



Teaching  
Regulation  
Agency

# **Ms Rachel Bruce: Professional conduct panel outcome**

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

**March 2025**

## Contents

Introduction	3
Allegations	3
Preliminary applications	4
Summary of evidence	7
Documents	7
Witnesses	8
Decision and reasons	8
Findings of fact	9
Panel's recommendation to the Secretary of State	13
Decision and reasons on behalf of the Secretary of State	17

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

<b>Teacher:</b>	Ms Rachel Bruce
<b>Teacher ref number:</b>	9736677
<b>Teacher date of birth:</b>	7 November 1974
<b>TRA reference:</b>	20062
<b>Date of determination:</b>	11 March 2025
<b>Former employer:</b>	Riverside Special School, East Yorkshire

### **Introduction**

A professional conduct panel (“the panel”) of the Teaching Regulation Agency (“the TRA”) convened on 10 to 11 March 2025 by way of a virtual hearing, to consider the case of Ms Rachel Bruce (“Ms Bruce”).

The panel members were Mrs Patricia Hunt (former teacher panellist – in the chair), Ms Charlotte Kelly (lay panellist) and Mrs Cathy Logan (teacher panellist).

The legal adviser to the panel was Mrs Carly Hagedorn of Eversheds Sutherland (International) LLP Solicitors.

The presenting officer for the TRA was Mr Adam Slack of Capsticks LLP solicitors.

Ms Bruce was not present and was not represented.

The hearing took place in public save that portions of the hearing were heard in private and was recorded.

### **Allegations**

The panel considered the allegations set out in the notice of proceedings dated 2 December 2024.

It was alleged that Ms Bruce was guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute, in that whilst employed as assistant head teacher at Riverside Special School (“the School”):

1. On 6 November 2020, she attended a video call with Person B and/or others to discuss the School’s response to your positive Covid-19 test result, when her

ability to engage with that meeting was impaired by virtue of her having consumed alcohol or otherwise.

She has been convicted of a relevant offence, at any time, in that:

2. On 17 September 2020, she was convicted of: “On 13/06/2020 at SNAITH in the county of East Riding of Yorkshire drove a motor vehicle [REDACTED] after consuming so much alcohol that the proportion of it in your breath, namely 112 microgrammes of alcohol in 100 millilitres of breath, exceeded the prescribed limit. Contrary to section 5(1)(a) of the Road Traffic Act 1988 and Schedule 2 to the Road Traffic Offenders Act 1988”.

Ms Bruce admitted the facts of allegation 2 and denied the facts of allegation 1. Ms Bruce did not provide a response as to whether her admitted conduct in allegation 2 amounted to a conviction of a relevant offence.

## **Preliminary applications**

### Proceeding in Absence

The panel considered whether this hearing should continue in the absence of the teacher.

The panel was satisfied that TRA complied with the service requirements of paragraph 19(1) (a) to (c) of the Teachers’ Disciplinary (England) Regulations 2012, (the “Regulations”).

The panel was also satisfied that the Notice of Proceedings complied with paragraphs 5.23 and 5.24 of the Teacher misconduct: Disciplinary procedures for the teaching profession May 2020, (the “Procedures”).

The panel has determined to exercise its discretion under paragraph 5.47 of the Procedures to proceed with the hearing in the absence of the teacher.

The panel took at its starting point the principle from *R v Jones* [2003] 1 AC 1 that its discretion to commence a hearing in the absence of the teacher has to be exercised with the utmost care and caution, and that its discretion is a severely constrained one. In considering the question of fairness, the panel recognised that fairness to the professional is of prime importance but that it also encompasses the fair, economic, expeditious and efficient disposal of allegations against the professional, as was explained in *GMC v Adeogba & Visvardis* [2016] EWCA Civ 162.

In making its decision, the panel has noted that the teacher may waive her right to participate in the hearing. The panel firstly took account of the various factors drawn to its attention from the case of *R v Jones* [2003] 1 AC1:

- i) The panel had sight of an email from Ms Bruce to the TRA's legal representatives dated 2 December 2024. Ms Bruce stated "*I will not want or be able to be part of a hearing* [REDACTED]. The panel also had sight of an email dated 19 December 2024 from Ms Bruce to the TRA's legal representatives which stated "*As previously mentioned, I do not intend to attend this hearing...*" The panel also had sight of an email from Ms Bruce to the TRA's legal representatives dated 11 February 2025 which reconfirmed her intention not to attend the hearing. The panel was satisfied that Ms Bruce deliberately absented herself from the hearing. The panel therefore considered that the teacher has waived her right to be present at the hearing in the knowledge of when and where the hearing is taking place.
- ii) The panel was not provided with any evidence to suggest that an adjournment may result in Ms Bruce attending voluntarily. The panel noted that there was no recent medical evidence within the bundle.
- iii) Ms Bruce did not provide any details of a representative within the response to the notice of referral form and no wish to adjourn to obtain legal representation has been expressed.
- iv) The panel noted the extent of the disadvantage to Ms Bruce in not being able to give her account of events, having regard to the nature of the evidence against her. However, the panel has the benefit of representations made by Ms Bruce and is able to ascertain the lines of defence. The panel has Ms Bruce's evidence addressing mitigation and can take this into account at the relevant stage. The panel noted that all witnesses relied upon are to be called to give evidence and the panel can test that evidence in questioning those witnesses, considering such points as are favourable to the teacher, as are reasonably available on the evidence. The panel is also able to exercise vigilance in making its decision, taking into account the degree of risk of the panel reaching the wrong decision as a result of not having heard the teacher's account.
- v) The panel also considered the risk of reaching an improper conclusion about the absence of the teacher. The panel noted Ms Bruce's emails of 2 and 19 December 2024, whereby Ms Bruce made clear and unqualified statements about her intention to be absent from the hearing.

- vi) The panel recognised that the allegations against the teacher are serious and that there was a real risk that if proven, the panel will be required to consider whether to recommend that Ms Bruce ought to be prohibited from teaching.
- vii) The panel recognised that the efficient disposal of allegations against teachers is required to ensure the protection of pupils and to maintain confidence in the profession. The conduct alleged is said to have taken place whilst the teacher was employed at the School. The School will have an interest in this hearing taken place in order to move forwards.
- viii) The panel also notes that there are three witnesses present at the hearing, who are prepared to give evidence, and that it would be inconvenient for them to return again. Delaying the case may impact upon the memories of those witnesses.

The panel decided to proceed with the hearing in the absence of the teacher. The panel considered that in light of the teacher's waiver of her right to appear; by taking such measures referred to above to address that unfairness insofar as is possible; and taking account of the inconvenience an adjournment would cause to the witnesses; that on balance, these are serious allegations and the public interest in this hearing proceeding within a reasonable time is in favour of this hearing continuing today.

#### Excluding the Public

The panel considered whether to exercise its discretion under paragraph 11 of the Teachers' Disciplinary (England) Regulations 2012 (the "Regulations") and paragraph 5.85 of the Procedures to exclude the public from all or part of the hearing. At the outset of the hearing, the panel identified that there were numerous references within the bundle to sensitive information [REDACTED]. The panel gave the presenting officer the opportunity to make representations in the event that the panel decided to exercise its discretion to exclude the public from part of the hearing where reference is made to these matters. No objection was made by the presenting officer to the panel's suggestion.

The panel determined to exercise its discretion under paragraph 11(3)(a) of the Regulations under the first limb of paragraph 5.85 of the Procedures for the public to be excluded from part of the hearing when reference or information is disclosed in respect of sensitive matters [REDACTED].

The panel took into account the general rule that hearings should be held in public and that this is generally desirable to maintain public confidence in the administration of these proceedings and also to maintain confidence in the teaching profession. On this occasion, however, the panel considered that it was necessary to exclude the public from

part of the hearing where reference to these sensitive matters are made, as it was necessary for the interests of justice given the sensitive and personal nature of such information.

The panel did not consider that there were any steps short of excluding the public from these parts of the hearing that would serve the purpose of protecting the confidentiality of the information.

The panel had regard to whether the exclusion of the public for this part of the hearing ran contrary to the public interest. The panel is required to announce its decisions in public as to whether the facts have been proven and whether those facts amount to unacceptable professional conduct and/or conduct that may bring the profession into disrepute and a conviction of a relevant offence. In the event that the case continues, any decision of the Secretary of State will also be in public. The panel considered that in the circumstances of this case that the public interest will be satisfied by these public announcements. Those public announcements will ensure that public confidence in these proceedings and in the standards of the profession are maintained.

## **Summary of evidence**

### **Documents**

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

Section 1: Chronology, anonymised pupil list and key list of people – pages 5 to 7

Section 2: Notice of referral and response – pages 8 to 38

Section 3: Teaching Regulation Agency documents – pages 39 to 284

Section 5: Teacher documents – pages 285 to 300

The following documents were also provided separately to the panel:

Addendum Bundle: Memorandum of Conviction and Police Documents – pages 302 to 315

Two video extracts – page 316

Email correspondence dated 19 December 2024 between Ms Bruce and the TRA's legal representatives – pages 317 to 318

Witness statement of Individual A – pages 319 to 324

Service Bundle – pages 325 to 340

On the first day of the hearing, the panel was provided with Ms Bruce's response to the correspondence request form and three emails regarding service of the notice of proceedings and hearing bundle.

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

In the consideration of this case, the panel had regard to the document Teacher misconduct: Disciplinary procedures for the teaching profession 2020, (the "Procedures").

## **Witnesses**

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

Witness A – [REDACTED]

Witness B – [REDACTED]

Witness C – [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.

Ms Bruce was employed as assistant headteacher at the School from 1 January 2015 and was a member of the School's senior leadership team.

On 17 September 2020, Ms Bruce was convicted for a driving offence after consuming alcohol which exceeded the prescribed limit when she was driving on 13 June 2020. Ms Bruce reported the incident to the School on 14 June 2020. The School sought advice from the Local Authority Designated Officer ("LADO"), put in place measures to assist Ms Bruce (such as precautionary transfer of duties) and undertook an investigation.

On 6 November 2020, Ms Bruce attended a call with colleagues to discuss the School's response to Ms Bruce's positive Covid-19 test result. It was alleged by colleagues that Ms Bruce appeared to be under the influence of alcohol during the meeting and the School undertook an investigation into these allegations.

Thereafter, Ms Bruce ceased employment with the School.



## Findings of fact

The findings of fact are as follows:

The panel found the following particular of the allegation against you proved, for these reasons:

**2. On 17 September 2020, you were convicted of: “On 13/06/2020 at SNAITH in the county of East Riding of Yorkshire drove a motor vehicle [REDACTED] after consuming so much alcohol that the proportion of it in your breath, namely 112 microgrammes of alcohol in 100 millilitres of breath, exceeded the prescribed limit. Contrary to section 5(1)(a) of the Road Traffic Act 1988 and Schedule 2 to the Road Traffic Offenders Act 1988”.**

Ms Bruce admitted this allegation. In a letter to the TRA dated 18 September 2023 from Ms Bruce, she said *“TRUE – I engaged with [REDACTED] and was discharged due to my progress.”*

The panel had sight of the Memorandum of Entry entered in the register of the Humber Magistrates’ Court which stated:

*“On 13/06/2020 at SNAITH in the county of East Riding of Yorkshire drove a motor vehicle, namely [REDACTED] on a road, namely [REDACTED], after consuming so much alcohol that the proportion of it in your breath, namely 112 microgrammes of alcohol in 100 millilitres of breath, exceeded the prescribed limit. Contrary to section 5(1)(a) of the Road Traffic Act 1988 and Schedule 2 to the Road Traffic Offenders Act 1988.”*

Ms Bruce was disqualified from driving for a period of 25 months, ordered to pay costs and a community order was made for Ms Bruce to carry out 100 hours of unpaid, supervised work.

The panel noted that if there has been a conviction, at any time, of a criminal offence, the panel will accept the certificate of conviction as conclusive proof of both the conviction and the facts necessarily implied by the conviction, unless exceptional circumstances apply.

The panel also had sight of documents from the police in respect of this conviction.

The panel found allegation 2 proved.

The panel found the following particular of the allegation against you not proved, for these reasons:

**1. On 6 November 2020, you attended a video call with Person B and/or others to discuss the School’s response to your positive Covid-19 test result, when your**

**ability to engage with that meeting was impaired by virtue of you having consumed alcohol or otherwise.**

Ms Bruce denied this allegation. In a letter to the TRA dated 18 September 2023 from Ms Bruce, she said *“No evidence. I was extremely poorly with COVID and was being considered as to whether I needed to go to hospital. I engaged with the meeting as best as I could given my levels of nausea and high temperature.*

*I would like to add that although school had given me one set of advice regarding who should be considered as people with whom I had been in close contact, Track and Trace gave me different advice as to who classed as ‘close contact’ and I regarded that they were the lead on COVID guidance.*

*Additionally, I had never before taken a screenshot using my phone and therefore asked [REDACTED] to help. It was very distressing.”*

The panel understood from the evidence available that Ms Bruce had some difficulty joining the Microsoft Teams meeting on 6 November 2020 to discuss the School's response to Ms Bruce's positive Covid-19 test result with the senior leadership team. As a result, Witness B video called Ms Bruce via FaceTime on his iPhone during the Teams meeting.

Witness A provided oral evidence at the hearing and stated that Ms Bruce was not on the Microsoft Teams video call, so he could not visually see her. Witness A said that he could hear Ms Bruce on the video call as she was on a FaceTime call with Witness B (who was on the video call) at the same time.

Witness A stated that from what he could hear, Ms Bruce came across as incoherent. Witness A said *“it wasn't like her language was slurred. It was the language she was using and her inability to connect to the computer system.”*

When asked to describe the language that Ms Bruce used, Witness A said *“it was the type of language used” ... “it was not as structured or developed”.*

Witness B stated in oral evidence that during the FaceTime call, it was his view that Ms Bruce was under the influence of alcohol. Witness B said that he was *“the only one who could see her... she kept holding her phone up to her ear”* when on the FaceTime call. Witness B described Ms Bruce as *“becoming emotional and flustered” ... was “slurring her words”* and had an *“inability to follow basic instructions.”*

The panel noted that there were some inconsistencies between Witness A and Witness B's evidence, around whether Ms Bruce was slurring her words.

Witness C attended the Microsoft Teams call on 6 November 2020. Witness C stated that she could not visually see Ms Bruce for the duration of the Teams call but did see her at

points when Witness B showed his mobile phone screen to the Microsoft Teams Camera (as Ms Bruce was on a FaceTime call with Witness B at the time). In oral evidence, Witness C said that *“Ms Bruce is a very intelligent woman and wasn’t able to grasp the information given to her on the call. She became more and more erratic. She wasn’t as cohesive.”* Witness C stated that Ms Bruce *“appeared drunk”* and *“she was acting like she was under the influence of alcohol”*.

Witness C stated that after the call *“we had a conversation about the way she was behaving. We were all really concerned.”*

When the panel asked Witness B whether Ms Bruce could have acted in the manner she did due to being ill with Covid, Witness B said *“it didn’t strike me like that. She didn’t seem particularly unwell.”* He stated that she didn’t have symptoms such as *“shortness of breath”* or a *“cough.”* The panel recognised that the symptoms of Covid-19 can be varied.

Whilst the panel acknowledged that Ms Bruce was impaired in some way during the call on 6 November 2020, the witnesses held a genuine impression that this may be due to alcohol, however the panel could not determine on the balance of probabilities whether it was by virtue of her having consumed alcohol or otherwise. The panel noted that the evidence in support of this allegation was purely based on perception and was not satisfied with the strength of the evidence.

The panel did not find allegation 1 proved.

## **Findings as to conviction of a relevant offence**

Having found allegation 2 proved, the panel went on to consider whether the facts of this proved allegation amounted to a conviction of a relevant offence.

The panel first considered whether the conduct of Ms Bruce, in relation to the fact found proved, involved breaches of the Teachers’ Standards.

The panel considered that, by reference to Part 2, Ms Bruce was in breach of the following standards:

- 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 noted that there was a witness statement within the bundle from a member of the public who had witnessed Ms Bruce’s driving on 13 June 2020. The witness statement was provided to the police and contained a statement attesting to its truth. The panel considered that this statement was relevant to allegation 2 and was fair to admit in circumstances where the panel was not aware of any objection to its inclusion by

Ms Bruce and the panel could determine what weight, if any, to place on such statement. The witness statement stated that “*I also saw [REDACTED] children, [REDACTED] get out of the vehicle.*” The panel considered that driving under the influence of alcohol was a serious offence and that Ms Bruce’s actions were relevant to teaching, working with children and working in an education setting, especially in circumstances where children were in the car.

The panel noted that the behaviour involved in committing the offence could have had an impact on the safety and/or security of members of the public.

The panel also took account of the way the teaching profession is viewed by others. The panel considered that Ms Bruce’s behaviour in committing the offence could affect public confidence in the teaching profession, given the influence that teachers may have on pupils, parents and others in the community.

The panel noted that Ms Bruce’s behaviour did not lead to a sentence of imprisonment, which was indicative that the offence was at the less serious end of the possible spectrum.

The panel also considered the offences listed on pages 12 and 13 of the Advice.

This was a case concerning an offence involving serious driving offences, particularly those involving alcohol..., which the Advice states is likely to be considered a relevant offence.

The panel noted that driving under the influence of alcohol was very serious and put a great deal of people at risk of harm, including herself, the children in the car and members of the public.

The panel took into account the circumstances which Ms Bruce found herself in at the time. The panel acknowledged her [REDACTED]. Ms Bruce referred herself to [REDACTED] for support with alcohol use. The panel had sight of a letter from [REDACTED] dated 10 September 2020 which stated that Ms Bruce had attended 16 appointments to date. Ms Bruce stated that she engaged with [REDACTED] and was discharged due to her progress.

Although the panel considered the mitigating factors, the panel also found that the seriousness of the offending behaviour that led to the conviction was relevant to Ms Bruce’s ongoing suitability to teach. The panel considered that a finding that this conviction was for a relevant offence was necessary to reaffirm clear standards of conduct so as to maintain public confidence in the teaching profession.

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

Given the panel's findings in respect of a conviction of a relevant offence, it was necessary for the panel to go on to consider whether it would be appropriate to recommend the imposition of a prohibition order by the Secretary of State.

In considering whether to recommend to the Secretary of State that a prohibition order should be made, the panel had to consider whether it would be an appropriate and proportionate measure, and whether it would be in the public interest to do so. Prohibition orders should not be given in order to be punitive, or to show that blame has been apportioned, although they are likely to have punitive effect.

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

In the light of the panel's findings against Ms Bruce, which involved a finding of a conviction of a relevant offence, there was a strong public interest consideration in the public confidence in the profession being seriously weakened if conduct such as that found against Ms Bruce was not treated with the utmost seriousness when regulating the conduct of the profession.

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

In addition to the public interest considerations set out above, the panel went on to consider whether there was a public interest in retaining Ms Bruce in the profession. Whilst there is evidence that Ms Bruce had ability as an educator, the panel considered that the adverse public interest considerations above outweigh any interest in retaining Ms Bruce in the profession, since her behaviour fundamentally breached the standard of conduct expected of a teacher.

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.

In view of the clear public interest considerations that were present, the panel considered carefully whether or not it would be proportionate to impose a prohibition order, taking into account the effect that this would have on Ms Bruce.

The panel took further account of the Advice, which suggests that a prohibition order may be appropriate if certain behaviours of a teacher have been proved. In the list of such behaviours, those that were relevant in this case were:

- serious departure from the personal and professional conduct elements of the Teachers' Standards;
- the commission of a serious criminal offence, including those that resulted in a conviction or caution, paying particular attention to offences that are 'relevant matters' for the purposes of the Police Act 1997 and criminal record disclosures;
- failure in their duty of care towards a child, including exposing a child to risk or failing to promote the safety and welfare of the children (as set out in Part 1 of KCSIE);

The panel noted that the witness statement from the member of the public who had witnessed Ms Bruce's driving on 13 June 2020 (as referred to above), stated that there were [REDACTED] children getting out of Ms Bruce's vehicle. The panel placed a great deal of weight on this witness statement, given that it contained a statement attesting to its truth, Ms Bruce was later convicted for driving after consuming alcohol which exceeded the prescribed limit and the panel did not consider that there was any reason for a member of the public to fabricate the statement. The panel considered that driving under the influence of alcohol with children in a vehicle was a failure in Ms Bruce's duty of care towards the children, exposed them to risk of harm and failed to promote the safety and welfare of children.

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

In the light of the panel's findings there was evidence that Ms Bruce's actions were deliberate.

There was no evidence to suggest that Ms Bruce was acting under extreme duress, e.g. a physical threat or significant intimidation

Ms Bruce did have a previously good history. Witness B described Ms Bruce as being *"very good at safeguarding"* and *"very good at planning"* but noted that her *"teaching was not outstanding"* and *"teaching was not her major strength."*

The panel heard evidence from Witness C who said that Ms Bruce was a *"really good teacher"* and *"understood the children"* given her previous career as an educational psychologist. Witness C gave an example of when Ms Bruce supported a pupil through a bereavement and provided materials to staff and the children.

The panel noted that whilst there was evidence of Ms Bruce being a good teacher who made a valuable contribution, there was no evidence to suggest that she had

demonstrated exceptionally high standards in both her personal and professional conduct and having contributed significantly to the education sector.

The panel was not provided with any character statements or references attesting to her ability as a teacher.

The panel acknowledged that Ms Bruce did demonstrate some limited insight into her actions. Ms Bruce stated in email correspondence to the TRA dated 2 December 2024 that she *“made a potentially catastrophic error of judgement which has almost cost me the world.”*

The panel did not consider that Ms Bruce demonstrated a sufficient level of insight or remorse when considering the potential impact and risks of her actions, in particular the risk of harm to herself, the children in the vehicle and members of the public.

The panel took into account Ms Bruce’s [REDACTED] at the time of the incident, as referred to in the [REDACTED]. It was noted in the [REDACTED] report dated 31 July 2020 [REDACTED].

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

The panel was of the view that, applying the standard of the ordinary intelligent citizen, it would not be a proportionate and appropriate response to recommend no prohibition order. Recommending that the publication of adverse findings would be sufficient would unacceptably compromise the public interest considerations present in this case, despite the severity of the consequences for Ms Bruce of prohibition.

The panel was of the view that prohibition was both proportionate and appropriate. The panel decided that the public interest considerations outweighed the interests of Ms Bruce. The conviction for driving whilst under the influence of alcohol, which the panel considered to be a relevant offence, was a significant factor in forming that opinion. Accordingly, the panel made a recommendation to the Secretary of State that a prohibition order should be imposed with immediate effect.

The panel went on to consider whether or not it would be appropriate for it to decide to recommend a review period of the order. The panel was mindful that the Advice states that a prohibition order applies for life, but there may be circumstances, in any given case, that may make it appropriate to allow a teacher to apply to have the prohibition order reviewed after a specified period of time that may not be less than 2 years.

The Advice indicates that there are certain types of case where, if relevant, the public interest will have greater relevance and weigh in favour of not offering a review period.

None of the listed characteristics were engaged by the panel's findings.

The Advice also indicates that there are certain other types of cases where it is likely that the public interest will have greater relevance and weigh in favour of a longer period before a review is considered appropriate.

None of the listed characteristics were engaged by the panel's findings.

The panel noted that these lists are not intended to be exhaustive and considered the case on its individual merits taking into account all the circumstances involved.

The panel noted that there was no evidence to provide the panel with any assurance that Ms Bruce had not relapsed following her engagement with [REDACTED] and [REDACTED], following her discharge. The panel noted that Ms Bruce stated in an email dated 2 December 2024 that she had *"been cleared by medical professionals and have my driving licence back."* The panel was not provided with evidence to support this statement or evidence to demonstrate what Ms Bruce was currently doing to prevent the risk of repetition. The panel did not consider that Ms Bruce had demonstrated a sufficient level of insight or remorse when considering the potential impact and serious risks of her actions. However, the panel took into account Ms Bruce's mitigating circumstances which included her [REDACTED] at the time of the incident, as referred to in the v. The panel's view was that whilst Ms Bruce's conduct was at the serious end of the spectrum, Ms Bruce may be able to demonstrate, in the future, the steps she has taken to address the risk of repetition.

The panel decided that the findings indicated a situation in which a review period would be appropriate and, as such, decided that it would be proportionate, in all the circumstances, for the prohibition order to be recommended with provision for a 5-year review period.

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

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

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

In this case, the panel has found all some of the allegations proven and found that those proven facts amount to a relevant conviction. The panel found allegation 1 not proven and I have therefore put that matter entirely from my mind.

The panel has made a recommendation to the Secretary of State that Ms Rachel Bruce should be the subject of a prohibition order, with a review period of five years.



In particular, the panel has found that Ms Bruce is in breach of the following standards:

- 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 Ms Bruce, involved breaches of the responsibilities and duties set out in statutory guidance Keeping children safe in education (KCSIE) and/or involved breaches of Working Together to Safeguard Children.

The panel finds that the conduct of Ms Bruce fell significantly short of the standards expected of the profession.

The findings of misconduct are serious as they include a finding of a relevant offence of driving under the influence of alcohol.

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 a relevant conviction, would itself be sufficient to achieve the overall aim. I have to consider whether the consequences of such a publication are themselves sufficient. I have considered therefore whether or not prohibiting Ms Bruce, 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, "The panel considered that driving under the influence of alcohol with children in a vehicle was a failure in Ms Bruce's duty of care towards the children, exposed them to risk of harm and failed to promote the safety and welfare of children."

I have also taken into account the panel's comments on insight and remorse, which the panel sets out as follows, "The panel acknowledged that Ms Bruce did demonstrate some limited insight into her actions. Ms Bruce stated in email correspondence to the TRA dated 2 December 2024 that she *"made a potentially catastrophic error of judgement which has almost cost me the world."* In my judgement, the lack of full insight or remorse means that there is some risk of the repetition of this behaviour and this puts at risk the future wellbeing of children/pupils. I have therefore given this element considerable weight in reaching my decision.

I have gone on to consider the extent to which a prohibition order would maintain public confidence in the profession. The panel observe, "The panel also took account of the way the teaching profession is viewed by others. The panel considered that Ms Bruce's behaviour in committing the offence could affect public confidence in the teaching profession, given the influence that teachers may have on pupils, parents and others in the community." I am particularly mindful of the finding of driving under the influence of alcohol in this case and the impact that such a finding has on the reputation of the profession.

I have had to consider that the public has a high expectation of professional standards of all teachers and that the public might regard a failure to impose a prohibition order as a failure to uphold those high standards. In weighing these considerations, I have had to consider the matter from the point of view of an "ordinary intelligent and well-informed citizen."

I have considered whether the publication of a finding of a relevant conviction, in the absence of a prohibition order, can itself be regarded by such a person as being a proportionate response to the misconduct that has been found proven in this case.

I have also considered the impact of a prohibition order on Ms Bruce herself and the panel comment "The panel noted that whilst there was evidence of Ms Bruce being a good teacher who made a valuable contribution, there was no evidence to suggest that she had demonstrated exceptionally high standards in both her personal and professional conduct and having contributed significantly to the education sector.

The panel was not provided with any character statements or references attesting to her ability as a teacher."

A prohibition order would prevent Ms Bruce 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 shown. The panel has said, "The panel did not consider that Ms Bruce demonstrated a sufficient level of insight or remorse when considering the potential impact and risks of her actions, in particular the risk of harm to herself, the children in the vehicle and members of the public."

I have also placed considerable weight on the finding of the panel that "In the light of the panel's findings there was evidence that Ms Bruce's actions were deliberate."

I have given less weight in my consideration of sanction therefore, to the contribution that Ms Bruce has made to the profession. In my view, it is necessary to impose a prohibition order in order to maintain public confidence in the profession. A published decision, in light of the circumstances in this case, that is not backed up by full remorse or insight,

does not in my view satisfy the public interest requirement concerning public confidence in the profession.

For these reasons, I have concluded that a prohibition order is proportionate and in the public interest in order to achieve the intended aims of a prohibition order.

I have gone on to consider the matter of a review period. In this case, the panel has recommended a 5 year review period.

I have considered the panel's comments "The panel noted that there was no evidence to provide the panel with any assurance that Ms Bruce had not relapsed following her engagement with [REDACTED] and [REDACTED], following her discharge. The panel noted that Ms Bruce stated in an email dated 2 December 2024 that she had *"been cleared by medical professionals and have my driving licence back."* The panel was not provided with evidence to support this statement or evidence to demonstrate what Ms Bruce was currently doing to prevent the risk of repetition. The panel did not consider that Ms Bruce had demonstrated a sufficient level of insight or remorse when considering the potential impact and serious risks of her actions. However, the panel took into account Ms Bruce's mitigating circumstances which included her [REDACTED] at the time of the incident, as referred to in the [REDACTED]. The panel's view was that whilst Ms Bruce's conduct was at the serious end of the spectrum, Ms Bruce may be able to demonstrate, in the future, the steps she has taken to address the risk of repetition."

In this case, factors mean that allowing a lesser review period is not sufficient to achieve the aim of maintaining public confidence in the profession. These elements are the lack of full insight or remorse.

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

**This means that Ms Rachel Bruce is prohibited from teaching indefinitely and cannot teach in any school, sixth form college, relevant youth accommodation or children's home in England.** She may apply for the prohibition order to be set aside, but not until 18 March 2030, 5 years from the date of this order at the earliest. This is not an automatic right to have the prohibition order removed. If she does apply, a panel will meet to consider whether the prohibition order should be set aside. Without a successful application, Ms Bruce remains prohibited from teaching indefinitely.

Ms Bruce has a right of appeal to the Kings Bench Division of the High Court within 28 days from the date she is given notice of this order.



**Decision maker: Sarah Buxcey**

**Date: 13 March 2025**

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