



Teaching
Regulation
Agency

Mrs Siobhan Clarke: Professional conduct panel meeting outcome

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

April 2025

Contents

Introduction	3
Allegations	4
Summary of evidence	4
Documents	4
Statement of agreed facts	5
Decision and reasons	5
Findings of fact	5
Panel's recommendation to the Secretary of State	11
Decision and reasons on behalf of the Secretary of State	14

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

Teacher: Mrs Siobhan Clarke

Date of determination: 23 April 2025

Former employer: The Priory Academy, Lincoln

Introduction

A professional conduct panel (“the panel”) of the Teaching Regulation Agency (“the TRA”) convened on 23 April 2025 by way of a virtual meeting, to consider the case of Mrs Siobhan Clarke.

The panel members were Mrs Jo Palmer Tweed (former teacher panellist – in the chair), Mrs Pamela Thompson (lay panellist) and Mr Paul Burton (lay panellist).

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

In advance of the meeting, after taking into consideration the public interest and the interests of justice, the TRA agreed to a request from Mrs Clarke that the allegations be considered without a hearing. Mrs Clarke provided a signed statement of agreed facts and admitted unacceptable professional conduct, conduct that may bring the profession into disrepute and conviction of a relevant offence. The panel considered the case at a meeting without the attendance of the presenting officer Mr Alexander Barnfield, of Capsticks LLP, Mrs Clarke or her representative Miss Jessica Edmonds of NASUWT.

The meeting took place in private.

Allegations

The panel considered the allegations set out in the notice of meeting dated 17 April 2025

It was alleged that Mrs Clarke was guilty of having been convicted, at any time, of the following relevant offence:

1. On 9 February 2023, she was convicted of:
 - a. Fail to provide specimen for analysis, contrary to Section 7(6) of the Road Traffic Act 1988 and Schedule 2 to the Road Traffic Offenders Act 1988.

It was also alleged that Mrs Clarke was guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute in that as a teacher at The Priory Academy, St Catherine's House, Cross O'Cliff Hill, Lincoln, Lincolnshire ("the School"):

2. On 11 January 2023, she attended the School and/or taught a class whilst under the influence of alcohol.

Mrs Clarke admitted the allegation and admitted that she had been convicted of a relevant offence, and that she was guilty of unacceptable professional conduct and conduct that may bring the profession into disrepute.

Summary of evidence

Documents

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

Section 1: Chronology and list of key people – pages 3 to 4

Section 2: Notice of referral, response and notice of meeting – pages 5 to 18

Section 3: Statement of agreed facts and presenting officer representations – pages 19 to 26

Section 4: Teaching Regulation Agency documents – pages 27 to 133

Section 5: Teacher documents – pages 134 to 143

The panel members confirmed that they had read all of the documents within the bundle, 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").

Statement of agreed facts

The panel considered a statement of agreed facts which was signed by Mrs Clarke on 4 April 2025

Decision and reasons

The panel announced its decision and reasons as follows:

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

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

Mrs Clarke was employed as a maths teacher at The Priory Academy LSST from 1 September 2014. She was previously employed as a learning assistant in January 2013, before her appointment as a full time teacher.

On the morning of 11 January 2023, on her way to work at the School, Mrs Clarke was involved in a road traffic collision outside of the School with another staff member. The police were called and attended the School. Mrs Clarke was arrested.

On 27 January 2023, Mrs Clarke tendered her resignation with immediate effect.

On 31 January 2023, a disciplinary hearing took place in Mrs Clarke's absence and it was determined that she would have been dismissed, had she not resigned.

Mrs Clarke was referred to the TRA on 14 February 2023.

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 9 February 2023, you were convicted of:**

a. Fail to provide specimen for analysis, contrary to Section 7(6) of the Road Traffic Act 1988 and Schedule 2 to the Road Traffic Offenders Act 1988.

Mrs Clarke admitted this allegation in her response to the notice of referral dated 2 July 2024. In the statement of agreed facts, Mrs Clarke admitted that she was convicted following a guilty plea of the offence of failing to provide a breath specimen for analysis, contrary to Section 7(6) of the Road Traffic Act 1998 and Schedule 2 to the Road Traffic Offenders Act 1988.

Mrs Clarke admitted that she was consequently fined £333, disqualified from driving for 12 months and ordered to pay a victim surcharge and costs.

The police officer who attended the School provided a witness statement. That police officer stated that he attended the School at 10:20, and Mrs Clarke was brought into the reception room to speak to him. During their conversation, the police officer stated that Mrs Clarke spoke of how she had had a collision on the way to work, in which she had gone into the back of a vehicle. He stated that he asked Mrs Clarke if she had been drinking and she claimed to not have been. He stated that he decided to administer an alcohol breath test. He stated that Mrs Clarke was slurring her words and seemed to him to smell of alcohol strongly, as well acting in a confused state. He stated that he commenced the breath test procedure with the reading resulting in a level of 94 micrograms per 100ml of breath, putting Mrs Clarke over the legal limit. He stated that he arrested her at 10:38, and transported Mrs Clarke to custody at the police station arriving at 10:52. He stated that once Mrs Clarke was booked into custody, they “completed the Intox procedure” which resulted in Mrs Clarke “failing to sufficiently provide a sample of breath”.

The panel has seen the certificate of conviction and accepted the certificate as conclusive proof of both the conviction and the facts necessarily implied by the conviction. The certificate confirmed that Mrs Clarke had been convicted as alleged. The panel noted that her period of being disqualified from driving could be reduced by 13 weeks by the completion of a course.

In light of Mrs Clarke's admission, the certificate of conviction and the evidence of the police officer, the panel found this allegation proven.

As a teacher at The Priory Academy, St Catherine's House, Cross O'Cliff Hill, Lincoln, Lincolnshire (“the School”):

2. On 11 January 2023, you attended the School and/or taught a class whilst under the influence of alcohol.

Mrs Clarke admitted this allegation in her response to the notice of referral dated 2 July 2024. In the statement of agreed facts, Mrs Clarke admitted that on the morning of 11 January 2023, she had consumed alcohol to the level of being three times over the legal

limit for driving. She admitted that on her way to work at the School that morning, she was involved in a road traffic collision, left the scene of the accident and drove her damaged car onto the School's site.

Mrs Clarke admitted that she walked from her parked car with the intention of taking her normal class and went to her classroom to teach. She admitted that she was disorientated and was under the influence of alcohol.

A witness statement was provided to the police by the driver of the other vehicle involved in the collision. That person stated that they had been sat in their vehicle stationary at traffic lights on Southpark Avenue at the pedestrian crossing. They stated that as the lights turned to green, they went to drive ahead and a car hit the rear of their vehicle. They stated that they recognised the driver as a teacher at the School at which they also worked, they had seen her several times around the School site, and believed her name was Siobhan Clarke.

The witness statement that Mrs Clarke came to their window, stated "that was me" then got back into her vehicle and the witness went to speak with her further. The witness stated they asked Mrs Clarke to call someone as they did not think she would be able to drive her vehicle as it was "very crumpled and.. the air bags had gone off." The witness stated that Mrs Clarke rummaged in her handbag for her phone but instead pulled out her bank card. The witness stated that Mrs Clarke "appeared very confused, she kept repeating herself and wasn't finishing her sentences. I would describe her as incoherent. As she was talking she was slurring her words. It didn't occur to me that she may be under the influence of alcohol at the time but I knew she wasn't right, I thought she'd perhaps had a medical episode."

The director of welfare for the School provided a witness statement for the purpose of the TRA proceedings. He stated that following a report by Mrs Clarke's colleague who she had had the collision with, he and the headteacher went to look for Mrs Clarke. He stated they were informed that Mrs Clarke was in a classroom in the mathematics department, and asked a colleague to ask her to come out of the classroom. He stated that she did so and joined him and the headteacher in the headteacher's office.

He stated that he noticed that Mrs Clarke "seemed disorientated and anxious". He stated that she confirmed that she had been in an accident, that the airbags had inflated but that she had still driven into the School car park afterwards. He stated that he believed he could smell alcohol and that she "seemed very muddled". He stated that he called the police, who attended and Mrs Clarke agreed to be breathalysed. He stated that the police officer used the breathalyser, having asked Mrs Clarke first if she had drunk anything since the accident or used mouthwash in the last 15 minutes. He stated that Mrs Clarke confirmed that she had not. He stated that the police officer informed the teacher that the test showed she was approximately three times over the legal limit.

The director of welfare stated that he and the headteacher walked to the staff car park. This was located at the bottom of the School grounds, meaning that she had driven through the gate and down the access road. He stated that they observed the damage to her car, which showed both airbags, deflated, the windscreen was cracked and there was damage to the front of the car.

In light of Mrs Clarke's admission, the evidence of the police officer referred to in allegation 1 above, the evidence of the colleague she had the collision with and the evidence of the director of welfare, the panel found it more probable than not that Mrs Clarke had, on 11 January 2023, attended the School whilst under the influence of alcohol.

Other than Mrs Clarke's admission, there was no evidence that Mrs Clarke had taught a class under the influence of alcohol. The person who collected Mrs Clarke from her classroom did not provide a witness statement, and there was no evidence as to whether the school day had started at that time. The panel did not therefore find it proven that Mrs Clarke had taught a class under the influence of alcohol.

The panel found this allegation proven to the extent only of having attended the School under the influence of alcohol.

Findings as to conviction of a relevant offence and/or unacceptable professional conduct and/or conduct that may bring the profession into disrepute

In relation to whether the conviction found proven at allegation 1 was of a relevant offence, the panel first considered whether the conduct of Mrs Clarke involved breaches of the Teachers' Standards.

The panel considered that, by reference to Part 2, Mrs Clarke failed to demonstrate consistently high standards of personal and professional conduct. The panel considered that Mrs Clarke 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
 - having regard for the need to safeguard pupils' well-being, in accordance with statutory provisions
 - not undermining fundamental British values, including...the rule of law...
- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach, and maintain high standards in their own attendance and punctuality.

The panel noted that the individual's actions were relevant to teaching, working with children and working in an education setting, given that her failure to provide a specimen for analysis followed a collision with a colleague which took place outside the School whilst Mrs Clarke was likely under the influence of alcohol, following which Mrs Clarke drove onto the School site.

The panel noted that the behaviour involved in committing the offence did have an impact on the safety of her colleague and could have had an impact on the safety of pupils on other colleagues and/or members of the public.

The panel also took account of the way the teaching profession is viewed by others. The panel considered that Mrs Clarke's behaviour in committing the offence could affect public confidence in the teaching profession, given the influence that teachers may have on pupils, parents and others in the community. Mrs Clarke failed to demonstrate respect for the rule of law in failing to provide a sufficient specimen for analysis, and thereby failed to act as a role model for pupils.

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

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

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

The panel noted that the police officer described that Mrs Clarke "failed to sufficiently provide a sample of breath". This was consistent with Mrs Clarke's statement that she "could not provide a full breath test at the police station because of the whole distressing situation." Whilst the panel accepted that Mrs Clarke must have been shocked and distressed by the incident, the panel noted that there was [REDACTED] directly preventing Mrs Clarke providing a sufficient sample.

The panel took into account the [REDACTED] and the demands of her role, including her reference to an imminent Ofsted inspection. The panel accepted that her [REDACTED]. The panel noted that this was a one off incident and that there had been no previous disciplinary issues raised whilst Mrs Clarke had been employed at the School.

There was no evidence of any remedial steps Mrs Clarke has taken to ensure there would be no repetition of the incident.

Taking the above into consideration the panel found that the seriousness of the offending behaviour that led to the conviction was relevant to Mrs Clarke's ongoing suitability to

teach. The panel considered that a finding that this conviction was for a relevant offence was necessary to reaffirm clear standards of conduct so as to maintain public confidence in the teaching profession.

Having found allegation 2. 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 Mrs Clarke in relation to the facts found proved, involved breaches of the Teachers’ Standards. Mrs Clarke failed to demonstrate consistently high standards of personal and professional conduct. The panel considered that by reference to Part 2, Mrs Clarke 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
 - having regard for the need to safeguard pupils’ well-being, in accordance with statutory provisions
- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach...
- Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities.

The panel noted that Mrs Clarke’s conduct breached the School’s Code of Conduct which states “the Trust will not tolerate employees... arriving at work under the influence of alcohol.”

The panel was satisfied that the conduct of Mrs Clarke in relation to the facts found proved, involved breaches of Keeping Children Safe In Education (“KCSIE”).

The panel considered that Mrs Clarke was in breach of the obligation to provide a safe environment in which children can learn.

The panel also considered whether Mrs Clarke’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 behaviours associated with serious driving offences, particularly those involving alcohol or drugs; were relevant given that Mrs Clarke had attended School under the influence of alcohol, having driven into the School car park.

The panel took into account the [REDACTED] and the demands of her role, including her reference to an imminent Ofsted inspection. [REDACTED].

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

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

In relation to whether Mrs Clarke'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 Clarke'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 Clarke was guilty of unacceptable professional conduct, the Panel found that behaviours associated with serious driving offences, particularly those involving alcohol or drugs were relevant

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

For these reasons, the panel found that Mrs Clarke'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; conduct that may bring the profession into disrepute; and a conviction of a relevant offence, it was necessary for the panel to go on to consider whether it would be appropriate to recommend the imposition of a prohibition order by the Secretary of State.

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

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

There was a public interest consideration in respect of the safeguarding and wellbeing of pupils, given that Mrs Clarke attended the School under the influence of alcohol, having driven into the School car park. The panel noted there could be a public interest in the protection of other members of the public, since whilst driving to School, Mrs Clarke had a collision with another road user (her colleague). However, the panel considered that there was no evidence that this was anything other than a one off incident.

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

The panel was of the view that a public interest consideration in declaring proper standards of conduct in the profession was also present as the conduct found against Mrs Clarke 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 Clarke in the profession. The panel decided that there was a public interest consideration in retaining the teacher in the profession, since no doubt has been cast upon her abilities as an educator, there were no other disciplinary issues raised whilst she had been employed at the School and she 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 Mrs Clarke.

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

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

- the commission of a serious criminal offence, including those that resulted in a conviction or caution, paying particular attention to offences that are ‘relevant matters’ for the purposes of the Police Act 1997 and criminal record disclosures;
- misconduct seriously affecting the education and/or safeguarding and well-being of pupils...;
- failure in their duty of care towards a child, including exposing a child to risk or failing to promote the safety and welfare of the children (as set out in Part 1 of KCSIE); and
- actions or behaviours that... undermine fundamental British values of..., the rule of law...

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

There was no evidence that Mrs Clarke’s actions were not deliberate.

There was no evidence to suggest that Mrs Clarke was acting under extreme duress, e.g. a physical threat or significant intimidation. The panel did, however, accept that Mrs Clarke had [REDACTED] and the stresses of her teaching role.

Mrs Clarke did have a previously good history there having been no disciplinary issues whilst she was employed by the School. However there was no evidence of Mrs Clarke having demonstrated exceptionally high standards in both her personal and professional conduct or of having contributed significantly to the education sector.

The panel were provided with three emails sent to Mrs Clarke’s solicitor who represented her in the criminal court proceedings.

The author of the first email stated that they did not know Mrs Clarke personally, but that Mrs Clarke had tutored their daughter [REDACTED]. The referee stated that Mrs Clarke did this in her own time, and asked for no payment.

The second email was from a friend who had known her for four years. He described Mrs Clarke as being of good character, kind, understanding, reliable and extremely trustworthy. He referred to Mrs Clarke having volunteered to help care for his mother-in-law, having allowed him and his wife some respite. [REDACTED] .

The third email was from a parish administrator/ secretary of a church who had approached her about their senior citizen’s lunch club, for which Mrs Clarke subsequently volunteered. The referee stated that she would attend early, and “work her socks off in the kitchens” long before guests arrived. She referred to Mrs Clarke’s “great rapport” with

other team members and the bond she formed with regular guests and the sensitivity she had to their needs.

The panel was also told that her solicitor produced to the court an email from [REDACTED] confirming that Mrs Clarke had undertaken voluntary work for them, albeit this email was not provided to the panel

Mrs Clarke has cooperated fully with the present proceedings. She returned the response to the notice of referral form admitting the allegations and that her conduct amounted to unacceptable professional conduct, conduct that may bring the profession into disrepute and conviction of a relevant offence. She provided a statement of agreed facts and written representations. The panel noted that her written representations stated that “I admit to the incident which was reported. I cannot excuse what happened I am immensely sorry”, and in a second letter stated “I do admit fault and I cannot excuse my actions.” The panel considered that Mrs Clarke had expressed remorse, although noted that whilst Mrs Clarke recognised the impact of the stresses she had been under, she did not demonstrate that she understood the impact of her actions on others, or the potential risks that her conduct posed to pupils and the School community. However, there was no evidence to suggest that Mrs Clarke was at risk of repeating her conduct, although there was also no evidence of any steps that Mrs Clarke had taken to ensure there would be no repetition.

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. The panel considered that the nature and severity of the behaviour were at the less serious end of the possible spectrum having not warranted a sentence of imprisonment, and being a one off incident. Taking into consideration the mitigating factors that were present particularly as to the circumstances that Mrs Clarke was in at the time, the panel determined that a recommendation for a prohibition order would not be appropriate in this case. The panel considered that the publication of the adverse findings it had made was sufficient to send an appropriate message to the teacher as to the standards of behaviour that are not acceptable, and the publication would meet the public interest requirement of declaring proper standards of the profession.

Decision and reasons on behalf of the Secretary of State

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

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

In this case, the panel has found all of the allegations proven and found that those proven facts amount to unacceptable professional conduct, conduct that may bring the profession into disrepute and a relevant conviction. The panel found allegation 2 proven only in respect of attending the school under the influence of alcohol, and not in respect of teaching a class whilst under the influence of alcohol. I have therefore put the latter matter entirely from my mind.

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

In particular, the panel has found that Mrs Clarke 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
 - having regard for the need to safeguard pupils' well-being, in accordance with statutory provisions
 - not undermining fundamental British values, including...the rule of law...
- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach, and maintain high standards in their own attendance and punctuality.
- 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 Clarke involved breaches of the responsibilities and duties set out in statutory guidance Keeping children safe in education (KCSIE).

The panel finds that the conduct of Mrs Clarke 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, conduct likely to bring the profession into disrepute

and a relevant conviction, would itself be sufficient to achieve the overall aim. I have to consider whether the consequences of such a publication are themselves sufficient. I have considered therefore whether or not prohibiting Mrs Clarke, 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 observed:

“There was a public interest consideration in respect of the safeguarding and wellbeing of pupils, given that Mrs Clarke attended the School under the influence of alcohol, having driven into the School car park. The panel noted there could be a public interest in the protection of other members of the public, since whilst driving to School, Mrs Clarke had a collision with another road user (her colleague). However, the panel considered that there was no evidence that this was anything other than a one off incident.”

A prohibition order would therefore prevent such a risk from being present in the future.

I have also taken into account the panel’s comments on insight and remorse, which the panel has set out as follows:

“Mrs Clarke has cooperated fully with the present proceedings. She returned the response to the notice of referral form admitting the allegations and that her conduct amounted to unacceptable professional conduct, conduct that may bring the profession into disrepute and conviction of a relevant offence. She provided a statement of agreed facts and written representations. The panel noted that her written representations stated that “I admit to the incident which was reported. I cannot excuse what happened I am immensely sorry”, and in a second letter stated “I do admit fault and I cannot excuse my actions.” The panel considered that Mrs Clarke had expressed remorse, although noted that whilst Mrs Clarke recognised the impact of the stresses she had been under, she did not demonstrate that she understood the impact of her actions on others, or the potential risks that her conduct posed to pupils and the School community. However, there was no evidence to suggest that Mrs Clarke was at risk of repeating her conduct, although there was also no evidence of any steps that Mrs Clarke had taken to ensure there would be no repetition.”

I have therefore given this element some weight in reaching my decision.

I have gone on to consider the extent to which a prohibition order would maintain public confidence in the profession. The panel has observed that “...public confidence in the profession could be weakened if conduct such as that found against Mrs Clarke were not treated with seriousness when regulating the conduct of the profession.” I am particularly mindful of the finding of a relevant conviction for failing to provide a breath specimen for

analysis 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, conduct likely to bring the profession into disrepute and a relevant conviction, in the absence of a prohibition order, can itself be regarded by such a person as being a proportionate response to the misconduct that has been found proven in this case.

I have also considered the impact of a prohibition order on Mrs Clarke herself. The panel has commented:

“Mrs Clarke did have a previously good history there having been no disciplinary issues whilst she was employed by the School. However there was no evidence of Mrs Clarke having demonstrated exceptionally high standards in both her personal and professional conduct or of having contributed significantly to the education sector.”

The panel has also noted 3 emails sent to Mrs Clarke’s solicitor, who represented her in the criminal court proceedings, which attest to her good character and voluntary work.

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

In this case, I have placed considerable weight on the panel’s comments:

“The panel considered that the nature and severity of the behaviour were at the less serious end of the possible spectrum having not warranted a sentence of imprisonment, and being a one off incident. Taking into consideration the mitigating factors that were present particularly as to the circumstances that Mrs Clarke was in at the time, the panel determined that a recommendation for a prohibition order would not be appropriate in this case.”

I have noted the panel’s comments on the mitigating factors including:

“There was no evidence to suggest that Mrs Clarke was acting under extreme duress, e.g. a physical threat or significant intimidation. The panel did, however, accept that Mrs Clarke had [REDACTED] and the stresses of her teaching role.”

I have also placed considerable weight on the panel's findings that Mrs Clarke has shown remorse and "...there was no evidence to suggest that Mrs Clarke was at risk of repeating her conduct...".

In my judgement, the misconduct found proved in this case is serious and posed a risk to the safety and well-being of pupils. However, I have taken account of the panel's findings that this was a one-off incident and there was no evidence of a risk of repetition.

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 'D Oatley', with a large, sweeping loop at the end.

Decision maker: David Oatley

Date: 24 April 2025

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