



Teaching
Regulation
Agency

Ms Alison Simmons: Professional conduct panel hearing outcome

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

January 2026

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

Teacher:	Ms Alison Simmons
Teacher ref number:	3572260
Teacher date of birth:	6 December 1969
TRA reference:	21311
Date of determination:	30 January 2026
Former employer:	Build A Future Independent School, Boston

Introduction

A professional conduct panel (“the panel”) of the Teaching Regulation Agency (“the TRA”) convened on 19 January 2026 to 30 January 2026 by way of a virtual hearing, to consider the case of Ms Alison Simmons.

The panel members were Mr Terry Hyde (teacher panellist – in the chair), Mr Paul Hawkins (lay panellist) and Ms Rosemary Joyce (teacher panellist).

The legal adviser to the panel was Ms Rebecca Hughes of Birketts LLP solicitors.

The presenting officers for the TRA was Mr Mark Millin from 19 January 2026 and Mr Lee Bridges for 28 and 29 January 2026, both instructed by Kingsley Napley LLP solicitors.

Ms Simmons was not present and was not represented.

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

Allegations

The panel considered the allegations set out in the notice of proceedings dated 17 September 2025.

It was alleged that Ms Simmons was guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute in that whilst working as deputy headteacher at Build A Future (“the School”):

1. Between 28 September 2020 and 28 January 2021, she:
 - a. Engaged in and/or allowed inappropriate behaviour with pupils, in that she:
 - i. Brought eggs on a trip in or around December 2020, to be thrown at pupils and/or allowed the throwing of eggs at pupils.
 - b. Allowed and/or failed to prevent colleagues using inappropriate language regarding pupils, as set out in Schedule 1;
 - c. Stated to one or more colleagues that she had not witnessed and/or heard inappropriate behaviour and/or comments by staff members, or words to that effect, when this was not the case.
2. Between 28 September 2020 and 28 January 2021, within her role as Designated Safeguarding Lead, she did not safeguard the welfare of pupils and/or staff at the School.
3. Her conduct at paragraph 1c) was:
 - a. Dishonest;
 - b. Lacked integrity.

Schedule 1

- i. You allowed and/or failed to prevent staff referring to Pupil F as “fat tits” and/or pupils as “fat bastard”, or words to that effect;
- ii. You allowed and/or failed to prevent Colleague D saying that Pupil E was “as wide as a bus”, or words to that effect;
- iii. You allowed and/or failed to prevent Colleague D stating that he had told Pupil B that he had “wanked over [REDACTED] mum’s tits”, or words to that effect.

Ms Simmons denied allegations 1(a)(i), 1(b), 1(c), 3(a) and 3(b) and made no admissions as to allegation 2 in her written statement dated 24 April 2023.

Summary of evidence

Documents

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

Section 1: Chronology, list of key people and anonymised person list – pages 9 to 13

Section 2: Notice of hearing and response – pages 14 to 46

Section 3: TRA witness statements – pages 47 to 102

Section 4: TRA documents – pages 103 to 1270

Section 5: Teacher documents – pages 1271 to 1312

Service Bundle for [REDACTED] – pages 1313 to 1357

Service Bundle for [REDACTED] – pages 1358 to 1396

Service Bundle for [REDACTED] – pages 1397 to 1447

Service Bundle for Ms Alison Simmons – pages 1448 to 1498

Application to adduce hearsay – pages 1499 to 1819

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 “2020 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]

Witness D – [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.

On 6 May 2017, Ms Simmons commenced employment at the School. Ms Simmons was later appointed as Designated Safeguarding Lead and a deputy headteacher and was employed in these roles at the relevant time (September 2020 to January 2021).

On 28 January 2021, a police investigation commenced as a result of anonymous whistleblowing allegations made against [REDACTED], Ms Simmons, [REDACTED] and [REDACTED].

On 3 February 2022, Collinson Grant LLP (previously Watershed) was instructed to conduct an internal investigation into [REDACTED], Ms Simmons, [REDACTED] and [REDACTED] following the police investigation. Witness A carried out this investigation. Following these investigations, allegations against Ms Simmons came to light.

On 17 November 2022, the matter was referred to the TRA.

The panel noted that [REDACTED], [REDACTED] and [REDACTED] were also facing allegations before this professional conduct panel hearing.

Findings of fact

The findings of fact are as follows:

The panel considered all the evidence, including Ms Simmon's statement in response to the TRA dated 24 April 2023 ("written statement"), the record of interview with Ms Simmons dated 27 January 2021 (the "record of the police interview"), the notes of the meeting with Witness A and Ms Simmons on 30 March 2022 ("the investigation meeting notes"), the notes of the disciplinary hearing dated 26 September 2022 and her notes on these ("disciplinary hearing notes").

The panel noted Ms Simmons did not attend the hearing to give evidence.

The panel reviewed Ms Simmons' written statement, which had been submitted by [REDACTED]. In her response, she denied the allegations, stating that her office was intended to be a safe space for staff to express concerns. She explained, however, that she did not permit staff to use derogatory language about students.

The panel also noted the character references for Ms Simmons within the bundle. The panel observed that the references did not make clear whether all of the authors were aware of the allegations, and further, that the references were unsigned.

The panel considered the written and oral evidence of Witness B, who explained that she began recording the events at the School. The panel noted that Witness B [REDACTED] and that Ms Simmons was arrested and ceased teaching on around 28 January 2021. Accordingly, anything Witness B witnessed occurred during the relevant period.

The panel questioned Witness B in her oral evidence about when and how she made her notes. The panel considered that some of the notes were contemporaneous, having been written on the day of the incident. Witness B's evidence was that she made notes as events occurred, but that some were written at the end of the day, and others were written slightly later. The panel considered the handwritten notes and noted that some were dated, and some were not, consistent with her account that some were made immediately and others retrospectively. They also noted that several entries stated, '*date not known*', which further indicated that not all notes were written on the day of the incident. The panel were therefore satisfied that they could attach weight to these notes.

The panel also noted that Witness B confirmed in her oral evidence that she made these notes around the third week of September.

The panel considered Witness B to be a credible witness.

The panel considered the written evidence of Witness D, who explained that she had also begun collecting evidence in preparation for providing a statement to the police, and that she had recorded these during the week she was invited to give a statement to the police. The panel noted that, in her oral evidence, Witness D was not clear about whom she had collated the evidence for, and this was prepared during the relevant period (January 2021). The panel considered that, given the passage of time, it was likely that she experienced some minor difficulty recalling precisely when in 2021 she had collated this material.

The panel noted that Witness D [REDACTED] and that Ms Simmons was arrested and ceased teaching on around 28 January 2021. Accordingly, anything Witness D witnessed occurred during the relevant period.

The panel also considered Witness D to be a credible witness.

The panel noted that while Ms Simmons did not attend the professional conduct panel hearing to give evidence, she denied in her written statement, the allegations.

The panel considered both the written and oral evidence of Witness B and Witness D, which were consistent with each other and aligned with their contemporaneous notes.

The panel found Witness B and Witness D to be credible witnesses and therefore preferred their evidence wherever there was a factual dispute.

The panel noted that their evidence was consistent with the other accounts regarding the prevailing culture at the School.

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

Whilst working as deputy headteacher at Build a Future (“the School”):

1. Between 28 September 2020 and 28 January 2021 you:

a. Engaged in and/or allowed inappropriate behaviour with pupils, in that you:

i. Brought eggs on a trip in or around December 2020, to be thrown at pupils and/or allowed the throwing of eggs at pupils.

Ms Simmons denied engaging in inappropriate behaviour as set out at allegation 1(a)(i).

The panel considered Ms Simmons’ written statement, which explained that on the last day of term in December 2020, the School closed “*due to no hot water*”. Ms Simmons said she took the pupils to Ostlers Plantation for a BBQ and access to village toilets. Ms Simmons stated that she took the eggs left in the kitchen. Ms Simmons stated that after everyone had eaten, the pupils took the eggs, ran around and threw the eggs at each other. Ms Simmons stated that she did not participate and that some of the other staff participated. Ms Simmons further stated that the pupils who took part “*enjoyed*” it and no one was hurt. Ms Simmons stated that some of the pupils did not take part and stayed with Ms Simmons and [REDACTED].

The panel considered Ms Simmons’ record of her police interview and the police interview transcript of [REDACTED], dated 27 January 2021, which appeared consistent with Ms Simmons’ written statement in that it recorded them stating that on one occasion, the staff took the pupils to Woodhall Spa as the toilets had broken in School. [REDACTED] had stated that there was a camping stove with hot dogs and eggs. [REDACTED] had stated that the pupils took some of the eggs and threw them.

The panel reviewed Witness B’s handwritten notes dated “*December (end of term)*”, which recorded a school trip to the woods at Woodhall Spa in December 2020. In those notes, Witness B stated that [REDACTED] and Ms Simmons arrived with forty eggs to “*throw at the children*”. She stated that she and other [REDACTED] staff members disposed of these eggs, but that [REDACTED] and Ms Simmons had additional eggs.

The panel also considered Witness B’s written statement and oral evidence. She stated that in December 2020, there was a trip to the woods at Woodhall Spa and that

[REDACTED] and Ms Simmons arrived with forty eggs to throw at pupils. She said that she and other [REDACTED] staff members disposed of the eggs, but that they had more. She stated that they had to clean and wash a pupil as [REDACTED] and [REDACTED] had managed to hit [REDACTED] with eggs, and that the pupil told her [REDACTED] was very upset. The panel found Witness B to be a credible witness.

The panel questioned Witness D on this point during her oral evidence, and she stated that she had no recollection of the incident. The panel noted that Witness B had not referred to her being there in her handwritten note.

The panel concluded that Ms Simmons had brought eggs with the intention that they be used for egg-throwing. In doing so, she enabled the activity. The panel considered that this amounted to both engaging in and allowing the behaviour. The panel found the conduct inappropriate, given that Ms Simmons was the safeguarding lead. Someone in that role, with her level of training, should have appreciated that vulnerable young people could act impulsively and that such conduct could create risks. Some pupils may have wanted to take part, but providing for that did not safeguard the rest. The panel found that Ms Simmons had facilitated the activity and modelled poor behaviour by condoning the use of egg-throwing.

On the balance of probabilities, the panel found that Ms Simmons had engaged in the conduct alleged.

Accordingly, allegation 1(a) was found proven.

b. Allowed and/or failed to prevent colleagues using inappropriate language regarding pupils, as set out in Schedule 1:

Ms Simmons denied allegation 1(b).

The panel noted that Ms Simmons was the deputy headteacher and the Designated Safeguarding Lead. The panel considered the responsibilities associated with these roles, including the duty to identify and report any safeguarding concerns. The panel therefore considered that, as Designated Safeguarding Lead, it would have been her responsibility to prevent, challenge, or report any inappropriate language she witnessed, and to ensure that such concerns were escalated in accordance with safeguarding procedures.

ii. You allowed and/or failed to prevent Colleague D saying that Pupil E was “as wide as a bus”, or words to that effect;

The panel noted that colleague D was [REDACTED].

[REDACTED] was recorded denying that he told Pupil E [REDACTED] was “as wide as a bus” in his police interview transcript dated 24 March 2021.

The panel had sight of the transcript of Pupil E's interview with the police, which stated that when Pupil E was asked what made Pupil E upset at the School, Pupil E said, "mainly, [REDACTED] fat jokes." Pupil E said that [REDACTED] would make a joke about how "wide" [REDACTED] was and sometimes called [REDACTED] a "[REDACTED]".

The panel had sight of and considered Witness B's undated handwritten notes, which set out that she also heard [REDACTED] calling Pupil E "fat", "ugly" and "overweight" as well as his "taking the mick" out of what Pupil E was wearing on multiple occasions.

The panel considered Witness B's written and oral evidence, in which she stated that there was an incident where Witness B heard [REDACTED] call Pupil E "as wide as a fridge" to Pupil E's face.

The panel then considered Witness D's written and oral evidence. Witness D stated that she heard [REDACTED] often call Pupil E a "fridge" around the staff.

The panel had sight of the police witness statement of Witness 3 dated 12 February 2021. In this statement, Witness 3 was recorded as explaining that they worked for the School. Witness 3 stated that on 21 January 2021, [REDACTED] sent an email to all staff members about giving second and third helpings of food to pupils. Witness 3 stated that the email further stated that two particular pupils should not receive second or third helpings of food. Witness 3 stated that the email highlighted the pupil's size, which seemed "derogatory" and "fat-shaming". The panel noted that the witness statement did not identify the pupils to whom [REDACTED] was referring in the email.

The panel then considered Witness B's handwritten notes and Witness 16's police statement, which appeared to be consistent with the points within Witness 3's statement.

The panel had sight of Witness 5's police witness statement, in which they were recorded as explaining that there was a pupil [REDACTED] and that [REDACTED] and Ms Simmons were supporting this pupil at that time.

The panel considered the oral and witness evidence of Witness B and Witness D, [REDACTED] Witness 5 stated that on one occasion, this pupil did not want to do the work. Witness 5 stated that [REDACTED] came into the classroom and "laid into" the pupil and shouted and swore at [REDACTED]. Witness 5 further stated that whenever [REDACTED] came in, he called this pupil "fat" and [REDACTED] cried.

The panel had sight of a police witness statement of Witness 9 dated 17 February 2021, in which Witness 9 was recorded as stating that [REDACTED] called Pupil E "fat" and that he "regularly body shame[d]" the pupils.

The panel had sight of the police statement of Witness 17, dated 8 February 2021, which stated that she was working at the School. Witness 17 explained that she kept biscuits in

her classroom and, on one occasion, gave Pupil E a biscuit. Witness 17 stated that [REDACTED] then walked in and said in a “*raised*” voice to Pupil E; “*Why the hell are you eating a biscuit?*”; that Pupil E was “*too fat*”; that [REDACTED] “*shouldn’t be eating biscuits*”; and that [REDACTED] “*wasn’t to have any more*”. Witness 17 stated that Pupil E stayed silent. Witness 17 stated that [REDACTED] left the room and Pupil E was “*very tearful and obviously upset*”. Witness 17 said that Pupil E asked her, “*Why has he just said that?*”. Witness 17 further stated that she heard [REDACTED] saying that staff needed to monitor what Pupil E was eating because [REDACTED] was “*fat*”.

The panel further noted that in [REDACTED] police interview on 27 January 2021, he stated that he had a learner who was “[REDACTED]” and that staff at the School used “*a lot of humour*” and “*a lot of unorthodox methods*”. He explained that this learner came to him and, being “[REDACTED]” who “*eats way too much*”, said to [REDACTED], “*I’m a fat bastard.*” [REDACTED] stated that, because he believed he had a sufficiently strong relationship with the pupil to respond in that way, he replied: “*You’re not a fat bastard, but if you think you’re a fat bastard, why don’t you work with my sports instructor on a programme of fitness?*” [REDACTED] is further recorded saying “*I did call [REDACTED] a fat bastard which in hindsight I can see it doesn’t look good from the outside.*” The panel noted that this was not in respect of Pupil E.

The panel found that on the balance of probabilities, colleague D had said to Pupil E that [REDACTED] was “*as wide as a bus*” and words to that effect.

Having found that colleague D had said to Pupil E that [REDACTED] was “*as wide as a bus*”, or words to that effect, the panel went on to consider whether Ms Simmons allowed and/or failed to prevent colleague D from saying to Pupil E that [REDACTED] was “*as wide as a bus*” or words to that effect.

The panel considered Ms Simmons’ written evidence, which stated that she “*did not allow members of staff to use derogatory terms for students*”.

The panel considered Witness B’s undated handwritten notes, which recorded Witness B stating that whilst [REDACTED] said that Pupil E was “*as wide as a bus*”. Witness B then stated that Ms Simmons said, “*call [Pupil E] whatever, I didn’t hear a thing*”.

The panel noted from the investigation meeting notes that, when Ms Simmons was asked whether she had called a particular student “*fat*”, “*ugly*”, “*overweight*”, or “*as wide as a bus*”, she responded: “*that just didn’t happen*”.

The panel further noted that in Ms Simmons’ written statement, she denied this allegation.

The panel considered that, on the balance of probabilities, it was proven that Ms Simmons allowed and failed to prevent [REDACTED] from saying that Pupil E was “*as wide as a bus*”, or words to that effect. Accordingly, allegation 1(b)(ii) was found proven.

iii. You allowed and/or failed to prevent Colleague D stating that he had told Pupil B that he had “wanked over [REDACTED] mum’s tits”, or words to that effect.

The panel noted that colleague D was [REDACTED].

The panel noted that [REDACTED] denied telling Pupil B that he had “*wanked over [REDACTED] mum’s tits*”.

The panel noted that it is recorded that in the meeting notes of the interview with [REDACTED] and Witness A on 24 March 2022, that [REDACTED] stated he “*categorically state[d] that did not happen. A learner came into his group and voluntarily told everybody [REDACTED]. [He] wasn’t present at the time, it was reported to [him] afterwards*”.

Witness B's written and oral evidence was that she was present in a briefing where [REDACTED] told the staff that he had told Pupil B that he had “*wanked over [REDACTED] mum’s tits*”. Witness B said that Ms Simmons was present, and no one said anything in response.

The panel had sight of Individual A’s police witness statement, which set out that [REDACTED] and [REDACTED] upset a particular student on multiple occasions by saying to that pupil that they “*spunked over [REDACTED] mum’s tits or ask [REDACTED] how many she has slept with.*”

Having considered all the evidence, the panel concluded, on the balance of probabilities, that [REDACTED] did tell staff members that he had told Pupil B that he had “*wanked over [REDACTED] mum’s tits*”,

Having found that colleague D had said to Pupil B that colleague D had “*wanked over [REDACTED] mum’s tits*”, or words to that effect, the panel went on to consider whether Ms Simmons allowed and/or failed to prevent colleague D from doing so.

The panel noted that Witness A did not appear to address this allegation with Ms Simmons as part of her investigation.

The panel noted that Ms Simmons did not provide a response to this allegation within her written statement.

The panel considered Ms Simmons’ written evidence, which stated that she “*did not allow members of staff to use derogatory terms for students*”.

The panel considered Witness B's written and oral evidence in which she stated that she and Ms Simmons were present in a briefing when [REDACTED] told the staff that he had told Pupil B that he had “*wanked over [REDACTED] mum’s tits*”. Witness B said no one responded at the time.

The panel considered Ms Simmons' role as deputy headteacher and Designated Safeguarding Lead and concluded that she would be expected to attend such briefings. On the balance of probabilities, the panel therefore found that she would have heard [REDACTED] making this statement.

On the balance of probabilities, the panel found that Ms Simmons failed to challenge and prevent [REDACTED] from stating that he had told Pupil B he had "*wanked over [REDACTED] mum's tits*", and that this language was inappropriate. Accordingly, allegation 1(b)(iii) was found proven.

c. Stated to one or more colleagues that you had not witnessed and/or heard inappropriate behaviour and/or comments by staff members, or words to that effect, when this was not the case.

Ms Simmons denied allegation 1(c).

The panel considered Ms Simmons' written evidence, which stated that she "*did not allow members of staff to use derogatory terms for students*".

The panel noted that Ms Simmons, in her written statement, stated that the sports hall was originally polished concrete and, as a result, the acoustics were terrible. She wrote that shouting became an indistinct noise unless you were standing beside a person, and the background noise made it impossible to hear. The panel noted that this was only one part of the School and related to one particular alleged incident of her hearing comments made by staff members.

Having found allegation 1(b), Schedule 2, paragraph (ii) proven, the panel again considered Witness B's undated handwritten notes in which she stated that [REDACTED] said that Pupil E was "*as wide as a bus*" and Ms Simmons said "*call [Pupil E] whatever I didn't hear a thing*".

The panel had sight of Individual A's police witness statement dated 17 February 2021, the panel noted that Individual A stated that Ms Simmons would be there and "*be told*". It was further recorded that Individual A asked Ms Simmons whether they should be safeguarding, but she responded with "*no*", "*I don't know how to do safeguarding*", despite being the Designated Safeguarding Lead.

The panel considered Witness B's written and oral evidence in which she stated that Ms Simmons was present for the debriefs. Witness B stated that [REDACTED], Individual B, [REDACTED] and [REDACTED] always laughed when speaking about the pupils spending time on the roof. Witness B stated that Ms Simmons said in response to these teachers, "*I've heard nothing*" on more than one occasion. Witness B further stated that on more than one occasion, Ms Simmons responded by laughing and "*carried on*". Witness B stated that Ms Simmons "*never*" addressed the staff who talked badly about the pupils.

The panel considered Witness B's police witness statement dated 11 February 2021. In that statement, she recorded that she knew Ms Simmons was the safeguarding lead at the school, but recounted a previous incident in which she had been in the kitchen with Ms Simmons when pupils were running around on the roof and throwing eggs. Witness B stated that Ms Simmons had commented that the pupils "*would stop when they hurt themselves, won't they*". Witness B explained that she had no confidence in reporting safeguarding concerns to Ms Simmons because she was clearly aware of what was happening at the school but did nothing about it.

The panel also noted Witness B's written statement, in which she described pupils frequently climbing onto the School roof. She stated that while pupils were on the roof, [REDACTED] and Individual B, [REDACTED], would throw eggs and stones at them. This occurred on numerous occasions. She stated she did not know why they behaved in this way but believed they thought it was humorous. Witness B confirmed that Ms Simmons was not present during those incidents.

On the balance of probabilities, the panel found that Ms Simmons stated to one or more colleagues that she had not witnessed or heard inappropriate behaviour or comments by staff members, when this was not the case. Accordingly, allegation 1(c) was found proven.

2. Between 28 September 2020 and January 2021, within your role as Designated Safeguarding Lead, you did not safeguard the welfare of pupils and/or staff at the School.

Ms Simmons made no admissions in relation to allegation 2.

The panel considered the written and oral evidence of Witness B and Witness D, in which they explained that Ms Simmons was the safeguarding lead and also [REDACTED] partner. Witness B further stated that Ms Simmons was not present when some of the incidents occurred and was told about the incidents later in the day at the debriefs.

The panel also considered Witness B's written and oral evidence that she did not report behavioural concerns because of Ms Simmons' [REDACTED] with [REDACTED], the School's [REDACTED]. The panel noted that Witness 5's police witness statement was consistent with Witness B's account, recording that staff found it difficult to report safeguarding concerns due to Ms Simmons' [REDACTED] Witness C.

The panel had sight of Individual A's police witness statement, dated 17 February 2021, in which she stated that Ms Simmons was present when some of the incidents occurred and was also told about others. Individual A stated that, on more than one occasion, she asked Ms Simmons what safeguarding action should be taken, and Ms Simmons replied: "*No. I don't know how to do safeguarding.*"

The panel then considered the police witness statement of Witness 16 dated 9 February 2021, in which she stated that whenever she attempted to raise a concern with Ms Simmons, [REDACTED] or the [REDACTED], she was “*shut down*” and her job was threatened.

The panel had sight of the police witness statement of Witness 18 dated 9 February 2021 which stated that she received a complaint from a parent on the 30 September 2019 who said that her son “*didn’t feel safe in the school, he had been exposed to swearing and disruptive behaviour on a daily basis and that no learning was taking place and he didn’t want to spend 5 hours on a digger*”. Witness 18 said that she sent the complaint to [REDACTED] and Ms Simmons. The panel noted that this complaint did not fall within the relevant period for allegation 2; however, it considered the account to be indicative of the culture at the School.

The panel then considered the written and oral evidence of Witness C, who stated that she did not receive any reports from Ms Simmons in relation to inappropriate behaviour or language at the School.

The panel reviewed the police interview transcript of Ms Simmons dated 27 January 2021, in which Ms Simmons stated that “*we simply don’t have kids fighting,*” and said she could not remember the last time such behaviour had occurred.

The panel also considered the notes of a meeting between Ms Simmons, and the School dated 30 March 2022, which recorded Ms Simmons as stating that pupils had not accessed the roof.

On the balance of probabilities, the panel found that Ms Simmons, in her role as Designated Safeguarding Lead, did not safeguard the welfare of pupils or staff at the School. Allegation 2 was accordingly found proven.

This represented a failure to safeguard because Ms Simmons colluded with staff who were engaging in inappropriate and unsafe behaviour. The role of a safeguarding lead requires recognising when staff cross professional boundaries, applying safeguarding training, and challenging unsafe conduct. Instead, the evidence demonstrated that Ms Simmons colluded in, minimised, and reinforced unsafe practices, and failed to model appropriate safeguarding standards to others.

The panel noted a further failure to challenge the [REDACTED] and staff when safeguarding responses were inappropriate, resulting in vulnerable children being exposed to ongoing and avoidable risk.

In addition, Ms Simmons was open about not undertaking her safeguarding responsibilities, choosing to ignore concerns and encouraging colleagues to do the same. This behaviour demonstrated a disregard for safeguarding obligations and an attempt to conceal, collude in, or condone unsafe conduct.

The panel also considered Witness C's oral evidence that all electronic safeguarding records were kept on Ms Simmons' laptop (not on a management information system) and that the hard copy safeguarding records were kept in a filing cabinet. When the safeguarding filing cabinet was eventually accessed, there were no safeguarding records in there.

The panel noted Witness A written and oral evidence that the school had no safeguarding paperwork or policies in place. The panel considered that, as the Designated Safeguarding Lead, Ms Simmons had a responsibility to ensure these records were maintained. Her failure to do so amounted to unprofessional conduct and exposed children to risk.

The panel noted that colleagues reported being reluctant to raise concerns with Ms Simmons because of her [REDACTED]. The panel also noted that pupils had been harmed as a result of the unsafe practices taking place, and that Ms Simmons was aware of this. In particular, Pupil E was described as [REDACTED]; despite understanding this [REDACTED], Ms Simmons knowingly ignored the fact that the pupil was being called names and failed to intervene.

Having considered the evidence before it, the panel found allegation 2 proven.

3. Your conduct at paragraph 1c) was:

a. Dishonest;

Ms Simmons denied allegation 3(a).

Having found allegation 1(c) proven, the panel then went on to consider whether Ms Simmons had acted dishonestly and, in doing so, had regard to the case of *Ivey v Genting Casinos (UK) Ltd t/a Crockford*.

The panel firstly sought to ascertain the actual state of Ms Simmons' knowledge or belief as to the facts. On the evidence, the panel concluded that Ms Simmons had witnessed and/or heard the inappropriate behaviour referred to in allegation 1(c). This was demonstrated not only by her conduct, but also by the fact that she discussed the matter with other members of staff, indicating clear awareness of what was occurring.

The panel then went to consider whether Ms Simmons' conduct was dishonest by the standards of ordinary decent people. In the panel's view, her actions went beyond mere inaction. This was not a case where she failed to appreciate what was happening. Rather, the panel found that Ms Simmons recognised the situation, understood that it was improper, yet chose to do nothing to address it. In addition, she communicated to others that she was aware of the issue but was not prepared to take any steps in response.

The panel considered that deliberately turning a blind eye in these circumstances, knowing that the conduct was wrong, choosing not to act, and conveying that position to colleagues, would clearly be regarded by ordinary decent people as dishonest. A reasonable member of the public would expect a person in her position to take appropriate action once aware of the situation. Her conscious decision not to do so, despite that knowledge, fell below the standards of honesty expected.

The panel therefore concluded that Ms Simmons' conduct, as found proven at allegation 1(c), was dishonest.

Therefore, the panel found allegation 3(a) proven.

b. Lacked integrity.

Ms Simmons denied allegation 3(b).

The panel considered whether her conduct, as found proven at allegation 1(c), amounted to a failure to act with integrity. In doing so, the panel had regard to *Wingate & Anor v Solicitors Regulation Authority*, which describes integrity as the “*higher standards which society expects from professional persons.*” The panel was mindful that professionals are not required to be “*paragons of virtue*”, but they are expected to act in accordance with the ethical and behavioural standards that underpin their professional role.

The panel first noted its finding at allegation 1(c): that Ms Simmons knowingly stated to colleagues that she had not witnessed or heard inappropriate behaviour or comments by staff members when, in fact, she had. As the panel had already determined when considering allegation 3(a), Ms Simmons was fully aware of what she had observed and intentionally chose to misrepresent that knowledge to others.

The panel considered that such conduct represented a serious departure from the standards of integrity expected of a teacher. Integrity requires openness, honesty, and a willingness to act appropriately where safeguarding or staff conduct concerns arise. Instead, Ms Simmons' actions conveyed to colleagues that she was aware of inappropriate behaviour but unwilling to address it. This had the effect of undermining confidence in the appropriate channels for raising concerns. The panel noted the evidence that staff members, including Witness B, Witness D, Individual A, and Individual F, felt disempowered and unable to raise issues with Ms Simmons in her professional capacity. The panel considered it particularly serious that staff felt unable to approach the Designated Safeguarding Lead, which is the route that should have been available to them.

In all the circumstances, the panel concluded that Ms Simmons' behaviour fell significantly below the standard of integrity expected of a teacher. Her failure to be truthful, to act appropriately upon concerns, and to ensure colleagues felt able to raise issues through proper safeguarding routes demonstrated a clear lack of integrity.

Accordingly, the panel found that Ms Simmons' conduct, as established at allegation 1(c), lacked integrity. The panel therefore found allegation 3(b) proven.

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

a. Allowed and/or failed to prevent colleagues using inappropriate language regarding pupils, as set out in Schedule 1:

Schedule 1

i. You allowed and/or failed to prevent staff referring to Pupil F as “fat tits” and/or pupils as “fat bastard”, or words to that effect;

The panel considered Witness B's written and oral evidence that [REDACTED], [REDACTED] and [REDACTED] called Pupil F “*fat tits*” to [REDACTED] face and explained that this was their nickname for Pupil F. Witness B further explained that Pupil F used to ask Witness B for seconds for lunch. Witness B stated that [REDACTED] said to Pupil F, “*you aren't allowed, you are a fat bastard*”. Witness B also stated that [REDACTED] told her, “*fat pupils do not get seconds after lunch*”.

The panel then considered Witness B's handwritten notes, which listed the names the children were called by [REDACTED] members of staff at the School, including [REDACTED]. The panel noted that “*fat tits*” was one of the names; however, there was no reference to Pupil F.

The panel considered Witness B's written and oral evidence that [REDACTED], [REDACTED] and [REDACTED] called Pupil F “*fat tits*” to [REDACTED] face and explained that this was their nickname for Pupil F. Witness B further explained that Pupil F used to ask Witness B for seconds for lunch. Witness B stated that [REDACTED] said to Pupil F, “*you aren't allowed, you are a fat bastard*”. Witness B also stated that [REDACTED] told her, “*fat pupils do not get seconds after lunch*”.

As set out above, the panel had sight of a police witness statement made by Witness 3 where they had stated that [REDACTED] sent an email to all staff members which highlighted two pupils' size in a way that seemed “*derogatory*” and “*fat-shaming*”.

The panel also noted that in her meeting notes dated 20 April 2022, Individual D stated that she did not hear the phrase “*fat tits*”. However, the panel considered the fact that she did not hear it does not mean that it was not said.

The panel further considered the notes of the meeting with Witness A attended by [REDACTED], dated 24 March 2022, which recorded [REDACTED] stating that all inappropriate comments were challenged appropriately. The panel then considered the police interview transcript of [REDACTED], dated 27 January 2021, in which he was

recorded as stating that he used “*unorthodox methods*” with the pupils who were vulnerable. [REDACTED] had said that Pupil F was “[REDACTED]” and that [REDACTED] ate “*way too much*”. [REDACTED] had stated that Pupil F came up to [REDACTED] and said, “*I’m a fat bastard*” to which [REDACTED] responded by saying “*you’re not a fat bastard but if you think you’re a fat bastard why don’t you work with my sports instructor on a programme of fitness.*” [REDACTED] had submitted that he made this comment because he “*thought [he] had a strong enough relationship*” with the pupil.

The panel noted that staff had referred to Pupil F as “*fat tits*”. However, the above evidence did not show that Ms Simmons was present when this occurred.

The panel considered the oral and written evidence regarding the daily briefings at the school but noted there was no evidence that the issue of Pupil F being called “*fat tits*” or “*fat bastard*” was discussed during those briefings.

The panel reviewed Witness B’s undated handwritten notes, which recorded her stating that [REDACTED] had called pupils “*fat bastards*” and claimed they did not deserve seconds. Witness B wrote that Ms Simmons agreed, but the panel considered that this could refer only to the issue of second helpings and did not establish that Ms Simmons was present when [REDACTED] used the phrase “*fat bastard*”. Witness B further explained that she sometimes gave pupils second helpings of food.

The panel considered Witness B’s witness statement, which described [REDACTED] picking on pupils for being overweight and refusing seconds. She stated that he would say: “*You aren’t allowed, you are a fat bastard.*” The panel noted that Ms Simmons was not mentioned as being present during these incidents.

The panel further noted that although Witness B made general comments, she did not record any specific occasion on which Ms Simmons witnessed [REDACTED] calling Pupil F either “*fat tits*” or “*fat bastard*”.

The panel considered Ms Simmons’ written statement, in which she responded that during her disciplinary hearing, it had been alleged she used inappropriate language in an email chain where [REDACTED] wrote “*Fucking Read & Understood*”. She refuted this, stating she had not used expletives and had, in fact, spoken to [REDACTED] about his language, making clear she did not approve.

The panel considered Witness D’s police witness statement dated 16 February 2021, which recorded Witness D stating that Ms Simmons, [REDACTED] and [REDACTED] called a pupil (Child Witness 3) “*fat*” and “*shaped like a refrigerator*”. The panel noted that this did not appear to be Pupil F.

The panel considered Witness D’s bullet-point list, which referred to the word “*fat*” and Pupil F but associated it with “[REDACTED]”, not Ms Simmons.

The panel considered that it is for the TRA, via the presenting officer, to prove the allegation on the balance of probabilities; the evidence must establish that it is more likely than not that Ms Simmons allowed or failed to prevent such language. The panel found that the TRA had not discharged this burden. Accordingly, the panel considered 1 (a) schedule 1 (i) not proven.

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

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

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 Simmons, in relation to the facts found proved, involved breaches of the Teachers’ Standards.

The panel considered that, by reference to Part 2, Ms Simmons 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
 - treating pupils with dignity, building relationships rooted in mutual respect, and at all times observing proper boundaries appropriate to a teacher’s professional position
 - having regard for the need to safeguard pupils’ well-being, in accordance with statutory provisions
 - showing tolerance of and respect for the rights of others
- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach, and maintain high standards...
- 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 Ms Simmons’ conduct breached the standards and that her role as Designated Safeguarding Lead places responsibility on her to ensure that safeguarding procedures are implemented, and this applies equally to her, particularly in relation to the training elements and record-keeping.

The panel was satisfied that the conduct of Ms Simmons, in relation to the facts found proved, involved breaches of Keeping Children Safe In Education (“KCSIE”) 2020, which

was the applicable version at the time of the misconduct. The panel noted the following relevant provisions which had been breached by Ms Simmon's conduct:

- Part 1 emphasises that safeguarding is "*everyone's responsibility*".
- Paragraph 4 requires staff to protect children from maltreatment and ensure they receive "*safe and effective care*."
- Paragraph 7 states that all staff are responsible for ensuring a safe environment in which children can learn.

The panel was also satisfied that Ms Simmons' conduct breached Working Together to Safeguard Children, which emphasises that safeguarding is a shared responsibility and that she held strategic responsibility for ensuring effective safeguarding arrangements. Ms Simmons' actions fell substantially short of those expectations.

The panel noted that Ms Simmons did not appear to engage effectively in safeguarding despite this being her role.

The panel also considered whether Ms Simmons' 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 the offences was relevant.

The panel considered that Ms Simmons' actions constituted serious misconduct, falling significantly short of the standards expected of a teacher. The panel found that Ms Simmons was aware of the culture and conduct within the School, yet failed to report it, address it, or take steps to safeguard pupils. This represented a significant breach and an incredibly serious dereliction of the responsibilities of a Designated Safeguarding Lead.

The panel also considered that Ms Simmons condoned inappropriate behaviour towards pupils. In particular, the panel noted that she:

- brought eggs on a school trip in or around December 2020 to be thrown at pupils and allowed eggs to be thrown at pupils;
- failed to prevent or address inappropriate, sexualised, and derogatory language used about pupils, including comments such as "*wanked over mum's tits*" and remarks concerning a pupil's weight; and
- stated to colleagues that she had witnessed and heard inappropriate behaviour or comments by another staff member, or words to that effect, yet took no action.

The panel noted that under paragraph 11 of Keeping Children Safe in Education, the Designated Safeguarding Lead is the most appropriate person to advise on safeguarding concerns. Given the seriousness of the issues, the panel considered that Ms Simmons' failure to act meant that children were ultimately placed at risk due to the abdication of her responsibilities. Her conduct fell far below what is expected of a teacher, both in relation to the emotional and physical safety of pupils.

The panel also considered that Ms Simmons condoned inappropriate behaviour towards pupils. In particular, the panel noted that she was aware of Pupil E's [REDACTED], as she described it in detail in her own evidence. Despite this knowledge, the panel considered that she nonetheless failed to prevent or report inappropriate conduct directed towards Pupil E, [REDACTED].

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

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

In relation to whether Ms Simmons' 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 Simmons' 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 Simmons was guilty of unacceptable professional conduct, the Panel found that serious dishonesty was relevant.

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

For these reasons, the panel found that Ms Simmons' 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 safeguarding and wellbeing of pupils, the protection of other members of the public and declaring and upholding proper standards of conduct.

In the light of the panel's findings against Ms Simmons, which involved allowing the eggs to be thrown at pupils, allowing colleagues to use inappropriate language when referring to pupils, falsely saying that she had not witnessed or heard inappropriate behaviour and failing to safeguard the pupils at the School, there was a strong public interest consideration in the safeguarding and wellbeing of pupils.

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

The panel was of the view that a strong public interest consideration in declaring proper standards of conduct in the profession was also present, as the conduct found against Ms Simmons 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 Simmons in the profession. Whilst there is evidence that Ms Simmons had the ability as an educator, the panel considered that the adverse public interest considerations above outweigh any interest in retaining Ms Simmons in the profession, since her behaviour fundamentally breached the standard of conduct expected of a teacher, and she sought to exploit her position of trust.

The panel considered the seriousness of the behaviour carefully, 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 Simmons.

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, and particularly where there is a continuing risk;
- failure to act on evidence that indicated a child's welfare may have been at risk e.g. make a referral to children's social care, the police or other relevant agencies when abuse, neglect and/or harmful cultural practices were identified;
- 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);
- dishonesty or a lack of integrity;
- concealment, including:
 - failure to challenge inappropriate actions, defending inappropriate actions or concealing inappropriate actions;
 - lying to prevent the identification of wrongdoing;

The panel also considered whether there had been an abuse of a position of trust. Although the panel did not find that the statutory definition of an abuse of position of trust was met, the evidence showed that staff felt unable to approach Ms Simmons in her role as Designated Safeguarding Lead, on safeguarding issues. On the rare occasions they did, she dismissed or minimised their concerns. Some staff felt her seniority allowed her to do so without challenge.

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

There was evidence that Ms Simmons' actions were deliberate. She was aware of the inappropriate behaviour but chose to turn a blind eye. Ms Simmons failed to act on safeguarding matters despite her role and training as a Designated Safeguarding Lead. The evidence demonstrated repeated failures to act on safeguarding matters, including circumstances where referrals should have been made. The panel noted that the trust was unable to locate any documentation indicating that appropriate safeguarding

referrals had been made or indicating that any safeguarding activity, including training of staff, had been undertaken.

There was no evidence to suggest that Ms Simmons was acting under extreme duress, e.g. a physical threat or significant intimidation.

The panel found no evidence that Ms Simmons demonstrated exceptionally high standards of personal or professional conduct or that she made a significant contribution to the education sector. The panel explored whether there was any evidence of exceptional conduct, but none was provided.

The panel considered Ms Simmons' statement. The panel noted that Ms Simmons stated that the period from 28 September 2020 to 28 January 2021 was "extremely stressful" for staff and pupils due to COVID-19.

Ms Simmons submitted character references to attest to her ability as a teacher. The panel considered these character references and in particular, noted the written statements from the following individuals:

- *"We never had any concerns about how either [Ms Simmons] or [REDACTED] behaved towards [Pupil K] or any other learners. They took the time to talk to [Pupil K] when [REDACTED] was finding things hard and were very supportive. They also respected [Pupil K's] boundaries when talking about personal matters..."*

Parent 3

- *"...when under [REDACTED] and [Ms Simmons] care there was a complete turn around, [Pupil L] became easier to handle at home and at school, [REDACTED] was happy at school and home, [REDACTED]...I swear that in my opinion, this was totally down to [REDACTED] and [Ms Simmons] and the way they helped [REDACTED] in a difficult year.... As a parent, there is no words to how much I thank [REDACTED] and [Ms Simmons] for the help with [Pupil L]. They have changed our lives for the better. I can honestly say that in all the time I have known [REDACTED] and [Ms Simmons] working with children, I have only heard good things about the way they treat children, and I can say from my own experience with [REDACTED], I can't thank them enough. It wasn't for them I wouldn't like to think where [Pupil L] would be in [REDACTED] life now, they have given [Pupil L] a reason to look to a happy future".*

Parent 4

- *"[Ms Simmons] has such a big heart, if there was ever a problem such as a fall out in a friend group or a safeguarding issue [Ms Simmons] and [REDACTED] would put their all into sorting it out quickly efficiently to make sure all the children felt*

safe and comfortable in and out of school....[Ms Simmons] greeted every new student with open arms and made us all feel so comfortable”.

Former student

- *“Immediately, [REDACTED] and [Ms Simmons] seemed to understand Pupil M in a way others had not. [REDACTED] confidence grew, and [REDACTED] eagerly awaited [REDACTED] taxi every morning. [REDACTED] began to smile again and engage with day to day life in a way [REDACTED] hadn’t done for a long time”.*

Parent 5

- *[Ms Simmons] is a lovely human being....She taught me that safeguarding is everybody's responsibility and the most important role in our job. She helped me develop [REDACTED] and created an unfamiliar confidence in myself to do well and provide the best educational environment for our learners, Her vision was to inspire our young people, to create a safe place for them, somewhere they can express themselves and be whoever they want to be.”*

Current Member of Staff

The panel noted that one of the references was provided by [REDACTED], who was also facing allegations before the professional conduct panel.

Although some individuals described her as kind, supportive and praised her in her role, the panel found that this did not outweigh the seriousness of the repeated safeguarding failures.

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, it would not be a proportionate and appropriate response to recommend no prohibition order. Recommending that the publication of adverse findings would be sufficient would unacceptably compromise the public interest considerations present in this case, despite the severity of the consequences for Ms Simmons of prohibition.

The panel was of the view that prohibition was both proportionate and appropriate. The panel decided that the public interest considerations outweighed the interests of Ms Simmons. The evidence demonstrated repeated failures to act on safeguarding matters, including several situations in which referrals should have been made. These omissions represented a serious failure to safeguard vulnerable pupils and exposed them to significant risk. The panel also found dishonesty in relation to safeguarding. Ms Simmons sought to conceal the absence of safeguarding actions and made statements that were

inconsistent with her responsibilities. This included asserting that she did not undertake safeguarding duties, despite having been trained and appointed as the Designated Safeguarding Lead. This was a significant factor in forming that opinion. Accordingly, the panel made a recommendation to the Secretary of State that a prohibition order should be imposed with immediate effect.

The panel went on to consider whether or not it would be appropriate for it to decide to recommend a review period of the order. The panel was mindful that the Advice states that a prohibition order applies for life, but there may be circumstances, in any given case, that may make it appropriate to allow a teacher to apply to have the prohibition order reviewed after a specified period of time that may not be less than 2 years.

The Advice indicates that there are certain types of cases where, if relevant, the public interest will have greater relevance and weigh in favour of not offering a review period. None of the listed characteristics at paragraph 50 were engaged by the panel's findings.

The Advice also indicates that there are certain other types of cases where it is likely that the public interest will have greater relevance and weigh in favour of a longer period before a review is considered appropriate. The panel considered whether this was a case involving serious dishonesty. In particular, it noted that, despite her own acknowledgement that she was the Designated Safeguarding Lead and fully trained for the role, she stated openly, "*I don't do safeguarding*". Although her conduct did not meet the threshold for serious dishonesty, the panel found clear evidence of dishonesty in her actions, which increased the overall seriousness of the case.

The panel reviewed the documents to determine whether Ms Simmons had shown any insight or remorse. The panel found no evidence of insight or remorse from Ms Simmons from the documents it had been provided.

Although the specific categories set out at paragraph 51 in the Advice were not directly engaged, the panel placed significant weight on the seriousness of the findings, including the gravity of the safeguarding failures.

The panel determined that Ms Simmons consciously chose not to carry out her safeguarding responsibilities, even though she knew pupils were at risk. As a member of the senior leadership team with designated safeguarding duties, she was expected to champion the cause of safeguarding the pupils and to ensure that concerns were addressed appropriately. Instead, she knowingly failed to act, placing pupils at risk.

The panel concluded that the risk of repetition was high and that allowing a review would undermine public confidence. A reasonable and informed member of the public, aware of the extent of the failures, would consider Ms Simmons' return to teaching to be incompatible with the public interest.

The panel decided that the findings indicated a situation in which a review period would not be appropriate and, as such, decided that it would be proportionate, in all the circumstances, for the prohibition order to be recommended without provisions for 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 both sanction and 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 a number of allegations proven and found that those proven facts amount to unacceptable professional conduct and/or conduct that may bring the profession into disrepute.

In this case, the panel has found the particulars of one of the allegations not proven. I have therefore put those matters entirely from my mind.

The panel has made a recommendation to the Secretary of State that Ms Alison Simmons should be the subject of a prohibition order, with no provision for a review period.

In particular, the panel has found that Ms Simmons 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
 - treating pupils with dignity, building relationships rooted in mutual respect, and at all times observing proper boundaries appropriate to a teacher's professional position
 - having regard for the need to safeguard pupils' well-being, in accordance with statutory provisions
 - showing tolerance of and respect for the rights of others
- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach, and maintain high standards...
- 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 Simmons involved breaches of the responsibilities and duties set out in statutory guidance *'Keeping children safe in education'* and/or involved breaches of *'Working Together to Safeguard Children'*.

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

The findings of misconduct are particularly serious as they include a Deputy Headteacher (and Designated Safeguarding Lead) allowing eggs to be thrown at pupils, allowing colleagues to use inappropriate language when referring to pupils, falsely saying that she had not witnessed or heard inappropriate behaviour and failing to safeguard pupils. Moreover, Ms Simmons exhibited behaviour that was both dishonest and lacked integrity.

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 Simmons, 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 offers this observation:

“In the light of the panel’s findings against Ms Simmons, which involved allowing the eggs to be thrown at pupils, allowing colleagues to use inappropriate language when referring to pupils, falsely saying that she had not witnessed or heard inappropriate behaviour and failing to safeguard the pupils at the School, there was a strong public interest consideration in the safeguarding and wellbeing of pupils.”

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:

“The panel reviewed the documents to determine whether Ms Simmons had shown any insight or remorse. The panel found no evidence of insight or remorse from Ms Simmons from the documents it had been provided.”

In my judgement, the lack of evidence that Ms Simmons has developed full insight into and remorse for her actions means that there is some risk of the repetition of this

behaviour and this puts at risk the future wellbeing of pupils. 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 comments:

“Similarly, the panel considered that public confidence in the profession could be seriously weakened if conduct such as that found against Ms Simmons were not treated with the utmost seriousness when regulating the conduct of the profession.”

I am particularly mindful of the finding of a deputy headteacher, who was also the school safeguarding lead, failing to act to protect pupils in this case, and in some instances facilitating behaviour that put pupils at risk, and the negative impact that such a finding is likely to 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 Simmons herself. The panel notes having had the benefit of considering several pieces of character evidence attesting to her qualities as a teacher. However, it also says this:

“Although some individuals described her as kind, supportive and praised her in her role, the panel found that this did not outweigh the seriousness of the repeated safeguarding failures.”

The panel also offers this observation:

“The panel found no evidence that Ms Simmons demonstrated exceptionally high standards of personal or professional conduct or that she made a significant contribution to the education sector. The panel explored whether there was any evidence of exceptional conduct, but none was provided.”

A prohibition order would prevent Ms Simmons 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 very serious nature of the misconduct found, particularly in regard to the serious shortcomings in how Ms Simmons discharged her responsibilities as Designated Safeguarding Lead. I have noted these comments provided by the panel:

“The panel was of the view that prohibition was both proportionate and appropriate. The panel decided that the public interest considerations outweighed the interests of Ms Simmons. The evidence demonstrated repeated failures to act on safeguarding matters, including several situations in which referrals should have been made. These omissions represented a serious failure to safeguard vulnerable pupils and exposed them to significant risk. The panel also found dishonesty in relation to safeguarding. Ms Simmons sought to conceal the absence of safeguarding actions and made statements that were inconsistent with her responsibilities. This included asserting that she did not undertake safeguarding duties, despite having been trained and appointed as the Designated Safeguarding Lead. This was a significant factor in forming that opinion. Accordingly, the panel made a recommendation to the Secretary of State that a prohibition order should be imposed with immediate effect.”

I have also noted the panel’s findings in respect of Ms Simmons’ dishonesty, and that her actions were both deliberate and performed free of extreme duress.

Furthermore, I have placed considerable weight on the lack of evidence of Ms Simmons’ insight and remorse.

I have given less weight in my consideration of sanction therefore, to the contribution that Ms Simmons has made to the profession. In my view, it is necessary to impose a prohibition order in order to maintain public confidence in the profession. A published decision, in light of the circumstances in this case, does not in my view satisfy the public interest requirement concerning public confidence in the profession.

For these reasons, I have concluded that a prohibition order is proportionate and in the public interest in order to achieve the intended aims of a prohibition order.

I have gone on to consider the matter of a review period. In this case, the panel has recommended that no provision should be made for a review period.

In doing so the panel has referred to the Advice as follows:

“The Advice indicates that there are certain types of cases where, if relevant, the public interest will have greater relevance and weigh in favour of not offering a review period. None of the listed characteristics at paragraph 50 were engaged by the panel’s findings.

The Advice also indicates that there are certain other types of cases where it is likely that the public interest will have greater relevance and weigh in favour of a longer

period before a review is considered appropriate. The panel considered whether this was a case involving serious dishonesty. In particular, it noted that, despite her own acknowledgement that she was the Designated Safeguarding Lead and fully trained for the role, she stated openly, “*I don’t do safeguarding*”. Although her conduct did not meet the threshold for serious dishonesty, the panel found clear evidence of dishonesty in her actions, which increased the overall seriousness of the case.”

The panel goes on to comment:

“Although the specific categories set out at paragraph 51 in the Advice were not directly engaged, the panel placed significant weight on the seriousness of the findings, including the gravity of the safeguarding failures.”

I have also considered the panel’s concluding remarks:

“The panel determined that Ms Simmons consciously chose not to carry out her safeguarding responsibilities, even though she knew pupils were at risk. As a member of the senior leadership team with designated safeguarding duties, she was expected to champion the cause of safeguarding the pupils and to ensure that concerns were addressed appropriately. Instead, she knowingly failed to act, placing pupils at risk.

The panel concluded that the risk of repetition was high and that allowing a review would undermine public confidence. A reasonable and informed member of the public, aware of the extent of the failures, would consider Ms Simmons’ return to teaching to be incompatible with the public interest.”

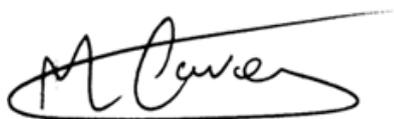
I have considered whether not allowing a review period reflects the seriousness of the findings and is a proportionate response to the misconduct found in this case to achieve the aim of maintaining public confidence in the profession. In this case, factors mean that allowing a review period is not sufficient to achieve the aim of maintaining public confidence in the profession. These elements are the very serious nature of the misconduct found and the risk to the safety and wellbeing of children it created, the dishonesty found, as well as the lack of evidence of either insight or remorse and the consequent risk of repetition.

I consider therefore that allowing for no review period is necessary to maintain public confidence and is proportionate and in the public interest.

This means that Ms Alison Simmons is prohibited from teaching indefinitely and cannot teach in any school, sixth form college, relevant youth accommodation or children’s home in England. Furthermore, in view of the seriousness of the allegations found proved against her, I have decided that Ms Simmons shall not be entitled to apply for restoration of her eligibility to teach.

This order takes effect from the date on which it is served on the teacher.

Ms Simmons has a right of appeal to the High Court within 28 days from the date she is given notice of this order.

A handwritten signature in black ink, appearing to read 'M Cavey', enclosed within a large, horizontal oval stroke.

Decision maker: Marc Cavey

Date: 23 February 2026

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