

THE TEACHING AGENCY

Decision of a Professional Conduct Panel and the Secretary of State

Teacher: Dr John Triffitt
Teacher ref no: 0105381
Teacher date of birth: 17 April 1959
TA Case ref no: 9298
Date of Determination: 4 December 2012

A. Introduction

A Professional Conduct Panel (“the Panel”) of The Teaching Agency convened on 4 December 2012 at 53-55 Butts Road, Earlsdon Park, Coventry, CV1 3HH to consider the case of Dr John Triffitt.

The Panel members were Dr Dena Coleman (Teacher Panellist), Mr Stewart McKane (Teacher Panellist – in the Chair) and Mr William Brown OBE (Lay Panellist).

The Legal Adviser to the Panel was Christopher Alder of Blake Laphorn Solicitors.

The Presenting Officer for The Teaching Agency was Ms Melinka Berridge of Kingsey Naply solicitors. She was not present.

Dr Triffitt was not present and was not represented.

The meeting took place in private. The decision was announced in public and was recorded.

B. Allegations

The Panel considered the allegations as set out in full in the Notice of Meeting dated 25 July 2012.

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

Whilst employed at a School he engaged in an inappropriate relationship with Student A.

Dr Triffitt accepts the allegation set out in the Notice of Meeting and admits that those facts amount to unacceptable professional conduct and that such conduct may bring the profession into disrepute.

C. Summary of Evidence

Documents

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

Section 1	Anonymised Pupil List	Page1
Section 2	Notice of Referral & Response	Pages 1 - 7
Section 3	Teaching Agency Statements	Pages 1 - 13
Section 4	Teaching Agency Documents	Pages 1 - 142
Section 5	Teacher Documents	Pages 1 - 6

In addition, the Panel agreed to accept the following:

Letter from Farrer Solicitors dated 3 December 2012.

D. Decision and Reasons

The Panel announced its decision and reasons as follows:

We have carefully considered the case before us and have reached a decision.

We have considered an application which has been made by a School which formerly employed Dr Triffitt. The application is made on the basis that it is necessary to anonymise the School's name and that of the individual who was a former student. The School is concerned that without such anonymisation there is a risk of harm to the former student's welfare should the person's identity, or information which could lead to discovery of the person's identity, be disclosed in the public domain.

Having considered the issues carefully we are satisfied that it is in the interests of justice and is necessary to avoid a risk of harm to the former student that we anonymise details and remove information which could lead to the identity of the former student being discovered. We have therefore sought to remove details from this decision which could lead to identification of the individual or the School. We request that any press / media review into this matter respects our desire to ensure the anonymisation of the individual's and School's identity.

For consistency with the case papers we have identified the former student by reference to the anonymisation indicator "Student A" or as the student.

Summary

Dr Triffitt's date of birth is 17 April 1959. In around March 2011, Dr Triffitt became acquainted with Student A who was under 16. Following their initial meeting, Dr Triffitt and Student A spent time together on a range of activities. The student confided and discussed a number of highly personal matters with Dr Triffitt. From 8 April 2011 Dr Triffitt began to communicate with the student using email and the relationship between them became increasingly co-dependent. The two began to

use text and email to communicate as well as using Skype. Dr Triffitt also kept a diary towards the end of their relationship to record his feelings towards the student – he would then give the diary to the student. There were also occasions when they would meet alone. Student A wrote letters to Dr Triffitt in which the student took responsibility and felt blame for the discovery of their communications. The text and diary entries lasted until 6 May 2011 when the texts show that the School and authorities were aware of the communications and were investigating. Around 6 May 2011 Dr Triffitt was admitted to a psychiatric hospital and, following discharge, moved to a different area. He did not return to the school.

Dr Triffitt accepts that he engaged in an inappropriate relationship with Student A.

The allegation we have considered is set out in full in the Notice of Meeting dated 25 July 2012.

It is alleged that Dr Triffitt is guilty of unacceptable professional conduct and / or conduct that may bring the profession into disrepute, in that:

- 1) whilst employed at a School he engaged in an inappropriate relationship with Student A.

Findings of Fact

We have found the particulars of the allegation against Dr Triffitt proven, for the following reasons:

We have considered all of the evidence contained within the bundle. This evidence has included a copy of text messages, emails and a letter showing the communication between Dr Triffitt and Student A. We have considered Dr Triffitt's representations and the Statement of Agreed Facts. We note that Dr Triffitt accepts the facts of the allegation.

On the basis of the evidence available within the bundle and Dr Triffitt's admission, we find the facts of the allegation proven.

Findings as to Unacceptable Professional Conduct and/or conduct that may bring the profession into disrepute

We have noted that Dr Triffitt accepts that his conduct amounts to unacceptable professional conduct and is conduct that brings the profession into disrepute.

Dr Triffitt has acted in a manner which has the potential to undermine public confidence in the standards expected of the profession.

Teachers have a responsibility to act in a manner which upholds public trust and upholds confidence in the reputation of the profession. Teachers are expected to behave in a manner which ensures the maintenance of appropriate professional boundaries; his behaviour failed to ensure this which is fundamental to a teacher's

role given the position of trust, responsibility and authority in which teachers are placed. We are concerned that he was engaged in a highly inappropriate relationship with the individual, who was at the time highly vulnerable. We are concerned that Dr Triffitt exploited his position of responsibility and trust.

Accordingly, on the basis of the facts we have found proven, we find that Dr Triffitt's conduct amounts to unacceptable professional conduct and that his conduct brings the profession into disrepute.

Panel's Recommendation to the Secretary of State

We have considered this case very carefully and have considered the mitigation and evidence presented by Dr Triffitt. It is suggested by the Agency that he has shown remorse, insight and has accepted responsibility for his actions. We have considered the representations which Dr Triffitt has provided very carefully.

Dr Triffitt took deliberate steps to contact Student A and then sent highly personal communications through text, email and Skype in order to engage and develop the relationship. Dr Triffitt did not bring the communications to the school's attention and did not identify any concerns with the issues of vulnerability which Student A was exhibiting. We are satisfied that Student A was a highly vulnerable and susceptible individual. Dr Triffitt's actions were deliberate and he was not acting under duress.

Dr Triffitt's conduct has fallen significantly below the standard expected of a teacher. We are of the view that his behaviour has the potential to undermine the reputation of the profession and to significantly damage public confidence in the standards expected of Teachers. His actions show that he has failed to maintain the fundamental requirement for teachers which is to act in a way which safeguards pupils and ensures their wellbeing. He failed to observe and maintain appropriate professional boundaries - his actions fundamentally depart from the standards of conduct which can appropriately be expected of the profession.

Dr Triffitt's actions had the potential to cause damage to the student. His actions placed her, her wellbeing and the reputation of the profession at risk. The fact that we have had to take steps to anonymise these proceedings is, we believe, an indicator of the ongoing risk which Dr Triffitt has caused for the individual.

We have considered whether to conclude this case without imposing a sanction. We have decided that the issues raised in this case are so serious that a sanction is necessary and appropriate.

We have reminded ourselves that a sanction which is imposed is not intended to act punitively, but it should reflect the seriousness of behaviour, to uphold public confidence in the standards expected of the profession and to protect the public and/or pupils. We have decided that it is proportionate to recommend that a Prohibition Order should be imposed in this case in order to reflect the seriousness of Dr Triffitt's behaviour. A Prohibition Order is also necessary in order to uphold public trust and confidence in the standards of conduct expected of the profession. We recommend that a Prohibition Order should be imposed immediately.

We have carefully considered whether to allow Dr Triffitt the opportunity to apply to set aside the Prohibition Order. We have noted that the acts alleged, whilst unacceptable, have not been subject to criminal prosecution. We have noted that during the relevant time he was under significant stress and he has presented evidence to show that he was the subject of psychiatric concerns – he admitted himself to hospital. We also have noted that he was a highly experienced teacher at the time of the incidents. Whilst his previously unblemished career does act as mitigation for him, we are concerned that his extensive experience did not prevent him from engaging in such highly inappropriate behaviour.

The mitigation and explanation which Dr Triffitt has presented has not persuaded us that he will not behave in a similar way in the future. In our decision which reflects the evidence we have reviewed as part of this case, Dr Triffitt presents a risk to the safety and wellbeing of children. In addition to ensuring that we protect children we are aware of our responsibility to protect the reputation of the profession and to maintain confidence in the standards expected of the profession. For these reasons we have decided that it would not be appropriate to recommend that Dr Triffitt be given the opportunity to apply to set aside the Order.

Secretary of State's Decision and Reasons

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

Taking into account the admissions of the teacher and the evidence presented to them the panel have found the facts of this case proven. They have also found that the facts amount to unacceptable professional conduct.

It is clear from the recommendation of the panel that this is a very serious case. Indeed the reason that the panel have sought to anonymise the details of this case is an indication of the real risk that they believe remains for student A.

It is evident therefore that Dr Triffitt's behaviour fell seriously short of the standards expected of a teacher. His behaviour has caused harm to student A's well-being as well as having the potential to seriously undermine public confidence in the profession.

Student A was a vulnerable student and Dr Triffitt engaged in an inappropriate relationship with a vulnerable student which exploited his position of trust.

On this basis I support the recommendation that Dr Triffitt should be prohibited. A prohibition order is necessary to uphold the standards of the profession and is proportionate.

I have also given careful consideration to the issue of a review period.

The panel are very clear that Dr Triffitt represents a risk of harm to pupils. In addition it is essential that the standards of the profession are protected. For these reasons I support the view that there be no review period.

This means that Dr John Triffitt 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 allegation found proved against him, I have decided that Dr John Triffitt shall not be entitled to apply for restoration of his eligibility to teach.

This Order takes effect from the date on which it is served on the Teacher.

Dr John Triffitt has a right of appeal to the Queen's Bench Division of the High Court within 28 days from the date he is given notice of this Order.

NAME OF DECISION MAKER: Alan Meyrick
Date 4 December 2012