



Teaching  
Regulation  
Agency

# **Mrs Monika Anna Cendrowicz: Professional conduct panel outcome**

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

**April 2025**

## Contents

Introduction	3
Allegations	4
Preliminary applications	4
Summary of evidence	4
Documents	5
Witnesses	6
Decision and reasons	6
Findings of fact	7
Panel's recommendation to the Secretary of State	14
Decision and reasons on behalf of the Secretary of State	18

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

**Teacher:** Mrs Monica Anna Cendrowicz

**TRA reference:** 21270

**Date of determination:** 10 April 2025

**Former employer:** Smith's Wood Academy, Birmingham

### **Introduction**

A professional conduct panel ("the panel") of the Teaching Regulation Agency ("the TRA") convened on 7 to 10 April 2025 at Cheylesmore House, 5 Quinton Road, Coventry, CV1 2WT, to consider the case of Mrs Monica Anna Cendrowicz.

The panel members were Mr John Martin (former teacher panellist – in the chair), Mr Adnan Qureshi (lay panellist) and Mrs Amanda Godfrey (teacher panellist).

The legal adviser to the panel was Ms Abigail Trencher of Birketts LLP solicitors.

The presenting officer for the TRA was Mr Lee Bridges of Kingsley Napley LLP solicitors.

Mrs Cendrowicz was present and was represented by Dr Martin Whitaker, who was not legally qualified.

The hearing took place in public and was recorded.

## Allegations

The panel considered the allegations set out in the notice of proceedings dated 18 December 2024.

It was alleged that Mrs Cendrowicz was guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute, in that whilst working as a teacher at Smith's Wood Academy:

1. On or around 27 May 2022, she:
  - a) Added work to approximately 13 pupil(s) GCSE art portfolio that did not belong to the pupil(s) and purporting that this was the pupil's(s) work
  - b) Did not remove work from Pupil A's GCSE art portfolio that did not belong to Pupil A when asked to do so by Colleague 1;
  - c) Said to Colleague 1 that she only inserted work for Pupil A, when this was not the case.
2. Her conduct at paragraph 1 was:
  - a) Dishonest;
  - b) Demonstrated a lack of integrity.

The panel noted that Mrs Cendrowicz denied allegations 1(a), 1(b), 1(c), 2(a) and 2(b), as set out in the response to the notice of proceedings form, signed by Mrs Cendrowicz on 13 January 2025.

## Preliminary applications

### Amended allegation

During the course of the presenting officer's closing statement he drew the panel's attention to its discretion at paragraph 5.83 of the Procedures to amend an allegation, and particularly the allegation at paragraph 1(a), at any time before the panel made its final decision as to whether the facts of case had been proven, if the panel determined that it is in the interests of justice to do so.

The panel invited the legal adviser to provide her legal advice on this matter, which she did.

During the panel's deliberations on the finding of facts, it determined that it would be in the interest of justice to consider amending the allegation at paragraph 1(a) so that it only referred to Pupil A, rather than "*approximately 13 pupils*".

In accordance with paragraph 5.84 of the Procedures the panel recalled the parties and invited representations on the proposal before reaching its decision. Neither the presenting officer nor the teacher or her representative made any objections to the proposal. Accordingly, the panel determined that it would amend the allegation at paragraph 1(a) so that it read as follows:

**1. On or around 27 May 2022, you:**

**a) Added work to Pupil A's GCSE art portfolio that did not belong to the pupil and purporting that this was the pupil's work**

In taking this decision the panel recognised the risk of "*undercharging*". The evidence of the limb of the allegation relating to Pupil A was very strong, whereas the evidence provided by the TRA and put before the panel by the presenting officer relating to the additional artwork that had been found in the portfolios of the other pupils was extremely limited.

The panel was satisfied that the teacher would not suffer any prejudice or unfairness, nor that the case would need to be presented any differently had the amendment been made at an earlier stage. The teacher always understood the case before her, as it related to Pupil A.

## **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 5 to 7

Section 2: Notice of proceedings and response – pages 8 to 15

Section 3: TRA witness statements – pages 16 to 35

Section 4: TRA documents – pages 36 to 247

Section 5: Teacher documents – pages 248 to 1131

In addition, the panel agreed to accept the following:

Qualification and notional component raw mark grade boundaries, OCR June 2019 Series - pages 1132 – 1134

Extract of table from OCR's GCSE (9-1) Qualification and notional component raw mark grade boundaries November 2021 Series (published date 24 February 2022) – page 1135

Reference from Individual A - pages 1136 to 1137

Reference from Individual B – pages 1138 to 1139

Reference from Individual C – pages 1140 to 1141

Extract from KCSIE September 2021 paragraph 407 – 426 – pages 1142 to 1145

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

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

## **Witnesses**

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

Witness A – [REDACTED]

Witness B – [REDACTED]

Witness C – [REDACTED]

Mrs Cendrowicz 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.

Mrs Cendrowicz commenced employment at Smith's Wood Academy ('the School') on the 24 April 2019.

On 27 May 2022, Witness A visited the art room ahead of the arrival of a moderator from OCR to moderate a sample of the year 11 GCSE artwork. He viewed the year 11 artwork

on display and was impressed with Pupil A's work and took pictures of three of the pieces displayed on her board. Witness A congratulated Pupil A on her work in the dining hall and showed her the photographs he had taken of her work, to which Pupil A stated that the work was not hers.

Mrs Cendrowicz allegedly admitted to Witness A that she had put her work into Pupil A's portfolio. Witness A asked her to remove the work from the display, and it is alleged she failed to do so.

Mrs Cendrowicz allegedly only admitted to putting additional work into Pupil A's portfolio. The School reported the incident to the examination board, OCR, on 27 May 2022.

A subsequent investigation by the School found that the portfolios of an additional 12 pupils in the same cohort as Pupil A included work that did not belong to them.

The matter was referred to the TRA on 16 November 2022.

## **Findings of fact**

The findings of fact are as follows:

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

### **1. On or around 27 May 2022, you:**

#### **a) Added work to Pupil A's GCSE art portfolio that did not belong to the pupil and purporting that this was the pupil's work;**

The panel noted that Mrs Cendrowicz denied this allegation (as amended). In disputing the allegation Mrs Cendrowicz stated in her witness statement and oral evidence that she accepted that Pupil A had said that the three pieces of work did not belong to her. Mrs Cendrowicz stated that she had believed the three pieces belonged to Pupil A when she had added them to the display on 26 May 2022.

The panel acknowledged Mrs Cendrowicz's resolute denial that she had knowingly placed the three pieces on Pupil A's display or added any additional pieces in the portfolios of any other pupils that did not belong to them. However, the panel found the strength of the contemporaneous evidence regarding Pupil A's display compelling.

The panel considered the handwritten statements made on 27 May 2022, as part of the investigation, in the interviews that took place with Witness A, Mrs Cendrowicz and Pupil A and the email that Mrs Cendrowicz had sent to Witness A on 27 May 2022 at 10:58am. These all supported the allegation that Mrs Cendrowicz had added three items to Pupil

A's display that did not belong to her, which the panel accepted was an admission by her that she had done so.

The panel also considered the oral evidence they had heard from Witness A and Witness C at the hearing which they had found to be credible and consistent. Witness A explained that he was impressed by the artwork on display, particularly three pieces of work attributed to Pupil A, of which he had taken photographs on his mobile telephone. Witness A's evidence was that he then saw Pupil A in the dining hall and congratulated her on her work, and showed her the three photographs he had taken, to which she had said: *"that's not my work, that must be a different year"*. Witness A assumed that this was a mistake and returned to the art room to check the name on the display which confirmed that it belonged to Pupil A. He stated that he re-checked with Pupil A, who informed him for a second time that it was not her work.

Witness A stated that he asked Mrs Cendrowicz if it was Pupil A's work in her portfolio, to which she confirmed it was. He stated that he explained his concerns to Mrs Cendrowicz, and that she then admitted that it was her work which she had added to Pupil A's display because she doubted the work displayed would justify the first two rankings.

Witness A's evidence was consistent with the evidence given by Witness C and the documentary evidence that was created on the day, in the form of contemporaneous notes of meetings Witness C had with Witness A, Mrs Cendrowicz and Pupil A, and Mrs Cendrowicz's own email to Witness A and Mrs Cendrowicz's conversation with her line manager on 27 May 2022 which was reported during Individual D meeting with Witness C on 7 June 2022. The panel acknowledged that the date of that meeting had been edited in manuscript from 7 May 2022 to 7 June 2022 but the panel was satisfied that the change was not material and was made simply to correct an administrative error. The date of that meeting is confirmed in other places in Witness C's investigation report. The panel was satisfied the meeting did take place on 7 June 2022.

The panel found Mrs Cendrowicz's oral evidence to be inconsistent with the contemporaneous evidence of 27 May 2022, without any clear explanation being given as to why her position as to the events of 27 May 2022 changed between that date and when she was interviewed by the School again on 7 June 2022.

The panel accepted that the events of 27 May 2022 occurred at a time when Mrs Cendrowicz was no doubt exhausted from having to conduct the marking of the [REDACTED] pupils' portfolios on her own, without the benefit of an internal moderator, had had to prepare the exhibition of multiple displays of art work for the OCR moderators on her own, with no additional time given on top of a full teaching workload, and all amidst the pressure on her, and the School, to maintain high attainment in Art GCSE. Furthermore, the panel recognised that the schooling of the cohort in question had been seriously affected by Covid-19 and that this would have been a challenge for Mrs



Cendrowicz. Nonetheless, the panel accepted the veracity of the notes taken during the meetings with Witness C on 27 May 2022 which the panel accepted were contemporaneous, signed and were an accurate account of what was said during those meetings.

The panel took into consideration Mrs Cendrowicz's oral evidence in which she stated that she could not recall nor explain why she had apparently said what she had said on 27 May 2022 to Witness A and Witness C, because she was so stressed and upset at the time that she had those meetings. However, the panel did not accept that the contemporaneous accounts of the admission of Mrs Cendrowicz's wrongdoing, as it related to Pupil A, was in anyway invalidated by the emotional stress she was under when the wrongdoing came to light and/or by her inability to recollect what she had said, and why, on 27 May 2022.

The panel, weighing up all the evidence, was convinced by the contemporaneous evidence collected on 27 May 2022, including Mrs Cendrowicz's own email to Witness A of that date. It did not consider that those who were party to the events of 27 May 2022 or who took the notes of the meetings on that day had any reason to record incorrectly what Mrs Cendrowicz has said, which was consistent with the tone and content of her own email to Witness A at 10.58am on the same day.

The panel found allegation 1(a) proven.

**b) Did not remove work from Pupil A's GCSE art portfolio that did not belong to Pupil A when asked to do so by Colleague 1;**

The panel considered the oral evidence and written statement of Witness A, who stated that Mrs Cendrowicz said to him *"please do not remove the work – she definitely deserves a grade 9"*, but that he had told her to go into the art room and remove the work immediately. The panel accepted that his reference to the 'work' was a reference to all three pieces of art he had photographed.

The panel considered the oral evidence and written statement of Mrs Cendrowicz, who stated that on 27 May 2022, Witness A came and took photographs of Pupil A's work and then left the room. She stated that he returned a short while later and showed her a photograph of one piece of work only and said that the work was not Pupil A's and the work needed to be taken down. Mrs Cendrowicz stated that she went into the art room and took down one piece of work straight away.

The panel considered the oral evidence and written statement of Witness C, who confirmed that in her meeting with Mrs Cendrowicz she accepted that *"he asked me to take it down. I took the one down – I didn't take the others down because I felt it was awkward with the moderators there. I didn't know what to do"*.

In Mrs Cendrowicz's oral evidence she maintained that she had understood that Witness A only required her to take down one piece of art – as he only showed her one photograph, which she did. The panel, however, was not convinced by this. It considered that Mrs Cendrowicz's comment, as set out above, made in her meeting with Witness C on 27 May 2022, made it more likely that Witness A had made it clear he wanted her to take down all three pieces that he had discovered did not belong to Pupil A, and that this had been understood by Mrs Cendrowicz.

In his oral evidence, Witness A accepted that Mrs Cendrowicz might have had no opportunity or limited opportunity to remove the work as the moderation had started by that time. However, the panel took this to be a measured reflection given three years after the event. Nonetheless, it was satisfied that Mrs Cendrowicz would have had the opportunity to take down all three pieces of work, given she accepted she took down one piece of work.

The panel found allegation 1(b) proven.

**c) Said to Colleague 1 that you only inserted work for Pupil A, when this was not the case.**

The panel considered the oral evidence and written statement of Witness A, who stated that Mrs Cendrowicz confirmed to him that it was her work displayed on Pupil A's board, but did not at any stage admit to him that she had added work to any other pupils' portfolios.

The notes taken of the meeting Witness C had with Mrs Cendrowicz on 27 May 2022 confirmed that she was asked directly if she had inserted work into any other pupil's portfolio that did not belong to them to which she said "*No, I told [REDACTED] this. It was just the top end I was doubting myself with*".

The panel was satisfied by the veracity of Witness C's statement and from her oral evidence found her to be a credible and consistent witness, noting she had undergone investigation training. The panel, therefore, accepted the notes taken during her meetings on 27 May 2022 to be a fair account of what was said by both Witness A and Mrs Cendrowicz.

The panel was, therefore, satisfied on the evidence that Mrs Cendrowicz had said to Witness A that she had only inserted work for Pupil A.

In order for the panel to determine whether Mrs Cendrowicz's utterances to Witness A were correct, it needed to consider the evidence before it, as to whether Mrs Cendrowicz had knowledge of the other pieces of artwork that had been found in the portfolios of other pupils. However, the panel did not consider there was sufficient evidence before it. The panel could not, therefore, determine that Mrs Cendrowicz had knowledge or had

been responsible for the inclusion of unattributable artwork into the portfolios of other pupils in the year 11 Art GCSE cohort.

The panel found allegation 1(c) not proved.

## **2. Your conduct at paragraph 1 was:**

### **a) Dishonest;**

Having found allegation 1(a) as amended and allegation 1(b) of the component limbs of paragraph 1 proven, the panel considered whether Mrs Cendrowicz had acted dishonestly in relation to allegation 1. In reaching its decision on this, the panel considered the case of *Ivey v Genting Casinos (UK) Ltd t/a Crockford* and the two-part subjective and objective dishonesty test.

The panel first sought to ascertain the actual state of Mrs Cendrowicz's knowledge or belief as to the facts. Based on the evidence before it, the panel felt that Mrs Cendrowicz had not added work to Pupil A's portfolios in error, and that she had deliberately added the work to ensure that the exam board did not award lower grades. The panel further considered whether Mrs Cendrowicz knew that her actions were dishonest, and that she had deliberately added three pieces of work to Pupil A's portfolio. In failing to remove all three pieces of work from Pupil A's display on 27 May 2022 she risked the work that she knew did not belong to Pupil A being subject to moderation. As an experienced teacher, Mrs Cendrowicz would have known that this would undermine the integrity of the Art GCSE assessment process.

The panel was assisted by guidance from the case of *Wingate & Anor v The Solicitors Regulation Authority*, which states "*honesty is a basic moral quality which is expected of all members of society. It involves being truthful about important matters [...] Telling lies about things that matter [...] [is] generally regarded as dishonest conduct [...] The legal concept of dishonesty is grounded upon the shared values of our multi-cultural society. Because dishonesty is grounded upon basic shared values, there is no undue difficulty in identifying what is or is not dishonest.*"

In light of the above, the panel assessed that Mrs Cendrowicz's conduct at allegation 1 was dishonest according to the standards of ordinary decent people. The panel found that Mrs Cendrowicz had deliberately added pieces of work to Pupil A's display that she knew did not belong to Pupil A and had acted in contravention of the exam board guidance.

The panel, therefore, found allegation 2(a) proved.

### **b) Demonstrated a lack of integrity.**

The panel considered whether Mrs Cendrowicz had failed to act with integrity in respect of allegation 1. The panel considered the case of *Wingate & Anor v The Solicitors Regulation Authority*.

The panel considered that it was a key part of Mrs Cendrowicz's role to ensure that each pupil only had their own work assessed and presented for moderation.

The panel was mindful that professionals are not expected to be "*paragons of virtue*". However, the panel noted the expectations of society and the teaching profession, particularly in regard to public examinations, that they be fair, robust and legitimate.

On consideration of all the evidence before it, the panel was satisfied that Mrs Cendrowicz had failed to meet the higher standards expected of a teacher in respect of the conduct as found proven at allegation 1. The panel was, therefore, satisfied that Mrs Cendrowicz's conduct, as found proven, lacked integrity.

The panel, therefore, found allegation 2(b) proved.

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

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

In doing so, the panel had regard to the document Teacher misconduct: The prohibition of teachers, which is referred to as "the Advice".

The panel first considered whether the conduct of Mrs Cendrowicz, in relation to the facts found proved, involved breaches of the Teachers' Standards.

The panel considered that, by reference to Part 2, Mrs Cendrowicz 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.
- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach.
- Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities.

The panel was satisfied that the conduct of Mrs Cendrowicz, in relation to the facts found proved, did not involve breaches of Keeping Children Safe In Education ("KCSIE") or Working Together to Safeguard Children.

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

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

The panel found that the offence of fraud or serious dishonesty was relevant as the conduct as found proven at paragraph 1 was serious. The panel considered whether there were any mitigating circumstances that reduced the seriousness of the conduct or culpability. The factors that the panel considered that existed at the relevant time were:

- the effect that Covid-19 had had on the cohort having had a number of years of disrupted education, particularly for years 9 and 10;
- the impact Covid-19 had on the education and assessment process for the pupils and teachers and expectations which were fluid and often changing;
- the School was under pressure to improve rapidly and the increased pressure this would have placed on teachers;
- the [REDACTED] of Mrs Cendrowicz and the impact it had on her and may have had on the exercise of her judgement; and
- the evidence that art appeared to have been a strongly performing subject historically within the School which may have brought additional pressure on Mrs Cendrowicz as the new head of art to maintain the strong performance.

The panel considered all these factors and concluded that, whilst they may have explained the conduct, they did not excuse it.

The panel noted that there must be confidence in the education and examination system, and that it is a critical part of a teacher's professional duty to uphold that trust and confidence.

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

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

In relation to whether Mrs Cendrowicz's actions amounted to conduct that may bring the profession into disrepute, the panel took into account the way the teaching profession is viewed by others. It considered the influence that teachers may have on pupils, parents

and others in the community. The panel also took account of the uniquely influential role that teachers can hold in pupils' lives and the fact that pupils must be able to view teachers as role models in the way that they behave.

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

As set out above in the panel's findings as to whether Mrs Cendrowicz was guilty of unacceptable professional conduct, the Panel found that the behaviours associated with the offence of fraud or serious dishonesty were relevant.

The panel considered that Mrs Cendrowicz's conduct could potentially damage the public's perception of a teacher. Society needs to have trust and confidence in the integrity of the examination process, and the public's trust in the teaching profession is likely to be damaged by conduct that effectively undermined the fairness, robustness and legitimacy of public examinations.

For these reasons, the panel found that Mrs Cendrowicz's actions constituted conduct that may bring the profession into disrepute.

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

Given the panel's findings in respect of unacceptable professional conduct and conduct that may bring the profession into disrepute, it was necessary for the panel to go on to consider whether it would be appropriate to recommend the imposition of a prohibition order by the Secretary of State.

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

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

In the light of the panel's findings against Mrs Cendrowicz, which involved adding work to Pupil A's Art GCSE portfolio that did not belong to the pupil and purporting that this was the pupil's work and failing to remove all the additional work from Pupil A's display despite being asked, there was public interest consideration in declaring and upholding proper standards of conduct.

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

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

In addition to the public interest considerations set out above, the panel went on to consider whether there was a public interest in retaining Mrs Cendrowicz in the profession.

In this regard, the panel was struck by the strong evidence put before it as to the exceptional contribution Mrs Cendrowicz has made to the teaching profession. This included:

- a witness statement prepared by Individual C who also attended virtually to give oral evidence at stage 2 of the proceedings and who commented about Mrs Cendrowicz that she:
  - o *“consistently impressed”;*
  - o *“[had] a profound impact on the students”;*
  - o *“[is] a driving force in raising standards”;*
  - o *“introduced a wider range of artistic materials and techniques.....which had not previously been explored. Additionally her after school art club has been an overwhelming success”.*
- A witness statement of Individual A, who also attended virtually to give oral evidence at stage 2 of the proceedings and who commented about Mrs Cendrowicz that she:
  - o *“:[is] an exceptional art teacher whose impact on students and the broader artistic culture of our academy has been truly remarkable;*
  - o *“[her] influence extends beyond her subject area, shaping teaching practices and contributing significantly to the overall learning environment;*
  - o *“consistently contributes to initiatives that promote artistic excellence and enrich the cultural fabric of the school”;*
  - o *“I think [it would be] a real travesty to lose her from NBA, for the students to lose her, and for the education profession.”*

- the oral evidence given by Mrs Cendowicz's previous Principal who confirmed that prior to the incidence on 27 May 2022 he had always found her to be "*honest and straightforward*".

The panel decided that there was a strong public interest consideration in retaining Mrs Cendowicz in the profession, since no doubt had been cast upon her abilities as an educator and there was strong evidence she is able to make an exceptional 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 Mrs Cendowicz.

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

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

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

Apart from the incident on 27 May 2022, the panel was satisfied that Mrs Cendowicz demonstrated exceptionally high standards in her personal and professional conduct and contributed significantly to the education sector.

The further mitigating factors the panel considered to be present in this case were:

- the time that has passed since the incident on 27 May 2022;
- the detrimental impact on Mrs Cendowicz that has included:
- [REDACTED]



- excellent references from her current employer demonstrating the confidence they have in her abilities both professionally and personally;
- insight and remorse illustrated with an apology for her wrongdoing and demonstration of lessons learned, both practically in terms of her teaching practice and reflection on impact on others;
- proactive engagement in seeking further training and qualifications to assist her with future assessment management;
- good character;
- loss to the profession;
- the OCR's prohibition barring Mrs Cendrowicz from all involvement in the delivery or administration of OCR examinations and assessments until 30 November 2024;
- evidence of [REDACTED] that may have affected her judgment at the relevant time;
- the effect that Covid-19 had had on the cohort having had a number of years disrupted education, particularly in years 9 and 10;
- the impact Covid-19 had on the education and assessment process for the pupils and teachers and expectations which were fluid and often changing;
- the School being under pressure to improve rapidly and the increased pressure this would have placed on teachers; and
- the evidence that art appeared to have been a strongly performing subject historically within the School which may have brought additional pressure on Mrs Cendrowicz as the new head of art to maintain the strong performance.

Finally, the panel was very mindful that the wrongdoing on 27 May 2022 was an isolated and spur-of-the-moment incident.

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, with no personal gain and, having considered all 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. Furthermore, the panel was of the view that it was highly unlikely that there would be any repetition of the misconduct in the future.

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

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

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

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

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

In particular, the panel has found that Mrs Cendrowicz 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.
- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach.
- Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities.

The panel finds that the conduct of Mrs Cendrowicz fell significantly short of the standards expected of the profession.

I have to determine whether the imposition of a prohibition order is proportionate and in the public interest. In considering that for this case, I have considered the overall aim of a prohibition order which is to protect pupils and to maintain public confidence in the profession. I have considered the extent to which a prohibition order in this case would achieve that aim taking into account the impact that it will have on the individual teacher. I have also asked myself whether a less intrusive measure, such as the published finding of unacceptable professional conduct or conduct likely to bring the profession into disrepute, would itself be sufficient to achieve the overall aim. I have to consider whether the consequences of such a publication are themselves sufficient. I have considered therefore whether or not prohibiting Mrs Cendrowicz, 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 has made no comments on whether the actions of Mrs Cendrowicz had a detrimental impact on pupils, but has noted “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.”

I have also taken into account the panel’s comments on insight and remorse, which the panel has set out as follows, “insight and remorse illustrated with an apology for her wrongdoing and demonstration of lessons learned, both practically in terms of her teaching practice and reflection on impact on others”. I have therefore given this element considerable weight in reaching my decision.

I have gone on to consider the extent to which a prohibition order would maintain public confidence in the profession. The panel has observed, “Society needs to have trust and confidence in the integrity of the examination process, and the public’s trust in the teaching profession is likely to be damaged by conduct that effectively undermined the fairness, robustness and legitimacy of public examinations.” I am particularly mindful of the finding of dishonesty and a lack of integrity in this case and the impact that such a finding has on the reputation of the profession.

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

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

I have also considered the impact of a prohibition order on Mrs Cendrowicz herself. The panel has commented that it was “was struck by the strong evidence put before it as to the exceptional contribution Mrs Cendrowicz has made to the teaching profession”. The panel has found that “there was a strong public interest consideration in retaining Mrs Cendrowicz in the profession, since no doubt had been cast upon her abilities as an educator and there was strong evidence she is able to make an exceptional contribution to the profession.”

A prohibition order would prevent Mrs Cendrowicz from continuing that work. A prohibition order would also clearly deprive the public of her contribution to the profession for the period that it is in force.

In this case, I have placed considerable weight on the panel's comments concerning the mitigating factors in this case, especially the insight and remorse demonstrated by Mrs Cendrowicz. I have also taken account of the panel's findings that this was "an isolated and spur-of-the-moment incident" and "the nature and severity of the behaviour were at the less serious end of the possible spectrum, with no personal gain".

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

A handwritten signature in black ink, appearing to read 'David Oatley', with a large, sweeping loop at the end.

**Decision maker: David Oatley**

**Date: 15 April 2025**

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