



Teaching
Regulation
Agency

Mrs Janet Young: Professional conduct panel meeting outcome

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

March 2025

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

Teacher: Mrs Janet Young

TRA reference: 23216

Date of determination: 7 March 2025

Former employer: Ellesmere College, Leicester

Introduction

A professional conduct panel (“the panel”) of the Teaching Regulation Agency (“the TRA”) convened on 7 March 2025 by way of a virtual meeting, to consider the case of Mrs Janet Young (“Mrs Young”).

The panel members were Mrs Melissa West (teacher panellist – in the chair), Ms Jan Stoddard (lay panellist) and Mr Chris Major (teacher panellist).

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

In advance of the meeting, after taking into consideration the public interest and the interests of justice, the TRA agreed to a request from Mrs Young that the allegations be considered without a hearing. Mrs Young provided a signed statement of agreed facts and admitted unacceptable professional conduct and/or conduct that may bring the profession into disrepute. The panel considered the case at a meeting without the attendance of the presenting officer Ms Laura Vignoles of Kingsley Napley LLP solicitors, Mrs Young or her representative Miss Edwards of the National Association of Schoolmasters Union of Women Teachers (“NASUWT”).

The meeting took place in private.

Allegations

The panel considered the allegations set out in the notice of meeting dated 21 February 2025.

It was alleged that Mrs Young was guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute, in that whilst working as a teacher at Ellesmere College ('the School'):

1. On or around 25 April 2023, she asked two Teaching Assistants, Person A, and Person B, to amend and/or complete some missing elements of the OCR Maths Structured Task for four pupils, namely;

a) Pupil A

b) Pupil B

c) Pupil E

d) Pupil L

2. Her conduct at paragraph 1:

a) Was dishonest; and/or

b) Lacked integrity.

Mrs Young admitted the facts of the allegations and that her conduct amounted to unacceptable professional conduct and/or conduct that may bring the profession into disrepute.

Preliminary applications

There were no preliminary applications.

Summary of evidence

Documents

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

Section 1: Chronology and list of key people – pages 4 to 5

Section 2: Notice of referral and response – pages 6 to 12

Section 3: Statement of agreed facts – pages 13 to 27

Section 4: Teaching Regulation Agency documents – pages 28 to 325

Section 5: Teacher documents – pages 326 to 327

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

Statement of agreed facts

The panel considered a statement of agreed facts which was signed by Mrs Young on 1 January 2025.

Decision and reasons

The panel announced its decision and reasons as follows:

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

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

Mrs Young was employed on permanent basis as a class teacher at the School from 24 August 2016. On 25 April 2023, it was reported by two members of staff (Person A and Person B) that Mrs Young had instructed them to complete some missing aspects of the OCR Maths Structured Task for the Entry Level Certificate in Mathematics whilst the students were absent from the classroom. Person A and Person B proceeded to complete missing elements of work for four students, Pupil A, Pupil B, Pupil E and Pupil L. Person A and Person B alleged that Mrs Young had asked them to make it look like the pupils’ writing. Person A and Person B were not aware that the work that they were asked to complete was subject to assessment conditions.

The School investigated the allegations and held a disciplinary hearing thereafter. Mrs Young ceased employment at the School on 22 February 2024.

Findings of fact

The findings of fact are as follows:

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

1. On or around 25 April 2023, you asked two Teaching Assistants, Person A, and Person B, to amend and/or complete some missing elements of the OCR Maths Structured Task for four pupils, namely;

a) Pupil A

Mrs Young admitted this allegation.

The panel had sight of the statement of agreed facts signed by Mrs Young on 1 January 2025. The following statements were listed in the statement of agreed facts:

- *“You asked Person A to finish Pupil A's work”*
- *“You asked Person A to shade the graph for Pupil A's work”*
- *“You asked Person A to state what Pupil A's favourite tally was”*
- *“When Person A handed you work that she had completed on behalf of Pupil A and/or Pupil E you asked her to make further changes”*

Mrs Young replied “Yes” to these statements.

The panel had sight of a written statement from Mrs Young dated 26 April 2023. The panel noted that this statement was relevant to the allegations and was drafted in close proximity to the incident.

Mrs Young stated that “I thought I had been reminded that the projects were due in on 24th, (I've checked my email and it said the work needed to be completed by this date, and I had until the 28th to hand them in.) I went into total panic mode as I did not have another session with this class, or so I thought, I don't see the students on a Thursday and Friday was an INSET day I had managed to get the other 2 groups to add their bits to their work on Thursday.”

During the lesson, Pupil A was taken out of the class. Mrs Young said *“I know it was Pupil A's work that was amended, but I remember Person A said, is there anything I can do? I believe I said No at that point, but I must have said okay later.”*

Person A provided a statement dated 28 April 2023. Again, the panel noted that this statement was relevant to the allegations and was drafted in close proximity to the incident.

Person A stated that Mrs Young had said *“I'm going to have to ask you to do but can you do it out of the way of the kids so they don't see'. She asked me to make the handwriting the same as the students and asked me to do it in pencil and not pen as that's what the students had used. That is when I knew this was wrong.”*

The panel had sight of Pupil A's work and a statement from Pupil A dated 5 May 2023. This statement was relevant to the allegations as it recorded Pupil A's account of how much support was given by Mrs Young and her team. The statement was also made in fairly close proximity to the incident. Pupil A stated *"I didn't write the Ellesmere word there. [Person B] did it. [Person B] drew some of the graph and told me, I drew some of it but she finished it."*

The panel noted that the references to "Person B" were applied as redactions over Pupil A's statement. The panel considered that it was more likely that Person A had amended the work, when considering Person A's statement.

When considering all of the evidence, the panel found allegation 1(a) proved.

b) Pupil B

Mrs Young admitted this allegation. The panel had sight of the statement of agreed facts signed by Mrs Young on 1 January 2025. The following statements were listed in the statement of agreed facts:

- *"By giving Person B the folders for Pupil B and Pupil L and saying "Oh just do it', you were instructing her to complete work for both pupils*
- or*
- *allowing her to understand that this was your instruction"*

Mrs Young replied "Yes" to these statements.

Person B provided a statement dated 27 April 2023. Again, the panel noted that this statement was relevant to the allegations and was drafted in close proximity to the incident.

Person B stated *"Jan asked me are they done? I said no Pupil B had to leave but he's only got a little bit left to do and she said they had to be in by lunchtime (I think) and then I think she looked at them but at some point, she went "oh just do it" and I knew what Pupil B was going to choose and why because we had had that conversation before. I assumed this was to add the information in as Pupil B had already left"*.

The panel had sight of Pupil B's work and a statement from Pupil B dated 5 May 2023. This statement was relevant to the allegations as it recorded Pupil B's account of how much support was given by Mrs Young and her team. The statement was also made in fairly close proximity to the incident.

The panel noted the inconsistencies in handwriting style when reviewing Pupil B's work.

Pupil B stated *“Person B was with me, I wasn't with her all the time to do this page as I missed the lesson for the [REDACTED] thing. I did the tables but I don't remember doing the whole sheet but the day confused me because we had to leave and come back.”*

When considering all of the evidence, the panel found allegation 1(b) proved.

c) Pupil E

Mrs Young admitted this allegation. The panel had sight of the statement of agreed facts signed by Mrs Young on 1 January 2025. The following statements were listed in the statement of agreed facts:

- *“You asked Person A to do Pupil E's tally”*
- *“When Person A handed you work that she had completed on behalf of Pupil A and/or Pupil E you asked her to make further changes”*

Mrs Young replied “Yes” to these statements.

Person A stated in her statement dated 28 April 2023 that when she gave Pupil E's work back to Mrs Young *“she said it didn't look like his writing. This was the tally chart page. She said to add in 5 entries for Pupil E and to make them low numbers so it was easy for him.”*

Pupil E's tally chart which Person A referred to in her statement was not provided to the panel. The panel had sight of Pupil E's other work and a statement from Pupil E dated 5 May 2023. This statement was relevant to the allegations as it recorded Pupil E's account of how much support was given by Mrs Young and her team. The statement was also made in fairly close proximity to the incident.

When referring to the prices page, Pupil E said *“it's my handwriting but I had some help because I didn't get it, I don't remember doing it all, I cant remember doing the working out or how I got those answers.”*

When considering all of the evidence, the panel found allegation 1(c) proved on the balance of probabilities.

d) Pupil L

Mrs Young admitted this allegation. The panel had sight of the statement of agreed facts signed by Mrs Young on 1 January 2025. The following statements were listed in the statement of agreed facts:

- *“By giving Person B the folders for Pupil B and Pupil L and saying "Oh just do it", you were instructing her to complete work for both pupils*

or

- *allowing her to understand that this was your instruction*”

Mrs Young replied “Yes” to these statements.

The panel had sight of the School’s investigation notes with Mrs Young dated 20 September 2023. The panel considered that the notes were relevant as they addressed the incident on 25 April 2023. No objection had been made to the inclusion of the notes within the bundle of evidence. The panel noted that some months had passed before the investigation, which may have impacted on the memory of Mrs Young. The panel took this into account when assessing the weight to apply to these notes.

It was recorded in the School’s investigation notes that Mrs Young “*was not aware of Pupil L’s work being adjusted.*”

In the statement dated 27 April 2023, Person B said “*Pupil L was absent from school that day. So, I did that one and then Pupil L - she had completed a graph and all she had to do was write which was the favourite and I literally just put it on because I knew Pupil L would do that anyway so I did that one. This was two words (Sport Relief or Comic Relief, I can’t remember which). She sent me away with both so I assumed I had to do both.*”

The panel had sight of Pupil L’s work where the words “*comic relief*” were written at the top of the page with the graph. The panel noted that this supported Person B’s statement.

On balance, the panel found allegation 1(d) proved.

2. Your conduct at paragraph 1:

a) Was dishonest; and/or

Mrs Young admitted that her conduct in allegation 1 was dishonest.

The panel needed to firstly ascertain subjectively the actual state of Mrs Young’s knowledge or belief as to the facts. Secondly, the panel needed to determine whether Mrs Young’s state of mind was honest or dishonest by the application of the objective standards of the ordinary honest person.

The panel firstly turned its mind to the actual state of Mrs Young’s knowledge or belief as to the facts. The panel noted that Mrs Young had knowingly asked Person A and Person B to amend and/or complete some missing elements of the OCR Maths Structured Task.

The panel noted that Mrs Young, as an experienced teacher, was aware of the specific assessment conditions in respect of this course which she had been teaching for several years.

The panel found that her actions would be regarded by the standards of ordinary, decent people to be dishonest.

The panel found allegation 2(a) proved.

b) Lacked integrity.

Mrs Young admitted that her conduct in allegation 1 lacked integrity.

When considering lack of integrity, the panel recognised that this allegation connotes adherence to the ethical standards of one's own profession that involves more than mere honesty. It is linked to the manner in which the profession professes to serve the public.

The panel noted that Mrs Young had embroiled Person A and Person B into amending and/or completing the pupils' work whilst under her direction and recognised Mrs Young's actions impacted upon the pupils, colleagues and the School as a whole.

There was also unnecessary concern experienced by the pupils due to Mrs Young's failure to adhere to the policy and procedures in respect of assessment conditions.

The panel considered that Mrs Young's behaviour did not adhere to the ethical standards of a teacher and was in contrast to the manner in which the profession professes to serve the public. The panel therefore found allegation 2(b) proved.

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

Having found all 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 first considered whether the conduct of Mrs Young, in relation to the facts found proved, involved breaches of the Teachers' Standards.

The panel considered that, by reference to Part 2, Mrs Young 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 was not satisfied that the conduct of Mrs Young, in relation to the facts found proved, involved breaches of Keeping Children Safe In Education (“KCSIE”).

The panel was not satisfied that the conduct of Mrs Young, in relation to the facts found proved, involved breaches of Working Together to Safeguard Children.

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

The panel found that none of these offences were relevant.

The panel recognised that exam and/or assessment conditions in education are sacrosanct. It is of paramount importance to follow policy and procedures to ensure consistent assessment conditions are maintained across the profession.

For these reasons, the panel was satisfied that the conduct of Mrs Young amounted to misconduct of a serious nature which fell significantly short of the standards expected of the profession.

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

Disrepute

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

In considering the issue of disrepute, the panel also considered whether Mrs Young’s conduct displayed behaviours associated with any of the offences in the list that begins on page 12 of the Advice.

As set out above in the panel’s findings as to whether Mrs Young was guilty of unacceptable professional conduct, the panel found that none of these offences were relevant.

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

The panel considered that Mrs Young’s conduct could potentially damage the public’s perception of a teacher.

Again, the panel recognised the importance of following policy and procedures to ensure consistent assessment conditions are maintained across the profession and found that

Mrs Young's conduct, which was found to be dishonest and lacking in integrity, was likely to damage the public's perception of a teacher.

For these reasons, the panel found that Mrs Young'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 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 maintenance of public confidence in the profession, declaring and upholding proper standards of conduct and ensuring that prohibition strikes the right balance between the rights of the teacher and the public interest.

In the light of the panel's findings against Mrs Young, which involved a finding of dishonesty and lack of integrity, the panel considered that public confidence in the profession could be seriously weakened if conduct such as that found against Mrs Young were not treated with the utmost seriousness when regulating the conduct of the profession.

The panel was of the view that a strong public interest consideration in declaring proper standards of conduct in the profession was also present as the conduct found against Mrs Young 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 Mrs Young in the profession.

The panel noted that there was a public interest consideration in retaining the teacher in the profession, since no doubt had been cast upon her abilities as an educator. The panel noted that Mrs Young had been employed by the School since 2016 and that Mrs Young was not subject to any previous disciplinary actions.

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 Mrs Young.

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;
- dishonesty or a lack of integrity...
- deliberate action in serious contravention of requirements for the conduct of an examination or assessment leading to an externally awarded qualification or national assessment (or deliberate collusion in or deliberate concealment of such action) particularly where the action had, or realistically had the potential to have, a significant impact on the outcome of the examination assessment;

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

There was evidence that Mrs Young's actions were deliberate.

There was no evidence to suggest that Mrs Young was acting under extreme duress, e.g. a physical threat or significant intimidation. During the school's investigation interview on 20 September 2023, Mrs Young had stated that she was very stressed on the day of the incident and had been confused about the deadline for the students completing work for their qualification.

Mrs Young did have a previously good history. It was stated in the School's letter to Mrs Young dated 9 February 2024, she "*had not been subject to any previous disciplinary actions*". There was no evidence to suggest that Mrs Young has undertaken this type of misconduct previously. The panel recognised that this was a one-off incident and accepted that the incident was out of character.

The panel was not provided with any good character statements which attested to her abilities as a teacher.

The panel acknowledged the numerous references to Mrs Young's [REDACTED] from before, during and after this incident. The panel considered Mrs Young's statement dated July 2024, which stated [REDACTED] The panel noted that there was no formal medical evidence to support her statements in this regard.

The panel recognised that Mrs Young was in sustained employment with the School from 2016. The panel did not consider, based on the evidence available, that this incident was premeditated and was more likely to have arisen out of concern for the imminent deadline to submit the work of the pupils. The panel also recognised that some of the pupils were taken out of Mrs Young's lesson at the last minute, without Mrs Young's prior knowledge. There was no evidence to suggest that Mrs Young had done this on any previous occasion.

In her statement dated 26 April 2023, Mrs Young said *"I understand that what I allowed was wrong, I cannot explain my actions... [REDACTED]"*

It was recorded in the School's investigation interview notes with Mrs Young dated 20 September 2023 that *"Jan is horrified this has happened and apologies that the exam board made the Yr11 students complete the project again. Jan has apologised to [REDACTED] Jan cannot believe she let this happen."*

It was recorded in the School's notes from the appeal hearing dated 7 February 2024, that *"Jan recognised the mistake and the dameaegh [sic]. Been open and honest and has apologise and reflected.... Jan would just like to sya [sic] how sorry she is."*

The panel considered that this demonstrated a level of insight and remorse regarding her conduct.

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 all of the allegations proven and found that those proven facts amount to unacceptable professional conduct and conduct that may bring the profession into disrepute

The panel has made a recommendation to the Secretary of State that Mrs Janet Young 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 Mrs Young 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 finds that the conduct of Mrs Young fell significantly short of the standards expected of the profession.

I have to determine whether the imposition of a prohibition order is proportionate and in the public interest. In considering that for this case, I have considered the overall aim of a prohibition order which is to protect pupils and to maintain public confidence in the profession. I have considered the extent to which a prohibition order in this case would achieve that aim taking into account the impact that it will have on the individual teacher. I have also asked myself whether a less intrusive measure, such as the published finding of unacceptable professional conduct or conduct likely to bring the profession into disrepute, would itself be sufficient to achieve the overall aim. I have to consider whether the consequences of such a publication are themselves sufficient. I have considered therefore whether or not prohibiting Mrs Young, and the impact that will have on the teacher, is proportionate and in the public interest.

In this case, I have considered the extent to which a prohibition order would protect children and safeguard pupils. Although Mrs Young's actions resulted in the exam board requiring the pupils to complete the work again, the panel has noted that Mrs Young's conduct did not involve breaches of 'Keeping Children Safe In Education' or 'Working Together to Safeguard Children'.

I have also taken into account the panel's comments on insight and remorse. The panel has noted statements by Mrs Young during the school's investigation, in which Mrs Young acknowledged that she had made a mistake and apologised. The panel has concluded that "this demonstrated a level of insight and remorse regarding her conduct". I have therefore given this element 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 has observed that "Mrs Young's conduct, which was found to be dishonest and lacking in integrity, was likely to damage the public's perception of a teacher." I am particularly mindful of the finding of dishonesty and a lack of integrity in this case and the impact that such a finding has on the reputation of the profession.

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

I have considered whether the publication of a finding of unacceptable professional conduct or conduct likely to bring the profession into disrepute, 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 Mrs Young herself. The panel has commented:

"Mrs Young did have a previously good history. It was stated in the School's letter to Mrs Young dated 9 February 2024, she "*had not been subject to any previous disciplinary actions*". There was no evidence to suggest that Mrs Young has undertaken this type of misconduct previously. The panel recognised that this was a one-off incident and accepted that the incident was out of character."

A prohibition order would prevent Mrs Young 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 mitigating factors including:

"The panel recognised that Mrs Young was in sustained employment with the School from 2016. The panel did not consider, based on the evidence available, that this incident was premeditated and was more likely to have arisen out of concern for the imminent deadline to submit the work of the pupils. The panel also recognised that some of the pupils were taken out of Mrs Young's lesson at the

last minute, without Mrs Young's prior knowledge. There was no evidence to suggest that Mrs Young had done this on any previous occasion."

I have also placed considerable weight on the finding of the panel that "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."

I have agreed with the panel 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 'D Oatley', with a large, sweeping flourish at the end.

Decision maker: David Oatley

Date: 11 March 2025

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