



Teaching  
Regulation  
Agency

# **Miss Nicola Houghton: Professional conduct panel outcome**

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

**January 2025**

## Contents

Introduction	3
Allegations	4
Preliminary applications	5
Summary of evidence	10
Documents	10
Witnesses	10
Decision and reasons	11
Findings of fact	13
Panel's recommendation to the Secretary of State	39
Decision and reasons on behalf of the Secretary of State	45

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

**Teacher:** Miss Nicola Houghton

**TRA reference:** 0020797

**Date of determination:** 15 January 2025

**Former employer:** Rowan High School, Liverpool

### **Introduction**

A professional conduct panel (“the panel”) of the Teaching Regulation Agency (“the TRA”) convened on 8 January 2025 to 15 January 2025 by virtual means, to consider the case of Miss Nicola Houghton.

The panel members were Mrs Bev Williams (teacher panellist in the chair), Mr Carl Lygo (panellist) and Mr Duncan Tilley (lay panellist).

The legal adviser to the panel was Mrs Luisa Gibbons of Eversheds Sutherland (International) LLP solicitors.

The presenting officer for the TRA was Mrs Heather Andersen of Browne Jacobson LLP solicitors. For the second stage of the hearing, Miss Leah Redden replaced Mrs Andersen as the presenting officer.

Miss Houghton was present and was represented by Mr Jonathan Storey of Cornwall Street Barristers.

The hearing took place in public, save for sections that were heard in private, and was recorded.

## Allegations

The panel considered the allegations set out in the notice of proceedings dated 14 June 2024, as clarified during the course of the hearing.

It was alleged that Miss Houghton was guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute, in that whilst employed at Rowan High School from 1 April 2012 until 30 July 2021:

1. She engaged in unprofessional and/or inappropriate behaviour towards one or more members of staff in that she:
  - a. Offered planning and preparation time in exchange for sexual favours;
  - b. Made comments to male Staff Members about the size of their genitals;
  - c. Suggested that female staff attend work in a bikini and/or swimsuit;
  - d. Made sexual comments relating to an orgasm;
  - e. Pulled open her top and asked staff if they wanted to comment how good her breasts looked;
2. She engaged in unprofessional and/or inappropriate behaviour and/or inappropriate physical contact towards Staff Member A, in that:
  - a. She placed her hand on Staff Member A's leg and moved it up her thigh;
  - b. She made a comment about Staff Member A having sex in her [Staff Member A's] back garden;
  - c. She discussed fingers and thumbs in a sexual manner following a conversation relating to a wrist support used on a keyboard;
3. She engaged in unprofessional and/or inappropriate behaviour and/or physical contact towards Staff Member B in that:
  - a. She placed her foot on Staff Member B's leg and began to brush her foot upwards on Staff Member B's thigh;
  - b. She pushed her hand into Staff Member B's back on one or more occasions;
  - c. When Staff Member B made a noise as a result of her conduct at 3b, she referred to this as her [Staff Member B's] "sex noise";
  - d. She pulled open Staff Member B's top and placed paper down the top;
  - e. She showed Staff Member B a video of a vagina;
  - f. She made a comment about Staff Member B's breasts;
  - g. She pressed a hot spoon onto Staff Member B's arm;
4. Not pursued by the TRA.

5. She engaged in unprofessional and/or inappropriate behaviour and/or physical contact towards Staff Member D in that;
  - a. She placed her hand on Staff Member D's leg and moved it up her [Staff Member D's] leg.
  - b. She made comments about Staff Member D's breasts and /or bottom;
  - c. She touched Staff Member D's breast.
  - d. She told Staff Member D that she had sexual dreams about her [Staff Member D].
6. Not pursued by the TRA.
7. Her conduct as may be found proven at allegations 1., 2., 3. and 5 was of a sexual nature and/or sexually motivated.

Miss Houghton admitted allegations 1a., 1b., 1c., 2b., 3b., 3d., 3f., 3g. and 5a. She neither admitted nor denied allegations 2a., 2c., 3a., 3c., 3e., 5b., 5c. and 5d. In respect of the allegations that were neither admitted nor denied, Miss Houghton's had no recollection of whether the alleged conduct had occurred or not.

With respect to allegation 7., Miss Houghton admitted, that some of the allegations for example, 1a., 1b., 1e., 2b., 2c., 3c., and 5b. if found proven, would be conduct of a sexual nature. Miss Houghton denied that her conduct was sexually motivated.

Miss Houghton accepted that her admitted conduct amounted to both unacceptable professional conduct and conduct that may bring the profession into disrepute.

## **Preliminary applications**

### **Clarification of Allegations**

Given that the notice of proceedings dated 14 June 2024 had been redacted within the panel bundle, and it appeared to contain a number of typographical errors, the panel sought to clarify with the parties at the outset of the first hearing day what the allegations were. The following issues were identified:

- Sub-paragraphs 2b. and 2c were to have the word "You" added at the beginning of each;
- Sub-paragraph 3 was to have the word "towards" inserted between "contact" and "Staff Member B";
- Paragraph 4 was not pursued by the TRA, and so the following paragraph should be numbered 5.

- The stem of paragraph 5 had been redacted in error and should read: “You engaged in unprofessional and/or inappropriate behaviour and/or physical contact towards Staff Member D in that;”
- The word “of” in sub-paragraph 5a. was to be replaced by the word “on”
- Paragraph 6 was not pursued by the TRA.
- Paragraph 7 should cross refer to allegations 1.,2.,3., and 5.

Miss Houghton’s representative confirmed that the above had been his client’s understanding of the allegations, and that no prejudice was caused by the amendments. The panel accordingly amended the allegations as set out above.

Following the conclusion of the first hearing day, after the parties had opened their cases and Staff Member D had concluded giving evidence, the presenting officer raised an issue regarding the allegations. She notified Miss Houghton’s representative and the legal adviser that three sub-paragraphs (allegations 3e., 3f. and 3g.) had been redacted in error from the notice of proceedings contained within the panel bundle. At the start of the second hearing day, the presenting officer asked that the panel determine these sub-allegations since they appeared in the notice of proceedings sent to Miss Houghton, and that both parties were aware that it was only allegations 4. and 6. which were not to be pursued by the TRA. The presenting officer made submissions that Miss Houghton would not be prejudiced by the inclusion of the allegations since Miss Houghton had addressed them in her written statement to the panel dated 10 December 2024.

Miss Houghton’s representative stated that, until the final version of the panel bundle containing the redacted notice of proceedings was received, Miss Houghton had been under the impression that allegations 3e., 3f., and 3g. formed part of the allegations against her. Miss Houghton’s representative made clear that the sub-paragraphs were not redacted by Miss Houghton’s legal team, nor had this been at Miss Houghton’s request. Miss Houghton’s representative confirmed that his client’s position regarding whether sub-paragraphs 3e., 3f. and 3g. should be considered by the panel was neutral.

Since allegations 3e., 3f. and 3.g were included in the notice of proceedings as sent to Miss Houghton in June 2024, and there had been no exchange to indicate those allegations were not to be pursued, the panel considered that they had been redacted in error by the presenting officer’s firm.

The panel noted that Miss Houghton had the right to be informed promptly and in detail, of the nature and cause of the accusation against her. The panel did not consider that any prejudice was caused to Miss Houghton if the allegations were determined by the panel, since her statement had been prepared as if the allegations were to be considered. The panel noted that the allegations related to Miss Houghton’s conduct towards Staff Member B who had not yet been called to give evidence. The panel noted that it could invite the parties to revisit their opening statements in case any further submissions were to made in relation to these allegations. The panel also noted that it

was possible for the panel to recall Staff Member D to give evidence if either party or the panel considered that this would be appropriate.

On balance, the panel considered that, since no decision had been taken not to pursue allegations 3e.,3f. and 3g, an administrative error should not preclude the determination of these allegations in the public interest and the interests of justice. The panel also considered that it was in Miss Houghton's interests for the allegations to be determined, rather than those allegations being left in an undetermined state. Allegations 3e. 3f. and 3g were therefore to be considered by the panel.

### **Application for Special Measures**

The presenting officer made a written application for Staff Member E [REDACTED] to be considered a vulnerable witness, pursuant to paragraph 5.102 of the Procedures and that the panel adopt special measures to safeguard his interests, namely that:

- a. Miss Houghton should turn off her camera and microphone whilst Staff Member E gives evidence; and
- b. The evidence of Staff Member E should be heard in private.

The presenting officer also made a written application for the evidence of Staff Member D to be heard in private. A panel at a case management hearing had already decided that Staff Member D is a vulnerable witness. A special measure had been directed by that panel that Miss Houghton should turn off her camera and microphone whilst Staff Member D gives evidence.

During the presenting officer's oral submissions, she also applied for the identify of Staff Member D not to be disclosed during the professional conduct panel hearing pursuant to paragraph 5.88(ii) of the Procedures.

The presenting officer also supplemented her application in oral submissions to apply for the identity of Staff Member A not to be disclosed during the professional conduct panel hearing. At the case management hearing referred to above, the panel had decided that Staff Member A is a vulnerable witness. A special measure had been directed that Staff Member A could have a witness supporter present whilst Staff Member A gave her evidence.

Miss Houghton's representative responded to the application by confirming that his client's position was neutral, but invited the panel to scrutinise:

- whether the requirements for the public to be excluded from a hearing pursuant to paragraph 5.85 of the Procedures had been met;
- whether the requirements for the name and identity of a witness to be concealed pursuant to paragraph 5.88 of the Procedures had been met;

- whether Staff Member E could properly be considered to be a vulnerable witness pursuant to paragraph 5.102 of the Procedures; and
- whether the special measures requested were appropriate to safeguard the interests of the vulnerable witnesses, or were simply preferable.

Miss Houghton's representative also drew the panel's attention to matters relating to Miss Houghton's private life with regards to her personal relationship, and health which would also normally be considered by the panel in private. Miss Houghton's representative referred to these matters pervading these allegations, and whilst he was not advocating that the entire hearing be held in private, he asked that the panel keep in mind the disruption likely to be caused by portions of the hearing having to be heard in private. The presenting officer confirmed that she had no objection to matters relating to Miss Houghton's health or personal relationship being heard in private.

The panel decided that Staff Member E should be considered a vulnerable witness in light of the evidence available [REDACTED]. The panel considered that this would likely affect the quality of Staff Member E's evidence.

The panel considered that it was appropriate to safeguard Staff Member E's interests for Miss Houghton's camera and microphone to be turned off whilst he gives evidence.

However, the panel did not consider that sufficient reasons had been given such that it was necessary for the protection of the interests of Staff Member E to give evidence in private. Staff Member E had stated that colleagues past and present had an interest in the hearing, and he would not like to be giving evidence in front of them. The panel considered that the principle of open justice outweighed the reasons for which it had been asked that Staff Member E give evidence in private. To hold the hearing in private may have been preferable for Staff Member E but the panel did not consider that it was necessary for his protection.

The panel decided not to hear the evidence of Staff Member D in private. The panel noted that Staff Member D has vulnerable witness status. The panel noted that Staff Member D had stated that she did not feel comfortable with other witnesses listening to her evidence, that she thought it was "bizarre", and she was aware that other witnesses' feelings were different to her own. Whilst it might have been Staff Member D's preference to give evidence in private, the panel did not consider that sufficient reasons had been given such that it was necessary for the protection of her interests. The panel considered that the principle of open justice outweighed the reasons for which it had been asked that Staff Member D give evidence in private.

For both Staff Member D and Staff Member E the panel reserved the position to revisit whether it would be necessary for their evidence to be given in private as their oral evidence was presented, and that any evidence relating to health matters or the private life of Miss Houghton would be given in private.



The panel did not consider that it was in the interests of justice for the name and identity of Staff Member A or Staff Member D to be anonymised. The panel considered that to conceal their identity would be contrary to the public interest. The panel did not consider that sufficient reasons had been given to override the principle of open justice. Staff Member A and Staff Member D were thereafter identified by name throughout the hearing.

### **Application to admit Hearsay Evidence**

The panel was informed that a statement of Staff Member C [REDACTED] prepared during the course of the TRA's investigation had been directed to be inadmissible and had been removed from the bundle, but that the statement he gave during the School's investigation had inadvertently been included within the panel bundle. The parties confirmed that this statement should be treated as removed from the panel bundle and put out of the minds of the panel members. The panel confirmed that they would do so.

The presenting officer applied for the statements of individuals taken during the course of the School's investigation who were not to be called to give oral evidence to be admitted for consideration by the panel.

The panel therefore decided to admit the evidence of Staff Member F [REDACTED], Staff Member G [REDACTED] and Staff Member H [REDACTED] taken during the course of the School's investigation, as well as the evidence of Staff Member I [REDACTED] who provided a statement for the purposes of the School's disciplinary hearing.

The panel noted that neither Staff Member F, Staff Member G nor Staff Member I gave evidence that was sole and decisive in support of any allegation. Whilst Staff Member H's evidence was the sole and decisive evidence in support of allegation 1.e. that was only one allegation of a number under consideration by the panel. The panel considered that the evidence was relevant to the culture within the School, particularly given the nature of the defence put forward in this case. The panel considered that it was fair to admit the evidence in order to have such evidence as was available to build up the picture of that culture.

The panel considered that the evidence could inform the panel as to the extent to which, if at all, the evidence given by those who are to give oral evidence is corroborated by others.

Whilst no explanation was given for the non-attendance of these witnesses, the panel recognised that calling each witness would unduly lengthen the hearing and noted that the absence of a good reason does not automatically result in the exclusion of the evidence.

The panel noted that Miss Houghton was aware that such witnesses were not to be called and raised no objection to the admissibility of the evidence.

The panel would have the benefit of a hearsay warning in due course, and would attribute such weight as was appropriate, mindful of such witnesses not having had their evidence tested before the panel.

## **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 form – pages 7 to 20

Section 2: Anonymised person list – pages 21 to 22

Section 3: Teaching Regulation Agency witness statements – pages 23 to 94

Section 4: Teaching Regulation Agency documents – pages 95 to 334

Section 5: Teacher documents – pages 225 to 583

In addition, the panel agreed to accept an application form for special measures in respect of Staff Member D and Staff Member E (9 pages) together with appended documents (10 pages) consisting of correspondence with Staff Member D and Staff Member E and medical evidence relating to Staff Member E.

The panel also received a redacted version of the decision in a case management hearing that had taken place on 29 February 2024.

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

### **Witnesses**

The panel heard oral evidence from the following witnesses called by the presenting officer.

Staff Member A [REDACTED]

Staff Member B [REDACTED]

Staff Member D [REDACTED]

Staff Member E [REDACTED]

The panel also heard oral evidence called by Miss Houghton from three character referees [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.

From April 2012, Miss Houghton worked as a full-time teacher at Rowan Park School. In September 2015, she took an opportunity to work as a mathematics teacher at a new secondary provision in an annexe to Rowan Park School, known as Rowan High School (“the School”). On 19 November 2018, Miss Houghton was promoted to the position of assistant headteacher at the School. On 14 December 2020, Miss Houghton was suspended from her role following allegations against her. On 5 July 2021 a disciplinary hearing was held. Miss Houghton appealed the decision and an appeal hearing took place on 10 November 2021. On 4 May 2022, Miss Houghton was referred to the TRA.

Miss Houghton has responded to the allegations on several occasions. On 25 January 2021, Miss Houghton was interviewed as part of the School’s investigation and the notes of that interview were recorded in a document referred to as the First Statement signed electronically on 3 February 2021. On 22 April 2021, Miss Houghton was interviewed again as part of the School’s investigation and the notes of that interview were recorded in a document referred to as the Second Statement signed electronically on 27 April 2021. Miss Houghton provided a further statement for the Disciplinary Hearing held on 5 July 2021, referred to as the Third Statement. Miss Houghton prepared a witness statement for the purpose of the present professional conduct proceedings signed by her on 10 December 2024, referred to as the Fourth Statement.

In considering the issue of whether any proved behaviour was inappropriate and unprofessional throughout these allegations the panel had in mind the compelling evidence of Staff Member A and Staff Member B as to the profound impact of Miss Houghton’s behaviour. Miss Houghton’s representative provided an express apology to both witnesses on behalf of Miss Houghton prior to asking questions of them.

Staff Member A referred to having been “mortified” by Miss Houghton’s behaviour, having been “embarrassed” and “disgusted” by it. She explained that she had not escalated her concerns sooner because there was no other senior leader on site, and she feared losing the job that she desperately needed. She referred to having seen staff come and go, and Miss Houghton’s fluctuating moods which would dictate the mood in the staffroom. Staff Member A stated that she had changed from a confident teacher, looking forward to the opportunity and the impact she could have in the School to being a shell of herself, that her [REDACTED]. She referred to being so concerned about seeing Miss Houghton that

she had considered moving, and that she had had to change her role to work at another school.

Staff Member B gave oral evidence that participating in the School's investigation had impacted her significantly in reminding her of the emotions she had buried in order to survive in the School. She stated that she subsequently could not stand in front of a class and teach anymore and she had had to change her career. She referred to their having been two versions of Miss Houghton: one that she could get along with and one that created a hostile atmosphere, and which made her feel embarrassed and degraded. [REDACTED].

Miss Houghton provided a number of references attesting to her character for the panel's consideration. Three of those referees gave oral evidence to the panel. It was clear to the panel that none of the allegations against Miss Houghton involved her conduct in the classroom, nor was there any suggestion that her alleged conduct had been witnessed by any pupil. It is fair to say that the referees all confirmed Miss Houghton's professionalism in working with children and their parents.

The panel had regard to the character references when considering the issues of Miss Houghton's credibility and propensity to have acted as alleged. The panel considered that the references were of limited use at its fact-finding stage, in circumstances in which Miss Houghton admitted the conduct alleged, or accepted that whilst she could not remember a specific incident, the conduct alleged was of a nature that may have occurred. The only matter denied was that of sexual motivation.

One referee, [REDACTED], had not worked with Miss Houghton in a school setting, [REDACTED], sometime before the conduct alleged. Whilst she referred to working with Miss Houghton in Miss Houghton's current business, that experience post-dates Miss Houghton's time at the School and was after the time the allegations against Miss Houghton arose.

Another referee, [REDACTED], who gave oral evidence to the panel only came to know Miss Houghton after Miss Houghton left the School.

[REDACTED] gave oral evidence to the panel but had not worked directly with Miss Houghton. Similarly, [REDACTED] who provided a written reference confirmed that she had never worked alongside Miss Houghton.

Another referee, [REDACTED], referred to having known Miss Houghton since 2012 [REDACTED]. Only one sentence of his reference referred to Miss Houghton's relationship with colleagues, simply stating that she "fostered positive working relationships with her colleagues and provided professional guidance to her team". No examples were provided, nor did the referee comment on any knowledge he had of the alleged conduct, and whether or not he saw any instances of unprofessional behaviour.

[REDACTED] gave oral evidence of her time working with Miss Houghton in Rowan Park School and referred to having felt comfortable approaching her, and that Miss Houghton was compassionate, understanding and empathetic with Staff Members. This referee stated that she strongly believed in Miss Houghton's innocence, which was out of kilter with the admissions made by Miss Houghton. The panel noted that in this referee's oral evidence she confirmed that the practice of placing hot spoons on colleagues was widespread, and in jest, without seeming to be at all concerned about the professionalism of such conduct. The panel did not therefore consider it could rely upon this referee's view of Miss Houghton's professionalism.

Another referee, [REDACTED], had been a teaching assistant supporting Miss Houghton [REDACTED]. She referred to Miss Houghton being very approachable and that she had never witnessed anything that made her feel uncomfortable. This referee did not give oral evidence for the panel to test what threshold would have had to have been passed to cause her discomfort. It was not apparent whether this referee had seen the allegations against Miss Houghton in order to consider whether she recognised any of the behaviours alleged.

Miss Houghton's [REDACTED] who worked in the School provided a reference which referred to colleagues seeking out Miss Houghton for support, and also referenced the support she provided to colleagues after a pupil of the School died. She referenced that there were a lot of jokes between staff to keep spirits high, and that this would happen whether Miss Houghton was present or not. Irrespective of whether other staff engaged in such conduct, the panel's concern was to establish whether Miss Houghton had acted as alleged, particularly given the role she played in influencing staff behaviour.

For the reasons referred to above, the panel found the references to have limited use in assessing Miss Houghton's credibility or propensity.

## **Findings of fact**

The findings of fact are as follows:

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

### **Whilst employed at Rowan High School from 1 April 2012 until 30 July 2021:**

- 1. You engaged in unprofessional and/or inappropriate behaviour towards one or more members of staff in that you:**
  - a. Offered planning and preparation time in exchange for sexual favours;**

Miss Houghton admitted this allegation.

Staff Member A wrote a statement on 14 December 2020 reporting concerns regarding Miss Houghton's behaviour in respect of allegation 2a. below. In that statement she

referred to “other incidents” stating that on one occasion Miss Houghton “inappropriately said that she had flexibility in terms of cover and that staff could ‘offer sexual favours’ for it during a full staff briefing which involved all staff, including supply.”

Staff Member A was subsequently asked about this in an interview by the School on 20 January 2021. Staff Member A confirmed that most staff were present and also supply teachers who were on site that day. She stated that she could remember Staff Member D approaching her after the incident and said to Staff Member A “I saw your face after she said that.”

Staff Member A also referred to this incident in her statement prepared for the present hearing. She referred to Miss Houghton delivering a briefing and, at the end, said that she had cover available that afternoon and if anyone wanted to offer her sexual favours for that then they should let her know. She stated “I do not know if she thought it was a joke but nobody properly laughed. There was a ‘hah’ but it was uncomfortable.” Staff Member A referred to it being shocking to hear and that she would not expect it in a formal staff briefing. In oral evidence, Staff Member A confirmed that she was sure in her recollection of this incident because the behaviour had been so shocking.

Staff Member B was interviewed as part of the School’s investigation. She was asked whether she recalled a situation at a staff meeting where there was a conversation about there being a level of flexibility in terms of extra cover and the conversation becoming sexual in nature. Staff Member B confirmed that she did remember that incident, and described it as having occurred during a briefing in front of every Staff Member. She stated that Miss Houghton had said that she may accept sexual favours for any cover given. She stated that it had been very awkward and the comment was either ignored with silence or some people laughed. Staff Member D confirmed her recollection of this incident in her statement for the present hearing and whilst giving oral evidence.

Staff Member D was also interviewed as part of the School’s investigation. She was asked about another incident in the staffroom, and responded that she could remember it, but that there had been a time in a briefing, when Miss Houghton said about giving staff extra preparation time in exchange for sexual favours. Staff Member D confirmed her recollection of this incident in her statement for the present hearing and whilst giving oral evidence. She stated that some people laughed but the room mainly went quiet, and the fact that Miss Houghton had said that in a staffroom full of people “really shocked” her.

Staff Member E was interviewed as part of the School’s investigation. He was asked whether he recalled a situation at a staff meeting where there was a conversation about there being a level of flexibility in terms of extra cover and the conversation becoming sexual in nature. Staff Member E stated that Miss Houghton had insinuated that she would provide “extra PPA for sexual favours”. He also referred to most of the staff having been there and that it had been said during a briefing or staff meeting. Staff Member E

confirmed his recollection of this incident in her statement for the present hearing and whilst giving oral evidence.

Staff Member H did not give oral evidence, nor did she provide a witness statement for the present hearing. However, the notes of her interview with the School included an account consistent with that provided by the other Staff Members. She stated that she remembered a conversation during a staff briefing where Miss Houghton referred to having a free slot available for preparation time, and stated “she made it about a sexual favour for teachers – if a member of staff wanted to give her a sexual favour, she would give them free time.”

In Miss Houghton’s First Statement she stated that she could recall this incident. She stated that she had said she had some flexibility in PPA if there was a valid reason as there was supply cover available. She stated that Staff Member J [REDACTED] had asked if she took bribes, and Miss Houghton stated that she had said “no” and laughed along. Miss Houghton confirmed in her Second Statement that the position was exactly the same as she had set out in her First Statement.

Miss Houghton also referred to matters of a sexually explicit nature being discussed in the staffroom, and that she had laughed along, but was not the person to instigate it.

Miss Houghton’s position remained the same regarding this allegation in her Third Statement.

In Miss Houghton’s Fourth Statement she referred to the pressures of teaching in the School. She referred to the children presenting as physically and emotionally challenging and being a constant source of anxiety and stress, with some children continuously threatening to take their own lives, and [REDACTED]. She stated that there were no opportunities for naturally releasing distressing emotions and all staff instead engaged in banter and discussions that were based on sexual innuendos and connotations, which became the norm. She referred to boundaries and lines having been continuously blurred and that staff had lost sight of an effective work ethos and fallen into a culture that was inappropriate within the workplace. She stated that she had not created the culture, but nor had she done anything to change the culture.

Miss Houghton recalled this incident occurred during a staff briefing when she had mentioned that there was extra time available for PPA and that staff could bid for the time if they needed it to complete specific projects. She stated that a Staff Member, Staff Member J, had made a joke and asked if Miss Houghton accepted bribes in return for the time. Miss Houghton stated that she responded inappropriately by commenting on accepting sexual favours as a bribe. She stated that there was no intent of acting on the joke and that some staff laughed in response. She stated that she had never intended to make anyone feel personally uncomfortable, and three members of staff had approached her afterwards to ask to be given the additional time available.

The panel found it proven that Miss Houghton had offered planning and preparation time in exchange for sexual favours. The panel considered that, whether this had been intended as a joke, or not, Miss Houghton's behaviour had been inappropriate and unprofessional as comments of a sexual nature had no place within a staff briefing. This was the case whether the comment had been initiated by another Staff Member or not. If another Staff Member had raised the suggestion Miss Houghton should not have engaged with the suggestion and informed the Staff Member that such comments were not appropriate.

**b. Made comments to male Staff Members about the size of their genitals;**

Miss Houghton admitted this allegation.

Staff Member B stated in her witness statement for the present proceedings that in around September 2018, she had spoken with her partner to tell her about Miss Houghton's behaviour. As Staff Member B did not want to leave her job, she stated that her partner had said that they would keep a log of everything she told them. Staff Member B exhibited a copy of that log to her witness statement, explaining that it had been copied from her partner's old phone and that some of the dates had copied incorrectly. In this log, there was an entry on 1 April 2019 which stated "Asked [Staff Member K [REDACTED]] how big his cock was, this embarrassed me as I was present." There was also an entry on 19 September 2018 stating that Miss Houghton had told Staff Member B to "look at the size of [Staff Member J's] cock." In Staff Member B's interview as part of the School investigation, she stated that "sometimes with the males, [Miss Houghton] would comment on the size of their privates." In Staff Member B's witness statement for the present proceedings she provided an example of Miss Houghton having walked into the staffroom and made such a comment when Staff Member K was stood by the sink.

Staff Member E stated in his interview as part of the School's investigation that Miss Houghton would look down at Staff Member K's trousers and say they were tight and that a "lot of his private parts" could be seen. In Staff Member E's witness statement for the present proceedings he referred to Staff Member K being "visibly uncomfortable".

Whilst Staff Member H did not participate in the present proceedings, the note of her interview as part of the School's investigation corroborated these accounts. She referred to Miss Houghton having commented that she could see Staff Member K's genitals through his trousers and commented on his size. She stated that there was nervous laughter in response. She stated that staff were made to feel like they had to give Miss Houghton a reaction. Staff Member H stated that Staff Member K had been quite young and "his face said what he thought".

In Miss Houghton's Second Statement, it is recorded that Miss Houghton accepted that she had called Staff Member K, "Olly Murs", although she had not initiated the nickname. She stated that Staff Member J used to chase Staff Member K down the corridors to



touch his penis, and made lots of comments that Staff Member K's trousers were very tight and he could see the shape of his penis. She stated that she told Staff Member J to stop, but that she had called Staff Member K "Olly Murs" in good humour and that Staff Member K would laugh about it. She denied having made any comments about the size of any Staff Member's genitals.

In Miss Houghton's Third Statement she referred to joining a conversation which had been already in full flow around Staff Member K thinking that he was Olly Murs as he wore tight trousers. She stated that staff were playful and enjoying themselves. She referred to Staff Member K producing a toy microphone and singing an Olly Murs song. In the same statement, Miss Houghton denied having referred to the size of Staff Member C's genitals, and to the contrary, Staff Member C and others had made comments and innuendos to her about the size of other men's genitals in messages.

In her Fourth Statement Miss Houghton identified from the witness statements that this allegation concerned Staff Member K who she stated was known at school for wearing tight trousers and was nicknamed "Olly Murs". She stated that she recalled having been involved in conversations that focused on Staff Member K and the tightness of his trousers. She stated that she participated in laughing along with other Staff Members when Staff Member K produced a microphone in response to comments about his tight trousers and sang a song by Olly Murs. She stated that she was not aware of him or anyone else being upset. She stated that she realises now that this conduct was not what would be expected in a school staffroom and that she should not have been involved or allowed it to continue.

Miss Houghton stated that she had no recollection of making any comment on the size of Staff Member J or Staff Member K's penis, nor was "cock" a term that she ever uses. She stated that she had engaged in conversations about Staff Member K's trousers leaving little to the imagination but did not recall asking questions about the size of any penis.

Miss Houghton stated that she had not been self-aware enough to understand how this type of conduct impacted the workplace and how staff engaged with each other. She acknowledges now that these types of relationships within the workplace were not productive and not professional.

The panel found it proven that Miss Houghton had made comments to male colleagues about the size of their genitals. The panel considered that comments of this nature had no place in a school environment, and was inappropriate and unprofessional.

### **c. Suggested that female staff attend work in a bikini and/or swimsuit;**

Miss Houghton admitted this allegation.

In Staff Member B's interview as part of the School investigation, she referred to their having been an uncomfortable feeling in the staffroom on the last week of the Summer term in 2019. She stated that there was a joke made about non-uniform on the last day,

and Miss Houghton wrote on the board about staff wearing bikinis. She stated that this caused a “bit of upset” amongst the staff, and there was an unpleasant atmosphere. She stated that someone must have said something to Miss Houghton as she later apologised to Staff Members. The panel noted that this incident had been recorded on the log maintained by Staff Member B’s partner which referred to Miss Houghton having “told staff they had to wear formal attire on the last day as a joke, then wrote on the board ‘only joking, you can wear bikinis.’”

In Staff Member B’s witness statement for the present proceedings, confirmed in oral evidence, she stated that Staff Members were told they needed to attend work in formal attire because there was a photographer coming to take photos for the School’s website. She stated that this made everyone panic as it was such short notice. She stated that Miss Houghton subsequently wrote “only joking the women can wear bikinis” or words to that effect. Staff Member B stated that Miss Houghton had subsequently said to her “you weren’t offended by that were ya?”

Staff Member E also stated during the School’s investigation that there had been something to do with female staff having to wear bikinis, but that he could only vaguely remember the incident and not the full context of it. In his witness statement for the present proceedings, confirmed in oral evidence, he stated that he believed that this occasion had been on “photo day” and that they were asked to attend in smart clothes and Miss Houghton had made a comment about female staff wearing bikinis instead.

In Staff Member H’s interview for the School’s investigation, she referred to their having been two notices on the staff board. She stated that one had said that a professional photographer was coming to the school and staff needed to wear formal attire. She stated that this transpired to be a joke and that some members of staff were upset by it. She stated that this was then rubbed off the board, and instead Miss Houghton had written that staff should come in their bikinis and swimsuits and little else. The panel considered that this corroborated the accounts of Staff Member B and Staff Member E, although recognised they were not able to test Staff Member H’s account.

In Miss Houghton’s Second Statement, she was asked whether she had put up on the notice board an instruction that, for a non-uniform day, all staff had to wear bikinis or swimsuits. Miss Houghton stated that she could not recall that.

In Miss Houghton’s Third Statement she denied having caused offence by what she wrote on a notice board.

Miss Houghton stated in her Fourth Statement that this incident concerned a specific situation when the school photographer was due in school, and that staff were upset and angry that they had been asked to wear formal attire, as it was a hot summer. She stated that it was near the end of term, staff were tired and ready for the summer break. She also stated that she had had to communicate a decision of the senior leadership team that staff were not to bring alcohol into School to get ready for a night out on the last day

of term. This had followed a previous occasion when staff had been allowed to have alcohol on the premises for a staff barbecue and had left the School in disarray. She stated that staff were angered by the decision and voiced their annoyance to her.

Miss Houghton stated that she should have spoken to staff reasonably about the request for them to wear formal attire and handled the situation more sensitively knowing that tensions were running high and that staff were likely worried about wearing formal attire when they were expected to engage in physical interventions daily. Instead, she stated that she responded jovially with a flippant remark that maybe the solution was for them all to come in swimsuits instead, and since she was not able to speak with all staff directly, she wrote on the notice board to say that as a result of complaints, all staff could feel free to attend in swimwear if they wished. Miss Houghton stated that this was a flippant remark and reflected that this highlights her emotional immaturity at the time.

The panel found it proven that Miss Houghton had suggested that female staff work in a bikini and/or swimsuit. The panel considered that making such a suggestion in a school environment was both unprofessional and inappropriate.

**2. You engaged in unprofessional and/or inappropriate behaviour and/or inappropriate physical contact towards Staff Member A, in that:**

**a. You placed your hand on Staff Member A's leg and moved it up her thigh;**

Miss Houghton neither admitted nor denied this allegation. Miss Houghton acknowledged that the incident may have happened, but she had no recollection of it.

Staff Member A stated that this incident had occurred on 15 July 2019, and she was sure of the date, having made a note on her phone stating "thigh touched by NH at 12:40 15/7 staff present [Staff Member B] [Staff Member F] [Staff Member G]". A screenshot of that note was produced to the panel which also included the date and time that the note had been created, namely 15 July 2019 at 19:40.

Staff Member A reported this incident some time afterwards on 14 December 2020 and produced a written statement at the request of the School regarding her disclosure. This stated that she had been in the staffroom having lunch. She stated that Miss Houghton, Staff Member B, Staff Member F and Staff Member G were present. She stated that Miss Houghton had initiated a topic of conversation about a game where someone puts their hands on someone's leg and moves it up towards their "private area" and the idea was that the person says 'nervous' when they were uncomfortable. Staff Member A said that she remembered the game from school, but that she never participated. She stated that at that point, Miss Houghton, uninvited, firmly put her hand on her thigh and started moving her hand up her thigh "inches away from [her] private area". She stated that she quickly shouted "nervous" and she was completely shocked and embarrassed that a member of staff, particularly a member of the senior leadership team would behave in such a manner.

Staff Member A stated that later that day, she and Staff Member B had spoken about the incident, and she and Staff Member F had had a conversation during the afternoon break, and he had made a comment acknowledging the behaviour and asking if she was ok.

She stated that she informed her partner of the incident when she returned home that evening, and they advised that she should report it. She explained that she had been concerned about losing her job. Since it was the last week of term, she stated that she spent a lot of time thinking about the incident over the Summer holidays. In September, she stated there were many other instances of Miss Houghton speaking inappropriately with staff and she spent most of her lunch breaks in her classroom or at home.

In her interview with the School, Staff Member A explained that she had eventually disclosed as she had continued to think about the incident and had reached the point where she had to disclose it as seeing Miss Houghton created a physical response such that she would feel sick.

Staff Member B referred to this game in her witness statement for the present proceedings. She stated that she could remember that Staff Member A had been present in the room when Miss Houghton had played the game, but she could not remember whether Miss Houghton played the game with Staff Member A. When interviewed by the School, Staff Member B stated that Staff Member A might have been present.

Staff Member D stated in her witness statement for the present proceedings that Staff Member A had been in the staffroom, and that Staff Member A had been extremely uncomfortable and stood by the sink. She stated that she thought Staff Member A had turned away from what was happening, and did not think that Miss Houghton had gone near her.

In Staff Member E's interview for the School's investigation, he stated that he had seen Miss Houghton playing this game on Staff Member A and that she had said "nervous" straight away. In his witness statement for the present proceedings, confirmed in oral evidence, Staff Member E stated that he had been disgusted and, after this "game", he tended not to be in the staffroom very much and instead would sit in the science classroom with Staff Member A and another member of staff.

Staff Member F was interviewed as part of the School's investigation although he has not provided a witness statement for the present proceedings, nor has he given oral evidence. When interviewed, Staff Member F stated that Staff Member A and Staff Member B had been sat with Miss Houghton. He stated that he recalled thinking "oh, dear another situation" as there was banter going on "piloted by" Miss Houghton. He stated that Miss Houghton "segwayed" [sic] into the game called "Nervous" and that he had the feeling that this was being done more assertively by Miss Houghton than Staff Member A or Staff Member B appreciated. He stated that Staff Member A stopped finding it funny. He stated that he spoke with Staff Member A about an hour and a half

later, when Staff Member A asked if that “was normal for the way it was [in the School]” and Staff Member F stated that he replied that it was “bizarre” the way Miss Houghton behaved sometimes and asked Staff Member A if she was ok. He stated that she responded that she was OK but that she was taken aback. Whilst Staff Member F could not be questioned about his account, the panel noted that it corroborated the account of Staff Member A.

In Miss Houghton’s First Statement, she was asked about the allegation that the game “Nervous” had been played in the staffroom on 15 July 2019. She stated that she did not think the conversation about the game had happened at that time but had instead happened a long time before. She described explaining the game to Staff Member D and Staff Member C, and made no reference to any involvement of Staff Member A. During the same interview, Miss Houghton reflected and stated that she also believed Staff Member B might have been present as well.

In her First Statement, Miss Houghton also referred to being targeted by Staff Members as there had been other allegations and complaints made against her. She referred to having raised concerns about “suffering [REDACTED] attacks” with the senior leadership team on numerous occasions. She referred to a group of Staff Members who met in the science laboratory who would talk about her and “wanted to destroy her life” as she felt they were “trying to attack [her] and [her] partner. She stated that this included, amongst others, Staff Member A, Staff Member J and Staff Member E.

In Miss Houghton’s Third Statement, she referred to Staff Member A having initially stated that this incident took place on 15 July 2018 and that Staff Member A later advised that the date was wrong. She stated that Staff Member A had not started at the School in 2018 when it was initially alleged that the explanation and demonstration of the game “Nervous” took place and as such the alleged incident with Staff Member A could not have happened. She stated that there were others present in the staffroom but Staff Member D and Staff Member C were the only ones involved. Miss Houghton stated that on the last week of term in July 2019 she “rarely entered the staffroom as there was so much hostility towards her”. She stated that she believed that staff had “colluded together to create a date and set of circumstances that had a grain of truth and have then embellished the facts. She referred to this being “part of a campaign to discredit [her] due to a growing vendetta regarding both [her] leadership status and [her] relationship/ [REDACTED].”

In her Fourth Statement, Miss Houghton stated that she did not remember ever discussing or demonstrating the game “Nervous” when Staff Member A was present. She stated that she was aware from Staff Member A’s statement that Staff Member A claimed to have left the room commenting that she was sure that there was a form they could fill in about this, but Miss Houghton could not remember ever hearing Staff Member A say this. Miss Houghton also noted that Staff Member A had initially alleged that this incident

had occurred on 15 July 2018, which Staff Member A amended to 15 July 2019 after Miss Houghton identified that 15 July 2018 fell on the weekend.

Miss Houghton explained that at the time of this alleged incident, tensions were running high, after she had instructed staff not to bring alcohol to school on the last day of term. She stated that she attended the pub with Staff Members of Rowan Park School, and staff from the School other than Staff Member B did not speak with her. She stated that many staff were barely speaking with her on that date, and only spoke with her professionally when they had to.

Miss Houghton also referred to Staff Member A's comment about avoiding Miss Houghton if she saw her after the alleged incident. Miss Houghton stated that she had not felt that Staff Member A actively avoided her and that she had sought professional support from Miss Houghton, as well as sharing the odd conversation not related to the workplace. She also referred to Staff Member A having rang her at home regarding concerns about the management of grades during lockdown.

Staff Member A's evidence including an explanation of the profound impact this incident had on her. In light of this, and the corroboration of Staff Member E whose oral evidence was also tested during the hearing, supported by the written evidence of Staff Member F the panel found this allegation proven. The panel noted that although Staff Member B and D could not remember the game having been played specifically on Staff Member A, they both remembered her being present. The panel considered that there was copious evidence of the game having been played by Miss Houghton, and that it had more likely than not been played on Staff Member A.

The panel therefore found it proven that Miss Houghton had placed her hand on Staff Member A's leg and moved it up her thigh. The panel considered that this was unprofessional and inappropriate behaviour to take place with colleagues in a staffroom and that it was inappropriate physical contact towards Staff Member A.

#### **b. You made a comment about Staff Member A having sex in her back garden**

Miss Houghton admitted this allegation.

Staff Member A referred to this incident in the statement she prepared to disclose her concerns about Miss Houghton's behaviour. She stated that she had mentioned to Miss Houghton that one of the pupils "lived at the back of [her] house" and Miss Houghton had responded "no more sex for you then in the back garden". Staff Member A referred to having been shocked, and Miss Houghton replied "haven't you ever had sex in your back garden" to which Miss Houghton stated she exclaimed "'no" and Miss Houghton proceeded to tell other members of staff present that she had had sex in her garden. Staff Member A stated that she was embarrassed and disgusted that the conversation had been taken in that direction. This incident was also referred to in

Staff Member A's interview during the School's investigation, her witness statement for the present proceedings and was confirmed in oral evidence. Her account had remained consistent.

In Miss Houghton's First Statement and Third Statement, Miss Houghton stated that this discussion did not happen.

Miss Houghton accepted in her Fourth Statement that there had been a conversation when Staff Member A, Staff Member E were also present. Staff Member A mentioned that a child had moved into the street at the back of her house that overlooked her garden. Miss Houghton stated that she remembered commenting that she had better not have sex in the back garden after there had been other comments from Staff Member J about sunbathing topless. Miss Houghton stated that she had not meant to cause offence, but understands that this type of conversation may have made Staff Member A feel very uncomfortable.

In light of Staff Member A's evidence and Miss Houghton's admission, the panel found this allegation proven. The panel considered that making such a comment to a colleague would have foreseeably led to Staff Member A feeling uncomfortable and embarrassed. Such a comment was both inappropriate and unprofessional.

**3. You engaged in unprofessional and/or inappropriate behaviour and/or inappropriate physical contact towards Staff Member B in that;**

**a. You placed your foot on Staff Member B's leg and began to brush your foot upwards on Staff Member B's thigh;**

Miss Houghton neither admitted nor denied this allegation. Miss Houghton acknowledged that the incident may have happened, but she had no recollection of it.

This incident appears in the log of issues Staff Member B raised with her partner. There is an incident recorded as having occurred on 6 February 2019 that Miss Houghton ran her foot up Staff Member B's leg and thigh under the table in the staffroom and when Staff Member B told her to stop, Miss Houghton kicked her thigh numerous times. After Staff Member B was interviewed as part of the School's investigation, she provided some additional information that she asked to be included in her statement. This included an account of having been sat at the staffroom table and Miss Houghton was running her foot up her leg and thigh under the table. It is recorded that Staff Member B said that she asked Miss Houghton to stop and Miss Houghton started kicking her thigh.

Staff Member B confirmed her account of this incident in her witness statement and in oral evidence to the panel. In oral evidence Staff Member B stated that it had not been possible that this had been accidental contact. She stated that she had told Miss Houghton to stop, and Miss Houghton kicked her.

In Miss Houghton's Third Statement, she stated that there were others present in the staffroom when the explanation and demonstration of the game "Nervous" took place but Staff Member D and Staff Member C were the only ones involved. She stated that Staff Member B was present and listening but was not part of the conversation.

Miss Houghton stated in her Fourth Statement that she had no recollection of any such incident, and could not think of any context in which she would brush her foot up against Staff Member B's leg and thigh. She also indicated that Staff Member B had not provided any context for this allegation in her witness statement.

Miss Houghton described being extremely shocked and hurt about the allegations made by Staff Member B who she considered to be a good friend, who she met with socially, and that Staff Member B had always been supportive both professionally and personally.

Miss Houghton recalled two instances when Staff Member B had been upset with her. Miss Houghton stated that she had carried out a lesson observation and had not judged it to be outstanding, and that Staff Member B had not wanted that to be on her record. Miss Houghton agreed to repeat the lesson observation, which went well and she had understood Staff Member B to be happy with the outcome. On a second occasion, Staff Member B was amongst a number of Staff Members who she had had to remind to be inclusive and not leave members of staff out in the staffroom. Miss Houghton stated that Staff Member B had been upset by the conversation, and although she spoke with her later and had the impression that there were "no grudges to bear", she now realises that Staff Member B felt very aggrieved by this incident.

The panel noted that there was a contemporaneous note of this incident and that Staff Member B had been consistent in describing it. The panel did not consider that Staff Member B had been malicious in raising the incident. The panel noted that Staff Member B had not made any disclosure that initiated the investigation of Miss Houghton. Furthermore, Staff Member B acknowledged that there was another side of Miss Houghton that Staff Member B got along with, and that over time, Miss Houghton had come across as more genuine towards her. Staff Member B also acknowledged that Miss Houghton was a good teacher and that she cared for the children. The panel found Staff Member B's evidence compelling. The panel noted that Miss Houghton could not recall the incident but acknowledged that it was conduct of a nature that may have happened. The panel therefore found this allegation proven. The panel considered that it was both unprofessional and inappropriate conduct to have taken place in the staffroom and that it was inappropriate physical contact towards Staff Member B.

**b. You pushed your hand into Staff Member B's back on one or more occasions;**

Miss Houghton admitted this allegation.



The log maintained by Staff Member B's partner records that the prodding in Staff Member B's back started on 19 September 2018 and that it occurred on numerous occasions over the next 12 months on almost every day, and that Staff Member B always told her to stop, or said "ow". The log recorded that Staff Member B said that she felt nervous and on edge sitting in the staffroom because Miss Houghton would sneak up behind her and do it. In Staff Member B's interview, she stated that Miss Houghton would jab Staff Member B in the back with her knuckle. Staff Member B stated that one time, she had jumped and said "oh, that's sensitive there", and Miss Houghton kept on doing it then, every day for a long period of time. In oral evidence, Staff Member B stated that every time she was jabbed in the back, and said "no" or "stop it", she felt like she was sending a really clear message to Miss Houghton to stop her behaviour.

Staff Member E referred in his witness statement to Miss Houghton often prodding Staff Member B under her ribs near the breast area whilst in the staffroom. He referred to Staff Member B looking uncomfortable but that Miss Houghton had been a domineering presence. Staff Member E was asked during the School's investigation whether he was aware of situations when one member of staff has commented upon prodding another member in the back eliciting a grunt which was described as their "sex noise". Staff Member E confirmed that this concerned Staff Member B and that Miss Houghton had done this to her, coming up behind her and prodding her in the back.

Staff Member D also stated in her interview with the School that Miss Houghton used to poke Staff Member B in the back, knowing that Staff Member B did not like it.

Staff Member H also stated in her interview with the School that Miss Houghton used to poke Staff Member B in the back constantly. Whilst Staff Member H's evidence could not be tested in the hearing, the panel noted that it was consistent with the accounts of those whose evidence could be tested.

In Miss Houghton's Third Statement she stated that she had never sexually harassed Staff Member B by poking her in the back.

Miss Houghton admitted in her Fourth Statement that she poked Staff Member B in the back on occasion when she passed her, and Staff Member B would repeatedly jump and laugh. She stated that it had been a running joke between them as it would often scare Staff Member B and make her jump. Miss Houghton stated that she saw this as friendly banter between friends, and that she did not recall Staff Member B asking her to stop, but if she had, she would have stopped immediately. She stated that Staff Member B had spoken with her on other occasions such as those referred to above when Staff Member B had voiced her upset, and that they would talk and resolve any issues. Miss Houghton stated that she believed she would have known if Staff Member B had been uncomfortable or upset about her actions.

Miss Houghton gave other examples of practical jokes being integral to school life, and everyone having engaged in them. She stated that she wrongly thought that the jokes

were fun and that Staff Member B was equally as invested in them. She stated that she was remorseful that what was intended as light-hearted fun was misinterpreted as an intent to cause harm.

The panel found this allegation proven based on the consistent accounts of both Staff Member B and those who had observed the conduct. The panel found that this was inappropriate and unprofessional behaviour to engage in within the staffroom and that it was inappropriate physical contact towards Staff Member B.

**c. When Staff Member B made a noise as a result of your conduct at 3b, you referred to this as her “sex noise”;**

Miss Houghton neither admitted nor denied this allegation. Miss Houghton acknowledged that the incident may have happened, but she had no recollection of it.

In the log produced by Staff Member B in her evidence, there was an entry that when Miss Houghton prodded her in the back, and she reacted because it hurt, Miss Houghton asked whether this was Staff Member B’s “sex noise” which embarrassed her. Staff Member B’s account of this in her interview with the School and her witness statement, and her oral evidence remained consistent.

Staff Member D stated during the School’s investigation that when Miss Houghton prodded Staff Member B in the back, and Staff Member B made a noise, Miss Houghton would say “is that your ‘sex noise?’”

Staff Member E also gave an account that when Miss Houghton prodded Staff Member B in the ribs, Miss Houghton would ask if it was her “sex noise”. He referred to this having been completely “out of context”.

Miss Houghton stated in her Fourth Statement that she had no recollection of saying this. She stated that there was banter between them, and she considered Staff Member B to be a friend who she was comfortable with. She stated that Staff Member B had been a source of support and that they shared a mutual humour. She accepts now that the friendship was neither appropriate nor professional.

Given the consistent accounts of Staff Member B, Staff Member D and Staff Member E, the panel found this allegation proven. The panel considered that it was inappropriate and unprofessional conduct to have made this comment in the staffroom.

**d. You pulled open Staff Member B’s top and placed paper down the top;**

Miss Houghton admitted this allegation.

In the log produced by Staff Member B, on 6 February 2019, it is recorded “throwing bits of paper at me across the staffroom table then got up, scrunched a piece of paper up and put it down my top”.

Staff Member B referred to this incident in her witness statement for the present proceedings. She added that Miss Houghton had not said anything when she did this. She also stated that it made her feel embarrassed and degraded, and she would be nervous whilst in the staffroom if Miss Houghton approached her.

In Miss Houghton's Second Statement, she denied having pulled a female Staff Member's top open and putting paper down the front.

In Miss Houghton's Third Statement, she denied this allegation.

In her Fourth Statement, Miss Houghton stated that she had no recollection of this incident and that she would never have done anything to deliberately make Staff Member B feel degraded or nervous. She stated that Staff Member B gave no indication that she felt uncomfortable around Miss Houghton, and the contrary was indicated by the number of text messages that they exchanged and the fact that Staff Member B invited Miss Houghton into her home and to a range of social events.

Miss Houghton stated that she does have recollections of people, including herself, rolling up paper and if someone was leaning over, working on their laptop, putting the paper down the back of their top. She could not recall any specifics of doing this to Staff Member B, but accepted that it was something that she participated in and that others had done the same to Miss Houghton.

Given that the log contained a contemporaneous record of this incident and Staff Member B remained consistent in her account the panel found that Miss Houghton had opened Staff Member B's top and placed paper down it. The panel considered that this was inappropriate and unprofessional behaviour to have taken place in the staffroom.

**e. You showed Staff Member B a video of a vagina;**

Miss Houghton neither admitted nor denied this allegation. Miss Houghton acknowledged that the incident may have happened, but she could not recall specifically her involvement.

In the log produced by Staff Member B there is an entry on 17 October 2018 stating that Miss Houghton stopped her in the staffroom and showed her a video of a woman exposing her vagina to the camera, which Staff Member B had found embarrassing. Staff Member B asked that this be added to the account she gave as part of the School's investigation. Staff Member B also referred to this in her witness statement for the present proceedings. She stated that she had gone into the staffroom, and Miss Houghton had stopped her to show her the video. Staff Member B said she only saw a second of it and walked away. She stated that there were others present but this had been "out of the blue" as she had not even been speaking with Miss Houghton.

In her Fourth Statement, Miss Houghton referred to having been sent a video of a woman showing her "private parts" by another member of the senior management team, Staff

Member L [REDACTED]. Her recollection was that that Staff Member L had showed the video to Miss Houghton in the school office and sent it to Miss Houghton's phone. She stated that staff in the office viewed the content as the phone was passed around the school office. She referred to Staff Member B having been present. Miss Houghton acknowledged that the video was explicit and was not appropriate to be looking at in the School. She accepted that as a leader she should not have been involved in the viewing of such content.

The panel considered that it was more likely than not that Miss Houghton had showed Staff Member B a video of a vagina. The panel also considered that it was inappropriate and unprofessional to have done so in the School environment.

**f. You made a comment about Staff Member B's breasts;**

Miss Houghton admitted this allegation.

In the log produced by Staff Member B there is an entry on 6 February 2019 that Miss Houghton told Staff Member B her top was low and commented on the size of her cleavage. There is a further entry on 11 March 2019 referring to Miss Houghton having commented upon Staff Member B's breasts getting in the way during a hold earlier in the day. In the addendum that Staff Member B asked to be added to her statement for the School's investigation, she referred to numerous occasions when Miss Houghton would comment on her breasts and say her top was low. She referred to Staff Member E having witnessed this, as she remembered him saying afterwards that the comment was not right.

In Staff Member B's witness statement for the present hearing, Staff Member B stated that on a number of occasions, Miss Houghton would make reference to her breasts. She stated that on 6 February 2019 Miss Houghton had said Staff Member B's top was too low and that her cleavage was "massive". She stated that she found this embarrassing as it was said in front of other Staff Members and she was conscious of what she wore going forwards. She also stated that she had been dressed professionally. She also referred to the physical intervention with one of the students on 11 March 2019, following which Miss Houghton had said that Staff Member B's breasts had got in the way.

Staff Member E stated that he remembered Miss Houghton making comments about the size of Staff Member B's breasts on a frequent basis, which was instigated by Miss Houghton and out of context. In his interview for the School's investigation he stated that Miss Houghton made comments about Staff Member B's breasts and the size of them.

In Miss Houghton's Fourth Statement she stated that she had vague recollections of commenting that Staff Member B wore tops that were too low in the school environment, and referring her to the school dress code policy. She accepted that such comments were inappropriate as they were in front of other Staff Members. Miss Houghton stated

she had no recollection of having said that Staff Member B's breasts got in the way during an intervention.

The panel found that Miss Houghton had made a comment about Staff Member B's breasts. There was a contemporaneous note of the instances in the log produced by Staff Member B and she has been consistent in her accounts of these incidents. Her account was corroborated by Staff Member E. The panel also found that it was inappropriate and unprofessional for Miss Houghton to have made these comments in front of other members of staff.

**g. You pressed a hot spoon onto Staff Member B's arm;**

Miss Houghton admitted this allegation.

Staff Member B referred to this in the log she produced. This stated "made a cup of tea in boiling water then pressed the spoon on my arm and said she was "branding" me. She did this numerous times over the next 12 months and I always said "ow" "that hurts" or "stop it". Staff Member B also referred to this in the addendum she asked to be added to her statement for the School's investigation. In Staff Member B's witness statement for the present hearing, she stated that this always occurred when other people were in the staffroom and so she believed that others would have witnessed it.

In oral evidence, Staff Member B referred to this having made her feel degraded and referred to Miss Houghton "branding [her] like a farm animal".

In Staff Member A's witness statement, she stated that she witnessed Miss Houghton make a cup of tea and then place the hot spoon onto Staff Member B's hand. In oral evidence, she stated that she had only seen this once, and couldn't recall when it was. She stated that Staff Member B had said "ouch, that really hurt" and looked annoyed.

In Miss Houghton's Fourth Statement, she admitted having used a hot spoon to touch the arms of other Staff Members. She stated that this was a behaviour that she and other Staff Members would engage in when making a cup of tea in the staffroom. She stated that it was considered to be friendly banter and a game. She stated she did not know where the behaviour had originated, or when, it was just part of the norm in the staffroom. She stated that she had no recollection of telling Staff Member B that she had "branded" her, nor did she have any recollection of Staff Member B asking her to stop.

Miss Houghton stated that she now understands that the behaviour may have been upsetting for others who likely did not want to join in, and that it was not appropriate behaviour for her to engage in.

One of Miss Houghton's character referees [[REDACTED]] had previously worked at Rowan Park School. In oral evidence she referred to the placement of hot spoons on colleagues having been a practice in the staffroom there, where she estimated that 60% of the Staff Members engaged in this behaviour. She stated that it had been done in a

joking manner, and there was no malice intended. She referred to it as being something to lighten the mood, when the staff were going through challenging times.

Given Staff Member B's consistent account and vivid explanation of how this made her feel, Staff Member A's account of having witnessed this occur and Miss Houghton's admission, the panel found this allegation proven.

Irrespective of whether the practice was widespread or not, the panel considered that it was inappropriate and unprofessional conduct. It took no account of whether the Staff Member being touched with the hot spoon had any objection to this being done to them. The panel found that this was inappropriate physical contact towards Staff Member B.

**4. Allegation not pursued by TRA.**

**5. You engaged in unprofessional and/or inappropriate behaviour and/or physical contact towards Staff Member D in that;**

**a. You placed your hand on Staff Member D's leg and moved it up her leg.**

Miss Houghton admitted this allegation.

In Staff Member D's interview as part of the School's investigation, she stated that Miss Houghton had started talking about the game "Nervous" asking her if she had ever played it. She stated that Miss Houghton placed her hand on Staff Member D's knee and moved it up her leg. She stated that, at the time, she had not appreciated how serious it was, and laughed it off. Staff Member D confirmed her account in a witness statement for the present proceedings and in oral evidence.

In Staff Member B's interview as part of the School's investigation, she confirmed that Miss Houghton had played the game "Nervous" with Staff Member D on the same day that she described it having been played on her by Miss Houghton. In Staff Member B's witness statement for the present hearing, she stated that Miss Houghton had tried this with other Staff Members including Staff Member D. She stated that she remembered that Miss Houghton put her hand on their legs and ran her hand up them.

Staff Member E confirmed during the School's investigation that this game had been played on Staff Member D. He stated that he saw this being played on a number of staff by Miss Houghton but could not be sure whether it was all at the same time, or at different points throughout the day. He stated that he had been disgusted and felt really uncomfortable by it. Staff Member E confirmed in his witness statement for the present hearing that he had witnessed Miss Houghton do this to Staff Member D, and he confirmed this in oral evidence.

In Miss Houghton's First Statement, she explained that she recalled speaking with Staff Member D and Staff Member C about the game "Nervous". She could not recall how the conversation came about, but that she had said that whilst she was at school, there was a teacher who used to ask the male pupils to run their hands up the girls' legs until they

said “nervous”. She stated that she did not play the game in the School, but demonstrated it to Staff Member D who had asked her how the game worked. She stated that she did not think she touched Staff Member D’s leg, but she got to about her knee. Since Staff Member D had not said anything, Miss Houghton said she would not go further as she did not think Staff Member D would say “nervous”.

Miss Houghton’s Second Statement recorded that Miss Houghton denied playing the game “nervous” and was demonstrating it after Staff Member D asked how it worked. She stated that “I think my hand hovered over her knee”.

In Miss Houghton’s Fourth Statement, she stated that she remembered speaking with Staff Member D and Staff Member C about the game “Nervous”. She stated that Staff Member D had asked for further clarification regarding the game and asked her to demonstrate. She stated that she had demonstrated the game with Staff Member D and put her hand on Staff Member D’s ankle moving it up her leg. She stated that when she reached Staff Member D’s knee, she stopped and commented that she did not feel Staff Member D would ever say “nervous”. She stated that Staff Member D had laughed and said that she would not say “nervous”. She referred to other staff milling around, and that she had considered it to be friendly banter, as she, Staff Member D and Staff Member C often socialised outside of school.

Given the consistency of the accounts of Staff Member D and those who witnessed this incident, the panel found this allegation proven. The panel considered that it was inappropriate and unprofessional behaviour and inappropriate physical contact towards Staff Member D for Miss Houghton to have placed her hand on Staff Member D’s leg and moved her hand up her leg.

**b. You made comments about Staff Member D’s breasts and /or bottom;**

Miss Houghton neither admitted nor denied this allegation. Miss Houghton acknowledged that the incident may have happened, but she had no recollection of it.

Staff Member D stated that she remembered that Miss Houghton made a comment that her “bum was nice”, although she could not recall any specifics about it. Staff Member D had referred to this in her interview with the School when she stated that Miss Houghton had said that she liked Staff Member D’s “bum” and that her breasts were large.

Staff Member H also referenced this in her interview with the School. She stated that Staff Member D would get up and walk out and Miss Houghton would say how good her “bum” looked. Whilst Staff Member H’s account could not be tested during the hearing, the panel noted that it corroborated Staff Member D’s account.

In Miss Houghton’s Second Statement she denied being aware of any instances when she commented upon the bottom of a female member of staff.



In her Third Statement, Miss Houghton denied that she had made comments about Staff Member D's breasts and bottom.

In her Fourth Statement, Miss Houghton stated that she and Staff Member D were good friends and that she often commented on Staff Member D's clothes as she was very fashionable. She stated that Staff Member D prided herself on her appearance, worked hard at the gym and often spoke about the exercises she did at the gym. Miss Houghton stated she asked Staff Member D about the type of exercises needed to maintain key areas of the body, including the bottom. Miss Houghton stated that she did not recall specifically commenting about Staff Member D's bottom but if she had it would have been concerning the gym and how the exercises and effort that she was putting in were paying off.

In oral evidence, Staff Member D could not recall if this comment had been made in the context of Staff Member D spending time at the gym and Miss Houghton commenting that it was paying off.

The panel considered that it was more likely that not that Miss Houghton had made comments about Staff Member D's breasts and/or bottom given the consistency of Staff Member D's account, supported by the hearsay evidence of Staff Member H. Regardless of the context in which these comments were made, the panel considered that it was inappropriate and unprofessional for Miss Houghton to have commented on these areas of Staff Member D's body.

### **c. You touched Staff Member D's breast.**

Miss Houghton neither admitted nor denied this allegation. Miss Houghton acknowledged that the incident may have happened, but she had no recollection of it.

In Staff Member D's interview as part of the School's investigation she stated that Miss Houghton had touched her breasts at one point. In Staff Member D's witness statement for the present hearing, she stated that she had worn a knitted jumper to work and Miss Houghton had made a comment about the material and ran her hand across Staff Member D's front, over her breast area.

In oral evidence, Staff Member D stated that she remembered being in the staffroom by the sink, and Miss Houghton had stroked her jumper, "over the front area". She stated that Miss Houghton had not been feeling for her breasts, as far as she could tell.

In Miss Houghton's Second Statement, she denied the conduct alleged.

Miss Houghton stated in her Fourth Statement that she had no recollection of this incident and that she could only reiterate that they did speak about clothes and fashion, and that she may have commented on Staff Member D's jumper. She stated that she would never have run her hand across the breast area.



The panel considered that it was more likely than not that Miss Houghton had touched Staff Member D's breasts, albeit through Staff Member D's clothing. The panel noted that Staff Member D had not sought to elaborate on what happened, and it was clear to the panel that the extent of this contact had been through Staff Member D's clothing whilst Miss Houghton touched the material. Nevertheless, it had been a significant enough event for Staff Member D to refer to it in her interview for the School's investigation and for the present hearing. The panel considered that it was inappropriate and unprofessional for Miss Houghton to have touched Staff Member D's clothing uninvited.

**d. You told Staff Member D that she had sexual dreams about her.**

Miss Houghton neither admitted nor denied this allegation. Miss Houghton acknowledged that the incident may have happened, but she had no recollection of it.

Staff Member D stated during the School's investigation that Miss Houghton had said that she had dreams about Staff Member D. She was asked if that had been in the context of work, and Staff Member D stated "no, it was sexual". In Staff Member D's witness statement for the present hearing she stated that Miss Houghton told her that she had a dream about her which was of a sexual nature. From what she could recall, Miss Houghton had not gone into detail about this, and it was said in a jokey way.

In Miss Houghton's Second Statement she denied there had been a conversation with a female member of staff about having had sexual dreams about her.

In Miss Houghton's Third Statement she stated that such a conversation had never happened.

Miss Houghton stated in her Fourth Statement that she had no recollection of any such incident. She also pointed out that Staff Member D did not mention "dreams" in her statement, but referred to "a dream". Miss Houghton also commented that Staff Member D stated that Miss Houghton had not gone into detail about the alleged dream, and it was unclear how Staff Member D inferred that it was a "sexual" dream.

The panel considered that it was more likely than not that Miss Houghton had told Staff Member D that she had a sexual dream about her. It was significant enough for Staff Member D to have raised it, and she has been consistent in her account, and has not sought to elaborate upon it. The panel had no sense that Staff Member D was malicious towards Miss Houghton. She referred to not feeling uncomfortable or overly concerned by Miss Houghton's behaviours and made positive comments about Miss Houghton's teaching ability.

The panel considered that it was inappropriate and unprofessional for Miss Houghton to have made this comment to Staff Member D.

**6. Not pursued by TRA.**

## **7. Your conduct as may be found proven at allegations 1., 2., 3., and 5., was of a sexual nature and/or sexually motivated.**

Miss Houghton admitted that some of the allegations for example, 1a., 1b., 1e., 2b., 2c., 3c., and 5b., if found proven, would be conduct of a sexual nature.

The panel found that allegations found proven at 1a., 1b., and 1c., 2a., 2b., 3a., 3c., 3d., 3e., 3f., 5a., 5b., 5c., and 5d. were all sexual in nature since a reasonable person would consider that whatever its circumstances of any person's purpose in relation to them, such conduct was because of its nature sexual. They all involved comments that were in some way sexual, referred to staff wearing minimal clothing, or involved intimate areas of the body.

The panel did not consider that it had been proven that allegation 3b. was sexual in nature. It did not involve contact with an intimate area, but instead with the back. The panel also did not consider that it had been proven that the conduct at allegation 3g. was sexual in nature. It involved placing a hot spoon on Staff Member B's arm which was not an intimate area of the body.

The panel considered whether a reasonable person would consider that, because of its nature, such conduct found proven at allegation 3b. and 3g. may be sexual, and whether because of its circumstances of Miss Houghton's purpose in respect of it, such conduct was sexual. The panel did not consider that a reasonable person would reach this conclusion. The panel formed the view from Staff Member B's evidence that Miss Houghton's behaviour in pushing her hand into Staff Member B's back, and placing a hot spoon on her hand had been controlling and had the effect of belittling Staff Member B in front of others. The panel noted that Staff Member B never thought that Miss Houghton was attracted to her. The panel did not therefore consider that Miss Houghton's purpose in relation to allegation 3b. and 3g. was sexual, and therefore this was not conduct of a sexual nature.

Miss Houghton denied that her conduct, if found proven, was sexually motivated.

In her Fourth Statement, Miss Houghton denied that her behaviour had been borne of sexual motivation. She accepted that she had engaged in conversations and banter concerning sexual content, and that this had been commonplace and part of the school culture that she became part of. [REDACTED], she stated that she recognised that from an early age, she had been the person that made people laugh to help them feel better and that this trait had continued into her working life. She stated that, at the School, she fell into the role of making others laugh to ease the burden of others, and that she had never intended to make anyone feel uncomfortable.

In oral evidence, Staff Member D stated that she never had the impression that Miss Houghton wanted more from her than a friendship. She stated that although Miss Houghton's comments and actions had a sexual undertone, she did not believe that it was meant to make Staff Member D feel uncomfortable. It was apparent that Staff

Member D viewed Miss Houghton's behaviour as jovial and whilst inappropriate, she was not alarmed by it.

Staff Member A gave evidence that she had the impression that Miss Houghton was testing the reactions of her staff to demonstrate that she held power over them. She stated that she would squirm, as the conduct made her feel uncomfortable.

It was apparent from Staff Member B's evidence that Miss Houghton persisted in her inappropriate actions towards Staff Member B despite Staff Member B telling her to stop, particularly with regards to placing the hot spoon on her arm and pushing her in the back. The panel did not consider that it was likely that this conduct had been intended to be in jest, given the protestations of Staff Member B. Staff Member B was clear that this conduct never occurred when they were alone, only when others were present, "as if it was a show for other people". The panel reached the view that the manner in which Miss Houghton acted towards Staff Member B was likely demonstrating to the staff the power she had over the staff.

There was no evidence that Miss Houghton had acted in pursuit of sexual gratification or in pursuit of a future sexual relationship. The panel did not find that Miss Houghton's comments or actions found proven were sexually motivated, since there was no evidence for this.

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

**1. You engaged in unprofessional and/or inappropriate behaviour towards one or more members of staff in that you:**

**d. Made sexual comments relating to an orgasm;**

Miss Houghton neither admitted nor denied this allegation. Miss Houghton acknowledged that the incident may have happened, but she had no recollection of it.

Staff Member D was the only member of staff who raised this issue in her interview as part of the School's investigation. She stated that Miss Houghton made sexual comments to Staff Member C with regards to orgasms in front of staff in the staffroom. In her witness statement for the present proceedings, confirmed in oral evidence, Staff Member D stated that, whilst in the staffroom, Miss Houghton asked Staff Member C to help her with something and she believed Miss Houghton made a comment about meeting Miss Houghton in her office and "making her orgasm".

In Miss Houghton's Third Statement she stated that she had never made the alleged comment.

In her Fourth Statement, Miss Houghton did not recall any conversations related to an orgasm. She stated that she did not recall the specific situation referred to by Staff Member D involving Staff Member C. She stated that she, Staff Member D and Staff

Member C always had a close relationship and she thought of them as good friends, having spent a lot of time together outside of school. She stated that she recalled that they joked with each other and sometimes this banter would be fuelled with sexual innuendos. She stated that she felt that it was “reciprocated banter” and that she was not under the impression that anyone was uncomfortable.

The panel did not consider that this allegation was proven. Given the passage of time, it was unclear whether Staff Member D had witnessed this comment herself, or whether it was something she had been told by Staff Member C or someone else.

**e. Pulled open your top and asked staff if they wanted to comment how good your breasts looked;**

This allegation was neither admitted nor denied. Miss Houghton acknowledged that the incident may have happened, but she had no recollection of it.

The only person who referred to any incident that might correlate to this allegation was Staff Member H. Staff Member H stated during the School’s investigation that Miss Houghton talked about her own breasts and bra. She stated that Miss Houghton would “pull her top away”, look down and asked if staff wanted to comment about how good her breasts looked that day.

In Miss Houghton’s Second Statement she denied showing male members of staff her bra or having made any comment about her breasts.

In Miss Houghton’s Third Statement she denied having talked about her own breasts, her bra or pulling her top away and inviting staff to comment how her breasts looked.

Miss Houghton stated in her Fourth Statement that she had no recollection of any such incident. She accepted that staff discussed topics of a sexual nature and that, at times, she was part of this. She stated that she had a vague recollection of Staff Member D showing part of her new bra, and that they had engaged in a conversation regarding bra recommendations. Miss Houghton stated that she had shown Staff Member D part of her bra, and stated that she would recommend it. Miss Houghton stated that she could not remember the specifics of the conversation, but that it was a genuine conversation between women.

Staff Member H provided the sole evidence in support of this allegation and since she had not provided a witness statement for the present hearing, nor could her evidence be tested, the panel could not attribute significant weight to the evidence and did not consider that this allegation had been proven.

**2. You engaged in unprofessional and/or inappropriate behaviour and/or inappropriate physical contact towards Staff Member A, in that:**

**c. You discussed fingers and thumbs in a sexual manner following a conversation relating to a wrist support used on a keyboard;**

Miss Houghton neither admitted nor denied this allegation. Miss Houghton acknowledged that the incident may have happened, but she had no recollection of it.

In Staff Member A's statement reporting concerns about Miss Houghton's behaviour, she referred to "other incidents" whereby Miss Houghton had "instigated conversations of a sexual nature, some extremely vulgar, with members of staff whilst I have been there." Staff Member A gave one example, but did not refer to this specific incident. Staff Member A referred to this incident during her interview as part of the School's investigation. She stated that she had been sitting opposite Miss Houghton and Staff Member B. She stated that Staff Member B had enquired what the item was that Miss Houghton had received and that Miss Houghton had explained that it was for her wrists. She stated that Staff Member B had responded that she could do with such a support and that Miss Houghton had proceeded to talk about her fingers and thumbs, and "in sexually explicit detail, what she did with her hands." She stated that she could see that Staff Member B was uncomfortable, and that she, Staff Member A, had got up and walked away. In oral evidence, Staff Member A demonstrated the hand movement that Miss Houghton had made when making this comment.

In Miss Houghton's Third Statement, she stated that this did not happen.

In her Fourth Statement, Miss Houghton stated that she had no recollection of any such incident, and noted that Staff Member A had not specifically detailed what Miss Houghton had allegedly said. Miss Houghton stated that she never spoke about her personal relations with her partner in the staffroom as she and her partner strove to keep their relationship "private".

The panel noted that Staff Member B, to whom this comment was reported to have been made did not refer to this incident in her statement during the School's investigation, nor in her statement for the present proceedings. Given that the comment was not directed to Staff Member A, and Staff Member B made no reference to it at all, the panel did not consider that there was sufficient evidence that the allegation had been proven.

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

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

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

The panel was satisfied that the conduct of Miss Houghton in relation to the facts found proved, involved breaches of the Teachers' Standards. The panel considered that, by reference to Part 2, Miss Houghton had not demonstrated the consistently high standards

of personal and professional conduct expected of her. Miss Houghton 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

- ... building relationships rooted in mutual respect, and at all times observing proper boundaries appropriate to a teacher's professional position
- showing tolerance of and respect for the rights of others

Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach...

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 Miss Houghton fell significantly short of the standard of behaviour expected of a teacher.

The panel also considered whether Miss Houghton's conduct displayed behaviours associated with any of the offences in the list that begins on page 12 of the Advice.

The panel found that the following offences of violence; sexual activity; controlling or coercive behaviour; and harassment were relevant for the reasons stated below:

- violence – given the non-consensual touching of colleagues;
- sexual activity – given that the panel has found Miss Houghton to have engaged in conduct of a sexual nature; and
- controlling and coercive behaviour and harassment – given the panel's reasons in relation to its finding in respect of allegation 7.

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

Accordingly, the panel was satisfied that Miss Houghton was guilty of unacceptable professional conduct.

The panel went on to consider whether Miss Houghton was guilty of conduct that may bring the profession into disrepute.

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

In considering the issues of disrepute, the panel also considered whether Miss Houghton's conduct displayed behaviours associated with any of the offences in the list that begins on page 12 of the Advice.

As referred to above, the panel found that the offences of violence; sexual activity; controlling or coercive behaviour; and harassment were relevant.

The Advice indicates that where behaviours associated with such an offence exist, a panel is likely to conclude that an individual's conduct would amount to conduct that may bring the profession into disrepute.

The panel considered that Miss Houghton's conduct could potentially damage the public's perception of a teacher.

The panel therefore found that Miss Houghton's actions constituted 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 is appropriate, the panel had to consider the public interest, the seriousness of the behaviour and any mitigation offered by Miss Houghton and whether a prohibition order is necessary and proportionate. Prohibition orders should not be given in order to be punitive, or to show that blame has been apportioned, although they are likely to have punitive effect.

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

There was no public interest consideration in respect of the safeguarding and wellbeing of pupils, given that there were no concerns relating to Miss Houghton's practice in the classroom. To the contrary, there was copious evidence of Miss Houghton's exemplary teaching, management, support and development of children with autism.

The panel considered that public confidence in the profession could be weakened if conduct such as that found against Miss Houghton were not treated with appropriate 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 present as the conduct found against Miss Houghton was outside that which could reasonably be tolerated.

The panel decided that there was a strong public interest consideration in retaining the teacher in the profession, since she is able to make a very valuable contribution to the profession, particularly in her specialist area of teaching children and young persons with autism.

The panel considered carefully the seriousness of the behaviour, noting that the Advice states that the expectation of both the public and pupils, is that members of the teaching profession maintain an exemplary level of integrity and ethical standards at all times. The panel noted that a teacher's behaviour that seeks to exploit their position of trust should be viewed very seriously in terms of its potential influence on pupils and be seen as a possible threat to the public interest. The panel noted that some of the misconduct found proven occurred after Miss Houghton was promoted to the position of assistant headteacher at the School, yet she failed to recognise, at the time, that her own behaviour was inappropriate and unprofessional or to seek to change the culture within the staffroom.

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

- serious departure from the personal and professional conduct elements of the Teachers' Standards;

- abuse of position or trust...;

- sexual misconduct, for example, involving actions that were ... of a sexual nature and/or that use or exploit the trust, knowledge or influence derived from the individual's professional position; and

- ... other deliberate behaviour that undermines ... the profession, the school or colleagues.

Whilst the panel considered there had been an abuse of position or trust, the panel noted that this did not involve pupils in any way.

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



The panel considered that Miss Houghton's conduct was deliberate, in that she chose to act in the manner she did. However, whilst there was a clear impact on her colleagues of her behaviour, the panel did not reach the view that she intended to cause them harm.

There was no evidence to suggest that Miss Houghton was acting under extreme duress, e.g. a physical threat or significant intimidation. Nevertheless, the panel recognised that the conduct occurred in the School where there were significant challenges. It was a new school, teaching pupils who were articulate and intellectually able, but who were autistic and struggling to cope or to respond appropriately to their environment and this brought challenges for all staff. Miss Houghton referred to children threatening to take their own lives or harm themselves and [REDACTED]. Undoubtedly this would have significantly impacted upon all staff including Miss Houghton. Miss Houghton had recently been promoted and became the sole leader on site at the School.

Miss Houghton did have a previously good history, having demonstrated exceptionally high standards in both her personal and professional conduct and having contributed significantly to the education sector. The panel accepted that her conduct at the School was out of kilter with her behaviour both before and after the period in which the misconduct occurred.

When Miss Houghton took a position at Rowan Park she was provided with two references from the previous school at which she had worked both of which rated her "excellent" in all areas. She was described as a "very competent teacher", was referred to as "works well in a team and has built strong relationships with staff, pupils and parents", and that "she was a credit to [the school] and it will be a sad loss if she is successful in her application to Rowan Park". One of the references concluded stating that she was a "fantastic teacher".

Another colleague from the school at which Miss Houghton previously worked provided a reference for the School's disciplinary hearing. This stated "Nicola continued to impress with her teaching skills with ASD pupils and PMLD pupils, her patient and continued continuity with her pupils was a credit to her. Nicola is a compassionate person with praiseworthy perseverance and ambition and is willing to go above and beyond what is expected of her."

Since leaving the School, Miss Houghton has set up a business providing consultancy service to schools and families of autistic children and young people. She runs autism sensory groups, provides bespoke services to neurodiverse families, offers support and advice to schools and families around the education of autistic children, and offers independent observations and reports for individual children to assist with the diagnostic process and in securing Education Health and Care Plans.

The panel has seen a variety of emails (over 70 pages) from individuals who have attended training sessions delivered by Miss Houghton to aid their understanding of autism, for whom Miss Houghton has prepared reports recommending how children can

best be supported and parents of those who have attended autism sensory groups led by Miss Houghton. These included comments such as:

“I am always learning from her, she is so knowledgeable and friendly and doesn't judge.. I feel she creates a safe space”,

“you are such a talented lady, shame there's not more with your knowledge”,

“thanks for doing the sessions they are great and it was lovely to see [child] so engaged as he hasn't been previously”,

“the course on Tuesday was amazing with so much info! I think I have done every course I have found, read every book etc etc... still learned so much! I wish we could clone you and have one in every classroom...”, “since [child] has been coming to your Saturday morning groups he has developed so much – it has helped him a lot”,

“you've been invaluable”,

“knew her stuff inside out”,

“she assessed our son in school and in that one assessment she has seen more of his needs than the school have in 6 years”,

“you made our difficult journey so much easier”,

“from the start we were greeted with professionalism Her knowledge and experience of children with autism and ADHD is very clear”,

“Nicola takes the time to get to know you and your child and gives advice and support whenever you ask” and

“ we have just had our daughter's review with her paediatrician. I had to send your assessment over to her to read ahead of our appointment today – she was blown away! Said it's one of the most in depth, understanding and brilliant reports and assessment of a child with autism she's ever read.”

Miss Houghton has provided consultancy services to an author with an autistic son, and extracts of books written by the author were provided to the panel which referred to the advice and support that Miss Houghton had provided to her and her son, the author having come across Miss Houghton on social media. In the book, the author referred to the emotions she experienced upon meeting Miss Houghton for the first time as “it really hit me how grateful I was for a woman on the internet whom I'd never seen... what she had given to me to [child], to [child] – to our whole family- with her expertise and kindness... Nic, thank you. You saved me at a time things felt so dark I couldn't find the light. I am forever grateful to you.”

As referred to above, Miss Houghton produced a number of references for the present hearing. This included a reference from someone who met Miss Houghton at a support meeting for parents and families with SEN, and who asked Miss Houghton to become part of a Positive Autistic Living Community. This referee attended to give oral evidence to the panel. She stated that “although Nicola’s knowledge is incredible and unquestionable in its abundance a major reason of her success within the support group is due to the attendees having utter respect for what Nicola brings to each meeting and the trusting relationships that have been built because of the help that Nicola has given that has in turn reflected positively on their children and young adults” and “from what I know of her extensive and rare to find priceless experience, qualifications and knowledge within the SEN field I truly feel that Nicola’s contribution to the teaching profession if taken away would be of huge detriment to the profession and on a basic level so sad and unnecessary, in an industry that is losing ever more qualified people with a learned experience...”

Another referee who is a close friend of Miss Houghton, and who also gave oral evidence, referred to Miss Houghton “being devoted to the children in her care and her ability to connect with and educate young is exceptional. Her passion for supporting children with additional needs is particularly inspiring, and she has consistently gone over and beyond to ensure that every child reaches their full potential.” This witness also gave a summary of Miss Houghton’s reflections on her conduct, and how, over time, she has recognised that her conduct was “misplaced and unwanted”.

A colleague at Rowan Park referred to having observed Miss Houghton’s teaching practice including with an Ofsted inspector who was serving as an educational advisor at the school. He stated “on all occasions, I was impressed by Miss Houghton’s exceptional teaching skills, effective behaviour management strategies and adept handling of students with Special Educational Needs, particularly those with Autism and Severe Learning Difficulties. Her pedagogical approaches were aligned to current best practices, and she was frequently recognised as an exemplar for other teachers to emulate. The consulting Ofsted inspector specifically commended her consistent application of good practice and her ability to maximise teaching opportunities.”

A teaching assistant who worked with Miss Houghton at Rowan Park stated “the student in our class were very unpredictable and displayed challenging behaviours. Nicola as a class teacher always put her students and staff safety first. She was a very dynamic teacher making her lessons very interesting and inclusive with a strong focus on independence.”

Another teaching assistant who worked with Miss Houghton at Rowan Park stated “her professional judgement when pupils are misbehaving has always been in the pupils’ best interest and all behavioural support plans and intervention plans have been followed to a high standard. The pupils who I have worked alongside with Nicola have always had a good rapport relationship with her.”

Witnesses who gave evidence for the TRA in this hearing acknowledged Miss Houghton's role as a teacher. Staff Member B stated that Miss Houghton was a good teacher, that she was good with the children and cared about them. Staff Member D referred in positive terms to Miss Houghton's ability as a teacher.

[REDACTED]. She explained that she fought hard to convince others of her innocence, but carrying that anger and denial forced her to become mentally exhausted and at that point she sought help. She informed the panel that whilst she initially blamed others, [REDACTED] have helped her to realise that she was not blameless, that she participated in inappropriate behaviour and did nothing to prevent it continuing. She stated that she now recognises that she needed to hold herself accountable for contributing to the negativity and toxicity of the workplace. She has accepted that she was a weak leader who did not have the skillset or the support to be more effective. She referred to hoping that she would be allowed to move "humbly forward with my life, knowing that I made mistakes but equally knowing that I have learnt from them."

She also referred to her passion for teaching and that she looks back with sadness, and that she missed the children and young people with whom she worked and missed being part of a community that works together to achieve positive outcomes for children and young people.

The panel recognised that Miss Houghton had extended, through her representative, her apology to those witnesses who were impacted by her conduct. The panel was satisfied that Miss Houghton was genuinely remorseful. She referred to having returned home having heard the evidence, and being absolutely devastated, never wanting anyone to feel that way. She referred to being wishful she could wave a magic wand and never have acted in the way she did, and that she would never have behaved in that way, if she had recognised the impact that she was having.

The panel considered that the passage of time since these incidents occurred has been used by Miss Houghton to reflect on her behaviour, to recognise her faults and to learn from them. Those who have worked with Miss Houghton subsequently speak positively of her, and there does not seem to be anything further to be achieved to protect the public interest by being prohibited from teaching. To the contrary, prohibition would deprive the public of a teacher who could make a valuable contribution to the education and lives of children with special educational needs and their families. The panel considered that, in this case, the risk of repetition was low, and that the balance of the public interest was in favour of Miss Houghton continuing to teach.

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

The panel was of the view that, applying the standard of the ordinary intelligent citizen, the recommendation of no prohibition order would be both a proportionate and an

appropriate response. Given that the nature and severity of the behaviour were at the less serious end of the possible spectrum and, having considered the mitigating factors that were present, the panel determined that a recommendation for a prohibition order would not be appropriate in this case. The panel considered that the publication of the adverse findings it had made was sufficient to send an appropriate message to the teacher as to the standards of behaviour that are not acceptable, and the publication would meet the public interest requirement of declaring proper standards of the profession.

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

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

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

In this case, the panel has found some of the allegations proven and found that those proven facts amount to unacceptable professional conduct and conduct that may bring the profession into disrepute. In this case, the panel has found some of the allegations not proven (including allegations 1d, 1e, 2c). I have therefore put those matters entirely from my mind.

The panel has made a recommendation to the Secretary of State that Miss Nicola Houghton should not be the subject of a prohibition order. The panel has recommended that the findings of unacceptable professional conduct and conduct likely to bring the profession into disrepute, should be published and that such an action is proportionate and in the public interest.

In particular, the panel has found that Miss Houghton 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

- ... building relationships rooted in mutual respect, and at all times observing proper boundaries appropriate to a teacher's professional position
- showing tolerance of and respect for the rights of others

Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach...

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 Miss Houghton fell significantly short of the standards expected of the profession.

The findings of misconduct are serious as they include findings of inappropriate behaviour with colleagues, conduct of a sexual nature, controlling/coercive behaviour and harassment.

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 Miss Houghton, and the impact that will have on the teacher, is proportionate and in the public interest.

In this case, I have considered the extent to which a prohibition order would protect children/safeguard pupils. The panel has observed, "There was no public interest consideration in respect of the safeguarding and wellbeing of pupils, given that there were no concerns relating to Miss Houghton's practice in the classroom. To the contrary, there was copious evidence of Miss Houghton's exemplary teaching, management, support and development of children with autism."

I have also taken into account the panel's comments on insight and remorse, set out as follows, "The panel recognised that Miss Houghton had extended, through her representative, her apology to those witnesses who were impacted by her conduct. The panel was satisfied that Miss Houghton was genuinely remorseful. She referred to having returned home having heard the evidence, and being absolutely devastated, never wanting anyone to feel that way. She referred to being wishful she could wave a magic wand and never have acted in the way she did, and that she would never have behaved in that way, if she had recognised the impact that she was having." I have therefore given this element considerable weight in reaching my decision.

I have gone on to consider the extent to which a prohibition order would maintain public confidence in the profession. The panel observe, "The panel considered that public confidence in the profession could be weakened if conduct such as that found against Miss Houghton were not treated with appropriate seriousness when regulating the conduct 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 Miss Houghton herself and the panel comment “Miss Houghton did have a previously good history, having demonstrated exceptionally high standards in both her personal and professional conduct and having contributed significantly to the education sector. The panel accepted that her conduct at the School was out of kilter with her behaviour both before and after the period in which the misconduct occurred.” The panel had seen “a variety of emails (over 70 pages) from individuals who have attended training sessions delivered by Miss Houghton to aid their understanding of autism, for whom Miss Houghton has prepared reports recommending how children can best be supported and parents of those who have attended autism sensory groups led by Miss Houghton.”

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

In this case, I have placed considerable weight on the panel’s comments concerning the level of insight or remorse demonstrated. The panel has said, “[REDACTED]. She explained that she fought hard to convince others of her innocence, but carrying that anger and denial forced her to become mentally exhausted and at that point she sought help. She informed the panel that whilst she initially blamed others, [REDACTED] have helped her to realise that she was not blameless, that she participated in inappropriate behaviour and did nothing to prevent it continuing. She stated that she now recognises that she needed to hold herself accountable for contributing to the negativity and toxicity of the workplace. She has accepted that she was a weak leader who did not have the skillset or the support to be more effective. She referred to hoping that she would be allowed to move “humbly forward with my life, knowing that I made mistakes but equally knowing that I have learnt from them.”

In addition, I have given considerable weight to the following “There was no evidence to suggest that Miss Houghton was acting under extreme duress, e.g. a physical threat or significant intimidation. Nevertheless, the panel recognised that the conduct occurred in the School where there were significant challenges. It was a new school, teaching pupils who were articulate and intellectually able, but who were autistic and struggling to cope or to respond appropriately to their environment and this brought challenges for all staff. Miss Houghton referred to children threatening to take their own lives or harm themselves and [REDACTED]. Undoubtedly this would have significantly impacted upon all staff

including Miss Houghton. Miss Houghton had recently been promoted and became the sole leader on site at the School.”

I have also placed considerable weight on the finding of the panel that “The panel considered that the passage of time since these incidents occurred has been used by Miss Houghton to reflect on her behaviour, to recognise her faults and to learn from them. Those who have worked with Miss Houghton subsequently speak positively of her, and there does not seem to be anything further to be achieved to protect the public interest by being prohibited from teaching. To the contrary, prohibition would deprive the public of a teacher who could make a valuable contribution to the education and lives of children with special educational needs and their families. The panel considered that, in this case, the risk of repetition was low, and that the balance of the public interest was in favour of Miss Houghton continuing to teach.”

The panel decided that there was a strong public interest consideration in retaining the teacher in the profession, since she is able to make a very valuable contribution to the profession, particularly in her specialist area of teaching children and young persons with autism.

I have therefore given significant weight in my consideration of sanction therefore, to the contribution that Miss Houghton has made to the profession, along with the level of insight and remorse shown.

For these reasons, I have concluded that a prohibition order is not proportionate or in the public interest. I consider that the publication of the findings made would be sufficient to send an appropriate message to the teacher as to the standards of behaviour that were not acceptable and that the publication would meet the public interest requirement of declaring proper standards of the profession.

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

**Decision maker: Sarah Buxcey**

**Date: 20 January 2025**

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