



National College for  
Teaching & Leadership

# **Samuel Raven: Professional conduct panel outcome**

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

**May 2015**

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

<b>Teacher:</b>	Mr Samuel Raven
<b>Teacher ref no:</b>	0671443
<b>Teacher date of birth:</b>	16 January 1981
<b>NCTL case ref no:</b>	11919
<b>Date of determination:</b>	27 May 2015
<b>Former employer:</b>	School in the South of England

### **A. Introduction**

A professional conduct panel (“the panel”) of the National College for Teaching and Leadership (“the National College”) convened on 26 and 27 May 2015 at Ramada Hotel & Suites, The Butts, Earlsdon, Coventry CV1 3GG to consider the case of Mr Samuel Raven.

The panel members were Mark Tweedle (teacher panellist – in the chair), Alison Robb-Webb (teacher panellist) and Martin Pilkington (lay panellist).

The legal adviser to the panel was Patricia D’Souza of Eversheds LLP.

The presenting officer for the National College was Michelle Lau of Browne Jacobson LLP.

Mr Samuel Raven was not represented.

Convened as a meeting, neither the presenting officer nor Mr Raven were present.

The meeting took place in private and was not recorded, save for the panel’s announcement in public of its findings of fact and on unacceptable professional conduct and/or conduct that may bring the profession into disrepute.

## **B. Allegations**

The panel considered the allegations set out in the Notice of Proceedings dated 19 May 2015.

It was alleged that Mr Samuel Raven was guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute in that whilst employed as the Head of English in a school in the South of England, during 2008-2014:

1. He engaged in an inappropriate relationship with a vulnerable student, Pupil A;
2. He attempted to hide his inappropriate relationship by encouraging Student A to delete correspondence;
3. He continued to contact Pupil A after his departure from the school until October 2014 despite:
  - a) indicating to Pupil A's parents that all contact would cease;
  - b) a former colleague having spoken to him in respect of ceasing contact.

In a Statement of Agreed Facts signed by Mr Raven on 29 April 2015 and by the presenting officer on 22 April 2015, Mr Raven admitted the facts of the allegations and that they amount to unacceptable professional conduct and/or conduct that may bring the profession into disrepute. He also made the same admissions in a response to a Notice of Referral Form dated April 2015.

## **C. Preliminary applications**

There were no preliminary applications, but the panel considered a number of preliminary matters.

The panel were provided at the meeting with correspondence between the National College, Mr Raven and the presenting officer, relating to a request that the publication of the announced decision is delayed beyond the usual two weeks allowed for in the procedures. This request came from the family of Pupil A who were concerned about the impact that publication would have on Pupil A's performance in upcoming examinations. The panel noted that Mr Raven and the presenting officer had no objection to the panel granting a direction that the publication of the announced decision be delayed until the end of June 2015 (by which time Pupil A's examinations would be over).

The panel accordingly directs that publication of the announced decision is delayed until the end of June 2015.

## **Should the panel proceed with a meeting?**

The panel considered at the outset whether the allegation should be considered at a public hearing at which the parties would be entitled to attend, or a private meeting without the parties present. The panel noted that in the response to a Notice of Referral Form, Mr Raven had requested a meeting. The panel considered the interests of justice and given that the facts of the allegation have been admitted, that Mr Raven has requested a meeting, the panel was of the view that justice would be adequately served by considering this matter at a meeting.

The panel carefully considered the public interest. The panel noted that if the case proceeded in a meeting, there would be a public announcement of the panel's decision. The panel also had in mind that if a hearing was convened, there would be a cost to the public purse, which may not be justified if the matter could be determined in a meeting. The panel also had regard to the delay that would be caused by convening a hearing and considered it to be in the public interest to reach a final determination in this matter without further delay. The panel therefore decided to proceed with a meeting, but noted that it could, at any stage of the meeting, reconsider this issue.

## **Amendment of allegations**

The panel noted that there appeared to be an error in the allegations in that the stem of the allegations refer to all of the facts alleged having taken place during the time of Mr Raven's employment at the School, whereas, allegations 3a and 3b, are alleged to have happened after Mr Raven's departure from the School.

The panel noted that the procedure at a meeting is to be determined by the chair pursuant to paragraph 4.88 of the Teacher Misconduct – Disciplinary Procedures for the Teaching Profession (the "procedures"). The panel noted, that had this case been convened as a hearing, the procedures state that the panel may, in the interests of justice, amend an allegation or the particulars of an allegation at any time before making its decision about whether the facts of the case have been proved. The panel considered whether it was necessary for a hearing to be convened in order to hear representations on the amendment, but decided that this was not necessary in the interests of justice. It was apparent that the amendment was required to correct an obvious error and there was no unfairness or prejudice caused since the amendment did not make the allegation any more serious than it was before. From the Statement of Agreed Facts it was clear that there was no misconception that allegations 3a and 3b related to the time after Mr Raven had left the School. The panel therefore decided to amend the stem of the allegation to read "Whilst employed as the Head of English in a school in the South of England, during 2008 – 2014, **and subsequent to that employment**".

The panel also notes that the same pupil has been referred to in the allegations as Pupil A in allegations 1 and 3, but as Student A in allegation 2. For consistency the panel therefore decided to amend the reference to Student A in allegation 2 to "Pupil A".

## **Request to anonymise the School**

The panel noted that in her written representations, the presenting officer made a request that the School is anonymised in the panel's written decision. This was due to concerns that Pupil A would be easily identifiable if the area and name of the School were released. The panel considered that the interest of Pupil A outweighed the public interest in naming the School in its decision. The panel also considered that there would be no prejudice to Mr Raven as a result of this decision.

## **D. Summary of evidence**

### **Documents**

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

Section 1:	Chronology and Anonymised Student List	Pages 1–4
Section 2:	Notice of Referral, Response and Notice of Meeting	Pages 5–11b
Section 3:	Statement of Agreed Facts and Presenting Officer Representations	Pages 12–30
Section 4:	National College for Teaching and Leadership Documents	Pages 31–173

The panel members confirmed that they had read all of the documents in advance of the meeting.

### **Witnesses**

As this was listed as a meeting, the panel heard no oral evidence.

## **E. Decision and reasons**

The panel announced its decision and reasons as follows:

The panel has now carefully considered the case before us and has reached a decision.

The panel confirms that it has read all the documents provided in the bundle in advance of the hearing.

Mr Raven was employed at a School in the South of England from September 2008. On 13 February 2014, Mr Raven was arrested following the discovery of emails sent between Mr Raven and Pupil A. He was suspended from duty on 13 February 2014, and dismissed for gross misconduct with immediate effect from 20 March 2014. In July 2014, the police terminated their investigation. The facts alleged arise out of the matters that

were the subject of the School's disciplinary proceedings and the alleged events thereafter.

## **Findings of fact**

Our findings of fact are as follows:

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

### **Whilst employed as the Head of English in a school in the South of England, during 2008-2014, and subsequent to that employment**

In a Statement of Agreed Facts signed by Mr Raven on 20 April 2015 (the "Statement of Agreed Facts"), he states that he was employed in a School in the South of England between September 2008 and March 2014. The headteacher has also confirmed that when she joined the School in 2013, Mr Raven was already employed as the Head of English, and that this continued until Mr Raven was dismissed by letter dated 20 March 2014. The stem of this allegation is therefore found proven.

#### **1. You engaged in an inappropriate relationship with a vulnerable student, Pupil A;**

The panel had regard to the witness statement of the head of the School in question which confirms that Mr Raven started teaching Pupil A in 2009 and subsequently took on a pastoral role, as a mentor for Pupil A when Pupil A was in Year 9 in 2010/11. The headteacher explained in her witness statement that it was intended that this pastoral role would be reduced and completely removed by the end of the Summer term 2013 to avoid Pupil A developing a dependency on Mr Raven.

In the Statement of Agreed Facts, Mr Raven confirmed having provided mentoring support to Pupil A during 2013. He admitted having exchanged personal email addresses with Pupil A on or about Christmas 2013. Emails were subsequently exchanged between Mr Raven and Pupil A which included personal and, at times, inappropriate comments.

The headteacher further states in her witness statement that the School had in place an electronic platform to communicate with children on a forum to assist with homework, and that Mr Raven would have been expected to use this rather than personal emails.

The headteacher has provided details relating to Pupil A, and the panel accepts that Pupil A was a vulnerable student.

The panel has seen exchanges of emails between Mr Raven and Pupil A during January and February 2014 and considers that it was inappropriate for Mr Raven to have been exchanging emails with Pupil A, at all, and that the content of the emails was

inappropriate. The panel considers that the emails disregarded the boundaries of the professional relationship, particularly in the context of a pupil that Mr Raven knew to be vulnerable. The use of flattery, seductive comments and the deployment of kisses and emoticons were outside the boundary of a pupil/teacher relationship. Pupil A's parent confirms in a witness statement that the content of the emails between Mr Raven and Pupil A included discussions about girls' bodies and plans to meet Pupil A once Pupil A left the school.

The panel regard Mr Raven's sending of emails from a personal email address, at times that were outside the normal school day (ie at night), was inappropriate.

Taking all of the above into account, the panel considers that Mr Raven engaged in inappropriate communications and an inappropriate relationship with Pupil A who was vulnerable. The panel therefore finds this allegation proven.

**2. You attempted to hide your inappropriate relationship by encouraging Pupil A to delete correspondence;**

Having found allegation 1 already proven, the panel noted from the Statement of Agreed Facts, that Mr Raven has admitted his emails with Pupil A included instructions to delete correspondence between them.

The panel has seen an email from Mr Raven providing instructions to delete the email. Pupil A's parent also confirms in a witness statement that Mr Raven had told Pupil A to "delete everything".

The panel considers it more probable than not that Mr Raven asked Pupil A to delete the correspondence between them in order to conceal their communication, and thereby to hide the inappropriate relationship he had formed with Pupil A.

The panel therefore finds this allegation proven.

**3a. You continued to contact Pupil A after your departure from the school until October 2014 despite indicating to Pupil A's parents that all contact would cease;**

In the Statement of Agreed Facts, Mr Raven has admitted that he was dismissed from the School in March 2014. He has also admitted that in July 2014, Pupil A's parents requested that he cease to have all contact with Pupil A, and that on 28 July 2014, he had agreed to do as requested. This is corroborated by the witness statement of Pupil A's parent. Mr Raven has further admitted that he and Pupil A continued to have contact between July and September 2014 in the form of texts, emails and on social media.

Pupil A's parent stated in a witness statement that, in September 2014, Mr Raven's phone number was saved in Pupil A's phone under two different aliases, and that Pupil A had confirmed that they were in contact again. The panel noted that Pupil A had agreed

to “cut off” contact with Mr Raven and rang him to tell him so. Pupil A’s parent stated that, on 17 September 2014, Mr Raven and Pupil A were in contact again via social media.

Based on Mr Raven’s admission and the evidence of Pupil A’s parent, the panel has found it proven that Mr Raven continued to have contact with Pupil A following his departure from the School despite having indicated to Pupil A’s family that contact would cease.

This allegation is therefore found proven.

**3b. You continued to contact Pupil A after your departure from the school until October 2014 despite a former colleague having spoken to you in respect of ceasing contact.**

Pupil A’s parent has provided evidence that a decision was made by the family to contact an ex-colleague of Mr Raven, and this ex-colleague spoke to Mr Raven about his contact with Pupil A. After this, Pupil A told the family that Mr Raven had sent Pupil A a text which said that people had told him to stop contacting Pupil A.

In the Statement of Agreed Facts, Mr Raven has admitted that an ex-colleague of his had a conversation with him about ceasing contact with Pupil A and that on 23 September 2014, Mr Raven sent a text to Pupil A to inform the pupil they could no longer have contact as other people had told him that he had to stop. In a witness statement, Pupil A’s parent stated that Pupil A said that there was no further email contact after this. However, sometime after 12 October 2014, Pupil A’s parent noted that Mr Raven was following Pupil A’s social media account.

The panel also noted from the Statement of Agreed Facts that Mr Raven admitted to his ex-colleague, that he and Pupil A had met up once, yet it is unclear when this meeting may have taken place.

In light of the admissions made by Mr Raven, and the evidence of Pupil A’s parent, the panel is of the view that Mr Raven did continue contact with Pupil A after the intervention of his ex-colleague. Accordingly, the panel find this allegation proven.

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

In considering the allegations that the panel has found proven, the panel has had regard to the definitions in the Teacher Misconduct – The Prohibition of Teachers advice, which we refer to as the ‘guidance’.

The panel is satisfied that the conduct of Mr Raven in relation to the facts found proven, involved breaches of the Teachers’ Standards. The panel considers that by reference to Part Two, Mr Raven 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

Pupil A is a vulnerable individual. Mr Raven engaged in sustained and repeated communication with Pupil A via email and social media. This was contrary to the agreed mentoring strategy set by the School. The communications between Mr Raven and Pupil A became clandestine and were of a highly personal and inappropriate nature. Mr Raven's conduct was sustained despite the opposition of Pupil A's family and advice from an ex-colleague. The panel considered there was evidence of an adverse impact on the well-being of Pupil A. The panel is satisfied that the conduct of Mr Raven was serious and fell significantly short of the standards expected of the profession. Accordingly, the panel is satisfied that Mr Raven is guilty of unacceptable professional conduct.

The panel has taken into account how the teaching profession is viewed by others and considered the influence that teachers may have on pupils, parents and others in the community. The panel has taken account of the uniquely influential role that teachers can hold in pupils' lives and that pupils must be able to view teachers as role models in the way they behave.

The findings of misconduct against Mr Raven are serious and the conduct displayed would likely have a negative impact on the individual's status as a teacher, potentially damaging the public perception. The panel therefore finds that Mr Raven's actions constitute 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 is 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 has to consider whether it is an appropriate and proportionate

measure, and whether it is 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 has considered the particular public interest considerations set out in the guidance and having done so has found a number of them to be relevant in this case, namely the protection of pupils; the maintenance of public confidence in the profession; and declaring and upholding proper standards of conduct.

In light of the panel's findings against Mr Raven which involved inappropriate communications with a vulnerable pupil there is a strong public interest consideration in respect of the protection of pupils.

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

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

Notwithstanding 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 Mr Raven.

In carrying out the balancing exercise the panel has considered the public interest considerations both in favour of and against prohibition as well as the interests of Mr Raven. The panel took further account of the guidance, which suggests that a prohibition order may be appropriate if certain behaviours of a teacher have been proven. In the list of such behaviours, those that are relevant in this case are:

- serious departure from the personal and professional conduct elements of the Teachers' Standards
- misconduct seriously affecting the education and/or well-being of pupils, and particularly where there is a continuing risk
- a deep-seated attitude that leads to harmful behaviour
- abuse of position or trust (particularly involving vulnerable pupils) or violation of the rights of pupils

There was an agreed strategy in the School, that Mr Raven's in-school mentoring role with Pupil A should reduce and then cease by Summer 2013. The intention was that Pupil A should access alternative support systems to reduce dependency on Mr Raven. Instead, Mr Raven subverted the School's intentions by continuing to communicate with

Pupil A, outside of the School via email and social media. This had the potential and did, in the panel's view, put Pupil A at risk of harm as it was sustaining a dependency on him. It was clear to the panel that the nature of the email conversations between Mr Raven and Pupil A was inappropriate and a deliberate attempt to develop and maintain a personal relationship with a vulnerable pupil. Mr Raven knew his actions were wrong, which is why he told Pupil A to delete their email conversations. This amounted to a serious departure from the conduct elements of the Teachers' Standards. For the same reasons, the panel considered Mr Raven exhibited a deep-seated attitude towards Pupil A. He undertook sustained and deliberate contact with Pupil A, when he knew the School and Pupil A's family were opposed to this.

Mr Raven was a senior teacher and had been placed into a position of considerable trust with regard to the mentoring of Pupil A, a vulnerable pupil. His abuse of that position of trust resulted in harm to Pupil A's wellbeing.

Even though there were behaviours that would point to a prohibition order being appropriate, the panel went on to consider whether or not there were sufficient mitigating factors to militate against a prohibition order being an appropriate and proportionate measure to impose, particularly taking into account the nature and severity of the behaviour in this case. There was no evidence to suggest that Mr Raven was acting under duress. The panel assumes Mr Raven to be of previous good history, having no evidence before it to contradict that. The panel note that it has not been provided with any testimonial evidence of his character or any evidence relating to his abilities as a teacher. There is also no indication that he has been subject to previous disciplinary matters.

The panel is of the view that prohibition is both proportionate and appropriate. The panel has decided that the public interest considerations outweigh the interests of Mr Raven. Mr Raven's persistence in communicating with Pupil A who he knew to be vulnerable was a considerable factor in that decision. Accordingly, the panel makes 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 that a review period of the order should be considered. The panel was mindful that the guidance advises 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 two years.

The guidance indicates that there are behaviours that, if proven, would militate against a review period being recommended. The allegations found proven against Mr Raven are not amongst those behaviours.

Mr Raven has acknowledged that he anticipates being prohibited and has left the profession with a stated intention of not returning. There is no evidence before the panel of Mr Raven's insight into the harm he has caused Pupil A. He has not shown remorse. It is the panel's view that if allowed to return to teaching at some point in the future there is a risk that he would engage in similar conduct again.

The panel concluded therefore that this is a situation where a review period would not be appropriate. As such, the panel decided that it would be proportionate in all the circumstances to recommend a prohibition order without provision for a review period.

## **Decision and reasons on behalf of the Secretary of State**

I have carefully considered the findings and recommendations of the panel in this case. The panel have found the allegations proved and judged that those facts amount to unacceptable professional conduct and conduct that may bring the profession into disrepute.

In determining whether to recommend a prohibition order as an appropriate and proportionate sanction the panel have properly balanced the public interest considerations with those of Mr Raven. They have found a number of public interest considerations to be relevant in this case namely:

- The protection of pupils
- The maintenance of public confidence in the profession; and
- Upholding proper standards of conduct

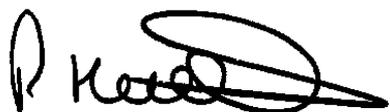
Mr Raven was not acting under duress. Whilst there is no evidence that Mr Raven was anything other than a good teacher with no previous disciplinary history, the panel have recommended prohibition as an appropriate and proportionate sanction. I agree with their recommendation.

Mr Raven's behaviour amounts to a serious breach of his position of trust. He has shown little remorse or insight into his actions. I agree that the order should be without the opportunity for Mr Raven to apply to have it set aside.

**This means that Mr Samuel Raven 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 him, I have decided that Mr Samuel Raven 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.

Mr Samuel Raven 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.

A handwritten signature in black ink, appearing to read 'P Heathcote', with a large, sweeping flourish at the end.

**NAME OF DECISION MAKER: Paul Heathcote**

**Date: 28 May 2015**

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