



Teaching
Regulation
Agency

Ms Victoria Umpleby: Professional conduct panel outcome

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

June 2025

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

Teacher: Ms Victoria Umpleby

TRA reference: 20551

Date of determination: 9 June 2025

Former employer: [REDACTED] (the “School”)

Introduction

A professional conduct panel (“the panel”) of the Teaching Regulation Agency (“the TRA”) convened on 4 to 9 June 2025 by way of a virtual hearing, to consider the case of Ms Victoria Umpleby.

The panel members were Miss Sue Davies (lay panellist – in the chair), Mr Alan Wells (former teacher panellist) and Ms Aruna Sharma (teacher panellist).

The legal adviser to the panel was Mr James Corrish of Birketts LLP solicitors.

The presenting officer for the TRA was Ms Louisa Atkin of Capsticks LLP solicitors.

Ms Umpleby was not present and was not represented.

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

Allegations

The panel considered the allegations set out in the notice of proceedings dated 11 March 2025.

It was alleged that Ms Umpleby was guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute, in that:

1. She failed to take appropriate action in response to concerns regarding Colleague A, in that: -
 - a. Prior to 15 March 2021, she did not report or otherwise take action in response to seeing inappropriate images of children on Colleague A's computer, despite;
 - i. Having seen the images at some point prior to the end of November 2020;
 - ii. Having been made aware, on or around 10 February 2021, of additional concerns which Colleague B had in relation to Colleague A;
 - iii. Informing the headteacher on or around 8 March 2021 that she had a concern relating to Colleague A which she may need to speak to her about;
 - b. Prior to 22 February 2021, she did not report or otherwise take action with respect to the concerns Colleague B raised with her in relation to Colleague A on or around 10 February 2021.
2. Her conduct as may be found proven at 1a and/or 1b above constituted a failure to adequately safeguard pupils.

Ms Umpleby admitted allegations 1(a), 1(b) and 2, but denied that her actions amounted to unacceptable professional conduct and/or conduct that may bring the profession into disrepute, as set out in the response to notice of hearing, signed by Ms Umpleby on 31 March 2025.

Summary of evidence

Documents

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

Section 1: Chronology and anonymised pupil list – pages 5 to 8

Section 2: Notice of hearing and response – pages 9 to 49

Section 3: TRA witness statements – pages 50 to 64

Section 4: TRA documents – pages 65 to 357

Section 5: Teacher documents – pages 358 to 538

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 Procedures.

Witnesses

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

Witness 1: [REDACTED]

Witness 2: [REDACTED]; Colleague B

Witness 3: [REDACTED]

Decision and reasons

The panel announced its decision and reasons as follows:

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

Ms Umpleby commenced employment at the School on 14 November 2016 and was later appointed to acting assistant headteacher and deputy designated safeguarding lead in 2018.

In around October/November 2020, Ms Umpleby allegedly saw inappropriate images of children on Colleague A's laptop. Ms Umpleby allegedly did not take appropriate action following this occurrence.

In February 2021, Colleague B reported to Ms Umpleby that she was worried about Colleague A's proximity to Child C. Ms Umpleby allegedly did not take appropriate action following this conversation but later disclosed the conversation to Witness 1.

On 15 March 2021, Ms Umpleby disclosed to Witness 1 that she witnessed inappropriate images of children on Colleague A's laptop. This was around four months after she was alleged to have initially seen the images.

On 30 January 2022, the matter was referred to the TRA.

Findings of fact

In respect of all the allegations:

The panel scrutinised the oral and written witness evidence and exhibits of all three witnesses who attended the hearing. Conscious of the absence of Ms Umpleby from the hearing, the panel sought to test the evidence of each witness.

The panel scrutinised the entire bundle including the TRA's documents concerning the School's investigations and the meetings. The panel noted that the evidence within a lot of these documents, in particular the interview statements gathered as part of the investigations, was hearsay. However, the panel considered that it was relevant and formed part of the official investigations and was largely contemporaneous to the events within the allegations. The panel therefore admitted those documents but noted that the evidence should be considered carefully and cautiously, including in relation to the weight placed upon it.

The panel scrutinised the School's policies and procedures including the School's safeguarding policy.

The panel carefully considered the various witness statements and documents provided by Ms Umpleby. The panel noted that these witness statements were hearsay but, as they represented direct responses by Ms Umpleby to the facts asserted, the panel decided that it was in the interests of justice that they be admitted. The panel placed more limited weight on that evidence as it had not had the opportunity to test the evidence.

The panel was also conscious that Ms Umpleby had not been cross examined in relation to this evidence or in relation to the other evidence in the bundle. The panel was also conscious throughout that Ms Umpleby had chosen to absent herself from proceedings [REDACTED].

Ms Umpleby had admitted the allegations against her but denied her culpability for them, [REDACTED].

The findings of fact are as follows:

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

- 1. You failed to take appropriate action in response to concerns regarding Colleague A, in that: -**

- a. Prior to 15 March 2021, you did not report or otherwise take action in response to seeing inappropriate images of children on Colleague A's computer, despite;**
- i) Having seen the images at some point prior to the end of November 2020;**
 - ii) Having been made aware, on or around 10 February 2021, of additional concerns which Colleague B had in relation to Colleague A;**
 - iii) Informing the headteacher on or around 8 March 2021 that you had a concern relating to Colleague A which you may need to speak to her about;**

The panel considered the oral evidence and written statement of Witness 1, who stated that, on 22 February 2021, concerns were disclosed to her regarding Colleague A. She stated that she had a senior leadership team meeting with Ms Umpleby and a senior teacher and that, after this meeting, Ms Umpleby informed her that Colleague B [REDACTED] had raised concerns to her regarding Colleague A. Witness 1 stated that Colleague B was concerned that Colleague A had left himself open to misinterpretation due to his 'close proximity' to Child C. She stated that Ms Umpleby confirmed that Colleague B had said that they had not seen anything 'untoward' happen, and that Colleague B felt Colleague A was oblivious to how his behaviour came across.

Witness 1 explained that, in the week commencing 8 March 2021, Ms Umpleby raised concerns about Colleague A's mental health and indicated that she had evidence of this but only from living in the same property and that, at some point, they may need to have another conversation about it. Witness 1 stated that she asked Ms Umpleby if she could expand on this, but Ms Umpleby said that it was something she only knew from living in the same property as him and that she had found out by accident and should not really know. Witness 1 submitted that Ms Umpleby told her she would be seeking advice on whether it was something she should share with Witness 1.

Witness 1 stated that Ms Umpleby was upset so did not push her to tell her. She stated that, following this conversation, she spoke with Ms Umpleby numerous times that week and asked if she had decided to tell her why she was so worried about Colleague A. Witness 1 stated that Ms Umpleby was not herself, very distressed, unhappy and tearful and responded that she was waiting to receive advice and hoped to be in a position to tell her soon. Witness 1 stated that she became impatient so insisted that Ms Umpleby told her by 15 March 2021, even if she had not yet received advice.

Witness 1 stated that on 15 March 2021 she had a conversation with Ms Umpleby, who raised concerns about Colleague A playing and coaching football at the weekends with

boys, as it was not allowed during the Covid-19 pandemic. Witness 1 stated that she thought this was the concern previously referred to but Ms Umpleby then went on to tell her that, at an earlier date, she had found by accident in Colleague A's room some items of a very personal/private nature including sex toys and dressing up clothes that looked like they were bought from an adult store.

Witness 1 stated that Ms Umpleby explained that she had seen four images of children on Colleague A's personal MacBook, and described the images as being two young boys genitals, one of a young boy in the corner of the room looking distressed and a screensaver of a toddler on a rug with his face turned down. She stated that Ms Umpleby expressed how upset she was as a result of what she saw and that Ms Umpleby seemed very distressed throughout the whole conversation.

Witness 1 stated that, in response to her questioning the delay in disclosure, Ms Umpleby said that she "*did not want to ruin a good teacher's career*" and "*what if Colleague A [were] innocent*".

Witness 1 stated that it came to light that Ms Umpleby had seen the images approximately five months before she had said anything to Witness 1. The Panel found Witness 1 to be a considered and thoughtful witness and placed reliance on her testimony.

The panel considered the oral statement and witness evidence of Witness 2 [REDACTED] who confirmed that, at approximately 15.30 on a date she could not precisely recall but believed was a Wednesday in February 2021, she informed Ms Umpleby that she needed to voice concerns that she had about Colleague A. Witness 2 stated that she informed Ms Umpleby that she was concerned about Colleague A's close proximity to Child C and felt that Colleague A was providing too much attention to Child C. Witness 2 told Ms Umpleby that Colleague A's 'proximity didn't seem natural'. She confirmed to her that she had not seen Colleague A touch Child C or do anything which was cause for immediate concern but instead became concerned over time that Colleague A was overly close to Child C. Witness 2 did not recall Ms Umpleby's exact response but felt that Ms Umpleby took on board her concerns. Witness 2 stated that she did not record the concerns on CPOMS, the safeguarding reporting system, but envisaged that Ms Umpleby would do so.

The panel carefully scrutinised the witness evidence of Ms Umpleby including, without limitation, the statements prepared for the disciplinary hearing in 2021, her statement to the police in 2021, her representations to the TRA of 2022 and her witness statements to the TRA of January and October 2024.

As aforesaid the panel noted that this evidence was hearsay and placed appropriate weight on it accordingly in accordance with the legal advice received.

The panel noted that Ms Umpleby admitted the allegations in her response to the Notice of Hearing and the panel's attention was drawn by the presenting officer to Ms Umpleby's further admissions including in her January 2024 statement where she stated that she *"accept[ed] the allegations as drafted"* and her witness statement of October 2024 where she stated *"I fully admit the allegations as set out in the Notice of Hearing dated 30th August 2024"* and *"accept[s] the allegations are correct"*.

The panel nevertheless proceeded to carefully consider the allegations and all the evidence. The panel was conscious of the TRA's burden to prove the allegations on the balance of probabilities.

The panel noted that Ms Umpleby's evidence was consistent in all relevant documents that she had seen inappropriate images of children on Colleague A's laptop prior to the end of November 2020 and that she had not reported this, or taken other action in connection with her having had sight of these images, prior to 15 March 2021. The panel further noted though Ms Umpleby's general statement that she did not process what she saw at the time but that she went into a state of shock.

The panel noted and carefully scrutinised the documents in the bundle related to the School's investigation of the matters to which the allegations related. The panel noted these documents were hearsay.

The panel noted that, within her interviews for that investigatory process, Ms Umpleby set out that before the end of November 2020 she saw four images on the laptop of Colleague A in his room in the house which they shared and that these images were basically as described above. Ms Umpleby said she made the disclosure of this information to Witness 1 on 15 March 2021.

Ms Umpleby also confirmed in her investigation interview that Colleague B raised concerns with her about Colleague A and his proximity to one child in the class before half-term.

The panel noted and carefully scrutinised the police statement of Ms Umpleby of 15 March 2021 in which she went into substantial further detail as to the images which she had seen on Colleague A's laptop and again confirmed that Colleague B had approached her with their concerns about Colleague A's proximity to a child before half-term.

The panel noted Ms Umpleby's position that she did report the images she had seen on Colleague A's laptop to the headteacher on 15 March 2021, a fact not in dispute in these proceedings, and therefore did not fail to report seeing the images or fail to take action absolutely.

The panel was satisfied though that these allegations were intended to relate to, and did relate to, Ms Umpleby's actions prior to 15 March 2021.

The panel therefore found, on the balance of probabilities, allegations 1 a) i) ii) and iii) proven.

b) Prior to 22 February 2021, you did not report or otherwise take action with respect to the concerns Colleague B raised with you in relation to Colleague A on or around 10 February 2021.

The panel considered the oral evidence and written statement of Witness 1, who stated that, after a meeting on 22 February, Ms Umpleby told her that Colleague B [REDACTED] had raised concerns to her about Colleague A. She stated that she did not know the exact date that Colleague B raised these concerns to Ms Umpleby. She said that Colleague B was concerned that Colleague A left themselves open to misinterpretation due to their 'close proximity' with Child C. Witness 1 submitted that Ms Umpleby said Colleague B said they had not seen anything untoward happen, but that Colleague A seemed oblivious as to how his behaviour came across.

The panel considered the oral evidence and written statement of Witness 2 [REDACTED], who stated that in around January 2021, she became concerned about Colleague A's close proximity to Child C. She stated that she raised her concerns about Colleague A to Ms Umpleby, and felt that she had taken on board her concerns. Witness 2 stated that she could not remember if Ms Umpleby explained any action that would be taken in response to the concerns that she had raised with her.

The panel noted that Witness 2 was clear that the disclosure took place on a day that she was working and that she only worked Mondays to Wednesdays, as also confirmed by Witness 1.

The panel again carefully scrutinised the witness evidence of Ms Umpleby. The panel again noted Ms Umpleby's admission of this allegation both within her response to the notice of hearing and otherwise, including her statement regarding this allegation in her statement of January 2024 that "*I fully accept it, as worded above*" and "*I do not contest the facts*".

The panel noted that Ms Umpleby indicated that Colleague B spoke to her in terms of Colleague A's proximity to one child in particular, and the fact that he favoured him in terms of his time (classroom questioning and help with work etc.) Ms Umpleby stated that the conversation took place directly before a half-term holiday.

The panel noted that Ms Umpleby set out that she made this disclosure to Witness 1 on 22 February 2021.

The panel noted that it was disputed between the witnesses as to the day of the week on which the disclosure was made by Colleague B to Ms Umpleby. Ms Umpleby stated that it took place directly before the half-term holiday and that Colleague A had not had any

contact with, or been alone with, any children in School between Ms Umpleby's conversation with Colleague B and her disclosure to Witness 1.

Given that it was uncontested however, that the disclosure was made on the School premises and that Witnesses 1 and 2 were clear that Colleague B only worked on Monday to Wednesday, the panel considered it likely that this disclosure occurred on the Wednesday before half-term, though could make no definitive finding regarding this.

The panel did though note Witness 2's oral evidence that, given the Covid-19 pandemic, Colleague A was ordinarily alone with his class on Thursdays and Fridays and that he only had Colleague B as [REDACTED] on Monday to Wednesday. The panel noted that the consequence of this would seemingly have been that Colleague A would have been in the classroom alone with pupils for the two working days prior to the half-term if the disclosure was made on 10 February 2021.

The panel found that the TRA had proven, on the balance of probabilities, that, per the allegation, prior to 22 February 2021 Ms Umpleby did not report or otherwise take action with respect to the concerns Colleague B raised with her in relation to Colleague A on or around 10 February 2021.

2. Your conduct as may be found proven at 1a and/or 1b above constituted a failure to adequately safeguard pupils.

The panel carefully considered the Child Protection and Safeguarding Policy Statement 2020/2021 which was applicable to the School which stated, amongst other things, that *"The person who has received an allegation or witnessed an event MUST immediately inform the Headteacher (the case manager), make a record and have regard to the school's whistleblowing procedure"*. The panel also noted the obligations imposed on all teachers under the relevant version of KCSIE. These processes were matters which, as a teacher and as the Designated Safeguarding Lead, Ms Umpleby would have been fully aware of and very familiar with.

The panel noted Ms Umpleby's admission of all allegations in her written statements and response to the TRA's questionnaire as set out above and her acceptance that a failure to report would have been a failure to adequately safeguard pupils. The panel noted that she sought to present mitigating circumstances. The panel again carefully considered Ms Umpleby's written evidence and submissions in relation to this allegation.

Whilst the panel noted Ms Umpleby's submission that she did ultimately disclose the information regarding the images she had seen on Colleague A's laptop, the Panel considered that this was not ultimately relevant to the question of whether her actions as found proven under Allegation 1 constituted a failure to adequately safeguard pupils.

Having considered the evidence before it the panel was satisfied that Ms Umpleby's actions amounted to failing to adequately safeguard pupils. Ms Umpleby's failure to take

any action within the time periods described in the allegations, specifically her failure to report or record in those periods the safeguarding concerns in relation to the matters she witnessed and which had been reported to her, had the clear potential to expose children to a significant risk of harm over a significant period of time.

The panel noted the evidence that Ms Umpleby had seen the indecent images of children on Colleague A's laptop around four months before she had disclosed any information to the School, and that the concerns that those facts gave rise to were significant and put pupils at risk.

The panel considered that Ms Umpleby had not followed the safeguarding procedures by her actions as found proven in allegation 1 and had therefore failed to adequately safeguard pupils.

The panel found allegation 2 proven on the balance of probabilities.

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

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

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

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

The panel considered that, by reference to Part 2, Ms Umpleby 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 was satisfied that the conduct of Ms Umpleby, in relation to the facts found proved, involved breaches of Keeping Children Safe In Education ("KCSIE").

The panel considered that Ms Umpleby committed breaches of the obligations referred to in the following provisions: Part 1: paragraphs 2, 3, 9, 11 and 13.

The panel also considered whether Ms Umpleby'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 considered the mitigating circumstances that had been asserted by Ms Umpleby.

The panel again scrutinised all the evidence provided by the witnesses and within the bundle.

The panel noted that Ms Umpleby had chosen not to attend the hearing [REDACTED]. The panel noted therefore that the presenting officer had not had the opportunity to cross examine Ms Umpleby and the panel had not had the opportunity to put questions to her.

The panel again carefully scrutinised the various written evidence of Ms Umpleby including all of her submissions regarding this matter at various times.

The panel noted the written statements of Ms Umpleby which stated that she did not report what she had seen on Colleague A's laptop [REDACTED].

[REDACTED]

The panel reviewed all the evidence, taking into account Ms Umpleby's position that she took the steps [REDACTED] and taking into account that it was uncontested that she did ultimately disclose both the allegations put forward by Colleague B and the fact of the images which she saw on Colleague A's laptop, to the headteacher.

Ms Umpleby stated that, when the events described in Allegation 1 b) arose, she believed it was a trigger point for her memory of the images.

Ms Umpleby asserted that she only became fully [REDACTED] aware of the images that she had seen on Friday 12 March 2021, and not before, and that at this point she asked the headteacher for a meeting as this is when she had started to process things fully.

[REDACTED]

The panel was aware that the evidence was that Ms Umpleby would have had extensive safeguarding training and could not have been in any doubt as to her obligations to report

when a safeguarding concern arose assuming she was in a position to do so. The panel noted that Ms Umpleby was a Deputy Designated Safeguarding Lead.

The panel noted that, at various times, Ms Umpleby had put forward a variety of contributing factors to her actions including the Covid-19 pandemic, [REDACTED], the headteacher's absence [REDACTED], her close relationship with Colleague A, her difficulties in accepting that Colleague A could have taken these actions and her concerns about Colleague A's career. The panel did not consider that any of these reasons provided any meaningful defence to her failure to immediately report urgent safeguarding concerns, such matters being very clearly at the heart of her obligations as a teacher and as a safeguarding lead.

The panel again considered Ms Umpleby's statement to the police of 15 March 2025 and noted her detailed statements there about her actions on the day when she saw the images including her statement that she spent the night thinking about what she had seen and thinking about reasons why Colleague A could legitimately have images of boys' genitals on his computer, but could think of no reason. Ms Umpleby then went on to say that the following day she tried to put it all out of her mind and that in the following weeks she blamed herself for looking at his computer and thought it was all in her head.

The panel again considered the content of Ms Umpleby's investigation meeting with the School of 12 April 2021. The panel noted that, in this meeting, Ms Umpleby described how she did not believe what she had seen on the computer because of her friendship with Colleague A.

Ms Umpleby went on to state that it was a safeguarding reminder about grooming in February 2021 and Colleague B's report in February 2021 that raised alarm bells/gave her a feeling and that she had not had any concern about Colleague A in relation to any children at the School up to that point.

In this investigation meeting, Ms Umpleby went on to say in relation to her reasons not to raise a safeguarding concern or a police report at the time that *"There are no excuses, it was more me. I was so busy with everything else. A friend had just died of COVID, a close friend was off, I didn't believe what I had seen. A 30 second glance is all it was. I didn't believe it, I didn't trust myself that it was right. There are no other reasons, I wasn't deliberately trying to conceal anything. The events after made me put two and two together and developed a picture which I then I reported."*

[REDACTED]

The panel did not ultimately consider though, that the evidence before it, [REDACTED], was sufficient to support the contention that Ms Umpleby was unable to recall the fact, at any relevant time, of her having seen the indecent images (or their content).

The panel considered that there was sufficient evidence put forward by the parties to conclude, on the balance of probabilities, that Ms Umpleby had been cognisant of what she had seen on the laptop at least to the limited extent necessary to realise her obligation to report a safeguarding concern.

The panel did not consider then that she was entirely exonerated from culpability for her actions within the allegations as found proven.

The panel also noted that the evidence appeared clear that even if, which was not found proven, Ms Umpleby had been unable to recall the content or even the fact of the images until February 2021 they considered that the TRA had demonstrated, on the balance of probabilities, that she was: (a) aware of those images from the time when she indicated to the Headmistress that she needed to speak to her about Colleague A's behaviour (on 8 March 2021 at the latest); and (b) aware of them when she stated she contacted the Citizens Advice Bureau and was seeking advice, and that she nevertheless did not make the disclosure until sometime later, being 15 March 2021.

Including for the above reasons the panel was satisfied that Ms Umpleby's conduct was misconduct of a serious nature falling significantly short of the standard of behaviour expected of a teacher which may have led to pupils being exposed to or influenced by the behaviour in a harmful way, specifically in that the failure to make these disclosures in due time caused potentially very serious risk to pupils.

Accordingly, the panel was satisfied that Ms Umpleby was guilty of unacceptable professional conduct.

In relation to whether Ms Umpleby'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 Ms Umpleby'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 Ms Umpleby was guilty of unacceptable professional conduct, the Panel found that none of these offences were relevant.

The panel also considered carefully the mitigating circumstances described by Ms Umpleby in connection with her culpability, as dealt with above in connection with the separate allegation of conduct that may bring the profession into disrepute. The panel

reached the same conclusions on those alleged mitigating circumstances in connection with this separate allegation.

The panel considered that Ms Umpleby's conduct could potentially damage the public's perception of a teacher. In particular the panel considered that the failure to disclose very serious safeguarding concerns over a prolonged period of time, including the presence of inappropriate images of children on a fellow teacher's laptop, was a serious matter and that the public would expect such matters to be urgently reported and would view a teacher's conduct in failing to report them as very serious.

For these reasons, the panel found that Ms Umpleby'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, 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. The panel carefully considered the legal advice which had been provided to it.

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. The panel was conscious that 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 including 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.

In light of the panel's findings against Ms Umpleby, which involved a failure to disclose, in appropriate time, serious safeguarding concerns both those which she herself had identified, in the form of the images observed on Colleague A's laptop, and those which were reported to her, in terms of Colleague B's raising of concerns about Colleague A's proximity to a child, there was a strong public interest consideration in the safeguarding and wellbeing of pupils 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 Ms Umpleby was not treated with the utmost seriousness when regulating the conduct of the profession.

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

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

The panel carefully considered the seriousness of the behaviour, noting that the Advice states that the expectation of both the public and pupils, is that members of the teaching profession maintain an exemplary level of integrity and ethical standards at all times.

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

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;
- misconduct seriously affecting the education and/or safeguarding and well-being of pupils, [...];
- failure to act on evidence that indicated a child's welfare may have been at risk e.g. failed to notify the designated safeguarding lead and/or make a referral to children's social care, the police or other relevant agencies when abuse, neglect and/or harmful cultural practices were identified; and
- 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).

Even though some of the behaviour found proven in this case indicated that a prohibition order may 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.

The panel had not found that Ms Umpleby's actions were not deliberate.

There was no evidence to conclude that Ms Umpleby was acting under extreme duress.

The panel noted the evidence both from Ms Umpleby's [REDACTED] that Ms Umpleby was "*a phenomenal class teacher*" though did not find that she had demonstrated exceptionally high standards in both her personal and professional conduct or had contributed significantly to the education sector.

The panel did accept though that the incident was out of character and that, on the evidence provided, Ms Umpleby had an unblemished career until these events.

The panel considered the written statements of Ms Umpleby, where she has reflected on the case, and that, in the event such matters arose again, the difference in her actions would be simply that she would report what she had seen on Colleague A's laptop immediately. She stated that she is desperately sorry for the situation her late reporting in respect of Colleague B's concerns has caused. The panel noted all the detail around Ms Umpleby's efforts at remediation as set out in her statement of 17 January 2024.

Ms Umpleby stated that she has blamed and questioned herself many times and is regretful of her actions. She stated that, since being dismissed, she has engaged in safeguarding training.

[REDACTED]

Whilst conscious that they had not had the opportunity to question Ms Umpleby, the panel accepted the sincerity of her written evidence which indicated that, over time, Ms Umpleby developed and demonstrated insight into the motivations and triggers which had led to her actions/failure to act and how she would use that knowledge to prevent repetition of any misconduct of the type found. The panel considered that that insight would further reduce the chance that the misconduct would be repeated.

The panel considered that the situation in which these specific facts arose was likely to be a unique one and considered that the chances of materially similar facts occurring in the future was extremely limited. The panel was, in any event, satisfied that Ms Umpleby had set out how she would deal with any future safeguarding concern if it arose.

The panel noted that Ms Umpleby had admitted the allegations and that her response to these proceedings had been principally limited to putting forward her view of mitigating circumstances, in particular [REDACTED]

The panel also considered the other factors asserted as mitigating factors including Covid-19, [REDACTED], the headteacher's absence and the [REDACTED].

The panel also noted Ms Umpleby's decision to ultimately disclose the serious safeguarding concerns, albeit not in a timely manner.

The panel did not consider Ms Umpleby herself to be a risk to children.

The panel considered character references from the following individuals, on behalf of Ms Umpleby:

- [REDACTED] [Individual A], former colleague
- [REDACTED] [Individual B]: former colleague
- [REDACTED] [Individual C]: former colleague
- [REDACTED] [Individual D]: former colleague
- [REDACTED] [Individual E]: friend from University
- [REDACTED] [Individual F]: boss at family business
- [REDACTED] [Individual G]: parent of child taught by Ms Umpleby
- [REDACTED] [Individual H]: former colleague and parent of child taught by Ms Umpleby

The panel noted the following comments in particular:

- *“Victoria is a gifted, talented teacher”*

[REDACTED] [Individual A]: former colleague

- *“Victoria’s honesty and integrity shone through and these qualities were [was] always a priority for her. On a daily basis, Victoria’s commitment to teaching was clear. She would do what was best for her pupils and often seek advice and information from other professional bodies in order to find the best resources for various situations and also to be there to offer support and advice for her colleagues.”*

[REDACTED] [Individual B]: former colleague

- *“I feel that to say that Victoria should no longer be a teacher, would be a loss to the teaching profession.”*

[REDACTED] [Individual C]: former colleague

- *“It is without a doubt that I have only ever seen Victoria show great commitment to teaching and I can wholeheartedly say that her personal and professional conduct, both in and out of the classroom, has always been exceptional. Anyone who has worked with her, and knows her character, is truly fortunate – she is a credit to the profession.”*

[REDACTED] [Individual D]: former colleague

- *“Victoria is an outstanding teacher and the reason that our son [REDACTED] is doing as well as he is today at high school.”*

[REDACTED] [Individual G]: parent of child taught by Ms Umpleby

- *“I have no hesitation in saying that Victoria is a teacher who is highly professional and dedicated to being the best teacher she can be.”*

[REDACTED] [Individual H]: former colleague and parent of child taught by Ms Umpleby

The panel 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.

Having considered again the above and all their findings 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 her behaviour, though serious, was at the less serious end of the possible spectrum and having considered the mitigating factors that were present and the insight and remediation undertaken, 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.

Given that the panel had reached a recommendation that no prohibition order be imposed they did not go on to consider the question of a review period.

Decision and reasons on behalf of the Secretary of State

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

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

In this case, the panel has found all of the allegations proven and found that those proven facts amount to unacceptable professional conduct and/or conduct that may bring the profession into disrepute.

The panel has made a recommendation to the Secretary of State that the findings of unacceptable professional conduct and/or 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 Ms Victoria Umpleby 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
- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach [...].
- Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities.

The panel was satisfied that the conduct of Ms Umpleby involved breaches of the responsibilities and duties set out in statutory guidance 'Keeping children safe in education'

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

The findings of misconduct are serious as they include a teacher conducting herself in a manner which constituted a failure to adequately safeguard pupils.

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 unacceptable professional conduct and 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 Ms Umpleby, 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 makes this observation:

"In light of the panel's findings against Ms Umpleby, which involved a failure to disclose, in appropriate time, serious safeguarding concerns both those which she herself had identified, in the form of the images observed on Colleague A's laptop, and

those which were reported to her, in terms of Colleague B's raising of concerns about Colleague A's proximity to a child, there was a strong public interest consideration in the safeguarding and wellbeing of pupils and upholding proper standards of conduct."

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 it sets out as follows:

"Whilst conscious that they had not had the opportunity to question Ms Umpleby, the panel accepted the sincerity of her written evidence which indicated that, over time, Ms Umpleby developed and demonstrated insight into the motivations and triggers which had led to her actions/failure to act and how she would use that knowledge to prevent repetition of any misconduct of the type found. The panel considered that that insight would further reduce the chance that the misconduct would be repeated."

In my judgement, the evidence that the panel has found of Ms Umpleby's insight indicates means that the risk of the repetition of this behaviour is limited. 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 makes the following comment:

"The panel considered that Ms Umpleby's conduct could potentially damage the public's perception of a teacher. In particular the panel considered that the failure to disclose very serious safeguarding concerns over a prolonged period of time, including the presence of inappropriate images of children on a fellow teacher's laptop, was a serious matter and that the public would expect such matters to be urgently reported and would view a teacher's conduct in failing to report them as very serious.

I am particularly mindful of the finding of a teacher failing to disclose safeguarding concerns in this case and the 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."

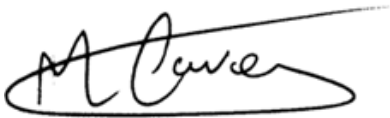
I have considered whether the publication of a finding of unacceptable professional conduct and conduct likely to bring the profession into disrepute, in the absence of a prohibition order, can itself be regarded by such a person as being a proportionate response to the misconduct that has been found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

I have also considered the impact of a prohibition order on Ms Umpleby herself. The panel notes both that she had had an unblemished career history until these events and that the misconduct found appears to be out of character. It also records having had the benefit of seeing extensive evidence attesting to her commitment to teaching.

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

In this case, I have placed considerable weight on the panel's comments concerning the degree of insight demonstrated by Ms Umpleby and consequent limited risk of repetition, as well as the mitigating factors that it has referenced.

For these reasons, I am prepared to accept the panel's recommendation that a prohibition order is not proportionate or in the public interest. While the misconduct found by the panel was undoubtedly serious and constituted a significant error of judgment on Ms Umpleby's part, 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 large, loopy oval stroke.

Decision maker: Marc Cavey

Date: 11 June 2025

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