



Teaching
Regulation
Agency

Mr Gareth Linwood: Professional conduct panel 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: Mr Gareth Linwood
TRA reference: 20986
Date of determination: 28 March 2025
Former employer: Fleetville Junior School, Hertfordshire

Introduction

A professional conduct panel (“the panel”) of the Teaching Regulation Agency (“the TRA”) convened on 19 March 2025 by way of a virtual hearing, to consider the case of Mr Gareth Linwood (“Mr Linwood”).

The panel members were Mrs Melissa West (teacher panellist – in the chair), Mrs Shabana Robertson (lay panellist) and Mr Paul Millett (lay 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 Howard Tobias of Capsticks LLP solicitors.

Mr Linwood was 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 14 November 2024.

It was alleged that Mr Linwood was guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute, in that, while employed as a teacher at Fleetville Junior School, 228 Hatfield Road, St Albans, Hertfordshire, AL1 4LW (“The School”):

1. On dates unknown, he made comments to, and about, Staff Member A:
 - i. Commenting on her scarf with a snake on “I would love to wrap my snake around your neck”.
 - ii. Saying that he would love to see an “intimate waxing” of her.
 - iii. Touching her hair when she was wearing a ponytail and stating that he liked having something to hold on to.
 - iv. Sending her a text message referring to underwear;
 - v. Commenting on a staff MS Teams call that he had seen her “looking slim and blonde”
2. On 24 February 2021, he sent an email from his School email address to Staff Members A and B:
 - i. Containing an image of nine medals, each with a picture of a man and a woman in a different sexual position; and
 - ii. In respect of that image, the question “Which one??”
3. On 19 April 2022, he used the term “fuck buddies” in a meeting with Staff Members B and F.
4. He kept condoms in his office desk and/or he left them in a bin outside of his office.
5. On or around 17 May 2022, he falsely stated that he kept condoms in his office as part of his PSHE resources.
6. His conduct as may be found proven at Allegation 5 was dishonest.

7. He made the following comments to and about female members of staff including:
 - i. Stating to staff that he would like to recruit young, blonde women.
 - ii. Stating to Staff Member T, in a discussion about whether the School dog should be kept away during OFSTED, that OFSTED may not like middle aged women but he could not send them all home.
 - iii. Stating to Staff Member T that he would let her work in a downstairs classroom to “save her old knees”.
 - iv. On an INSET day in September 2021, stating to Staff Member S that she was probably going deaf because of her age.

Mr Linwood admitted the facts of allegation 4 and denied the facts of the remaining allegations. Mr Linwood did not accept that his conduct in allegation 4 amounted to unacceptable professional conduct and/or conduct that may bring the profession into disrepute.

Preliminary applications

Amendments to Allegations

An application was made by the presenting officer to amend the Notice of Proceedings by adding the wording “or words to that effect” to the end of allegations 1(i), 1(ii), 1(iii), 1(v), 3, 7(i), 7(ii), 7(iii) and 7(iv). The panel has the power to, in the interests of justice, amend an allegation or the particulars of an allegation, at any stage before making its decision about whether the facts of the case have been proved.

Before making an amendment, the panel was required to consider any representations by the presenting officer and by the teacher, and the parties were afforded that opportunity. Mr Linwood opposed the application on the ground that the additional wording “or words to that effect” increased the scope of the allegations. Mr Linwood stated that the additional wording broadened the particulars of the original allegations.

The panel was concerned that this application was made at such a late stage in the proceedings, and exercised caution to ensure that there was no unfairness to the teacher.

The panel considered Mr Linwood’s representations in respect of the increase in scope of the allegations by reason of the requested amendments. The panel considered that the amendments proposed did not change the nature, scope or seriousness of the allegations. The panel did not consider that the additional wording broadened the allegations as the effect of each amended allegation remained the same.

The panel considered that there was no prospect of the teacher's case being presented differently had the amendment been made at an earlier stage, and therefore no unfairness or prejudice caused to the teacher. The panel was of the view that had the wording "or words to that effect" been included in the notice of proceedings, Mr Linwood's position in respect of each of the allegations would have remained the same. The panel therefore decided to amend the allegation as proposed.

The allegations would now read as follows:

1. On dates unknown, he made comments to, and about, Staff Member A:
 - i. Commenting on her scarf with a snake on "I would love to wrap my snake around your neck" or words to that effect.
 - ii. Saying that he would love to see an "intimate waxing" of her or words to that effect.
 - iii. Touching her hair when she was wearing a ponytail and stating that he liked having something to hold on to or words to that effect.
 - v. Commenting on a staff MS Teams call that he had seen her "looking slim and blonde" or words to that effect.
3. On 19 April 2022, he used the term "fuck buddies" in a meeting with Staff Members B and F or words to that effect.
7. He made the following comments to and about female members of staff including:
 - i. Stating to staff that he would like to recruit young, blonde women or words to that effect.
 - ii. Stating to Staff Member T, in a discussion about whether the School dog should be kept away during OFSTED, that OFSTED may not like middle aged women but he could not send them all home or words to that effect.
 - iii. Stating to Staff Member T that he would let her work in a downstairs classroom to "save her old knees" or words to that effect.
 - iv. On an INSET day in September 2021, stating to Staff Member S that she was probably going deaf because of her age or words to that effect.

Special Measures

The presenting officer made an application for a witness supporter to be allowed to attend the virtual hearing for Witness B and Witness F. The presenting officer stated that the witness supporter would be the same individual for both Witness B and Witness F. The application for this special measure was made on the basis that Witness B and

Witness F are vulnerable witnesses under paragraph 5.102 of the Procedures and their evidence could be adversely affected as the panel was informed that they were both fearful of being unsupported and could potentially be intimidated by the process. The presenting officer noted that the list of matters referred to in paragraph 5.102 of the Procedures is not exhaustive. No objection was made by Mr Linwood to this application.

The panel directed that Witness B and Witness F are to be treated as vulnerable witnesses for the reasons as set out in the application. The panel considered it was important that Witnesses B and F are both able to give their best evidence during the hearing.

The panel considered paragraph 5.105 of the Procedures and noted that there was no medical evidence to suggest that the welfare of Witness B or Witness F will be prejudiced by either of them giving evidence and the panel was content for them to give evidence.

The panel directed that Witness B and F are permitted to have a witness supporter with them whilst they give witness evidence during the hearing.

Hearsay Evidence

Under paragraph 5.33 of the Procedures, the panel may admit any evidence, where it is fair to do so, which may reasonably be considered to be relevant to the case.

The presenting officer applied to admit the meeting notes from the School Trust's investigation with Witnesses D, G, H, L, T and U.

The panel was satisfied that the documents may reasonably be considered to be relevant to the case as some of the meeting notes related to the allegations or provided helpful background and context for the panel.

The central question for the panel was whether it was fair in the circumstances to allow evidence to be put forward by the Presenting Officer without the opportunity for the witness to be cross-examined by the teacher.

Mr Linwood objected to the admission of the notes. He stated that the notes were not verified by a signature or date. Mr Linwood expressed concern in respect of the reliability of the notes, stating that there were discrepancies between what was said orally and what was stated in the notes that were taken from his meeting. He therefore felt that the notes from all of the meetings with each witness could not be relied upon. He also referred the panel to the letter that was sent from the School's Trust to the TRA which acknowledged that Mr Linwood considered there were inadequacies in the investigation.

The panel was not provided with information to understand what efforts had been made to secure the attendance of the witnesses. The panel was aware that a large number of witnesses were going to be called to give oral evidence at the hearing. Further, the panel

was aware that in calling witnesses the TRA will take a proportionate approach in asking them to attend. This inevitably means that not all potential witnesses are called.

The panel had regard to the seriousness of the allegations in this case, and that it is open to the panel to recommend prohibition in this case if the allegations are found proven.

The panel noted that the notes from the interviews with the aforementioned six witnesses formed part of a wider investigation report. The panel considered the investigation notes separately in respect of each witness.

The panel considered that the notes from Witness D's interview did not contain information that was the sole and decisive evidence in respect of the allegations. The panel was of the view that it could test the reliability of the notes with other witnesses to be called in the hearing. There was no suggestion that Witness D had reasons to fabricate what was said in the interview. However, the panel was aware that it could test Witness D's evidence in the course of the hearing.

The panel considered that the notes from Witness G's interview provided some background and periphery information but did not directly provide any information in respect of the allegations. The panel was of the view that it could test the reliability of the notes with other witnesses to be called in the hearing. There was no suggestion that Witness G had reasons to fabricate what was said in the interview. However, the panel was aware that it could test Witness G's evidence in the course of the hearing.

The panel considered that the notes from Witness H's interview provided some background and periphery information but did not directly provide any information in respect of the allegations. The panel was of the view that it could test the reliability of the notes with other witnesses to be called in the hearing. There was no suggestion that Witness H had reasons to fabricate what was said in the interview. However, the panel was aware that it could test Witness H's evidence in the course of the hearing.

The panel considered that the notes from Witness L's interview did not contain information that was the sole and decisive evidence in respect of the allegations. The panel was of the view that it could test the reliability of the notes with other witnesses to be called in the hearing. There was no suggestion that Witness L had reasons to fabricate what was said in the interview. However, the panel was aware that it could test Witness L's evidence in the course of the hearing.

The panel considered that the notes from Witness U's interview provided some background and periphery information but did not directly provide any information in respect of the allegations. The panel was of the view that it could test the reliability of the notes with other witnesses to be called in the hearing. There was no suggestion that Witness U had reasons to fabricate what was said in the interview. However, the panel was aware that it could test Witness U's evidence in the course of the hearing.

The panel noted that the evidence from Witnesses D, G, H, L and U was on the periphery of the case and the witnesses were not key witnesses in the case.

The panel considered that the notes from Witness T's interview did contain information that was the sole and decisive evidence in respect of allegation 7(iii). The panel made a careful assessment, weighing up the competing factors. The panel considered the issues in the case, the other evidence to be called and the potential consequences of admitting the evidence. The panel was of the view that it could test the reliability of the notes with other witnesses to be called in the hearing. There was no suggestion that Witness T had reasons to fabricate what was said in the interview. However, the panel was aware that it could test Witness T's evidence in the course of the hearing.

In the circumstances, the panel decided that there are sufficient safeguards to protect the teacher against any unfairness caused by being unable to cross-examine witnesses D, G, H, L, T and U. The panel will be provided with a hearsay warning in due course, and the panel will determine what weight, if any, it should attach to the evidence.

With regard to the overall question of fairness the panel decided that it would be fair to admit the evidence, for the reasons outlined above. The panel also noted that Mr Linwood has had ample opportunity to review and consider these notes. The panel noted that the accounts contained within the meeting notes could be tested through cross examination and panel questioning with those witnesses who will be called to give oral evidence at the hearing.

By reason of the above, the panel decided to admit each of the documents.

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. This followed a request by the teacher that any part of the hearing pertaining to [REDACTED] should be heard in private.

The panel determined to exercise its discretion under paragraph 11(3)(b) of the Regulations and under the second limb of paragraph 5.85 of the Procedures for the public to be excluded from this part of the hearing.

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 the request by the Mr Linwood was a reasonable one given concerns about confidential matters relating to [REDACTED] being placed in the public domain.

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 matters relating to [REDACTED]. The panel took account of the [REDACTED].

The panel had regard to whether the teacher's request 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. 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. The panel knew that any references to [REDACTED] would be redacted in any published decision.

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 list of key people – pages 6 to 9

Section 2: Notice of proceedings and response – pages 10 to 45

Section 3: Teaching Regulation Agency witness statements – pages 46 to 82

Section 4: Teaching Regulation Agency documents – pages 83 to 403

Section 5: Teacher documents – pages 404 to 445

A separate bundle of teacher documents was also provided – pages 1 to 123

The panel members confirmed that they had read all of the documents within both bundles, 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 Z – [REDACTED]

Witness Y – [REDACTED]

Witness X – Staff Member X, [REDACTED]

Witness E – Staff Member E, [REDACTED]

Witness F – Staff Member F, [REDACTED]

Witness B – Staff Member B, [REDACTED]

Witness C – Staff Member C, [REDACTED]

Witness W – Staff Member W, [REDACTED]

Witness S – Staff Member S – [REDACTED]

Mr Linwood also gave oral evidence.

Decision and reasons

The panel announced its decision and reasons as follows:

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

Mr Linwood commenced employment as headteacher at the School on 1 September 2018. The School was part of the Spiral Partnership Trust (“the Trust”). In April 2022, an investigation was carried out by the School into Mr Linwood’s conduct following concerns regarding his behaviour towards female members of staff. Mr Linwood was suspended shortly thereafter. Mr Linwood’s view was that an investigation was “unilaterally” commenced in response to him submitting a grievance against Witness Z. A disciplinary hearing was held on 27 May 2022.

Mr Linwood is no longer employed at the School.

Findings of fact

The panel has noted that throughout these proceedings, Mr Linwood has been critical of the investigation conducted by the School’s Trust from April 2022. Mr Linwood stated that it was initiated by Witness Z to “take revenge” following a grievance raised by him in March 2022 in respect of Witness Z. Mr Linwood has described the investigation as a “witch hunt”, “a sham”, “unlawful”, “incomplete” and that “people were sought out [for] dirt [on Mr Linwood]” and “led”.

Mr Linwood was off work ill from December 2021 to February 2022. The School commissioned an occupational health report ahead of Mr Linwood’s return to the School. In the return-to-work meeting between Mr Linwood and Witness Z in February 2022, Mr

Linwood's position was that Witness Z stated that she would need to seek legal advice on how to implement certain aspects of the occupational health report. In oral evidence, Witness Z could not recall whether she had said that she was seeking general advice or legal advice in respect of the occupational health report. Witness Z's concern was that the recommendations in the occupational health report were in conflict with the role Mr Linwood was required to undertake at the School. The panel noted that there were no formal minutes in respect of this first return to work meeting.

Mr Linwood stated in oral evidence that as Witness Z had referred to seeking legal advice on the occupational health report, it spooked him and he did not feel supported at that point. Mr Linwood went back on sickness leave the day after his first return to work meeting in February 2022 and subsequently raised a grievance against Witness Z for bullying and intimidation in March 2022.

Witness Z did not accept that the investigation in April 2022 was a response to the grievance raised against her. Witness Z stated that she had had prior "nagging concerns" about Mr Linwood's behaviour for some time before he went on sick leave in December 2021. For example, a staff member had disclosed that Mr Linwood had made inappropriate comments in an anonymous staff survey in September 2021.

In April 2022, Mr Linwood returned to work. It was reported to Witness Z that Mr Linwood had referred to "fuck buddies", (the context of which will be explained in greater detail at allegation 3 below), as part of his conversation with Witness F upon returning to work. Witness X spoke with staff members and a subsequent investigation commenced.

After considering the evidence available, the panel was not satisfied that the investigation was a result of the grievance raised by Mr Linwood in respect of Witness Z.

Mr Linwood also noted as a more general observation that none of the interview notes from the School's investigation had been signed or dated by each witness.

The panel asked every witness who was interviewed as part of the School's investigation and called to give evidence on behalf of the TRA whether they had been asked to keep the interview confidential, whether they had the opportunity to review and amend the notes for accuracy and whether they had discussed their evidence with other members of staff at the School. All of the TRA witnesses, save for Witness S who could not recollect her investigation interview, separately confirmed in oral evidence that they were asked to keep their respective interviews confidential, they were given the opportunity to review and amend the notes, and confirmed the final notes via an email instead of signing them. The witnesses also confirmed that the contents of their interviews were not discussed with other members of staff at the School. The panel had no reason to doubt the responses given to this line of questioning.

Mr Linwood also stated that the witnesses were “led” (meaning “psychologically conditioned” according to Mr Linwood). Mr Linwood explained that each of the witnesses was provided with a letter in advance of their investigation meeting. The panel had sight of one of the letters provided to one of the witnesses which stated “[REDACTED] has asked me to carry out a formal investigation following concerns about the professional conduct of Gareth Linwood.

I understand that you may have relevant information concerning the employee's alleged inappropriate and/or unprofessional behaviour towards either yourself or other employees that could assist us in conducting our investigation.”

Mr Linwood also explained that, at the outset of the investigation meeting, each of the witnesses had been told that the purpose of the meeting was to investigate his unprofessional and inappropriate behaviour towards staff members including comments of a sexual nature.

In addition, the panel had sight of the meeting notes with each of the witnesses. The following paragraph was included at the start of each meeting note:

“[REDACTED] introduced the meeting and explained that the investigation was being carried out due to concerns regarding Gareth Linwood’s unprofessional and inappropriate behaviour towards staff members including comments of a sexual nature. The meeting is to establish whether or not there is a case to answer and, therefore, any information gained from this interview will be presented at any subsequent disciplinary hearing.”

The panel noted Mr Linwood’s observations on witnesses being “led”. The panel was not satisfied that this was the case after hearing from all of the witnesses.

The panel also noted that there has been a great deal of background information in respect of Mr Linwood’s alleged conduct which does not form part of the allegations, his departure from the School and the time at which the matter was referred to the TRA. The panel has noted the background and context and focused its deliberations in respect of the allegations. As part of the panel’s deliberations, the panel has made a careful assessment in respect of the evidence, noting, for example, where the evidence was corroborated or contradicted by contemporaneous documentation, whether a witness account was consistent and the inherent probability of the account.

The findings of fact are as follows:

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

1. On dates unknown, you made comments to, and about, Staff Member A:

i. Commenting on her scarf with a snake on “I would love to wrap my snake around your neck” or words to that effect.

Mr Linwood denied this allegation.

Mr Linwood stated in his written statement to the TRA that *“there is no date or reference to when this is alleged to have been said. Witness E reports this statement as being said about Witness A. The location of this allegation would have been the school office with multiple staff present. At least two other staff always worked in the office. No attempt was made to interview the other staff to corroborate this story. Witness A would not give evidence to the panel- she has told me this is because she knew this was a witch hunt and wanted to keep her own job for fear she would be next.”*

Mr Linwood stated in his oral evidence that the office was a busy and noisy environment, referring to the servers and radio that were on during the day. Witness E accepted in her oral evidence that the servers were noisy and it was generally a busy and noisy office.

Mr Linwood also stated that he would usually be standing on the outside of a thick pane of glass when speaking to those in the office.

The panel questioned Mr Linwood on whether he recalled a conversation about a scarf with staff. Mr Linwood explained that his only recollection was when he had on a previous occasion bought in a black scarf with the words “rock and roll” repeated on the scarf. Mr Linwood explained that he had bought the scarf for his partner who did not want it so he brought it in to work to see whether any of the staff would like it.

The panel noted that the alleged comments in this allegation were to Witness A (Staff Member A). The panel was conscious that Witness A was not called as a witness and had not provided a statement as part of these proceedings. Additionally, there were no notes from any meeting between the School and Witness A. The panel asked Witness Y and Witness X about why Witness A did not take part in the investigation. Witness X explained that Witness A said that she *“would not allow me to record it in a statement”* and felt that *“nothing good happens to women who come forward in these situations”*.

Witness Y stated in oral evidence that Witness A had raised her concerns with the [REDACTED] and no action had been taken.

Witness E gave oral evidence at the hearing. Witness E stated that she was present in the office when the comment “I would love to wrap my snake around your neck” was made by Mr Linwood to Witness A in reference to her scarf. Witness E explained that the comment likely happened *“before summer 2021”*.

The panel was not provided with any evidence to suggest that Witness E had fabricated her account.

It was pointed out to Witness E during the panel's questioning that whilst Witness E's investigation interview notes with the School referred to this incident, she did not refer to the incident in her witness statement to the TRA. Witness E accepted that this was an oversight.

The panel also heard from Witness X who stated that Witness A had told her informally that Mr Linwood had commented about her scarf she had worn around her neck and made an inappropriate comment to the effect that he would like to wrap his snake around her neck.

The panel noted that there was corroboration between the accounts of Witness E and X. The panel took the view that the comment "I would love to wrap my snake around your neck" was not a phrase that somebody is likely to mishear.

The panel therefore found on the balance of probabilities allegation 1(i) proved.

ii. Saying that you would love to see an "intimate waxing" of her or words to that effect.

Mr Linwood denied this allegation.

Mr Linwood stated in his written statement to the TRA that *"There is no date or reference to when this is alleged to have been said. Witness E states this in her interview. The location of this allegation would have been the school office with multiple staff present. At least two other staff always worked in the office. No attempt was made to interview the other staff to corroborate this story. Witness A would not give evidence to the panel- she has told me this is because she knew this was a witch hunt and wanted to keep her own job for fear she would be next.*

Witness E also states that she "can't remember the exact phrase used" but has some recollection as she had to explain a Brazilian wax to a colleague.

In speaking to other members of the office team non [sic] could recollect me these accusations. They reminded me about the level of noise and business in the office area due to; phones, photocopier, school servers, radio, general comings and goings as well as the glass panelling. They stated they often could not hear what was being said... they would not give evidence of this due to being in the community.

The overall atmosphere in this office was one of pleasant teasing of each other and good humour. Often spilled over into more 'banter' especially at the expense of M (not interviewed at any point). Witness E would often initiate this teasing and encourage it."

The panel questioned Mr Linwood on whether he recalled a conversation about waxing with staff members. Mr Linwood referred to a previous occasion when he had waxed his facial hair for charity fundraising. He described his eyebrow waxing as particularly

'painful'. Mr Linwood accepted that he may have used the word "Brazilian" in reference to his eyebrows.

The panel noted that this was the first time that Mr Linwood had recalled an occasion where he had discussed waxing and the possible use of the word "Brazilian" with staff. The panel was not clear why this conversation had not been mentioned by Mr Linwood in his previous submissions to the School or the TRA, particularly where he described the office as a noisy environment and that staff may have misheard him. If Mr Linwood believed that staff members had misheard him due to the noise levels and glass pane between himself and the office staff, the panel would have expected Mr Linwood to have put his account of his face waxing for charity to Witness E, but he did not do so.

The panel noted the same considerations as outlined in the above allegation regarding the absence of evidence from Witness A.

Witness E stated in her witness statement to the TRA dated 16 April 2024 that *"There was another incident where the office staff were speaking about haircuts and waxing. Staff Member A ([REDACTED]), was in the room and Mr Linwood commended [sic] that he would like to see her getting a Brazilian wax. I remember this conversation because I had to explain to M what a Brazilian wax was."*

Witness E stated in oral evidence that she was present at the time of the conversation and that the original conversation in the office was about eyebrow waxing. She explained that when Mr Linwood joined in the conversation, it shifted to him saying that he would like to see Witness A getting a Brazilian wax. Witness E stated that she specifically remembered the conversation because she had to explain to Witness M what a Brazilian wax meant.

Witness E was asked about Witness A's reaction to Mr Linwood's comment. Witness E said that Witness A *"giggled"* and *"laughed it off"* to diffuse the situation.

The panel found Witness E to be measured and consistent in her evidence. Witness E described Mr Linwood's behaviour as *"immature"* and *"school boy humour"* and that she was not offended by his comments. She referred to working in the [REDACTED] in the 1980's and 1990's and she was not personally offended by such comments.

The panel preferred the evidence of Witness E compared to the evidence of Mr Linwood. The panel was not provided with any evidence to suggest that Witness E had fabricated her account. Witness E was no longer part of the school community, having retired and was no longer invested in the outcome of these proceedings. Finally, the panel considered Witness E to be a credible witness.

The panel therefore found allegation 1(ii) proved on the balance of probabilities.

v. Commenting on a staff MS Teams call that you had seen her “looking slim and blonde” or words to that effect.

Mr Linwood denied this allegation.

Mr Linwood stated in his written statement to the TRA that *“there is no date or reference to when this is alleged to have been said. This is alleged by Witness E on a staff teams call. No other staff interviewed mention this being said on a call. Clearly on a staff Teams call multiple staff would have been present.”*

Mr Linwood was questioned about this comment in his investigation interview with the School’s Trust on 17 May 2022. Mr Linwood did not recall saying that he had seen Witness A looking slim and blonde on a Microsoft Teams call.

The panel noted the same considerations as outlined in allegation 1(i) regarding the absence of evidence from Witness A.

Witness E stated in her statement to the TRA dated 16 April 2024 that *“during a Microsoft Teams meeting Mr Linwood made a comment to Staff Member A that he had seen her cross the road and she looked like a slim blonde. This was not an appropriate comment to make.”*

Witness E stated during her oral evidence that she was present on the Microsoft Teams call and that the call was during Covid-19.

The panel was not provided with any evidence to suggest that Witness E had fabricated her account. The panel found Witness E to be consistent and very clear that she had heard Mr Linwood making this comment to Witness A whilst on a Microsoft Teams call.

The panel preferred the evidence of Witness E compared to the evidence of Mr Linwood. The panel was not provided with any evidence to suggest that Witness E had fabricated her account. Witness E was no longer part of the school community, having retired and was no longer invested in the outcome of these proceedings. Finally, the panel considered Witness E to be a credible witness.

Therefore, the panel found allegation 1(v) proved on the balance of probabilities.

2. On 24 February 2021, you sent an email from your School email address to Staff Members A and B:

i. Containing an image of nine medals, each with a picture of a man and a woman in a different sexual position;

Mr Linwood denied this allegation. Mr Linwood did not recall ever sending an email with the image of nine medals.

In his written response to the TRA, when referring to the School Trust's investigation Mr Linwood said *"When asked in my questioning I stated I did not recall ever sending it. When repeatedly pressed about why I might send something like this I replied that this sort of thing was shared throughout the trust as a joke and done in humour." I never said I sent it but stated that the image I was shown appeared to have been sent from the head@ account. I was shown a printed image on one sheet of paper similar to the one contained in the Spiral pack."*

The panel had sight of the investigation notes from Mr Linwood's interview with the School's Trust dated 17 May 2022. The notes recorded the following:

"[REDACTED] showed GL an email which had been sent to 2 members of staff. The email contained a number of medals, each showing different sexual positions and GL had commented on it "Which one..?." GL said he didn't recall sending it but stated that "yes, I can see that it was from me." [REDACTED] asked him why he had sent it. GL replied to say that "it would have been a joke I imagine and would have been done in humour." GL added "I don't contest it.""

Mr Linwood stated in oral evidence that the investigation notes did not record the conversation accurately and he was not given an opportunity to review or amend the notes. Mr Linwood stated that he was questioned three times on this email during the investigation meeting. He said following the first two questions, he responded to say that he could not recall sending the email. The third question was *"if you had sent it, why?"*. Mr Linwood explained that this was why he referred to the 'joke' in the investigation as it was in response to the hypothetical question.

Mr Linwood stated in his oral evidence that he had only seen the email in paper format and that he had not seen the metadata in respect of it. He said that it was therefore very hard to admit the allegation.

Mr Linwood was asked who would have sent the email if he did not send it. Mr Linwood stated *"I don't know"*. Mr Linwood was also asked whether he thought the email was fabricated. Mr Linwood said that this was a possibility as it would only take *"5 minutes to type something into a word document and in his darkest moments that is where my brain has gone."* Mr Linwood also referred to Witness Y deeming the images on the medals to be "pornographic" and that despite this, the School did not contact the Local Authority Designated Officer ("LADO") or the police.

Witness Y stated in her witness statement to the TRA dated 9 June 2024 that she *"asked him if he could recall sending the email and he said he could not recall sending it but could see that the email came from him. He explained that it was a joke and done in humour."*

Witness Y stated in her oral evidence that that notes from the witnesses in the School Trust's investigation were not verbatim but fairly represented what was said by each of the witnesses.

Witness X took the minutes of the interviews from the investigation and stated in her oral evidence that she had 20 years of [REDACTED]. Witness X stated that text in quotation marks in the notes were direct quotations from a witness. The panel noted that the words "yes, I can see that it was from me" were in direct quotation marks within the notes.

The panel had sight of the email containing the images of nine medals each with a picture of a man and a woman in a different sexual position. There were earlier emails in the chain from Witness B discussing presents for the pupils. Witness B stated on 24 February 2021 at 18:29 *"I've done a little research about presents the children. Mini bears in t-shirts start from about £2 each. For a ribbon with a message on it they start at about £1. Medals are 69p with a message engraved for free..."*

Witness B stated in her written and oral evidence that she had sent that email.

Witness A responded to Witness B's email on the same date at 7:09pm stating *"Love a medal myself - great price too 0.69p x 360 = £248.40 - do staff get one too?"*

The next email in the chain stated that it was *"From: Gareth Linwood [REDACTED]"*. This email was sent on the same date at 7:13pm. The panel could see that the email contained the images of nine medals each with a picture of a man and a woman in a different sexual position. The text that followed the image was *"Which one??"*.

Witness B stated that the email came from Mr Linwood and that it was his email address. Witness B stated that she thought she responded with an emoji of a person covering their eyes.

The panel considered that Mr Linwood's suggestion that the email may have been fabricated was far-fetched. Mr Linwood had been unable to provide the panel with a reasonable alternative explanation as to how the email came about. When considering the evidence, the panel was of the view that Mr Linwood had sent this email.

The panel found allegation 2(i) proved.

ii. In respect of that image, the question "Which one??"

Mr Linwood denied this allegation. Mr Linwood did not recall ever sending the email.

The panel had sight of the email containing the images of nine medals each with a picture of a man and a woman in a different sexual position. The text that followed the image was *"Which one??"*

For the reasons outlined in allegation 2(i) above, the panel found allegation 2(ii) proved.

3. On 19 April 2022, you used the term “fuck buddies” in a meeting with Staff Members B and F or words to that effect.

Mr Linwood denied this allegation.

In his response to the TRA, Mr Linwood said *“I have no recollection of using this language. The three other staff present in the meeting all give differing accounts of the language used in this meeting and the meeting itself.”*

Mr Linwood also stated *“this comment was alleged to have been made on my return to work in April 2022 [REDACTED]”*

In Mr Linwood’s interview with the School Trust on 17 May 2022, it was recorded that *“GL did not recall saying this or that a staff member had left the room in either an upset or hurried way and added that that wasn’t something he would say.”*

It was recorded in Witness F’s interview with the School Trust on 4 May 2022 that Mr Linwood *“told her again that he was dating people who he had met online, but this time added that he had categorised the women into 3 groups: those to have a coffee with, those to go on a day trip with/the beach and some “fuck buddies”. F stated that she made it clear she felt it was inappropriate and put her hand up to her face. She then left the room.”*

Witness F stated in her witness statement to the TRA dated 13 June 2024, *“Mr Linwood had [REDACTED] and he was talking about dating people online. He said that he was categorising the women into 3 groups – those he would like to see for coffee, those would like to go out for the day and third group were “fuck buddies”. I thought his comments were completely inappropriate. He was in a room with two other women and he was talking in a derogatory manner. I covered my eyes to show my disapproval at the conversation and said something along the lines that I thought it was time for me to leave because what was being said was inappropriate.”*

The panel found Witness F to be consistent when considering her written and oral evidence in respect of this allegation. The panel considered Witness F to have a clear recollection of this incident when providing her oral evidence, given her emotional response. Witness F explained that she recalled the conversation as she was attending a meeting with him after he had returned from sick leave and asked how he was doing. Witness F said that in response, Mr Linwood explained that he had been dating and that was when he referred to the three groups of women, one being “fuck buddies”.

Witness B stated in her witness statement to the TRA that *“on 19 April 2022, Mr Linwood had returned to School after a period of sick leave. Myself and Staff Member F ([REDACTED]), were having a handover meeting with Mr Linwood [REDACTED] during*

this time. I walked into the room and heard Mr Linwood say to F “I just wanted a fuck buddy”. F looked visibly uncomfortable. I told Mr Linwood to shut up and F left the room. I did not hear the rest of the conversation.”

The panel found Witness B to be consistent when considering her written and oral evidence in respect of this allegation.

Mr Linwood suggested that Witness B and F provided conflicting accounts in respect of this allegation. The panel did not consider the accounts to be in conflict and found the evidence of Witness B and F recalled a similar account of the incident.

Witness C stated in her witness statement to the TRA that *“In April 2022, Mr Linwood had returned from sick leave and there was a handover meeting to bring him up to speed. Staff Member B, I and Staff Member F were in the room. I had just suffered a [REDACTED]. I remember walking out of the room and not wanting to be part of the conversation. I cannot remember what was said by Mr Linwood but I remember not wanting to be part of the conversation as it was not work related.”*

The panel found Witness C to be consistent when considering her written and oral evidence in respect of this allegation.

The panel accepted that Mr Linwood was [REDACTED], but noted that no medical evidence was provided. There was no evidence to support any justification for reckless language.

The panel preferred the corroborating accounts of Witnesses F, B and C compared to the evidence of Mr Linwood. The panel considered that there was no evidence to suggest that there was any collusion between the witnesses.

Therefore, the panel found allegation 3 proved on the balance of probabilities.

4. You kept condoms in your office desk and/or you left them in a bin outside of your office.

Mr Linwood admitted this allegation. Mr Linwood stated that he kept the condoms in his desk drawer for his year 5 and 6 PSHE classes with the male pupils.

Mr Linwood said in his written statement to the TRA that *“they were purchased as when delivering the content several questions were asked about contraception. They were never used as subsequently the curriculum was changed and this aspect moved into the secondary school curriculum. Spiral have helpfully provided a policy written for the new curriculum dated May 2020– written and enacted after this date.”*

When questioned about this allegation, Mr Linwood stated in his oral evidence that, as there were national and local discussions around changes to the PSHE curriculum, he

had purchased the condoms, along with sanitary products in preparation for such changes.

The presenting officer explained that he intended to call [REDACTED] of the School (Witness P) to give oral evidence at the hearing in respect of this allegation. As Mr Linwood had admitted this allegation, this witness was not called.

Mr Linwood stated that he did not dispute the evidence in Witness P's witness statement to the TRA. The panel considered Witness P's witness statement to the TRA to be of relevance to allegation 4. The panel considered that the statement was fair to admit as it was not the sole and decisive evidence in respect of this allegation. There was also no reason to suggest that Witness P had fabricated the contents of her witness statement. Witness P was due to be called as a witness so her attendance had been secured by the TRA and Mr Linwood did not dispute the contents of her statement. The panel determined for these reasons that Witness P's witness statement to the TRA was fair to admit.

Witness P stated in her statement dated 31 May 2024: *"On 10 May 2022 I was emptying the confidential paper waste bins outside the head teacher's office. As I was emptying the bin, I spotted packets of durex condoms in the bin. There was more than one packet but I do not remember how many exactly. I showed them to Staff Member D, who was a teacher in the senior leadership team."*

When considering the evidence, the panel found allegation 4 proved.

5. On or around 17 May 2022, you falsely stated that you kept condoms in your office as part of your PSHE resources.

Mr Linwood denied this allegation.

Mr Linwood said in his written statement to the TRA that *"they were purchased as when delivering the content several questions were asked about contraception. They were never used as subsequently the curriculum was changed and this aspect moved into the secondary school curriculum. Spiral have helpfully provided a policy written for the new curriculum dated May 2020– written and enacted after this date. The condoms were never used but like many things over time the box became damaged, and they were thrown out. Upon a clear out in April 2022 some that had been missed were found and discarded."*

When questioned about this allegation, Mr Linwood stated in his oral evidence that as there were national and local discussions around changes to the PSHE curriculum, he had purchased the condoms, along with sanitary products in preparation for such changes. Mr Linwood also said that one of the male pupils at the School had asked him

a question about contraception and that was another reason why he had purchased the condoms.

It was recorded in Mr Linwood's interview with the School Trust on 17 May 2022 that "[REDACTED] asked GL about 2 condoms that had been found in his desk drawer. These had been seen by 2 staff members but after GL had returned from sick leave they had been removed and found in a bin outside the HT office in the corridor. [REDACTED] asked GL why he had the condoms in his drawer. GL replied to say he uses them with the boys as part of his PSHE discussions. On his return after sick leave he had thrown them away as they were out of date. X asked GL why he hadn't handed them to B if they were part of PSHE resources. GL replied to say they were out of date. X asked why it mattered if they were out of date. GL replied to say that he usually just showed the children the box and as he didn't have that he threw the condoms away."

Mr Linwood did not accept that the interview notes accurately recorded his interview and denied saying that he used the condoms with the boys as part of his PSHE discussions.

Mr Linwood stated in oral evidence that he never used the condoms as the national and local discussions did not result in a change to the year 6 boys PSHE curriculum.

Witness Z recalled the national consultation in around 2019 in respect of the potential changes to the PSHE curriculum. Witness Z stated that the year 2 curriculum was "ramped up" and the year 6 curriculum was "dumbed down" as a result of this consultation.

Witness C sent an email to Witness X on 17 May 2022 as a follow up to her investigation interview which stated "No conversations were held between school staff regarding the need for condoms in the SRE resources and none were bought when the sanitary products were purchased."

Witness C stated in oral evidence that she had never known condoms to be taught at primary school level. Witness B expressed the same view in oral evidence.

The panel did not find Mr Linwood's evidence convincing when he stated that he had purchased the condoms in preparation for a change in the year 6 curriculum. The panel was of the view that it would not be usual for teachers to buy resources in advance of a potential change in curriculum. In the panel's experience, schools do not have the funds to purchase resources in advance of potential changes in curriculum.

The panel was also of the view that it was highly unlikely that Witness X, who was an experienced member of the [REDACTED] would have specifically stated that Mr Linwood "uses them with the boys as part of his PSHE discussions" if he did not say those words. Witness Y stated in her oral evidence that that notes from the witnesses in

the School Trust's investigation were not verbatim but fairly represented what was said by each of the witnesses.

The panel was not satisfied Mr Linwood had condoms in his office for his PSHE resources, given the inconsistencies in his account and the highly unlikely explanation that resources would be bought in advance of potential policy changes.

Therefore, the panel found allegation 5 proved.

7. You made the following comments to and about female members of staff including:

- i. Stating to staff that you would like to recruit young, blonde women or words to that effect.**

Mr Linwood denied this allegation.

In Mr Linwood's written response to the TRA he said "there is no date or reference to when this is alleged to have been said. This comes from the statement by Witness C. She states this comment was "considered it was a joke" and refers to an interview where she alleges I wanted to recruit an individual, but she had reservations about them. Witness C goes on to confirm this individual was not employed anyhow. This is consistent with my response to interview where I stated that you only have to look at my recruitment history to see this is not true. I have not employed one staff member who would fit that description.

Witness C was recipient of a financial benefit in my absence which was never declared. She is still in receipt of this benefit. She would only have remained in receipt of this benefit if I did not return to my role.

Witness D mentions this mentions something similar to Witness C above. I deny saying this. There is no date or reference to when this is alleged to have been said. I refer to my answer above about the evidence of my recruitment history.

Witness B mentions this in her statement. She also stated "this wasn't policy and didn't happen." Witness B was recipient of a financial benefit and promoted role in my absence which was never declared. She is still in receipt of this benefit. She would only have remained in receipt of this benefit if I did not return to my role, indeed she was rapidly given the permanent job a few weeks after I was unfairly dismissed."

It was recorded in Witness C's interview with the School's Trust on 4 May 2022 that "GL referred to wanting to recruit "blonde women". C considered it was a joke but realises that it wasn't acceptable to say. There was one teacher who he wanted to offer a role to who was highly overpaid. C wasn't sure why he wanted her specifically

but they didn't recruit her as she was too expensive and wasn't the right person for the job that was advertised."

Witness C stated in her witness statement to the TRA dated 14 August 2024, *"I remember a time when Mr Linwood, Staff Member B and I were interviewing for a new teacher and Mr Linwood made a comment that he was looking for a blonde woman. There was a candidate who was not right for the role – she wanted more a senior position, for more money and was not right for the role. However, Mr Linwood was adamant that he wanted to recruit her. B and I had to have a debate with Mr Linwood – we should not consider hiring someone who not only we could not afford but also did not meet the role specification. I did not know why Mr Linwood still nevertheless wanted to hire this candidate. I believe it is because she was a blonde woman and Mr Linwood had previously made comments about wanting to hire a blonde woman. I believe he had made these comments as part of previous conversations, but I am not sure where or when exactly these happened beyond prior to the interview process."*

Witness C was consistent in her oral evidence about this interview and stated that herself and Witness B really had to persuade Mr Linwood not to recruit the blonde woman for the role.

It was recorded in Witness B's interview with the School's Trust on 4 May 2022 that *"GL regularly referred to what could be considered inappropriate comments and made numerous references to "young, blond girls" who he would like to recruit. This wasn't a policy and didn't happen, but it was considered a "running joke" and something he would often say."*

The panel noted that Witness B's evidence was corroborated by Witness C.

Witness D and Witness L did not provide oral evidence to the panel, but the panel had decided to allow the preliminary application to admit the meeting notes from Witness D's and Witness L's investigation interviews with the School's Trust from May 2022 for the reasons outlined in the preliminary application section above.

It was recorded in Witness D's investigation notes with the School's Trust dated 4 May 2022 that *"GL had made a comment in reference to middle aged women and a wish to replace them with younger women. She added that he specifically talked about hiring "young, thin and blond [sic] women." D felt that some of his comments were very close to the line and his comments about middle aged women did have an impact on her as she felt he was speaking about her."*

It was recorded in Witness L's investigation notes with the School's Trust dated 4 May 2022 that Mr Linwood *"often joked about hiring lots of "young, thin, blond [sic] women".*

The panel placed greater weight on Witness B and C's evidence, which had been tested orally, compared to the hearsay evidence of Witness D and L, but noted that

Witness D's and Witness L's evidence supported the evidence of Witness B and Witness C.

The panel observed to Mr Linwood that the comment "young, blonde women" was coming through as a theme from multiple witnesses when questioning him. Mr Linwood agreed in his oral evidence that it has come through as a theme, but that he "cannot say I have ever" made the comment about wanting to recruit young, blonde women. Mr Linwood denied ever recruiting a female which matched that description.

The panel preferred the corroborating accounts of Witness B and Witness C to Mr Linwood's evidence.

The panel found allegation 7(i) proved on the balance of probabilities.

- ii. **Stating to Staff Member T, in a discussion about whether the School dog should be kept away during OFSTED, that OFSTED may not like middle aged women but you could not send them all home or words to that effect.**

Mr Linwood denied this allegation.

Mr Linwood stated in his written response to the TRA that "*this claim is not supported by the staff member who allegedly made it to [REDACTED].*

This has been taken out of context and/or misinterpreted. It was never complained about at the alleged time of the allegation. As stated in Witness T's statement "she went to see GL to ask him if she needed to keep Tiggy (school dog) at home if an Ofsted inspector arrived at the school as the inspector might not like dogs. GL replied to say that Ofsted may not like middle aged woman but I can't send you all home...". This is clearly a distorted memory or minute, and she does not state that I answered her direct question. My recollection is that having asked me about the dog my response was that 'as Tiggy is our school dog he would stay in school as usual and would not be sent home'. (I felt Tiggy was a huge positive for our school and should not be hidden.). Witness T then asked me about Ofsted's view of older women in the classroom as she had heard rumours they didn't like them and I responded that I did not know their opinion, but I would not be sending you home either as I highly valued her work."

It was recorded in Witness W's investigation notes with the School's Trust that "*she said that there had been an occasion that GL had said to T that if Ofsted arrived, the dog wasn't the issue, but rather that Ofsted wouldn't like all the middle aged women in the school but he couldn't ask them to stay at home.*"

Witness W stated in her witness statement to the TRA dated 17 June 2024 that "*there was an incident where T has asked Mr Linwood whether she should leave the school*

dog at home, if there was an Ofsted inspection. Mr Linwood had made a comment to T, that should Ofsted arrive for an inspection, they would have a problem with the middle aged women whom he was not able to send home. Comments like these would make staff feel uncomfortable. T reported this to the executive head teacher.”

Witness W stated in oral evidence that Witness T had told her about the incident in November 2019, following a school improvement visit. The panel found the evidence of Witness W to be clear and consistent.

Witness T did not provide oral evidence to the panel, but the panel had decided to allow the preliminary application to admit the meeting notes from T’s investigation with the School’s Trust from May 2022 for the reasons outlined in the preliminary application section above.

It was recorded in Witness T’s meeting notes that *“she couldn’t recall anything sexually inappropriate but referred to an incident when she went to see GL to ask him if she needed to keep Tiggy (school dog) at home if an Ofsted inspector arrived at the school as the inspector might not like dogs. GL replied to say that Ofsted may not “like middle aged women but he can’t send you all home.” T felt GL was joking and it was his “style” but she did not like the fact that he had said it.”*

In his oral evidence, Mr Linwood accepted that a conversation took place between himself and Witness T. Mr Linwood stated that Witness T had approached him as she had heard that Ofsted did not like middle aged women.

The panel placed greater weight on Witness W’s evidence who was clear about her conversation with Witness T in respect of the incident. Witness W supported the record of Witness T’s investigation meeting. The panel also noted that Witness W was balanced when providing her evidence and was complimentary of Mr Linwood when she first got to know him. The panel was of the view that it was more probable that Mr Linwood had made the comments as alleged to Witness T.

The panel found allegation 7 (ii) proved on the balance of probabilities.

iv. On an INSET day in September 2021, stating to Staff Member S that she was probably going deaf because of her age or words to that effect.

Mr Linwood denied this allegation.

In his written response to the TRA, Mr Linwood stated *“this comes from Witness S. Witness S had an ‘axe to grind’, she blamed me for her departure from the school and her change in role during COVID. She was particularly vocal about not liking me and blaming me for her choosing to leave.*

What I said was something along the lines of “Can I be heard at the back?” It was an INSET day with COVID restrictions still present so staff were separated far more than usual in a very large school hall with windows and doors open. Other presenters said something similar.”

In his oral evidence, Mr Linwood stated that there were another 40 or so people present and nobody else came forward to state that he had made this comment. He repeated that what he actually said was “can I be heard at the back?” or words to that effect.

Witness S stated in her witness statement to the TRA dated 5 June 2024 that *“in September 2021, there was an inset day and I was say in the back of the school hall with others and we could not hear Mr Linwood. I put my hand up and asked him to speak louder. Mr Linwood made a comment that I was probably going deaf in my old age, or words to that effect. I was embarrassed at this comment and it was once again an inappropriate comment for him to make.”*

The panel noted that Witness S’s statement was consistent with what she had said in her interview with the School’s Trust.

Witness S provided oral evidence at the hearing. She stated that Mr Linwood made the comment to her that she was probably going deaf because of her age. Witness S said that this comment made her feel *“very stupid”* and *“humiliated”*.

The panel found Witness S to be consistent in her evidence.

The panel considered that there was no supporting evidence to substantiate Mr Linwood’s comment around Witness S having “an axe to grind”. The panel also considered that Witness S’s emotional response to the comment, which was directed at her, would not have necessarily resulted in other members of staff coming forward to report a concern.

Therefore, the panel found allegation 7(iv) proved.

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

1. On dates unknown, you made comments to, and about, Staff Member A:

- iii. Touching her hair when she was wearing a ponytail and stating that you liked having something to hold on to or words to that effect.**

Mr Linwood denied this allegation.

In Mr Linwood’s written response to the TRA he said *“Witness F refers to this in her submission and states “she thought she had heard GL also say to another colleague*

that he liked her ponytail as “he liked ponytails as they were something he could hold on to.” It goes on immediately afterwards to state that “She couldn’t remember however if she had been there or been told about it.” I would argue that if an individual cannot even recall whether she actually heard the allegation or was potentially told third hand it did not happen. This is consistent with my response to that question at my interview although it is recorded there that I “pulled the ponytail”. This is a very leading way of asking that question as the witness statement does not mention ‘pulling’ and may be an indication of the leading questions asked of staff that I referred to in 3.10. Witness F refers to Witness A who has never been interviewed.”

The panel noted the same considerations as outlined in allegation 1(i) regarding the absence of evidence from Witness A.

It was recorded in Witness F’s investigation notes with the School’s Trust dated 4 May 2022 that *“she thought she had heard GL also say to another colleague that he liked her ponytail as “he liked ponytails as they were something he could hold onto.” She couldn’t remember however if she had been there or been told about it.”*

Witness F stated in her witness statement to the TRA dated 13 June 2024 that she *“shared an office with Staff Member A and had heard Mr Linwood say to her that he liked ponytails (A had a ponytail), because he liked to have something to hold onto in bed.”*

In her oral evidence, Witness F could not recollect whether she has been present when the comment was made about the ponytail or whether Witness A had informed her about it. Witness F stated that she was doubting herself on how she came to hear about the comment, but was clear about the comment being made to Witness A.

Witness X stated in her witness statement to the TRA dated 13 June 2024 that she *“was informed by [REDACTED] Staff Member A that Mr Linwood had commented on her ponytail saying that he likes having something to hold onto.”*

Witness E stated in her witness statement to the TRA dated 16 April 2024 that Witness A *“had also told me that Mr Linwood had touched her hair when she had it in a ponytail...”*

Witness E stated that she never saw Mr Linwood touching Witness A’s ponytail and that Witness A had reported this to her.

The panel was satisfied with the strength of the evidence from multiple witnesses that Mr Linwood had made a comment to Witness A about her ponytail and that he liked having something to hold on to, but was not satisfied with the strength of the evidence to prove of the balance of probabilities that he had touched the hair of Witness A.

For these reasons, the panel did not find allegation 1(iii) proved.

iv. Sending her a text message referring to underwear;

Mr Linwood denied this allegation.

In his written response to the TRA, Mr Linwood said *“there is no date or reference to when this is alleged to have been said. Witness E actually states “being told about a text GL had sent”. She had not seen the alleged text. Witness E refers to witness A who has never been interviewed.”*

The panel noted the same considerations as outlined in allegation 1(i) regarding the absence of evidence from Witness A.

Witness E stated in her witness statement to the TRA dated 16 April 2024 that *“Mr Linwood had also sent Staff Member A a text about underwear. I have not seen this text. This made A feel uncomfortable.”*

The panel did not have sight of a text message referring to underwear and was not satisfied with the strength of the evidence provided to find this allegation proven on the balance of probabilities.

The panel did not find allegation 1(iv) proved.

6. Your conduct as may be found proven at Allegation 5 was dishonest.

Mr Linwood denied this allegation.

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

Mr Linwood stated in his written response to the TRA that *“clearly this was not dishonest. The out-of-date comment, if made, would have referred to the change of curriculum date.”*

The panel noted that the conduct in allegation 5 took place in May 2022. Mr Linwood had informed the panel about the difficult circumstances he found himself in at the time of the investigation interview with the School’s Trust on 17 May 2022. [REDACTED]. The panel did not have sight of any medical evidence in support of his statements, [REDACTED].

Mr Linwood also referred to him *“catastrophising”* matters before attending his interview with the School’s Trust as he would think about the worst things that could possibly happen or consider a situation as much worse or much more serious than

reality. When Mr Linwood went to his investigation interview, he did not know what allegations were to be put to him.

The panel therefore found it difficult to ascertain, subjectively, the actual state of Mr Linwood's mind as to his knowledge or belief as to the facts against this backdrop.

The panel was being asked to consider whether Mr Linwood was dishonest in relation to the allegation found proven that he falsely stated that he kept condoms in his office as part of his PSHE resources. The panel considered that there may have been other explanations why Mr Linwood had said this such as embarrassment.

For these reasons, the panel did not consider his conduct to be dishonest.

The panel did not find allegation 6 proved.

7. You made the following comments to and about female members of staff including:

- iii. Stating to Staff Member T that you would let her work in a downstairs classroom to "save her old knees" or words to that effect.**

Mr Linwood denied this allegation.

In Mr Linwood's written response to the TRA he said "*This claim is not supported by the staff member who allegedly made it to [REDACTED].*

This has been taken out of context and/or misinterpreted. It was never complained about at the alleged time of the allegation. I mentioned to Witness T that she would be kept downstairs [REDACTED]. It would save her the hassle of taking the dog up and down stairs multiple times during the day.

Witness T was one of the UPS teachers I was originally tasked with 'sorting out'. She dropped a payscale to MPS 6 and was very scared she would be forced to drop further to MPS 3. It is possible she was intimidated to exaggerate or overblow clearly supportive comments to keep [REDACTED] happy and protect her wage."

Witness T did not provide oral evidence to the panel, but the panel had decided to allow the preliminary application to admit the meeting notes from Witness T's investigation with the School's Trust from May 2022 for the reasons outlined in the preliminary application section above.

It was recorded in Witness T's meeting notes that "*GL told her that he had kept her year group class room downstairs to "save her old knees." This made her feel like he was implying that she was "past it."*"

The panel questioned Witness W during the hearing and asked whether any further concerns had been raised to her by Witness T. Witness W stated that only the one concern (as outlined in allegation 7(ii)) was raised by Witness T.

The panel noted that although the comment in this allegation followed the generally disparaging nature of comments which the panel had found proven, there was no way of testing the reliability of Witness T's evidence in respect of this allegation.

The panel did not find allegation 7(iii) proved.

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.

The panel was not satisfied that Mr Linwood's proven conduct in allegations 4 and 5 met the threshold for misconduct of a serious nature, falling significantly short of the standard of behaviour expected of a teacher.

The panel therefore considered whether the facts found proved in allegations 1(i), 1(ii), 1(v), 2(i), 2(ii), 3, 7(i), 7(ii) and 7(iv) amounted to unacceptable professional conduct.

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 Mr Linwood, in relation to the facts found proved in the aforementioned allegations, involved breaches of the Teachers' Standards.

The panel considered that, by reference to Part 2, Mr Linwood 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
 - 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 ...

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

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

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

The panel found that none of these offences were relevant.

The panel noted that each of the allegations, 1(i), 1(ii), 1(v), 2(i), 2(ii), 3, 7(i), 7(ii) and 7(iv), considered individually were extremely inappropriate. The panel noted that Witness E had referred in her oral evidence to Mr Linwood's behaviour as "*immature*" and "*school boy humour*". The panel also noted that Witness B stated in her oral evidence that she had replied to the email containing the image of nine medals, (each with a picture of a man and a woman in a different sexual position), with an emoji of a person covering their face. Witness B stated that she never reported the email. The panel noted that a great deal of the proven conduct was not reported at the time it occurred.

The panel was also provided with evidence from Mr Linwood of a WhatsApp group between senior staff at the School's Trust where there appeared to be overly casual and relaxed messaging between staff members.

The panel was of the view that Mr Linwood did not intend to be disrespectful through his communications with other colleagues. The panel was also mindful of the difficult circumstances Mr Linwood found himself in 2021 to 2022.

Whilst the panel noted that each of the allegations, considered individually, was extremely inappropriate, the panel did not consider that each individual allegation met the threshold for unacceptable professional conduct.

The panel noted that when a series of incidents or allegations individually constitute non-serious misconduct, it should be careful of finding that the cumulative effect of the allegations that it has found proven is sufficient to amount to serious misconduct.

The panel concluded that the cumulative effect of the allegations that it has found proven was extremely inappropriate and unprofessional but was not sufficient to fall significantly short of the standard of behaviour expected of a teacher.

For these reasons, the panel was not satisfied that the conduct of Mr Linwood amounted to misconduct of a serious nature which fell significantly short of the standards expected of the profession.

Accordingly, the panel was not satisfied that Mr Linwood was guilty of unacceptable professional conduct.

Disrepute

The panel was not satisfied that Mr Linwood's proven conduct in allegations 4 and 5 met the threshold for conduct that could potentially damage the public's perception of a teacher, therefore bringing the teaching profession into disrepute.

The panel therefore considered whether the facts found proved in allegations 1(i), 1(ii), 1(v), 2(i), 2(ii), 3, 7(i), 7(ii) and 7(iv) amounted to conduct that may bring the profession into disrepute.

In relation to whether Mr Linwood'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 Mr Linwood'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 Mr Linwood's was guilty of unacceptable professional conduct, the panel found that none of these offences were relevant.

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

The panel was of the view that Mr Linwood did not intend to be disrespectful through his communications with other colleagues. The panel was also mindful of the difficult circumstances Mr Linwood found himself in 2021 to 2022.

The panel considered that if pupils, parents and others in the community were aware of Mr Linwood's comments and email correspondence to other members of staff, it could potentially damage the public's perception of him as a teacher. The panel took into account that Mr Linwood was an experienced headteacher at the time of his conduct. He should have known better and should have been leading by example.

For these reasons, the panel found that Mr Linwood'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 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 that any prohibition order strikes the right balance between the rights of the teacher and the public interest.

The panel's findings against Mr Linwood involved inappropriate comments and communication to female staff members. Therefore, public confidence in the profession could be seriously weakened if conduct such as that found against Mr Linwood 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.

In addition to the public interest considerations set out above, the panel went on to consider whether there was a public interest in retaining Mr Linwood in the profession. The panel decided that there was a public interest consideration in retaining the teacher in the profession, since no doubt had been cast upon his abilities as an educator and he is able to make a valuable contribution to the profession.

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 Mr Linwood.

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. The panel did not consider any of the behaviours listed in the Advice to be relevant in this case.

The panel went on to consider the mitigating factors. Mitigating factors may indicate that a prohibition order would not be appropriate or proportionate.

There was evidence that Mr Linwood's actions were deliberate.

There was no evidence to suggest that Mr Linwood was acting under extreme duress, e.g. a physical threat or significant intimidation. The panel was mindful of the difficult circumstances Mr Linwood found himself in 2021 to 2022, [REDACTED].

Mr Linwood did have a previously good history.

The panel had sight of four character statements in respect of Mr Linwood.

A former colleague of Mr Linwood stated on 27 February 2025 that “I worked with Gareth from April 2023 to July 2023, when I took up position as [REDACTED], during his year long supply contract teaching a Year 5 class. Gareth was a valued member of the teaching team, who settled a challenging cohort and built excellent relationships with children, parents and colleagues. He managed behaviour skilfully and showed his leadership skills in handling challenging conversations with parents professionally and effectively. As a new head, I valued his leadership expertise and calm approach. He was prepared to step out of his supply teacher role and support less experienced staff and provide a sounding board to me as a new leader.

At all times, his conduct was professional. He was transparent about his prior experience and the TRA referral that had been made. He was diligent in following all school expectations and procedures, including for safeguarding. Parents and children appreciated his dedication to them and he provided calm class leadership after a period of turmoil for the cohort. As a result, the children settled to learning and made good progress.”

A second former colleague of Mr Linwood said on 14 February 2023 “I am currently the Interim Headteacher [[REDACTED]] and have worked with Gareth Lindwood [sic] for the first half of the Spring Term 2023. In that time, he has been a dedicated and professional member of the team. He took on a challenging year five class in the Autumn term and has done wonders with their behaviour and attitude. His warm and caring nature has helped the children feel secure and has enabled them to build trust. In this time, Gareth has carefully built the pupils up in confidence to now start tackling the full curriculum and attempt more challenging work. He had positive feedback during parent consultations.”

A third former colleague [[REDACTED]] stated on a date unknown that between 1st September 2023 to 21st July 2024 when Mr Linwood was employed at her school “we had no concerns regarding his conduct. Mr Linwood met the teaching standards as reviewed through performance management meetings. His conduct during his period of employment at the federation was appropriate and he was a valued member of the Year 2 and staff team. He developed positive and professional relationships with staff, parents and pupils.”

A member of staff from a recruitment agency said on a date unknown that “they absolutely love you,” when referring to a school that Mr Linwood had worked at.

The panel noted that there was nothing to suggest that Mr Linwood's behaviour had reoccurred when reviewing the character statements.

The panel felt that Mr Linwood did show a good level of insight and remorse into his conduct. He stated that he wanted to "*issue a heartfelt apology for his words and actions*" to those affected. Mr Linwood recognised that his conduct was clearly unacceptable. Mr Linwood stated that he "*absolutely*" accepts responsibility for the conduct as found proven by the panel.

The panel noted that Mr Linwood stated that he was much "*calmer*" now and that his health was more "*balanced*". Mr Linwood also said that he had reengaged with his Christian faith and he now approaches people "*out of love*".

Mr Linwood also provided medical evidence to the panel at this stage of the proceedings. [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, 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 conduct that may bring the profession into disrepute.

In this case, the panel has also found some of the allegations not proven, and found that those allegations that were proven do not amount to unacceptable professional conduct. I have therefore put those matters entirely from my mind.

The panel has made a recommendation to the Secretary of State that the findings of 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 Mr Gareth Linwood 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
 - 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 ...

The findings of misconduct are serious as they include a teacher making inappropriate comments and communications to female staff members.

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

In this case, I have considered the extent to which a prohibition order would protect children and safeguard pupils. The panel does not record having considered any evidence that suggests that Mr Linwood's behaviour placed pupils at risk of harm.

I have also taken into account the panel's comments on insight and remorse, which it sets out as follows"

"The panel felt that Mr Linwood did show a good level of insight and remorse into his conduct. He stated that he wanted to "*issue a heartfelt apology for his words and actions*" to those affected. Mr Linwood recognised that his conduct was clearly unacceptable. Mr Linwood stated that he "*absolutely*" accepts responsibility for the conduct as found proven by the panel.

The panel noted that Mr Linwood stated that he was much “*calmer*” now and that his health was more “*balanced*”. Mr Linwood also said that he had reengaged with his Christian faith and he now approaches people “*out of love*”.

In my judgement, the evidence of insight and remorse detected by the panel means that the risk of repetition is limited. 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 records the following observation:

“The panel considered that if pupils, parents and others in the community were aware of Mr Linwood’s comments and email correspondence to other members of staff, it could potentially damage the public’s perception of him as a teacher. The panel took into account that Mr Linwood was an experienced headteacher at the time of his conduct. He should have known better and should have been leading by example.”

I am particularly mindful of the finding of a male teacher making inappropriate comments towards female colleagues in this case and the negative impact that such a finding may have on the reputation of the profession.

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

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

I have also considered the impact of a prohibition order on Mr Linwood himself. The panel records that he had a good history prior to these proceedings and notes several pieces of character evidence attesting to Mr Linwood’s good conduct and dedication to his pupils.

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

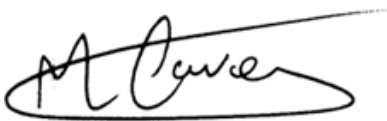
I have considered the panel’s closing remarks:

“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.”

In this case, I have placed considerable weight on the panel’s comments regarding the relative seriousness of Mr Linwood’s behaviour, which it assesses as being “at the less serious end of the possible spectrum”. I have also noted its comments on Mr Linwood’s insight into and remorse for his behaviour as well as the mitigating circumstances surrounding these events.

For these reasons, and without in any way condoning Mr Linwood’s behaviour, 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 'M. Cavey', enclosed within a hand-drawn oval border.

Decision maker: Marc Cavey

Date: 31 March 2025

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