Teaching Regulation Agency

Ms Fiona Simpson: Professional conduct panel outcome

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

October 2026

Contents

Introduction 3

Allegations 4

Summary of evidence 5

Documents 5

Witnesses 6

Decision and reasons 6

Findings of fact 6

Panel's recommendation to the Secretary of State 21

Decision and reasons on behalf of the Secretary of State 24

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

Teacher: Ms Fiona Simpson

TRA reference: 22077

Date of determination: 12 October 2026

Former employer: Burlington House School, Fulham

Introduction

A professional conduct panel ("the panel") of the Teaching Regulation Agency ("the TRA") convened on 5 to 12 October 2026 by way of a virtual hearing, to consider the case of Ms Fiona Simpson.

The panel members were Miss Louisa Munton (teacher panellist – in the chair), Mrs Lucy Conley (teacher panellist) and Dr Sheila Cunningham (lay panellist).

The legal adviser to the panel was Mr Ben Schofield of Blake Morgan LLP.

The presenting officer for the TRA was Ms Leah Redden of Browne Jacobson LLP.

Ms Simpson 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 15 July 2026.

It was alleged that Ms Simpson was guilty of having been convicted of a relevant offence, in that:

1. On 15 November 2021 she was convicted at West London Magistrates Court for drink driving committed on 22 October 2021.

2. On 01 September 2023 she was convicted at West London Magistrates Court for assault by beating of an emergency worker on 17 July 2023.

It was also further alleged that Ms Simpson was guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute in that whilst employed as a part-time Photography Teacher at Burlington House School between November 2022 and March 2023, she:

3. Engaged in inappropriate and/or unprofessional behaviour by;

a. Shouting at Pupil A on or around 24 February 2023;

b. setting unsupervised work for Pupil B who was a high risk pupil on or around 1 March 2023;

i. on an inappropriate subject matter;

ii. using an inappropriate work station;

iii. using a room which had access to hazardous chemicals;

c. Tapping Pupil B on their bottom on or around 3 March 2023

d. Referring to Pupil B as [REDACTED] or using words to that effect on or around 3 March 2023;

e. Allowing Pupil B and/or other pupils to access books which contained;

i. explicit imagery of drug use;

ii. imagery of full frontal male nudity;

iii. explicit imagery of sexual activity;

iv. imagery of a scene of violence.

4. Failed to safeguard one or more pupils adequately or at all and/or failed to maintain appropriate professional boundaries with one or more pupils in that she:

a. Took one or more pupils off-site without:

i. notifying the school

ii. obtaining permission from the school

iii. obtaining parental permission

b. visited cafes and/or coffee shops with one or more pupils during lesson time

c. altered the destination of a school trip without informing:

i. the school

ii. some parents and/or pupils resulting in them waiting for her at the wrong location

d. instructed and/or permitted one or more pupils to return to school alone and/or unsupervised;

e. instructed and/or encouraged Pupil C to inform the school that she had not returned to school because she was feeling unwell, when in fact she had been spending time with her;

5. Her conduct as may be found proven at 4e above lacked integrity and/or was dishonest.

6. Her conduct as may be found proven at 3 and/or 4 above was notwithstanding:

a. previous concerns and/or advice and/or warnings in respect of her conduct;

b. that pupils were vulnerable.

Summary of evidence

Documents

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

Section 1: Notice of proceedings and response – page 4 to 27

Section 2: Teaching Regulation Agency witness statements – pages 29 to 61

Section 3: Teaching Regulation Agency documents – pages 63 to 149

In addition, the panel agreed to accept the following:

- Further bundle of 24 pages (as noted above).
- Further bundle of 7 pages (as noted above).

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

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]

There were no witnesses called on behalf of the teacher.

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 Simpson was employed at Burlington House School ("the School") from 28 November 2022 as an A Level photography teacher.

The School is an independent school in which all the pupils educated there have an Education and Health Care Plan in place.

Following a number of concerns being raised about Ms Simpson's teaching practices, the School terminated Ms Simpson's employment through its probationary period process on 16 March 2023. Following this, the School made a referral to the TRA on 5 June 2023, which has resulted in this hearing.

Findings of fact

The findings of fact are as follows:

1. On 15 November 2021 you were convicted at West London Magistrates Court for drink driving committed on 22 October 2021.

2. On 01 September 2023 you were convicted at West London Magistrates Court for assault by beating of an emergency worker on 17 July 2023.

Ms Redden indicated that the TRA were 'offering no evidence' in relation to these two allegations. Ms Redden submitted that the TRA had recently taken the view that it did not have the jurisdiction to adjudicate as to whether these two convictions would amount to convictions for 'relevant offences'. Ms Redden explained this was because the dates of the convictions, the underlying criminal conduct and when the convictions came to light were all outside of a time period in which the TRA understood Ms Simpson was engaged in the teaching profession. Ms Redden submitted that the courts had previously interpreted the underlying statutory provisions for these proceedings as excluding the TRA's jurisdiction in such circumstances and highlighted the cases of *Zebaida v Secretary of State for Education* [2016] EWHC 1181 (Admin) and *Alsaifi v Secretary of State for Education* [2016] EWHC 1519 (Admin) as the relevant authorities for taking this position. Ms Redden further submitted that the panel would be capable of putting those matters outside of its mind when further considering the remaining allegations.

As no evidence was offered to the panel in relation to these two allegations, the panel therefore found them not proved.

The panel further considered the more 'proactive role' a panel takes in the disposing of allegations in professional regulatory proceedings. The panel noted the underlying rationale related to a jurisdictional restriction on advancing those allegations. On that basis, the panel was satisfied that the offering of no evidence would not amount to a 'under-prosecution' in the circumstances.

The panel further considered its position as a result of now being presented with irrelevant and arguably prejudicial material about Ms Simpson. The panel was firstly satisfied that it was capable of putting this material outside of its mind. The panel further noted that:

- These offences did not arise in connection with Ms Simpson's professional duties; they arose in her personal life. The remaining allegations related only to her conduct in the school environment.
- The underlying criminal conduct did not share any factual similarities to the remaining alleged misconduct which was to be considered at this hearing. There were no remaining allegations relating to the use of alcohol or violence.
- The panel is experienced and trained to exclude irrelevant material from its decision-making process.
- The panel has the benefit of an independent legal adviser to assist in ensuring that irrelevant material does not form part of its consideration.

The panel further considered a fair minded and informed observer would note those as relevant factors, such that it did not consider there was a real risk that the panel would otherwise appear to be biased from the exposure of this material. Accordingly, the panel considered there was no need for the case to be put before a freshly constituted panel to consider the remainder of the allegations.

3. Engaged in inappropriate and/or unprofessional behaviour by;

a. Shouting at Pupil A on or around 24 February 2023;

There were no witnesses before the panel who gave direct evidence about the alleged facts in this sub-allegation. Furthermore, there were no immediate hearsay accounts from Pupil A or any other potential direct witness available in the evidence before the panel.

The TRA's case was advanced on multiple hearsay accounts. The relevant entries on the School's safeguarding system noted:

> *"After tutorial yesterday, [Pupil A] told me that she had experienced aggressive behaviour from her photography teacher, Fiona Simpson, during the lesson on Monday. She told Fiona that she needed to be given instructions on how to do the assignment otherwise she would report her to her tutor. [Pupil A] says Fiona responded aggressively and shouted at her. She said [Pupil 1] witnessed this."*

This entry was recorded by Individual A who did not appear as a witness before the panel.

A further entry by Individual B, noted as the [REDACTED] noted that:

> *"The incident was investigated and pupil testimonies gathered reiterating that the teacher shouted directly at the student."*

None of the pupils' testimonies were before the panel in the evidence.

Witness B's statement to the TRA stated that:

> *"[Pupil A] and [Pupil 2] were two pupils on my radar for their behaviour and I spoke to them about their version of events."*

Witness B's statement did not further record what was discussed between himself and these pupils. In his oral evidence before the panel, Witness B explained that he tried to speak to these pupils separately, but they were effectively 'inseparable'. He further stated that he could not recall any more details about the conversation, apart from it was 'something that happened in class'.

Aside from Witness B commenting about Pupil A being on his 'radar', the panel also noted that Individual A had noted in her entry: "*If these allegations are true*…" and in a previous concern about the same pupil had commented:

> *"I do not know whether [Pupil A] is embellishing what has taken place so she has an excuse when she doesn't achieve a C for her Photography A Level or whether she is telling the truth…*
>
> *I have said to [Pupil A] if she feels Fiona speaks to her in a manner which is not fair to see me on the day and I'm happy to pop up and see Fiona and have an quick chat about it. I hope this will ensure that [Pupil A] tells the truth about what has happened and is specific about what has taken place, rather than a general, overall complaint about the quality of teaching."*

The panel considered it could not place any significant weight on these hearsay accounts, which it also considered were limited in detail. The panel could not further establish what was specifically said by Ms Simpson, the volume and demeanour in how those words were expressed or the context for them being expressed. Furthermore, the evidence suggested there might be a question over the reliability of the account relayed by Pupil A, which the panel could not further resolve at this hearing.

On that basis, the panel could not be satisfied that it was more likely than not that Ms Simpson shouted at Pupil A on the available evidence. Furthermore, Ms Simpson stated she did not recall shouting at any pupil in her response to the TRA.

Accordingly, the panel found this sub-allegation not proved.

b. setting unsupervised work for Pupil B who was a high risk pupil on or around 1 March 2023;

i. on an inappropriate subject matter;

Pupil B was an A Level photography student taught by Ms Simpson. Pupil B was described in Witness A's and Witness D's evidence as having a history of [REDACTED]. Both witnesses had been directly involved with teaching Pupil B at the School. Both witnesses stated that Ms Simpson was aware of Pupil B's difficulties. Furthermore, Ms Simpson remarked about Pupil B's [REDACTED] in her own response to the TRA.

The evidence available to the panel suggested the concerns about Pupil B arose from others becoming aware that a desk had been placed in the School's photography darkroom for Pupil B. The panel considered this had in effect isolated Pupil B from other pupils.

The panel understood the 'subject matter' in issue related to directed research on 'documentary' and 'diary' style photography. It involved suggested research on certain

photographers and artists, such as Corinne Day and Tracy Emin. How that research was specifically directed by Ms Simpson is subject to further consideration at sub-allegation 3e below. However, as a subject matter of itself, the panel did not consider the suggested research of these artists was of an inappropriate subject matter. Both are well known as established and respected artists in their respective fields and could be referred to in many other art and photography educational courses throughout the country. Accordingly, the panel was not satisfied that it would amount to an inappropriate subject matter to direct an A Level pupil to.

Therefore, the panel found this sub-allegation not proved.

ii. using an inappropriate work station;

Before the panel were photographs of a desk set up in a small room between cupboards which was in the School's photography darkroom. There was writing on the top centre of the desk which read "*[Pupil B's] Desk*". Witness D's evidence was that she directly saw Pupil B working alone in the darkroom, which was attached to the main teaching room. There did not appear to be a factual dispute that Ms Simpson set up a desk in the darkroom. Ms Simpson explained in her response to the TRA that she did allow Pupil B to work in the darkroom in order to help the pupil concentrate as they were finding it difficult in the main teaching room. She further stated that she would regularly check on Pupil B whilst they were in there.

The panel did not consider this workstation as appropriate for Pupil B, who was plainly a very vulnerable pupil and had in effect been isolated from the rest of the class. It was a small room in a technical work area with little space around the desk. It was not intended as a one-to-one work area. Even if accepting Ms Simpson's account that she was checking on Pupil B, the panel considered it would unlikely provide sufficient supervision for such a pupil with the significant vulnerabilities and needs that Pupil B had.

Accordingly, the panel found this sub-allegation proved.

iii. using a room which had access to hazardous chemicals;

There was no factual dispute that the darkroom which Pupil B was working from had cupboards containing a number of bottles which contained chemicals used as part of the process for developing photography filmstock. To that limited factual extent, this sub-allegation could be provable.

However, the panel considered the significant issue here would be Pupil B's ability to directly access those chemicals. In Witness A's written statement to the TRA, she stated she was unsure if those cupboards would be kept locked. In her oral evidence at this hearing, Witness A stated that she was certain that they would have generally been kept locked and Ms Simpson and Witness D would have had the keys. Witness D's evidence

was that she as the technician had the keys to the cupboard, which she kept on her lanyard. She further gave evidence that she would be the sole person to unlock them, so she could set up the darkroom and supervise its use. Witness D also stated that apart from that, those cupboards would otherwise always be kept locked. In Ms Simpson's response to the TRA she stated that the cupboard was always locked and the key stayed with the technician.

The panel considered this evidence showed it was more likely than not that the cupboard containing the chemicals would have been locked when Pupil B was working unsupervised in the darkroom. Therefore, Pupil B would not have had access to the chemicals. Accordingly, on that basis the panel did not consider it was inappropriate or unprofessional.

The panel therefore found this sub-allegation not proved.

c. Tapping Pupil B on their bottom on or around 3 March 2023

Before the panel was a video which appeared to be a recording of a computer screen which was playing a CCTV clip. Although not a copy of the original footage, the video was still detailed and of sufficiently high quality to readily understand the footage contained within it.

It showed what appeared to be a member of staff walking towards a room, which had another member of staff standing outside by the doorway. After a few seconds a pupil walks out and walks away with the staff member who had just approached. Witness B identified the pupil as Pupil B and the member of staff walking away with Pupil B as Ms Simpson. He identified the other staff member who remained at the doorway as a staff member called [REDACTED].

The video showed Ms Simpson pick up a book or magazine by the doorway to the room that Pupil B was in. When Ms Simpson and Pupil B walked away, Pupil B is walking in front of Ms Simpson. Ms Simpson can then be seen to look down and swing the book towards Pupil B where it appears to connect with the top of their bottom / lower back. This aspect takes place directly in full view of the camera, without any obstruction of the view of Ms Simpson and Pupil B.

Also before the panel was a statement from Individual C, who stated that she had been looking for Pupil B when Ms Simpson approached and walked off with Pupil B, she saw her tap Pupil B's bottom with the magazine. The panel noted that Individual C appeared to have a direct line of sight at the time of the tapping in the CCTV.

In her response to the TRA, Ms Simpson stated that it was not intentional contact and was more of a 'gesture' indicating the pupil should get to class. The panel inferred from

this account that Ms Simpson did not materially dispute that contact was made with Pupil B.

The panel considered the CCTV showed a clear intention to make contact with Pupil B. The panel considered the contact was inappropriate. It was entirely unwarranted in the circumstances. One of the safeguarding principles for teaching professionals is that teachers should not unnecessarily make physical contact with pupils. There was no apparent need to encourage Pupil B's movement back to class, as they were already plainly walking in the direction that Ms Simpson must have already instructed.

Accordingly, the panel found this sub-allegation proved.

d. Referring to Pupil B as [REDACTED] or using words to that effect on or around 3 March 2023;

There was no direct evidence before the panel in relation to any witness observing Ms Simpson refer to Pupil B as [REDACTED].

Witness D, who worked in the classroom with Ms Simpson, said in her statement that she 'thought' Ms Simpson would refer to pupils by nicknames, but further stated she could not 'remember for certain'.

In Witness A's evidence, she explained that she was aware that Individual C had reported that Ms Simpson had called Pupil B [REDACTED], although Witness A's evidence was not clear if Individual C directly informed her, or if she became aware of this through another source.

In the School's safeguarding logs, Individual D, who is noted as the School's [REDACTED], records into the system that he spoke to Individual C, who stated:

> *"[Ms Simpson] called her* [REDACTED] *or something like that and patted her on the bottom."*

In Individual C's statement to the TRA, she did not make any reference to this remark or any nicknames when discussing the event of Ms Simpson tapping Pupil B's bottom.

In discussion notes taken with Witness B on 15 March 2023, Ms Simpson denied using that phrase as a nickname for Pupil B. In her response to the TRA Ms Simpson did not directly confirm or deny if she made the specific nickname remark as alleged.

The panel therefore only had Individual C's account in multiple hearsay form. The panel was not able to further explore this hearsay remark, itself apparently caveated to suggest a degree of uncertainty on the part of Individual C's recollection (by reference to words to that effect). The panel considered it could not place material weight on this hearsay

evidence, such that it was not satisfied it was more likely than not that Ms Simpson used this specific nickname for Pupil B.

Accordingly, the panel found this sub-allegation not proved.

e. Allowing Pupil B and/or other pupils to access books which contained;

i. explicit imagery of drug use;

ii. imagery of full frontal male nudity;

iii. explicit imagery of sexual activity;

iv. imagery of a scene of violence.

Witness A's evidence was that after being informed of the workstation set up in the darkroom, she went to check it and saw two books on the desk. One was 'Diary' by Corinne Day and had a sticky note on it saying, "*for [Pupil B's first initial]*" and the other was titled 'Emotions & Relations'. Witness A took a number of photographs of the contents of those books. These photographs were before the panel. They included imagery of:

- A person smoking a substance from tinfoil being heated with a lighter.
- A person injecting a substance into their arm.
- A man performing oral sex on a woman in state of undress.
- A naked man holding his erect penis.
- A chaotic bedroom scene with a significant amount of apparent blood splatter on the walls.

There did not appear to be a factual dispute that this material was provided to Pupil B. In Ms Simpson's response to the TRA she stated:

> *"As far as allowing students to access specific books I absolutely do not believe in censoring the arts. These are not primary school children they are young adults and although* [REDACTED] *are studying a subject that they should definitely know about the history of photography and the key figures within it."*

Ms Simpson went on in the response to highlight the prominence of Corinne Day's work.

The panel considered that Ms Simpson's explanation was misguided. The concern raised in this sub-allegation did not call for a debate around censorship. As noted above, the panel did not consider the use of the exampled artists as inherently inappropriate. The concern present in this sub-allegation is about the apparent disregard for the needs of a vulnerable pupil. There was no evidence to suggest there was any material supervision,

support or contextualisation provided in the directed research to these highly graphic images.

It ought to have been readily apparent to Ms Simpson that providing this material in such an unstructured fashion to a vulnerable pupil came with significant risk to their wellbeing. There was no suggestion that Ms Simpson gave any consideration to this risk or explored how it might be best to approach such sensitive imagery with other professional colleagues.

Accordingly, the panel was satisfied that Ms Simpson's actions in this regard were inappropriate and therefore found this sub-allegation proved.

4. Failed to safeguard one or more pupils adequately or at all and/or failed to maintain appropriate professional boundaries with one or more pupils in that you

a. Took one or more pupils off-site without:

i. notifying the school

ii. obtaining permission from the school

iii. obtaining parental permission

The TRA's case in relation to this sub-allegation focused on the School's policies and procedures in relation to taking pupils offsite. The TRA advanced that Ms Simpson repeatedly failed to complete risk assessments or complete other important paperwork that was required to be filed with the School, particularly with Witness C who was Witness B's personal assistant and was the 'educational visits co-ordinator' for the sixth form.

The panel considered the evidence around the policies and their practical application to be uncertain. For example, there was no suggestion that taking pupils offsite was an unusual feature of the School's practice. Indeed, Witness A confirmed in her evidence that it was positively encouraged. This was also stated in Ms Simpson's response to the TRA. Furthermore, the School classified a number of pupils as 'independent travellers' who were able to freely come and go from the School. Before the panel was a document from the School entitled 'Educational Visits (Trips) Policy'. The document set out a map of the local area near the School which was described as an 'extended learning area', which pupils could visit and did not require a further risk assessment or further parental consent as the School had already completed a risk assessment for that area and obtained parent's consent for pupils to be off site within this area.

In regard to an instance on 6 March 2023 when Ms Simpson had taken a number of pupils outside the School, it was apparent to the panel that the locations they were said to have attended (which were the local park, cinema and camera shop) were in the extended learning area. The panel inferred that Ms Simpson must have notified the

School about her intention to take the pupils offsite, as it appeared in the School's daily briefing sheet for that day. The panel further considered it might also be inferred from its appearance on the briefing sheet as being permitted by the School.

There was some suggestion by witnesses that a risk assessment was still required for some visits even within the extended learning area. However, the panel did not consider there was evidence that there was a clear requirement to do so. For example, when Witness C was asked if a risk assessment would be needed for the cinema, she did not say it was definitely needed, only that it was '*probably'* needed. Furthermore, the panel was left unsure as to the evidence relating to a requirement to provide a document referred to as an 'extended learning area supporting document'. Witness B and Witness C stated in their evidence that it was a requirement for the document to be completed and provided to Witness C, but the panel was not satisfied as to its actual use in day-to-day practice. The panel noted there was no reference to the document in the relevant 'Educational Visits (Trips) Policy'. It was also noted by the panel that the version before it post-dated the date of the allegations and therefore there remained some uncertainty as to the version in place at the material time. Witness D was shown the supporting document, but stated she was unaware of it.

There was also an instance on 15 March 2023 where Ms Simpson went offsite following a discussion with Witness B. During that discussion Ms Simpson was told she was no longer permitted to take any pupils out of school, including taking them to the extended learning area. After being followed by staff at the School, on that day, Ms Simpson was located in a coffee shop with some other pupils.

The panel could not be satisfied that it was more likely than not that Ms Simpson 'took' these pupils offsite, who themselves were free to leave the School, within the extended learning area. The evidence from Witness B suggested that these pupils were already off the school site before Ms Simpson left the School and then she caught up with them.

In considering these instances, the panel was not satisfied there was sufficient evidence to demonstrate that it was more likely than not that Ms Simpson had failed to adequately safeguard those pupils she was with or had not maintained appropriate boundaries.

Accordingly, the panel found this allegation not proved.

b. visited cafes and/or coffee shops with one or more pupils during lesson time

There were three potential instances highlighted in the evidence before the panel which related to Ms Simpson being in cafes or coffee shops with pupils.

The first was a note sent by Witness A to Witness B and others on 28 February 2023. It stated that Witness A was aware that Ms Simpson had taken some pupils to cafes.

However, this was not further materially expanded on in the available evidence. The panel consider this remark had limited detail and was therefore insufficient to persuade it that a safeguarding failure or that a failure to maintain appropriate boundaries had occurred.

There was further evidence that Ms Simpson did attend a cafe on 6 March 2023, when she took pupils out from the School. In an email sent on that day, Witness C recorded that Ms Simpson had just messaged to say she was in a cafe with Pupil C, as Pupil C was feeling unwell. Furthermore, in the meeting with Witness B on 15 March 2023, Ms Simpson is noted as saying that she took Pupil C offsite because she was feeling unwell.

The panel considered that if Ms Simpson was aware that Pupil C was unwell, she should not have taken her offsite and outside the more protective environment of the School. In that regard the panel was satisfied that Ms Simpson was not acting in the best interests of Pupil C and that it would amount to a safeguarding failure.

The other instance was in relation to the occurrence on 15 March 2023. Witness B's evidence was that after he had informed Ms Simpson that she was no longer permitted to take pupils offsite, he watched Ms Simpson leave the School and later found her in the local cafe with some of the pupils, which was at a time when they should have been in lessons. As noted above, the panel was not satisfied in this instance that it amounted to Ms Simpson taking the pupils out from the School. On that basis, the panel considered the mere presence of Ms Simpson and the pupils in the coffee shop would not amount to a safeguarding failure or a failure to maintain appropriate boundaries.

The panel therefore found this sub-allegation proved, but only in so far as it applied to taking Pupil C offsite on 6 March 2023.

c. altered the destination of a school trip without informing:

i. the school

ii. some parents and/or pupils resulting in them waiting for you at the wrong location

There were significant differences in the TRA's evidence relating to the school trip which was planned to take pupils to a museum.

Witness C's evidence was that she understood the trip was risk assessed but when they arrived on the day, trip participants found the museum was closed so they went to a different venue, which was not properly risk assessed. Witness C only found out when the trip participants returned to the School later in the day.

Witness D's evidence was that she had planned the trip two weeks before, as she was concerned that Ms Simpson had not done so. She therefore prepared the risk

assessments and parental consents. She stated she also noticed in the lead up that the original proposed venue was going to be closed on the day of the planned trip, so re-planned the trip to a different venue. It was put to Witness D by the panel that other evidence suggested the group initially went to the closed museum and then made their way to the alternative venue. Witness D confirmed that was definitely not the case as she could clearly recall that she had specifically planned a route to the alternative venue beforehand, because she was assisting a pupil who struggled to travel long distances.

Accordingly, the panel considered the TRA's evidence was conflicted to such a degree that it could not be satisfied there was more likely than not a safeguarding failure (or failure to maintain appropriate boundaries) in relation to the changes of this particular trip.

The panel therefore found this sub-allegation not proved.

d. instructed and/or permitted one or more pupils to return to school alone and/or unsupervised;

The only material reference to pupils returning to school without Ms Simpson in the evidence was when Ms Simpson went to the local park with four pupils on 6 March 2023 and three of them returned on their own.

Witness C's evidence was that the park was very close to the School and as long as they were classified by the School as 'independent travellers' it would generally not be a problem for them to travel alone in the extended learning area. Witness C could not recall if the three students identified were 'independent travellers' or not.

In the notes recorded of the meeting between Witness B and Ms Simpson on 15 March 2023, Witness B is noted as discussing that those pupils were all in the 'independent traveller' category.

The panel considered that as those pupils were classified as independent travellers and therefore considered as capable of navigating the short distance from the park to the School, it could not be satisfied there was a material safeguarding failure (or breach of professional boundaries), by allowing them to return to the School on their own.

Accordingly, the panel found this sub-allegation not proved.

e. instructed and/or encouraged Pupil C to inform the school that she had not returned to school because she was feeling unwell, when in fact she had been spending time with you;

Witness C's evidence was that on 6 March 2023, she had gone out from the School looking for Ms Simpson and the pupils, as they were late returning. Having located them by the local park, Witness C stated that Pupil C said to her that she didn't feel very well and that is why she had not returned to the School. Witness C further stated she was

informed by Witness B that Pupil C had later disclosed to another staff member that Ms Simpson had told her to say she was unwell when asked.

The panel asked Witness B if he had ever had any conversations with Pupil C about why she was offsite with Ms Simpson, but he did not recall any conversations.

Whilst there was direct evidence available regarding Pupil C saying she was ill, there was no direct evidence of any later disclosure relating to being instructed by Ms Simpson. Neither was there any first-hand hearsay account of Pupil C available in the evidence. The only evidence relating to Pupil C's purported further remarks was through brief notes relayed by others. The panel considered this multiple hearsay evidence with limited weight as it had no ability to test the strength and veracity of these purported remarks.

The panel was therefore not satisfied it was more likely than not that Ms Simpson had instructed Pupil C to give a misleading account.

Accordingly, the panel found this sub-allegation not proved.

5. Your conduct as may be found proven at 4e above lacked integrity and/or was dishonest.

As allegation 4e was not found proved, the panel could not further consider this allegation and therefore found it not proved.

6. Your conduct as may be found proven at 3 and/or 4 above was notwithstanding:

a. previous concerns and/or advice and/or warnings in respect of your conduct;

The only relevant communicated concern, advice or warnings the panel was able to identify was the instruction by Witness B on 15 March 2023 to no longer permit Ms Simpson to undertake trips outside the School.

As noted above, the panel did not consider Ms Simpson's interactions with the pupils outside the School on that date amounted to a school trip. Furthermore, this warning post-dated all the other proven facts in allegations 3 and 4.

The panel therefore found this sub-allegation not proved.

b. that pupils were vulnerable

As is noted above, the School serves a vulnerable pupil body and in the findings above it is acknowledged as an important factor in the panel's decision making. The panel therefore find this sub-allegation proved.

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

Having found allegations 1 and 2 not proved, there were no further conviction allegations to consider at this stage.

Having found a number of the remaining 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 Simpson, in relation to the facts found proved, involved breaches of the Teachers' Standards. The panel considered that, by reference to Part 2, Ms Simpson 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
- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach, and maintain high standards in their own attendance and punctuality.
- Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities.

The panel was satisfied that the conduct of Ms Simpson, in relation to the facts found proved, involved breaches of Keeping Children Safe In Education (2022 edition) ("KCSIE"). The panel considered that Ms Simpson was in breach of the following provisions in Part 1:

- Paragraph 2: *"Safeguarding and promoting the welfare of children is everyone's responsibility. Everyone who comes into contact with children and their families has a role to play."*
- Paragraph 4: *"Safeguarding and promoting the welfare of children is defined for the purposes of… preventing the impairment of children's mental and physical health…"*

- Paragraph 7: *"All staff have responsibility to provide a safe environment in which children can learn."*

The panel was not satisfied that the conduct of Ms Simpson, in relation to the facts found proved, involved breaches of Working Together to Safeguard Children (2018 edition) as the proven facts did not relate to a failure of Ms Simpson to raise an appropriate safeguarding concern herself.

The panel also considered whether Ms Simpson'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 considered that none of these offences was relevant.

The panel took into account that the proven allegations revolved around safeguarding misconduct. The panel consider that safeguarding is a fundamental aspect of any teaching professional's practice. The panel further considered these failures were not minor in nature and were particularly heightened in light of the vulnerable nature of the pupils involved.

For these reasons, the panel was therefore satisfied that the conduct of Ms Simpson 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 Simpson was guilty of unacceptable professional conduct.

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

The panel considered the findings of misconduct are serious, and the conduct displayed would be likely to have a negative impact on the individual's status as a teacher. The public places significant trust in the profession to properly safeguard children. As noted above, safeguarding is a fundamental aspect of any teacher's practice and becomes a heightened consideration when dealing with vulnerable pupils. The panel therefore

considered there would be a real risk to the profession's reputation and the erosion of trust placed in it if a finding of disrepute was not made in these circumstances.

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

Panel's recommendation to the Secretary of State

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

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

The panel had regard to the particular public interest considerations set out in the Advice and, having done so, found a number of them to be relevant in this case, namely:

- the safeguarding and wellbeing of pupils;
- the maintenance of public confidence in the profession;
- declaring and upholding proper standards of conduct.

In light of the panel's findings against Ms Simpson, which involved a number of safeguarding failures, there was a strong public interest consideration in respect of 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 Simpson 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 Simpson was outside that which could reasonably be tolerated.

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 Simpson.

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 safeguarding and well-being of pupils, and particularly where there is a continuing risk;
- 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 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. The panel considered the list of factors at paragraph 43 of the Advice. The panel considered that none of those listed factors applied. Ms Simpson's actions were deliberate. She was not acting under duress and there was no evidence available to the panel of any wider contribution to the profession.

Although not present at this hearing, the panel noted that Ms Simpson had, at least to some degree, engaged in the regulatory process and had no previous regulatory findings against her.

The panel noted there was a consistent theme in the TRA witnesses' evidence about Ms Simpson's apparent sudden change in demeanour.

Witness C's oral evidence was:

> *"When she first started, she was like a breath of fresh air really. She was really friendly, she was really approachable, she had a really good rapport with staff and with students. So, everything leading up to the Christmas break was really positive."*

Witness A's evidence was:

> *"I definitely saw a change in her as the school year went on, when she first started she was eccentric but she knew about Photography and I felt confident that she would bring something to the table for the pupils and she had a good knowledge on history of the photography, how to use different cameras and work in the dark room. She had good visual information to share with pupils."*

Witness B stated in his oral evidence before the panel:

> *"It was almost like two different people from the pre-Christmas Ms Simpson to the post-Christmas Ms Simpson…*

> *Ms Simpson was passionate and interested in our students and did appear, certainly pre-Christmas, to have a genuine commitment to wanting them to do well and being interested in them and their interests."*

When asked by the panel over what time period concerns started to be raised, Witness B stated:

> *"Post-Christmas holidays was when things began to escalate… So this was January onwards when we began to be worried and then things escalated towards the end of January into February and then finished in March."*

In the absence of Ms Simpson appearing at this hearing, the panel was not able to further explore this with her. Furthermore, there was little available evidence before the panel on what measures might have been taken by the School to establish what lay behind this apparent sudden change in Ms Simpson's behaviour.

The panel has kept in mind the findings of unacceptable professional conduct and conduct that may bring the profession into disrepute relate only to the following proven allegations:

- 3bii – providing an inappropriate workspace for a pupil.
- 3c – the inappropriate physical contact with a pupil.
- 3e – the inappropriate provision of explicit material to a pupil.
- 4b – taking a reportedly ill pupil offsite.
- 6b – that these were vulnerable pupils.

In considering this proven conduct, the panel was satisfied that although serious and relating to the fundamental issue of safeguarding, it was conduct that was at the lower possible end of the spectrum of potential misconduct which can often be seen in TRA proceedings. As an example, the inappropriate contact with a pupil was not an act of violence, nor was it of a sexual nature. It was momentary contact seemingly done to encourage the pupil to continue walking down a corridor in the direction wanted.

The panel considered if there was any evidence of insight demonstrated on the part of Ms Simpson. The panel kept in mind that although there were no admissions to the proven allegations, this would not automatically result in the panel concluding that there was a lack of insight. However, in this case there was no evidence available to the panel to suggest that Ms Simpson had any developed insight into the issues raised by her conduct. As noted above, specifically for allegation 3e, the panel considered Ms Simpson's response failed to recognise and address the core issue at hand. There was no discussion at all on the considerations or potential nuances required in providing potentially controversial teaching materials to pupils whose wellbeing might be negatively

impacted by exposure to it. Indeed, Ms Simpson's response suggests that those important considerations do not currently form part of her teaching practice. On this basis, the panel considered there currently remained a potential risk that this conduct could be repeated in the future.

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 considered any ongoing risk to pupils' well-being could be appropriately protected by the publication of an unacceptable professional conduct and disrepute finding in this case. Taking this measure would alert future employers to the potential risks currently presented by Ms Simpson's practice. The panel further considered it was likely that workable supervisory measures and strategies could be put in place by a school to suitably mitigate those risks present. On that basis, the panel considered that the recommendation of a prohibition order would be disproportionate to the risk currently present.

Furthermore, as the conduct present was at the lower end of the possible spectrum of misconduct, the panel also considered that the publication of the adverse findings it had made was sufficient to send an appropriate message to the teacher and profession as to the standards of behaviours that are not acceptable, and the publication would meet the public interest requirement of declaring proper standards of the profession.

The panel was of the view that, applying the standard of the ordinary intelligent citizen, the recommendation of no prohibition order would be both a proportionate and an appropriate response. The panel therefore recommended to the Secretary of State that no prohibition order be imposed in this case.

Decision and reasons on behalf of the Secretary of State

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

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

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

The panel has made a recommendation to the Secretary of State that Ms Fiona Simpson should not be the subject of a prohibition order. The panel has recommended that the

findings of unacceptable professional conduct and conduct likely to bring the profession into disrepute should be published and that such an action is proportionate and in the public interest.

In particular, the panel has found that Ms Simpson 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
- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach, and maintain high standards in their own attendance and punctuality.
- Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities.

The panel was satisfied that the conduct of Ms Simpson involved breaches of the responsibilities and duties set out in statutory guidance Keeping children safe in education (KCSIE).

The panel has found that the conduct of Ms Simpson fell significantly short of the standards expected of the profession.

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

In this case, I have considered the extent to which a prohibition order would protect children and safeguard pupils. The panel has observed:

> "The panel took into account that the proven allegations revolved around safeguarding misconduct. The panel consider that safeguarding is a fundamental aspect of any teaching professional's practice. The panel further considered these failures were not minor in nature and were particularly heightened in light of the vulnerable nature of the pupils involved."

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

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

> "The panel considered if there was any evidence of insight demonstrated on the part of Ms Simpson. The panel kept in mind that although there were no admissions to the proven allegations, this would not automatically result in the panel concluding that there was a lack of insight. However, in this case there was no evidence available to the panel to suggest that Ms Simpson had any developed insight into the issues raised by her conduct. As noted above, specifically for allegation 3e, the panel considered Ms Simpson's response failed to recognise and address the core issue at hand. There was no discussion at all on the considerations or potential nuances required in providing potentially controversial teaching materials to pupils whose wellbeing might be negatively impacted by exposure to it. Indeed, Ms Simpson's response suggests that those important considerations do not currently form part of her teaching practice. On this basis, the panel considered there currently remained a potential risk that this conduct could be repeated in the future."

In my judgement, the lack of evidence of full insight 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 has observed:

> "The panel considered the findings of misconduct are serious, and the conduct displayed would be likely to have a negative impact on the individual's status as a teacher. The public places significant trust in the profession to properly safeguard children. As noted above, safeguarding is a fundamental aspect of any teacher's practice and becomes a heightened consideration when dealing with vulnerable pupils. The panel therefore considered there would be a real risk to the profession's reputation and the erosion of trust placed in it if a finding of disrepute was not made in these circumstances."

I am particularly mindful of the finding of safeguarding failures in relation to vulnerable pupils in this case and the impact that such a finding has on the reputation of the profession.

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

I have considered whether the publication of a finding of unacceptable professional conduct or 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 Simpson herself. The panel has commented:

> "Although not present at this hearing, the panel noted that Ms Simpson had, at least to some degree, engaged in the regulatory process and had no previous regulatory findings against her."

A prohibition order would prevent Ms Simpson 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.

The panel has noted the absence of any of the mitigating factors that indicate that it would not be appropriate or proportionate to recommend a prohibition order. The panel has said:

> "Ms Simpson's actions were deliberate. She was not acting under duress and there was no evidence available to the panel of any wider contribution to the profession."

However, I have placed considerable weight on the panel's finding that, although serious, Ms Simpson's proven conduct was at the lower end of the spectrum. The panel has said:

> "In considering this proven conduct, the panel was satisfied that although serious and relating to the fundamental issue of safeguarding, it was conduct that was at the lower possible end of the spectrum of potential misconduct which can often be seen in TRA proceedings. As an example, the inappropriate contact with a pupil was not an act of violence, nor was it of a sexual nature. It was momentary contact seemingly done to encourage the pupil to continue walking down a corridor in the direction wanted."

I have also placed considerable weight on the panel's comments that any future risk to the safety and well-being of pupils could be managed without the need to impose a prohibition order. The panel has said:

> "The panel considered any ongoing risk to pupils' well-being could be appropriately protected by the publication of an unacceptable professional conduct and disrepute finding in this case. Taking this measure would alert future employers to the potential risks currently presented by Ms Simpson's practice. The panel further considered it was likely that workable supervisory measures and strategies could be put in place by a school to suitably mitigate those risks present. On that basis, the panel considered that the recommendation of a prohibition order would be disproportionate to the risk currently present."

Having weighed all these factors, I have agreed with the panel's assessment and have concluded that a prohibition order is not proportionate or in the public interest. I consider that the publication of the findings made would be sufficient to send an appropriate message to the teacher as to the standards of behaviour that were not acceptable and that the publication would meet the public interest requirement of declaring proper standards of the profession.



Decision maker: David Oatley

Date: 16 October 2026

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