

THE TEACHING AGENCY

Decision of a Professional Conduct Panel and the Secretary of State

Teacher: Mrs Patricia Black

Teacher ref no: 66/33887

Teacher date of birth: 03/02/1948

TA Case ref no: 7811

Date of Determination: 26 July 2012

Former Employer: Chantry Special School/London Borough of Hillingdon

A. Introduction

A Professional Conduct Panel ("the Panel") of the Teaching Agency convened on 7-8 June and 26 July 2012 at 53-55 Butts Road, Earlsdon Park, Coventry, CV1 3BH to consider the case of Mrs Patricia Black.

The Panel members were Andrew Potts (Lay Panellist– in the Chair), Sheba Joseph (Professional Panellist) and Martin Pilkington (Lay Panellist).

The Legal Adviser to the Panel was Miss Judith Chrystie of Field Fisher Waterhouse LLP Solicitors.

The Presenting Officer for the Teaching Agency was Ms Laura Ryan of Kingsley Napley LLP Solicitors.

Mrs Patricia Black was not present and was not represented.

The hearing took place in public and was recorded.

B. Allegations

The Panel considered the allegation set out in the Notice of Proceedings dated 15 March 2012 (as amended in accordance with paragraph 4.55 of the Disciplinary Procedures for the Regulation of the Teaching Profession ("the Disciplinary Procedures")).

It was alleged that Mrs Patricia Black was guilty of unacceptable professional conduct in that:

Whilst employed as the Head Teacher of Chantry Special School, she;

- 1. Failed to properly declare conflicts of interest.**

2. **Inappropriately transferred monies for the School Budget to the School's Voluntary Fund.**
3. **Inappropriately used Voluntary Fund monies for staff social activities on several occasions.**
4. **Allowed staff to consume significant amounts of alcohol in the presence of vulnerable children and without any prior parental authority.**
5. **Used school funds, including from the Voluntary Fund, for a trip to China for herself and the Business Manager, Individual A without proper reference to, or approval by, the Governing Body.**
6. **Authorised the promotion of Individual A without:**
 - a. **Proper evaluation of roles and responsibilities;**
 - b. **Providing full comprehensive information to governors as a basis of their decision-making;**
 - c. **Ensuring a properly documented Governing Body decision.**
7. **Engaged the employment of Individual B, her son, with better than normal salary and leave without:**
 - a. **Proper evaluation of the practical needs of the school on the financial consequences of the appointment;**
 - b. **Providing full comprehensive information to governors as a basis of their decision-making;**
 - c. **Ensuring a properly documented Governing Body decision was recorded;**
 - d. **Formally declaring an interest.**
8. **Inappropriately managed the school budget in that she:**
 - a. **Gave herself financial loans**
 - b. **Gave loans to other staff**
 - i. **Staff Member A**
 - ii. **Staff Member B**
 - iii. **Staff Member C**
 - iv. **Staff Member D**
 - v. **Staff Member E**
 - vi. **Staff Member F**
 - vii. **Staff Member G**
 - viii. **Staff Member H**
9. **Failed to recover loan from departing staff.**

Mrs Black did not admit the facts. She did not admit the allegation of unacceptable professional conduct.

C. 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 with page numbers from 1-8
- Section 2: Witness statements and agreed facts with page numbers from 9-26
- Section 4 (*sic*): Teaching Agency documents with page numbers 27-531

The Panel Members confirmed that they had read all of the documents in advance of the hearing.

Brief summary of evidence given

The Panel heard evidence from Witness A, the Head of Audit and Enforcement of the London Borough of Hillingdon ("Hillingdon"). Witness A was in charge of conducting and overseeing an investigation into alleged financial irregularities committed by the Teacher at Chantry Special School ("the School") and preparing a report of the findings of her investigation.

The Panel confirmed that Witness A's witness statement dated 24 August 2011 (pages 9-25 of the panel bundle) could be taken as read.

Witness A confirmed that she had interviewed the Teacher on 8 July 2010 and 9 September 2010.

During the interviews, the Teacher had said she did not realise that she had to make any declarations in the declaration of interest form about the fact she had employed her son and daughter at the School. The Teacher had not declared that Individual C was her brother (Individual C was employed as the Extended Schools manager). Witness A said that she expected the declaration forms to declare anything that might affect an individual's judgement at school.

Witness A took the Panel to the documents that showed monies going from the School's grant account to a fund account in 2007. She stated that this money should have gone into the School's main budget account. She said that the fund account was not declared to Hillingdon and that Hillingdon had no knowledge of the monies. The funds were transferred at a time that Hillingdon was tightening up on the balances held by schools so it could impose any claw back necessary.

Witness A said that the monies that had been transferred to the fund account included sums from other local education authorities to support maintained children from their borough who attended the School. She explained that these sums should have been paid into the School budget and used to educate the children. She said that whilst the children from the other LEA's were undoubtedly educated at the

School this was by using Hillingdon LEA money to the detriment of Hillingdon children.

The School did not have to declare that the funds were contained within a voluntary grant account but should have had the account audited annually. The monies were private funds rather than Hillingdon money. Hillingdon relied on the School's independent audit.

Witness A said her investigation showed that school monies were spent on various things such as loans to staff and various staff trips. Where an invoice was marked as being paid from 'funds', this meant that the monies came from the School's voluntary fund. The trips included an overseas visit to China made by the Teacher together with the School's Business Manager, Individual A. The minutes of the governing body did not record that governors were told that there would be a cost to the School in allowing Mrs Black and Individual A to attend the trip. The Chair of Governors had authorised the expenditure but had refused to be interviewed as part of her investigations although two other governors who had been interviewed did not recall that monies for the trip were to be taken from the School Budget.

Witness A explained that part of the standard audit process was to review job descriptions. The job description for Individual A showed she should be paid at level POB (circa £35,000) when she was actually being paid at level POD (at about £45,000). The minutes of the governors meetings did not demonstrate that Individual A's salary had been discussed and there was no assessment as to whether the increase in salary was necessary nor how that would impact on the School, its finances and the budget. The minutes contained a line saying that 'staff increases approved'.

Witness A said that the Teacher's son, Individual B, had unexpected terms and conditions of employment. He was on a 52 week contract rather than a term time only contract yet her investigation suggested that Individual B never had to attend the School outside of the school holidays. Witness A stated that Individual B was supposed to keep budgets that were overseen by Ann Bennett and she commented that most of the food bought by Individual B seemed entirely inappropriate for a school and that he purchased everything himself and did not want to use the normal suppliers for his goods.

Witness A said that the investigation had shown that loans were advanced to staff from School monies. The Teacher had received loans which had not been repaid at the time of her suspension and another staff member had an outstanding balance when he left the School's employment. The School's financial procedures and policies expressly stated that no person could sign an order, invoice or petty cash slip that authorised payment to themselves or an immediate family member. The Teacher approved loans to herself and her family.

D. Decision and Reasons

The Panel announced its decision and reasons as follows:

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

We confirm that we have read all the documents provided in the bundle in advance of the hearing.

Patricia Black ('the Teacher') was Head teacher at Chantry Special School ('the School') in the London Borough of Hillingdon ('Hillingdon') from November 2000 to her dismissal in December 2010. She had taught in Hillingdon for 40 years.

Hillingdon conducted an investigation into potential irregularities at the School after concerns were identified at a routine audit in May 2010. Financial, employment, governance and other matters were investigated. Ms Black was interviewed as part of the investigation. She denied wrong-doing, stated that she had governor-approval for her actions where necessary and offered various explanations and mitigation for the alleged conduct.

Ms Black chose not to attend the Panel hearing at the Teaching Agency.

Findings of fact

Our findings of fact are as follows:

We have found the following particulars of the allegation against you proven, for these reasons:

1. Failed to properly declare conflicts of interest.

The School's governors and the Head Teacher were required formally to declare interests on an annual basis using set forms. The Panel bundle contains forms dated 8 December 2008 and 6 October 2009, which have been signed by the Teacher. No interests have been declared by her.

Whilst the Panel recognises that what constitutes an interest is noted to be at the discretion of the governor, the notes section also expressly states, "*Members should also consider close family interests when deciding to declare an interest.*" The Panel considers that declarations should have been made by the Teacher about the employment of her daughter and son at the School and her brother's role at the School as a coordinator.

The Panel considers that the need to be open and transparent and make declarations became more acute once the family members had received loans paid from School monies.

Further the Panel also notes that there is an expectation that interests, "*which might at present or in the future prove to be a possible financial interest, direct or indirect*" should be declared. In respect of this expectation, the Panel considers that the

Teacher should have made reference to the loans that she received from the School funds.

As a consequence, the Panel is satisfied that there has been a failure to properly declare conflicts of interest and that this particular of the allegation is proved.

7. Inappropriately transferred monies for the School Budget to the School's Voluntary Fund.

The Panel has received documents that show that monies were transferred to the School's Voluntary Fund from the School Grant account and accepts that those monies included sums received from other London Boroughs for the education of particular children. The Panel considers that these sums should have formed part of the School Budget and should have been used for the benefit of the specified children or retained in the School Budget rather than being placed into a private fund.

Further, the Panel accepts the evidence of Witness A - the Head of Audit and Enforcement for Hillingdon, who oversaw the investigation into potential irregularities at the School - that, by placing the sums into the Voluntary Fund, the monies were concealed from Hillingdon at a time when claw-back provisions would have affected the ability of the School to retain the sums.

In these circumstances, the Panel considers that the Teacher inappropriately transferred monies which should have been allocated to the School Budget to the School's Voluntary Funds.

8. Inappropriately used Voluntary Fund monies for staff social activities on several occasions.

The Teaching Agency has submitted certain specific instances where the Teacher is alleged to have inappropriately used Voluntary Fund monies for staff social activities:

- meals at Waters Edge Restaurant in March 2008 and on 1 September 2008,
- meal at The Hut on 22 July 2008,
- paying for the Teacher and Individual A, the School's Business Manager, to attend a Cliff Richard concert at Wembley on 11 November 2008 and for staying at a hotel in Regent's Park.

The Panel does not consider that it is inherently inappropriate for staff to receive hospitality paid for by a school, particularly where there has been a positive Ofsted report or where staff work with challenging pupils and in a difficult environment on a daily basis. However, the Panel is mindful that the sole purpose of the Voluntary Fund is that the monies are used for the benefit of the pupils. The integrity of such public funds should be preserved. The Panel is concerned at the frequency of the social events paid for from School monies and considers that the expenditure was unnecessary and was excessive.

Further, the Panel is extremely concerned that the Teacher used nearly £500 of Voluntary Fund monies on an outing for herself and Individual A to a Cliff Richard

concert. During the Local Authority's investigation, the Teacher explained that the outing was to thank Individual A for the additional work that she conducted on the School's behalf. The Panel bundle contains evidence that the outing was approved by the now deceased Chair of Governors. Notwithstanding this fact, the Panel considers that such a gesture is wholly excessive and inappropriate.

As a consequence, the Panel is satisfied that the particular of allegation is proved.

5. Used school funds, including from the Voluntary Fund, for a trip to China for herself and the Business Manager, Individual A without proper reference to, or approval by, the Governing Body.

The Panel considers that given the level of expenditure of school funds involved in the trip to China in terms of the conference costs and expense claims, together with the fact that it was proposed that both Ms Black and Individual A would attend and be absent from School, it was incumbent upon the Teacher to ensure the governing body was fully informed and content with all aspects of the trip, including its cost.

On 10 June 2009, the minutes of the Governing Body meeting show that the Chair, *"confirmed that P Black and Individual A has been invited to attend a visit through the Specialists School Status to China. Approved and ratified by all"*. The Panel has seen interviews with two members of the governing body, Individual C and Individual E. Both suggest that, although the trip was discussed at the Governor's meeting, approval for funding from the School's budget was not obtained.

10. Authorised the promotion of Individual A without:

a. Proper evaluation of roles and responsibilities.

Individual A advised Witness A that she evaluated her own job description as job evaluation was part of her role (page 263 and 264). The Panel considers that it is improper and inappropriate for an employee to evaluate his or her own job description, unless this is subsequently ratified at the appropriate level. The Teacher, as the head teacher, was Individual A's line manager. There is no evidence that Individual A's job description was subsequently ratified by the Teacher and, as such, no proper evaluation was conducted. This is particularly surprising given the concerted timing of the increases: Individual A's pay increased 8 spine points (or £7,000) in 2½ years and at one point in this period – April 2009 to September 2009 - she jumped 4 spine points (or £3,500 in 6 months).

b. Providing full comprehensive information to governors as a basis of their decision-making;

In her interview with Witness A, the Teacher confirmed that the decision regarding Individual A's promotion was a matter for the governors (page 132).

The forms contained in the Panel bundle regarding Individual A's salary review (pages 251 – 254) contain sparse information: only her name, the scale, the spine point and the signatures of Individual A as the staff member, the Teacher and the Chair of Governors. The Teacher did not add information to the forms or annex

material which supported the promotion and increases in pay. The Panel has seen no evidence of appraisals, performance reviews and evaluations. It notes that a job description was retrospectively prepared during the investigation led by Witness A. The Panel considers that the Teacher did not provide any information to the Governors and, therefore, is satisfied that she did not supply full and comprehensive information as alleged.

c. Ensuring a properly documented Governing Body decision.

The Panel has been advised that the investigation led by Witness A reviewed the minutes of the Governors' meetings and found no minutes where the promotion and pay increases awarded to Individual A were approved by the governing body. The Panel accepts this evidence.

The Teacher seeks to justify the lack of a minuted decision by explaining that Ms Bennett was clerk to the Governors and, therefore, left the room when her pay was discussed. The Panel is content that in these circumstances, she had a collective responsibility with her fellow governors to ensure that minutes continued to be taken. Further, in her position as Headteacher, there would have been an expectation that a proper record of the decision was available.

11. Engaged the employment of Individual B, your son, with better than normal salary and leave without:

a. Proper evaluation of the practical needs of the school on the financial consequences of the appointment.

The Panel is satisfied that Ms Black engaged her son as an employee and then unilaterally uplifted his salary beyond the top of the advertised salary range. There is a handwritten amendment to the terms and conditions of employment (page 269) initialled as approved by Ms Black.

Further, the advertisement for the post states that the role is term time only. However, the terms and conditions place his contract onto an annual basis with 23 days' holiday, yet the hearsay evidence given by Individual A, who line managed Individual B, is that she did not recall him working during the School holidays. As a consequence, the Panel is content that Individual B received an improved holiday entitlement.

The Panel has seen the job advertisement for the post and the terms and conditions of employment. There is, as identified above, a change in the terms advertised and the appointment conditions. Whilst the Panel recognises that the School's needs may have necessitated a change to the terms of appointment, there is no evidence that before the salary and leave entitlements were changed, the Teacher did evaluate the needs of the School.

The Presenting Officer has confirmed that the Panel should not consider whether the expenditure on catering was justified and the Panel has not made any findings in this regard. However, the Panel considers that there has been no proper evaluation of the needs of the School on the financial

consequences of the appointment in a number of respects. This includes the use of non-standard suppliers without review and the approval by Ms Black herself of invoices relating to the regular purchase of items which may not have had a practical benefit (e.g wine, beer and spirits, specialist cheeses, meats, fish, chocolates and bulk purchase of saffron).

- b. Providing full comprehensive information to governors as a basis of their decision-making;**
- c. Ensuring a properly documented Governing Body decision was recorded;**

Witness A has stated that her investigation into the minutes of the governors' meetings located no discussion about Individual B's appointment. This evidence is accepted and the Panel is content that the Teacher did not provide the governors with the information needed to make a decision nor ensure that any decision was recorded. This is particularly surprising given that she engaged her son.

- d. Formally declaring an interest.**

The Panel has seen the declaration forms for 2008 and 2009 but not for 2007. Given that the 2008 and 2009 forms do not make any declaration regarding her son's employment, on the balance of probabilities, the Panel is content that the form in 2007 would not have made such a declaration, in the event that it had been completed.

12. Inappropriately managed the school budget in that you:

- a. Gave yourself financial loans.**

The Panel bundle contains evidence that Ms Black received monies from School funds totalling approximately £20,000 (schedule at page 332), including a sum of £5,000 from the Voluntary Fund, an account containing money designed to benefit the children at the School.

Some of the monies given to Ms Black were authorised by other individuals. However, she was responsible for managing the School budget and permitted herself to receive monies contrary to the School's Financial Policy and principles of good financial management generally. Further, the Panel bundle contains requests for monies to be advanced, which the Teacher approved for payment – for example the sums of £1300 in November 2009 (page 338) and £5,000 in April 2009 (page 340).

- b. Gave loans to other staff.**

Whilst salary advances may be appropriate in certain exceptional circumstances, all monies should go through the payroll system with appropriate statutory deductions being made, rather than payments being made by cheque (which occurred on a number of occasions). This is clear from both the School's Financial Management Policy and principles of good financial management.

The Teacher states that she obtained advice from HMRC and they agreed to the provision of loans to staff. She made reference to a written confirmation from HMRC but this was not provided during the disciplinary process and has not been provided to the Panel.

The Panel considers that in all but one instance, the level of monies and the process for repayment meant that these advances on salary should actually be regarded as loans. The Panel considers that the School has been providing staff with free credit, including to an individual who had been refused a loan through the banking system.

i. Staff Member A

Staff Member A worked at the School and was paid by the School, even though he worked across various sites. There is an approved request for £20,000 at page 362 for a car. This was a significant loan and it was improper for School funds to be used and risked to such an extent.

ii. Staff Member B

The level of the monies - £5000 - provided to Staff Member B was significant. The loan was to be repaid over a 25 month period at £200 per month (page 356). In interview with Witness A, Ms Black could not recall the reason for the loan and the request from Staff Member B does not contain any explanation for it.

The Panel consider that the level of credit and repayment schedule is indicative of a loan rather than a salary advance. This is an inappropriate use of public monies and contrary to principles of good financial management and accounting.

iv. Staff Member D

The request for monies (page 343) was for £1000 to be paid over a 10 month period at £100 per month (page 356). In interview with Witness A, Ms Black could not recall the reason for the loan and the request from Staff Member D does not contain any explanation for it. The Panel regards the monies provided as indicative of a loan and not an advance, which is not an appropriate use of School monies.

v. Staff Member E

The request for monies (page 345) was for £3200 to be repaid at £200 per month. The request shows that the monies were required to purchase a car. This was an inappropriate use of School monies.

vi. Staff Member F

The request for monies (page 349) was for £550 to be paid over a 3 month period. However, the repayment schedule (page 367) demonstrates that the monies were in fact paid back at a lower rate over a 6 month period. This breach of the agreement and the extended repayment schedule are indicative of a loan being made without justifiable reason being provided. This amounts to inappropriate management of School monies.

vii. Staff Member G

The Panel has seen a letter from Staff Member G (page 355) requesting £1500 - 2000 to purchase a small car. In that letter he states that he is having financial difficulties and that he had been refused a loan from his bank.

There is oblique reference to an education purpose for the loan, namely, that the children can work on the mechanics of the car. However, the Panel is not satisfied that such reference justifies the provision of a loan of £2000 to be repaid over a prolonged period to such an individual, who was experiencing financial problems.

The Panel considers that the Teacher should not have allowed the School to use public funds to provide credit to individuals, particularly when he had been unable to secure finance elsewhere and might present a risk to school finances.

viii. Staff Member H

The request for monies (page 358) was for £500 to be paid over a 10 month period at £50 per month. No reason is given for the need for the monies. The Panel regards the arrangements as indicative of a loan and not a salary advance and as such is not an appropriate use of School monies.

We have found the following particulars of the allegation against the Teacher not proven, for the following reasons:

9. Allowed staff to consume significant amounts of alcohol in the presence of vulnerable children and without any prior parental authority.

The Panel is satisfied that there is evidence that a significant amount of alcohol was purchased using School monies. The invoice from Makro at page 180 shows that a considerable amount of wine, champagne and spirits was bought by the School.

However, the Panel is not satisfied that staff consumed significant amounts of alcohol at a Christmas party in front of pupils as alleged by the Teaching Agency. The Panel has not seen any evidence to gainsay the Teacher's explanation that staff consumed a single glass of wine in the presence of pupils at a Christmas party attended by staff, Governors and pupils as part of an initiative to demonstrate that alcohol could be drunk responsibly. Further, in support of her appeal against the School's decision to dismiss her from employment, the Teacher presented witness statements which state that there was minimal consumption of alcohol at the occasion. The Panel recognises that this evidence is hearsay but it is not satisfied that it is more likely than not that significant amounts of alcohol were consumed.

**8. Inappropriately managed the school budget in that you gave loans to staff:
iii. Staff Member C**

The circumstances contained in the papers appear to demonstrate a genuine salary advance. An advance was requested by Staff Member C and approved in April 2010 (page 336) and appears to have been repaid a month later in May 2010 (page 337).

The Panel is content that this was not an inappropriate management of School funds and does not find the sub-particular proved.

13. Failed to recover loan from departing staff.

It is clear from the schedule of repayment that a staff member left the School without fully repaying the loan. However, the Panel is not satisfied that the Teaching Agency has demonstrated that Ms Black was under a personal duty to recover funds. This responsibility fell on the Business Manager.

The Panel was conscious of the potential sensitivities in revealing information regarding financial matters and considered it necessary to anonymise those staff members who had received loans approved by the Teacher.

Findings as to Unacceptable Professional Conduct

The Panel judges that the Teacher's conduct amounts to misconduct of a serious nature and falls significantly short of the standard of behaviour expected of a teacher.

In making this judgement, the Panel has reviewed a number of pieces of guidance: the latest Teachers' Standards and the standards that were in place at the time the conduct occurred, namely, the GTC's Code of Conduct and Practice published in November 2004 and October 2009. The Panel considers that the Teacher has breached all three guidance documents.

The Panel is concerned that there may have been major short-comings in the governance at the School particularly in its monitoring of the Head Teacher and the accountability of the Chair of Governors. However, the Panel considers that Ms Black has a personal and professional responsibility, particularly as the Headteacher, to demonstrate consistently high standards of personal and professional conduct.

The Panel has also reviewed the statutory duties placed on Ms Black by the Conditions of Employment of Head Teachers and considers that there have been several material breaches of these Conditions, in particular of: paragraph 57.2(a)(i) in relation to the use of delegated funds; paragraph 58 in respect of leadership, internal organisation, management and control; paragraph 60.18 in connection with assisting and reporting to the governing body; and paragraph 60.21 in relation to allocating, controlling and accounting for the School's financial and material resources.

The Teacher failed to conduct herself in a proper, professional and responsible manner and to demonstrate integrity in her conduct. In judging this, the Panel is not suggesting that Ms Black was dishonest and it has made no judgement about her honesty. Over a prolonged period of time, she consistently failed to comply with school and LEA financial and accounting procedures and continually disregarded principles of good financial management - often to her and her close family's personal benefit. Further, the Panel has found that public monies were frequently used in a way that was not appropriate or proper and that Ms Black was neither open

nor transparent in declaring fundamental conflicts of interest nor in the way in which staff were employed and promoted.

The Panel considers that the Teacher has failed to uphold public trust in the profession, she has not had proper and professional regard for the policies and practices of the school, and has not acted within the statutory frameworks which set out her duties and responsibilities.

These are serious and concerning matters and amount to unacceptable professional conduct.

Panel's Recommendation to the Secretary of State

The Panel recommends that the Teacher should be prohibited from undertaking teaching work.

The Panel recognises that a prohibition order aims to protect pupils and to maintain public confidence in the profession. In making its recommendation, the Panel has sought to balance the teacher's interests against those of the public in order to come to a proportionate recommendation.

The Teacher has chosen not to engage in the process and has, therefore, offered no mitigation. The Panel recognises that, until her misuse of school monies and abuse of position as a Head Teacher was uncovered, the Teacher had a long unblemished career. Further, it is conscious that it has received no evidence regarding the standard of her teaching. However, the Panel considers that the Teacher has completely failed to maintain proper standards of personal and professional conduct and has seriously departed from the standards expected of the profession. The Teacher acted improperly in relation to School monies over an extended period of time in relation to a broad range of governance activities and financial matters. The Panel is extremely concerned that the ethos created in the School was one in which funds that were designed to benefit of pupils could be blatantly used to the personal benefit of staff and family members.

The Teacher's behaviour was a significant breach of trust. The Teacher repeatedly abused her position – albeit she was able to do so owing to weaknesses in the governing body.

The Panel considers that although the Teacher should be entitled to review the order, it recommends that the minimum period of review should be 10 years. It considers that this period is both necessary in the public interest – particularly to maintain public confidence – and proportionate to the seriousness of the Teacher's misconduct, the extent of her misuse of public monies and the repeated abuse of her position over a number of years.

Secretary of State's Decision and Reasons

I have given careful consideration to this case and the recommendations of the panel. As Headteacher Ms Black was in a position of trust and her behaviours represent a significant breach of that trust.

Whilst there may have been shortcomings in governance at the school, the panel find that Ms Black has a personal and professional responsibility, particularly as the Headteacher, to demonstrate consistently high standards of personal and professional conduct. The panel also find several material breaches of the statutory duties placed on Ms Black by the Conditions of Employment of Head Teachers.

Ms Black chose not to engage with the process and therefore offered no mitigation. The Panel recognised that, until her misuse of school monies and abuse of position as a Head Teacher was uncovered, the Teacher had a long unblemished career. Further, it was conscious that it received no evidence regarding the standard of her teaching.

The panel recommends that Ms Black be prohibited from teaching and I concur with that recommendation. Similarly I agree that review period of 10 years is proportionate in all the circumstances.

This means that Ms Patricia Black is prohibited from teaching indefinitely and cannot teach in any school, Sixth Form College, relevant youth accommodation or children's home in England.

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

Ms Black has a right of appeal to the Queen's Bench Division of the High Court within 28 days from the date she is given notice of this Order.

NAME OF DECISION MAKER: Alan Meyrick
Date: 27 July 2012