*number of quotes*" and subsequently agreeing to use [REDACTED]. The panel inferred from this that there was some level of tender, although the details were unclear.

The panel considered that the TRA had not discharged its burden of proof as there was insufficient evidence to prove the allegation.

Allegation 2(b)(i) is not proved.

ii. Procured and approved by you without provision of sufficient evidence in accordance with Warwickshire County Council Contract Standing Order Rules.

In their investigation report, Witness B stated that Mr Turner contravened the Warwickshire County Council Contract Standing Order Rules because he did not obtain and keep written quotes.

The panel considered that the TRA had not discharged its burden of proof as there was insufficient evidence to prove the allegation.

Allegation 2(b)(ii) is not proved.

iii. To the benefit of Individual B, [REDACTED].

Witness B stated that Mr Turner had entered into a contract with [REDACTED] which was [REDACTED].

There was evidence in minutes from Governing Body meetings that Mr Turner's [REDACTED] had been instructed to undertake maintenance work.

The panel was satisfied that Mr Turner had engaged [REDACTED], which was [REDACTED] and therefore benefitted his [REDACTED]. The panel therefore found the facts of allegation 2(b)(iii) proved. However, in declaring the personal interest the panel was not provided with evidence that the appointment of [REDACTED] was contrary to Warwickshire County Council's and/or River House School's financial policies and/or procedures.

Allegation 2(b)(iii) is not proved.

3. You failed to follow safer recruitment practices and/or failed to appraise the school's governance in the employment of one or more members of staff including by;

a) Failing to conduct a Disclosure and Barring Service check prior to commencement of their employment at the school.

The panel noted reference to DBS checks in the allegations and references to CRBs in the evidence put before it. The panel took the view that these both refer to equivalent safeguarding processes.

In Witness B's report she makes reference to Individual C. Witness B says that Individual C's file was examined during the investigation and that there was no CRB check form. In Witness B's witness statement they also suggests that there were other members of staff who had not undergone CRB checks.

In his written comments provided to the TRA, Mr Turner stated that pre-employment checks were completed by [REDACTED] or [REDACTED].

The panel was satisfied that Mr Turner had a duty to follow safer recruitment practices because this was a safeguarding issue. The panel found that Mr Turner had failed to follow safer recruitment practices in that he failed to conduct a Disclosure and Barring Service check prior to commencement of one or more members of staff employment at the school.

The panel considered the wording 'failed to appraise the school's governance' in the stem of allegation 3 but could not be certain as to its meaning. However, it did not feel the need to go further as it did find that there was a failure to follow safer recruitment practices as stated in the same stem.

Allegation 3(a) is found proved.

b) Failing to conduct an updated Disclosure and Barring Service check in 2010 in relation to Individual D.

In Witness B's evidence, they stated that there was a drive by WCC around safeguarding and that following some training, the School's governors had decided to update the CRBs for all staff at the School. Witness B stated "*[REDACTED] had been updating and collating up to date CRB's for all staff at the school and had confirmed to us that the only one's outstanding were Mike Turner's and Individual D's.*"

Witness B stated that during their investigation no CRB checks were found to have been undertaken in relation to Individual D. However, in a sealed envelope in his personnel file, there was a risk assessment which appears to have been undertaken by Mr Turner. Witness B stated this did not explain why a CRB check was not undertaken.

The panel noted that in Witness B's report they had stated: "*There is evidence, in Individual D's HR record, that Mike Turner and Individual D had worked together in several different establishments going back thirty years. There is also evidence that Mike was aware of several incidents, reported by the police to Warwickshire Local Education Authority, and then emailed to Mike Turner at River House School, that Individual D had had six incidents where [REDACTED].*"

The panel was satisfied that Mr Turner had a duty to follow safer recruitment practices because this was a safeguarding issue. The panel did not consider that the risk assessment mitigated the failure to complete an updated DBS check. The panel also noted that the risk assessment had been marked as '*for the eyes of the Headteacher only*' and so only Mr Turner was aware of the content. The panel found that marking a risk assessment in this way was entirely inappropriate and failed to follow safer recruitment practices. The panel concluded that Mr Turner had failed to follow safer recruitment practices in that he failed to conduct an updated DBS check in 2010 in relation to Individual D.

Allegation 3(b) is found proved.

4. You employed one or more members of staff without sufficient justification and/or without having advertised the vacancy and/or without prior approval from the Governing Body including but not limited to Individual C.

In their investigation report, Witness B stated that Mr Turner had employed “*a number of staff that had relationships, or connections with staff already at the school.*”

Witness B also stated “*The personal file for [Individual C] was examined during the audit investigation. There was an application form but there was no CRB check form, no references and no evidence that the post was necessary or that it had been advertised. Staffing levels at the school was already high and the school were looking at ways to reduce potential future deficits which would suggest that this was an unnecessary recruitment*”.

Witness B stated: “*Employment of staff without justification or prior approval from the Governing Body demonstrated a continued disregard for the authority that was delegated to him.*”

The panel was provided with evidence that Individual C and other members of staff had been employed without justification.

The panel was satisfied that there was evidence that Mr Turner had employed staff without sufficient justification. The panel was satisfied that this related to more than Individual C and coincided with a time when the School was looking to cut the budget.

The panel was not satisfied that there was evidence that Mr Turner was required to advertised the vacancy or obtain prior approval from the Governing Body.

Allegation 4 is found proved.

5. Your conduct, as may be found proven, at allegations 3 and/or 4 above placed one or more pupils at risk of harm.

Mr Turner had failed to obtain or update DBS checks on more than one occasion. The panel felt that this was a serious safeguarding concern. The panel was therefore satisfied that Mr Turner’s conduct at allegation 3 did place pupils at risk of harm.

The panel found that allegation 4 was proved only in so far as members of staff were employed without sufficient justification and made no finding as to safeguarding issues and placing pupils at risk of harm in doing so.

Allegation 5 (as amended) is found proved (in relation to allegation 3 only).

6. Your conduct, as may be found proven, at allegations 1 to 4 above was dishonest and/or lacked integrity.

Having found allegations 1(a), 1(b), 1(c) (in part), 2(a) (in part), 3(a), 3(b) and 4 proved, the panel went on to consider whether that proven conduct amounted to a lack of integrity and/or was dishonest.

When considering the issue of dishonesty, the panel first considered the actual state of knowledge or belief of Mr Turner as to the facts before determining whether his conduct was dishonest by the standards of ordinary decent people.

As regards lack of integrity, the panel had regard to the decision of the Court of Appeal in *Wingate v SRA; SRA v Malins* [2018] EWCA Civ 366. The Committee recognised that integrity denotes adherence to the standards of the profession and the Committee therefore considered whether, by his actions, Mr Turner failed to adhere to those standards.

The panel first considered allegation 1(a)

The panel found that Mr Turner had received and accepted payment of Recruitment and Retention allowance when he knew that he was not entitled to it.

The panel had particular regard to the comment made by Mr Turner that he had asked for the payment not to be described as a Recruitment and Retention allowance. The panel also noted that Mr Turner had agreed to pay the money back but has not done so. In the panel's view receiving the money was dishonest behaviour by the standards of ordinary decent people.

For the same reasons, the panel concluded that Mr Turner's actions lacked integrity. Mr Turner should not have allowed the payments to continue when he knew that he was no longer entitled to them.

Allegation 6 is proved in relation to allegation 1(a).

The panel next considered allegation 1(b)

The panel noted the evidence from Witness A, [REDACTED], given during Witness B's investigation. Witness A stated that Mr Turner asked a colleague to help split the School and ILP budget. Witness A went on to say "*Mike would ask me just to copy the main school budget sheets but not the project sheets. I questioned this as the Governors would not get an overall view of the school's financial position if they had not got both sets of figures.*"

The panel inferred from the evidence that Mr Turner wanted to have flexibility with the budgets and in particular control over the ILP budget. The evidence demonstrated that the ILP budget was not shared with the Governors. The panel concluded that Mr Turner knew that he should have informed the Governing Body about the ILP budget, but

deliberately chose not to do so. In the panel's view, this was dishonest behaviour by the standards of ordinary decent people.

For the same reasons, the panel concluded that Mr Turner's actions lacked integrity. The panel was satisfied that he had failed to adhere to these standards. Mr Turner had failed to inform the School's Governing Body of the ILP budget, so that he could keep control over and protect the ILP budget.

Allegation 6 is proved in relation to allegation 1(b).

The panel next considered allegation 1(c)

The panel found that Mr Turner played an active role in assisting Individual D receiving public funds to which he was not entitled. Mr Turner was in a position to stop such inappropriate conduct, and did not do so. The panel was satisfied that Mr Turner knew that Individual D was not entitled to the car lease or payments that he received but proceeded to authorise them in any event. In the panel's view, this was dishonest behaviour by the standards of ordinary decent people.

For the same reasons, the panel concluded that Mr Turner's actions lacked integrity. Mr Turner had failed to prevent Individual D receiving a significant amount of public money to which he was not entitled.

Allegation 6 is proved in relation to allegation 1(c).

The panel next considered allegation 2(a) (i), (ii) and (iii)

The panel saw evidence that Mr Turner was in a relationship with [REDACTED]. The panel concluded that Mr Turner wanted [REDACTED] to benefit from the sizeable contract and knew that by his actions, he could make that happen. In the panel's view, this was dishonest behaviour by the standards of ordinary decent people.

For the same reasons, the panel concluded that Mr Turner's actions lacked integrity.

Allegation 6 is proved in relation to allegation 2(a) (i), (ii) and (iii).

The panel next considered allegation 3(a)

The panel considered that there could have been any number of reasons as to why Mr Turner failed to conduct a DBS. The panel noted that this allegation related to possibly more than one member of staff and there may have been different explanations for not completing a DBS in each case. The panel was unable to establish why Mr Turner conducted himself in this way. There could have been a range of reasons and so the panel could not conclude with any certainty what was Mr Turner's state of mind at the time. Accordingly, the panel concluded that it could not find that Mr Turner's conduct was dishonest by the standards of ordinary decent people.

In regard to lack of integrity, the panel had found that Mr Turner was under a duty to conduct a DBS check and failed to do so. The panel concluded that this was unprofessional. Therefore, the panel was satisfied that Mr Turner's actions did lack integrity.

Allegation 6 is proved in relation to allegation 3(a) (in relation to lack of integrity only).

The panel next considered allegation 3(b)

The panel considered the evidence that indicated that Mr Turner was aware of several incidents involving Individual D. The panel concluded that Mr Turner knew that if he did complete an updated DBS check then this would have revealed disclosures which could have made Individual D's position at the School untenable. In the panel's view, this was dishonest behaviour by the standards of ordinary decent people.

For the same reasons, the panel concluded that Mr Turner's actions lacked integrity. Mr Turner had intentionally kept information hidden. The panel was also mindful of the serious safeguarding implications in not completing DBS checks appropriately.

Allegation 6 is proved in relation to allegation 3(b).

The panel next considered allegation 4

The panel considered that there could have been any number of reasons as to why Mr Turner employed staff without sufficient justification.

The panel was unable to establish what Mr Turner's state of mind was at the time. The panel concluded therefore that it could not establish that Mr Turner's conduct was dishonest by the standards of ordinary decent people.

In regard to lack of integrity, the panel had found that Mr Turner should not have employed staff without sufficient justification. The panel concluded that this was unprofessional. Therefore, the panel was satisfied that Mr Turner's actions did lack integrity.

Allegation 6 is proved in relation to allegation 4 (in relation to lack of integrity only).

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 Turner, in relation to the facts found proved, involved breaches of the Teachers’ Standards. The panel considered that, by reference to Part 2, Mr Turner 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
 - having regard for the need to safeguard pupils’ well-being, in accordance with statutory provisions
- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach.
- Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities.

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

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.

The panel found that the offence of serious dishonesty was relevant.

The panel considered that the findings against Mr Turner were serious. The panel noted that there had been a significant amount of public money being diverted away from pupils that were deemed to be the most vulnerable. Mr Turner was the Headteacher and should have prevented money being taken away from resources. Further, Mr Turner’s failure to obtain an updated DBS check in relation to Individual D was a safeguarding matter that placed pupils at a serious risk of harm.

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

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

In relation to whether Mr Turner's actions amounted to conduct that may bring the profession into disrepute, the panel took into account the way the teaching profession is viewed by others. It considered the influence that teachers may have on pupils, parents and others in the community. The panel also took account of the uniquely influential role that teachers can hold in pupils' lives and the fact that pupils must be able to view teachers as role models in the way that they behave.

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

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

In conclusion, the panel found that Mr Turner'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. Prohibition orders should not be given in order to be punitive, or to show that blame has been apportioned, although they are likely to have punitive effect.

The panel had regard to the particular public interest considerations set out in the Advice and, having done so, found a number of them to be relevant in this case, namely, the safeguarding and wellbeing of pupils and the protection of other members of the public, the maintenance of public confidence in the profession and declaring and upholding proper standards of conduct.

There was a strong public interest consideration in respect of the safeguarding and wellbeing of pupils, given the serious findings of failing to safeguard pupils in his role as the Headteacher.

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

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

In addition to the public interest considerations set out above, the panel went on to consider whether there was a public interest in retaining Mr Turner in the profession. The panel had not been provided with any evidence that he had made an exceptional contribution to the education profession. The panel concluded that the other public interest factors outweighed any public interest in retaining Mr Turner in the profession.

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 Turner.

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 Turner. 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 safeguarding and well-being of pupils, and particularly where there is a continuing risk;
- abuse of position or trust;
- dishonesty or a lack of integrity;
- collusion or concealment.

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 evidence that Mr Turner's actions were deliberate.

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

Mr Turner had not demonstrated exceptionally high standards in personal and professional conduct nor that he had contributed significantly to the education sector.

The panel was not provided with any character references or testimonials to attest to Mr Turner's abilities as an educator.

The panel was of the view that the TRA's procedures for Mr Turner had been pending for almost 10 years. The panel had not been provided with any explanation as to why the matter had taken so long to be put before this panel. Mr Turner is now 70 years old and has not taught for almost 10 years. The panel took into account these factors, but did not consider that they were sufficient to outweigh other public interest considerations present.

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 Turner 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 Turner. The serious nature of the proven allegations 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 certain types of case where, if relevant, the public interest will have greater relevance and weigh in favour of not offering a review period. None of the listed characteristics were engaged by the panel's findings.

The Advice also indicates that where a case involves certain other characteristics, 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 of these includes 'serious dishonesty'. The panel had made a number of findings that Mr Turner had been dishonest over a period of time. This weighed in favour of a longer review period.

The panel was not provided with any evidence that Mr Turner had shown insight or remorse into his actions.

The panel decided that the findings indicated a situation in which a review period would be appropriate and, as such, decided that it would be proportionate, in all the circumstances, for the prohibition order to be recommended with provisions for a review period. In determining the review period, the panel took account particularly the serious findings as to Mr Turner's dishonesty and his failure in respect of his safeguarding responsibilities. The panel considered that the review period should be 5 years.

Decision and reasons on behalf of the Secretary of State

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

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

In this case, the panel has found 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 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 Mike Turner should be the subject of a prohibition order, with a review period of five years.

In particular, the panel has found that Mr Turner 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
 - having regard for the need to safeguard pupils' well-being, in accordance with statutory provisions
- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach.
- Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities.

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

The findings of misconduct are serious as they include a headteacher being responsible for the improper use of school funds and failing to follow established recruitment practices thereby placing pupils at risk of harm.

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 Turner, 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 comments that “There was a strong public interest consideration in respect of the safeguarding and wellbeing of pupils, given the serious findings of failing to safeguarding pupils in his role as the Headteacher.” 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 records as follows: “The panel was not provided with any evidence that Mr Turner had shown insight or remorse into his actions.” In my judgement, the lack of insight demonstrated by Mr Turner 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, “Similarly, the panel considered that public confidence in the profession could be seriously weakened if conduct such as that found against Mr Turner were not treated with the utmost seriousness when regulating the conduct of the profession.” I am particularly mindful of the finding in this case of a headteacher authorising the improper use of school funds and the likely negative impact that such a finding may have 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 likely to bring the profession into disrepute, in the absence of a prohibition order, can itself be regarded by such a person as being a proportionate response to the misconduct that has been found proven in this case.

I have also considered the impact of a prohibition order on Mr Turner himself. The panel records that:

“Mr Turner had not demonstrated exceptionally high standards in personal and professional conduct nor that he had contributed significantly to the education sector.

The panel was not provided with any character references or testimonials to attest to Mr Turner’s abilities as an educator.”

A prohibition order would prevent Mr Turner 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 serious nature of the misconduct found, which included the improper use of school funds, failing to follow safe recruitment practices, and behaviour which lacked integrity and/or was dishonest. I have also noted the lack of evidence found by the panel that Mr Turner has developed any insight into or remorse for his conduct.

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

In doing so, the panel has made reference to the Advice as follows:

“The Advice also indicates that where a case involves certain other characteristics, 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 of these includes ‘serious dishonesty’. The panel had made a number of findings that Mr Turner had been dishonest over a period of time. This weighed in favour of a longer 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 provisions for a

review period. In determining the review period, the panel took account particularly the serious findings as to Mr Turner's dishonesty and his failure in respect of his safeguarding responsibilities. The panel considered that the review period should be 5 years."


I have considered whether a five-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 I agree with the panel that a five-year review period is a proportionate response to its findings in order to achieve the aim of maintaining public confidence in the profession. These are the serious nature of the misconduct found and the risk it created to the safety and wellbeing of pupils, as well as the lack of evidence of either insight or remorse on Mr Turner's part.

I consider therefore that a five-year review period is required to satisfy the maintenance of public confidence in the profession.

This means that Mr Mike Turner 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 20 December 2029, five 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 Turner remains prohibited from teaching indefinitely.

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

Mr Turner has a right of appeal to the High Court within 28 days from the date he is given notice of this order.



Decision maker: Marc Cavey

Date: 13 December 2024

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