



National College for  
Teaching & Leadership

# **Aaron Godbehere also known as Aaron Beattie: Professional conduct panel outcome**

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

**September 2016**

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

<b>Teacher:</b>	Mr Aaron Godbehere also known as Mr Aaron Beattie
<b>Teacher ref number:</b>	1149291
<b>Teacher date of birth:</b>	8 November 1987
<b>NCTL case reference:</b>	13546
<b>Date of determination:</b>	29 September 2016
<b>Former employer:</b>	King Egbert School, South Yorkshire

### **A. Introduction**

A professional conduct panel (“the panel”) of the National College for Teaching and Leadership (“the National College”) convened on 26 – 29 September 2016 at 53 to 55 Butts Road, Earlsdon Park, Coventry CV1 3BH to consider the case of Mr Aaron Godbehere, also known as Mr Aaron Beattie.

The panel members were Mr John Pemberton (former teacher panellist – in the chair), Mr Sathi Ariya (lay panellist) and Mrs Fiona Tankard (teacher panellist).

The legal adviser to the panel was Mr Ben Bentley of Browne Jacobson LLP solicitors.

The presenting officer for the National College was Mr Harry Bentley, Counsel instructed by Nabarro LLP solicitors.

Mr Aaron Godbehere was not present but was represented by Mr Philip Dayle, Counsel instructed by the National Union for Teachers.

The hearing took place in public and was recorded.

## **B. Allegations**

The panel considered the allegation(s) set out in the Notice of Proceedings dated 4 July 2016.

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

- 1. Between 2012 and 2014, first whilst on placement at Serlby Park Academy (“the Academy”) and then whilst employed by King Egbert School (“the School”):**
  - a. In relation to Student 5 he failed to maintain proper professional boundaries in that he engaged in an inappropriate relationship with her, which continued when she left the Academy**
- 2. In or around September 2014 whilst employed at the School, in relation to Student Z (a student at the Academy), he failed to maintain proper professional boundaries in that he:**
  - a. Sent a Snapchat contact request to Student Z**
  - b. Sent one or more Snapchat messages to Student Z, including but not limited to:**
    - i. Inviting Student Z to look for his profile on Twitter**
    - ii. Stating words to the effect, “You’re hot”**
  - c. Followed Student Z on Twitter**
- 3. Between 2012 and 2014, whilst employed at the School, he:**
  - a. In relation to Student A failed to maintain proper professional boundaries in that he engaged in an inappropriate relationship with her in that he:**
    - i. Engaged in email exchanges with Student A not relating to her education**
    - ii. Failed to take appropriate action when he became aware that Student A was following him on Twitter**
    - iii. Posted tweets on his profile in response to Student A’s tweets and / or as direct / personal messages to Student A whether intentionally or otherwise**

- iv. Failed to take appropriate action when he became aware that Student A sent him a contact request on Snapchat
  - v. Sent one or more Snapchat messages to Student A
  - vi. Engaged in private conversations with Student A of a personal and / or sexual nature
  - vii. Removed Student A from a lesson to engage in private conversation
  - viii. Failed to appropriately escalate a Safeguarding concern in relation to Student A's sexual behaviour to an appropriate individual
- b. Failed to maintain proper professional boundaries in that in respect of one or more students, including but not limited to Students B and C, he:
- i. Failed to take appropriate action when he became aware that the student(s) were following him on Twitter
  - ii. Failed to take appropriate action when student(s) sent message(s) to him on Twitter
  - iii. Responded to student(s) messages on Twitter
- c. Received a birthday card from a group of female students which contained sexual references and he failed to report this to the appropriate staff at the School
- d. Inappropriately disclosed a management discussion to one or more female students
- e. Displayed favouritism towards certain female students by giving them disproportionate amounts of house points

**4. His conduct set out at 1 and / or 2 and / or 3 above was sexually motivated**

Although not present at the commencement of the hearing Mr Godbehere, through his legal representative, admitted the following allegations: 2.c; 3.a.i; 3.a.ii; 3.a.vii; 3.b.i. He denied allegations 1; 2.a; 2.b; 3.d; 3.e; and 4.

In respect to those allegations which were admitted by Mr Godbehere, he also admitted that these amounted to unacceptable professional conduct.

## C. Preliminary applications

Prior to the commencement of the hearing, an authorised NCTL officer permitted an application, agreed between the presenting officer and the teacher's representative, that all pupils named in the proceedings, including those pupils called to give oral evidence at the hearing, be identified by reference only to an anonymised pupil list; and that their names should not be disclosed during the course of proceedings or published at the conclusion of the hearing. It was further authorised for the pupil witnesses whom the presenting officer intended to call to be granted special measures by giving evidence via videolink, on account of there either being children at the time of the hearing, or the alleged victims of the conduct said to have been committed by the teacher.

At the start of the hearing, the panel considered an application by the presenting officer to publish in any final decision made both of the names by which the teacher is known, namely, Mr Aaron Godbehere, which is his birth name, and Mr Aaron Beattie, which was his given name at the schools at which he worked during the time to which the allegations relate. The application was not opposed by the teacher's legal representative and the panel considered it was in the interests of justice, and in particular the maintenance of public confidence in the profession, to allow the application. It directed the final decision to be published to refer to "Mr Godbehere also known as Mr Beattie".

The panel considered an application by the presenting officer to proceed in the absence of Mr Godbehere. The panel noted that the application was not contested by the teacher's representative, and that Mr Godbehere had expressly written to request that the hearing proceed in his absence on account of medical reasons. Because the teacher had provided written evidence setting out his case, and had the opportunity through his legal representative to test the oral evidence put forward by the National College, the panel determined it would proceed in the absence of Mr Godbehere.

The teacher's representative made an application for hearsay evidence which had been obtained as part of the school's investigation to be removed from the papers being considered by the panel. The basis for the application was that no attempts had been made by the National College to contact the witnesses who had provided information, nor had either they, or the individuals who had taken their statements, been called to give evidence at the proceedings. This was despite enquiries having been made weeks in advance of the hearing by the teacher's representative as to their non-attendance.

The panel listened to the presenting officer's submissions opposing the application, and had regard to the decision in *NMC -v- Thorneycroft* in which guidance was given that reliance upon witness statements as hearsay should not be routine, particularly where the evidence is the sole or decisive evidence to support an allegation. The panel was not satisfied that there was a good and cogent reason for the non-attendance of witnesses,

nor, in the absence of either a signed statement of truth or the calling of the investigator who took the statements, that the evidence was “*demonstrably reliable*”, and so determined that the evidence of those witnesses should not be admitted.

## **D. Summary of evidence**

### **Documents**

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

Section 1: Chronology and anonymised pupil list – pages 1 to 6

Section 2: Notice of Proceedings and response – pages 7 to 16

Section 3: NCTL witness statements – pages 17 to 46

Section 4: NCTL documents – pages 47 to 384

Section 5: Teacher documents – pages 385 to 446

In addition, the panel agreed to accept the following:

1. Medical report in respect to Mr Godbehere at pages 447 - 448
2. Medical report in respect to Pupil Z at pages 449 - 450

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

### **Witnesses**

The panel heard oral evidence from the Head Teacher of the King Ecgbert School together with, by way of video link, Pupil 5 and Pupil A who were pupils at the schools to which the allegations relate, as called by the presenting officer. Mr Godbehere provided a written statement to the proceedings and was legally represented at the hearing, but did not attend or give oral evidence.

## **E. Decision and reasons**

The panel announced its decision and reasons as follows:

The panel has carefully considered the case before it 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 Godbehere worked on placement as a student teacher at Serlby Park Academy during the summer term of 2012, before working as a Learning Support Assistant with teaching responsibilities and then as a newly qualified science teacher at the King Ecgbert School in South Yorkshire until he was dismissed from the school in April 2015.

## **Findings of fact**

Our findings of fact are as follows:

The panel has found the following particulars of the allegation(s) against you proven, for these reasons:

**2. In or around September 2014 whilst employed at the School, in relation to Student Z (a Student at the Academy), you failed to maintain proper professional boundaries in that you:**

**c. Followed Student Z on Twitter**

This allegation was admitted by the teacher, and the Panel has seen the screenshot provided by Student Z at page 171 of the bundle. Mr Godbehere explained in his written evidence to the panel that he had originally blocked Student Z from following himself on Twitter, but that he had accidentally followed her at a later occasion when he was going through his list of blocked followers and attempted to unblock her. Instead, he pressed the button twice, which meant he was following her. The Panel does not find this explanation to be plausible because Student Z had taken a screenshot although Mr Godbehere said he had promptly reblocked her as soon as he realised his mistake.

Further, the Panel is satisfied that this was done in breach of the school's policies and training relating to the use of social media and that by following a pupil from a personal Twitter account this amounts to a failure to maintain professional boundaries.

**3. Between 2012 and 2014, whilst employed at the School, you:**

**a. In relation to Student A failed to maintain proper professional boundaries in that you engaged in an inappropriate relationship with her in that you:**

**i. Engaged in emails exchanges with Student A not relating to her education**

This allegation was admitted by the teacher, and the panel has seen some of the e-mails to which it relates at pages 78 – 82 in the bundle. The contents of those e-mails concern topics not related to education and were sent, in some instances, during lesson time. The language used displays an over-familiar approach by the teacher toward the student: for example, it includes comments about his new haircut.

**ii. Failed to take appropriate action when you became aware that Student A was following you on Twitter**

This allegation was admitted by the teacher, who explains in his written evidence that he had “*underestimated the ‘fame’ being a teacher gave you*” and that it was naïve of him not to act more carefully, nor to take into account his previous experience at an earlier school. The Panel agrees that Mr Godbehere acted naively, but is concerned that despite earlier concerns in relation to teacher / pupil boundaries which had been brought to his attention as a student teacher, Mr Godbehere persisted in his behaviour of allowing Student A to follow him on social media, and did not restrict access to his personal social media account, despite knowing how to do this.

**iii. Posted tweets on your profile in response to Student A’s tweets and/or as direct/personal messages to Student A whether intentionally or otherwise**

This allegation was not formally admitted by the teacher, but was conceded by his representative as being not possible to resist. The panel has seen screenshots of a number of tweets sent by Mr Godbehere at pages 84-112, and has heard evidence from Pupil A as to the timings of those messages in relation to tweets which she sent herself.

Pupil A gave evidence by video-link and the panel found her to be a credible witness. When asked by the panel, she did not appear to exaggerate her account concerning her interactions with Mr Godbehere. The panel has not had the opportunity to test some of the explanations given by Mr Godbehere as to the apparent co-incidences in timings between the messages sent, and the panel notes that in his written statement Mr Godbehere acknowledges on at least one occasion posting a tweet in reply to Student A.

The panel is satisfied on the balance of probabilities that Mr Godbehere intentionally posted tweets in response to Student A, and that to engage in conversation on social media in this way breaches professional boundaries.

**iv. Failed to take appropriate action when you became aware that Student A sent you a contact request on Snapchat**

This allegation was not formally admitted by the teacher, but was conceded by his representative as being not possible to resist. The panel has seen the screenshot provided by Pupil A on page 94 showing that Mr Godbehere was a contact of hers, with the same username as his Twitter profile.

**v. Sent one or more Snapchat messages to Student A**

This allegation was not formally admitted by the teacher, but was conceded by his representative as being not possible to resist. The panel is particularly alarmed at the use of Snapchat by a teacher in connection with a pupil because it understands this is an application via which messages can be sent which then automatically delete afterwards,

so that there is no accountability as to the exchange of messages. Student A describes in her evidence how messages were exchanged outside of school hours and were conversational in nature. The panel is satisfied that the use of social media in this way by Mr Godbehere was a serious failure to maintain professional boundaries and further evidences the inappropriate relationship he adopted toward Student A.

**vi. Engaged in private conversations with Student A of a personal and / or sexual nature**

This allegation was not formally admitted by the teacher, but was conceded by his representative as being not possible to resist. The context in which the admitted private conversation took place, detailed at allegation 3.a.vii. relates to an exchange between Student A and Mr Godbehere after he had overheard her talking to her friends in the corridor about her having had sex with a former boyfriend.

The panel is satisfied that the conversation which subsequently took place between Student A and Mr Godbehere in a classroom, without any other staff member or pupil present, was of a private and / or sexual nature, and accepts Student A's evidence that this made her feel uncomfortable. The panel is also satisfied that it was not appropriate for Mr Godbehere to engage in such a conversation and that if he had pastoral concerns in respect to Student A he should have referred these to the appropriate staff member.

**vii. Removed Student A from a lesson to engage in private conversation**

This allegation was admitted by the teacher, and the nature of the conversation which took place has been described at allegation 3.a.vi. The panel is further concerned that the actions of Mr Godbehere, in facilitating Student A's removal from a lesson, tended towards her feeling preferred or favoured by him. Student A described how she was shocked when a teacher in another class received a phone call from Mr Godbehere requesting to see Student A and that she "*couldn't believe he had done it*" by getting her out of her class.

**viii. Failed to appropriately escalate a Safeguarding concern in relation to Student A's sexual behaviour to an appropriate individual,**

This allegation was not formally admitted by the teacher, but was conceded by his representative as being not possible to resist. The panel heard evidence from Individual A, head teacher of the King Egbert School, as to how concerns in relation to Mr Godbehere's relationship toward Student A first came to light, and how at no stage had Mr Godbehere sought to escalate the safeguarding disclosure being made by Student A. This is in spite of Student A's own recognition, as a pupil, that the information she confided in Mr Godbehere would have been escalated to the school's LADO by any other teacher.

Mr Godbehere had recently completed his newly qualified teacher status and undergone the safeguarding training documented in the hearing bundle and described by Individual A. The panel finds it incredible, and alarming, that he did not escalate these concerns to the appropriate person, and finds this to be a serious breach of his professional duties.

**b. Failed to maintain proper professional boundaries in that in respect of one or more students, including but not limited to Students B and C, you:**

**i. Failed to take appropriate action when you became aware that the student(s) were following you on Twitter**

This allegation was admitted by the teacher and the panel repeats its findings as set out at allegation 3.a.ii. Mr Godbehere by his own admission was aware of the need to ensure that his personal Twitter profile could not be accessed by students, and aware of how to block students from following him, but in spite of this did not take the appropriate steps to do so. This was a further failure to maintain proper professional boundaries.

**ii. Failed to take appropriate action when student(s) sent message(s) to you on Twitter**

This allegation was not formally admitted by the teacher, but was conceded by his representative as being not possible to resist. Mr Godbehere accepts having knowledge that students were seeking to make contact with him via social media, but did not take the appropriate steps to maintain professional boundaries by restricting access to his profile.

**iii. Responded to student(s) messages on Twitter**

This allegation was not formally admitted by the teacher, but was conceded by his representative as being not possible to resist. For the same reasons as set out at allegation 3.a.iii. the panel finds it inappropriate for a teacher to engage with students from a personal Twitter account and in breach of the school's code of conduct.

**c. Received a birthday card from a group of female students which contained sexual references and you failed to report this to the appropriate staff at the School**

This allegation was admitted by the teacher, who describes how he received a card from a group of female students which contained a doodle of a penis on it. Whilst the panel does not criticise a teacher for receiving a card with an inappropriate reference, the panel is satisfied this demonstrates the informal attitude adopted by Mr Godbehere towards students. The failure to report this to appropriate staff is indicative of an attitude that allowed informal relationships to develop between him as a teacher and pupils. In

addition, it appeared from the head teacher's evidence that this birthday card was received within days of Mr Godbehere's attendance at a formal meeting on 4 November 2014 where potentially serious safeguarding worries were discussed and Mr Godbehere agreed to get rid of his social media accounts. The panel did not accept Mr Godbehere's account that he thought the birthday card was irrelevant and did not need to be brought to the attention of senior leaders.

**d. Inappropriately disclosed a management discussion to one or more female students**

This was partially admitted by the teacher and the panel is satisfied that it was not appropriate for him to advise students, whilst under investigation, that concerns had been raised in respect to his conduct.

The panel has found the following particulars of the allegation(s) against you not proven, for these reasons:

**1. Between 2012 and 2014, first whilst on placement at Serlby Park Academy ("the Academy") and then whilst employed by King Egbert School ("the School"):**

**a. In relation to Student 5 you failed to maintain proper professional boundaries in that you engaged in an inappropriate relationship with her, which continued when she left the Academy**

This allegation was not admitted by the teacher, and the panel had the benefit of hearing oral evidence from Student 5 by video link, as well as two written statements provided by her in connection with these matters. The panel found her to be a very honest and credible witness.

Student 5 was candid in explaining how she met Mr Godbehere during the last few weeks of term when he was a student teacher at Serlby Park Academy. She explained how she undertook additional learning in the science department where Mr Godbehere was training, although he was not her teacher at the time.

During the course of being mentored by Mr Godbehere as well as other staff, Student 5 explained how there would be occasions when they would be alone together in the classroom and that she would talk about some of the situations she was facing. She described how Mr Godbehere was helpful in his approach and that nothing untoward or inappropriate was said or done by him whilst at the school. Student 5 also acknowledged that at some point she started to develop feelings for Mr Godbehere, and that these feelings became the subject of rumours which were later brought to his attention and investigated by Academy staff at the time, but found to be without substance.

The panel is mindful that at some point after Student 5 left the Academy, she and Mr Godbehere re-established contact and a friendship developed, which her parents were

aware of. The “*blurring of professional boundaries*” which is how Student 5 described her concerns, may relate to the period after she had left the Academy. However, the panel is asked to find that an inappropriate relationship commenced at the Academy and continued thereafter, and the panel is not satisfied that this is the case. These matters were investigated by the Academy in 2012 and dismissed.

**2. In or around September 2014 whilst employed at the School, in relation to Student Z (a Student at the Academy), you failed to maintain proper professional boundaries in that you:**

**a. Sent a Snapchat contact request to Student Z**

**b. Sent one or more Snapchat messages to Student Z, including but not limited to:**

**i. Inviting Student Z to look for your profile on Twitter**

**ii. Stating words to the effect, “You’re hot”**

The panel has not had the benefit of being able to test the evidence of Student Z and accordingly has given what weight it can to her statement as hearsay. These allegations are denied by Mr Godbehere.

Whereas in the case of Student A and allegation 3.a.v., there are screenshots within the hearing bundle of messages sent by Mr Godbehere, and evidence of his SnapChat username, the evidence of Pupil Z makes reference to a different SnapChat username making contact with her and the panel does not have any evidence within the bundle of any SnapChat messages or profiles for this user.

Further, there is reference within the hearing bundle and the evidence of both Student Z and Mr Godbehere to the use of ‘fake accounts’. In her written evidence Student Z makes reference to Student 4’s corroboration of her account of the SnapChat exchange, but the panel has not had the benefit of considering any written evidence from Student 4, and is unable to be satisfied as to the identity of the alleged SnapChat user, or what was said. The panel therefore finds there is an insufficiency of evidence for this allegation to be proven, on the balance of probabilities.

**3. Between 2012 and 2014, whilst employed at the School, you:**

**e. Displayed favouritism towards certain female students by giving them disproportionate amounts of house points**

The only evidence in support of this allegation, which is denied by Mr Godbehere, is an anonymised list of house point referrals given to a cohort of students. It has not been exhibited to the witness statement of any witness giving oral evidence at the hearing. No context has been provided as to how house points should be awarded, or a comparison

made to other teachers of the same cohort of pupils. It has not been possible for the panel to be satisfied that favouritism has been demonstrated.

#### **4. Your conduct set out at 1 and / or 2 and / or 3 above was sexually motivated**

In respect to only those allegations which have been found proven at allegations 2.c. and 3.a-d. the panel went on to consider first whether, in the context of the allegations as they arose, each allegation was objectively capable of being seen as sexually motivated.

The panel notes that in respect to allegations 3.a.vii and 3.c. only have sexual references been made, and that is in the context of a discussion with a pupil about a safeguarding disclosure, and a birthday card with an inappropriate drawing in it done by a student. The panel is not satisfied, on the balance of probabilities, that Mr Godbehere's conduct was sexually motivated and therefore this allegation is not proven.

#### **Findings as to unacceptable professional conduct**

Having found a number of the allegations to have been proven, the panel has gone on to consider whether the facts of those proven allegations amount to unacceptable professional conduct and/or conduct that may bring the profession into disrepute. In doing so, the panel has had regard to the document Teacher Misconduct: The Prohibition of Teachers, which the panel refers to as "the Advice".

The panel is satisfied that the conduct of Mr Godbehere in relation to the facts found proven, involved breaches of the Teachers' Standards. The panel considers that by reference to Part Two, Mr Godbehere 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 is satisfied that the conduct of Mr Godbehere fell significantly short of the standards expected of the profession. The panel has also considered whether Mr Godbehere's conduct displayed behaviours associated with any of the offences listed on pages 8 and 9 of the Advice and the panel has found that none of these offences is relevant. Having found the facts of particulars 2.c. and 3.a. to 3.d. proved, we further find that Mr Godbehere's conduct amounts to unacceptable professional conduct.

## **Panel's recommendation to the Secretary of State**

Given the panel's findings in respect of unacceptable professional conduct, 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 Advice and having done so has found a number of them to be relevant in this case, namely the need for the protection of pupils; the maintenance of public confidence in the profession and the need to declare and uphold proper standards of conduct.

In light of the panel's findings against Mr Godbehere, which involved serious failures to maintain professional boundaries toward pupils, and to escalate safeguarding concerns - despite being trained and having received warnings in respect to his previous conduct - there is a strong public interest consideration in respect to the need for 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 Godbehere were not treated with the utmost seriousness when regulating the conduct of the profession.

The panel also 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 Godbehere 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 Godbehere.

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 Godbehere. 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 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

Even though there were behaviours that would point to the appropriateness of a prohibition order, 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.

In light of the panel's findings the panel accepts that there was no evidence to suggest that the teacher was acting under duress, and in fact the panel found the teacher's actions show something of a repeat pattern of behaviour in that they concerned similar issues to those which had been investigated when he was a student teacher at the Academy.

The panel has noted that Mr Godbehere's final NQT assessment indicates that he has the makings of a good teacher, which was also emphasised in character testimonials which described him as a competent and highly regarded teacher. However, the panel remain concerned that Mr Godbehere has not shown sufficient insight into his safeguarding responsibilities and the need to maintain professional boundaries with pupils.

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 Godbehere. His repeated behaviour and lack of insight were significant factors in forming that opinion. 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 them to decide to recommend that a review period of the order should be considered. The panel was mindful of the Advice that a prohibition order applies for life, but there may be circumstances in any given case that may make it appropriate to allow a teacher to apply to have the prohibition order reviewed after a specified period of time that may not be less than 2 years.

The panel felt the findings indicated a situation in which a review period would be appropriate and as such decided that it would be proportionate in all the circumstances for the prohibition order to be recommended with provisions for a review period after 2 years. The panel makes this recommendation because it considers that the teacher's proven conduct was toward the lower end of the spectrum of seriousness and that Mr

Godbehere may be able to demonstrate to a future panel sufficient reflection and understanding of the issues related to teacher / pupil boundaries.

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

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

In this case the panel has found some of the allegations proved and others not proved. I have been particularly careful to put from my mind those allegations that the panel has not found proven. I have noted in particular that the panel is not satisfied, on the balance of probabilities, that Mr Godbehere's conduct was sexually motivated.

Nonetheless the panel has found that those allegations where the facts were proven that Mr Godbehere's conduct did amount to unacceptable professional conduct.

I have noted that the panel is satisfied that the conduct of Mr Godbehere in relation to the facts found proven, involved breaches of the Teachers' Standards. Mr Godbehere 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.

Mr Godbehere's behaviour involved serious failures to maintain professional boundaries toward pupils, and to escalate safeguarding concerns - despite being trained and having received warnings in respect to his previous conduct.

I have taken into account the guidance published by the Secretary of State and noted that the behaviours 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.

I have taken into account the need to balance the public interest with the interests of Mr Godbehere and the need to be proportionate.

For the reasons set out I agree with the recommendation of the panel that a prohibition order is proportionate and in the public interest.

I have gone on to consider the matter of a review period. The panel has noted that Mr Godbehere's final NQT assessment indicates that he has the makings of a good teacher, which was also emphasised in character testimonials which described him as a competent and highly regarded teacher. However, the panel remain concerned that Mr Godbehere has not shown sufficient insight into his safeguarding responsibilities and the need to maintain professional boundaries with pupils.

The panel has recommended a two year review period. I agree with that recommendation. The prohibition order is for life, but the panel is clear that the teacher's proven conduct was toward the lower end of the spectrum of seriousness and that Mr Godbehere may be able to demonstrate to a future panel sufficient reflection and understanding of the issues related to teacher / pupil boundaries.

**This means that Mr Aaron Godbehere is prohibited from teaching indefinitely and cannot teach in any school, sixth form college, relevant youth accommodation or children's home in England.** He may apply for the prohibition order to be set aside, but not until 6 October 2018, 2 years from the date of this order at the earliest. This is not an automatic right to have the prohibition order removed. If he does apply, a panel will meet to consider whether the prohibition order should be set aside. Without a successful application, Mr Aaron Godbehere remains prohibited from teaching indefinitely.

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

Mr Aaron Godbehere 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 blue ink, appearing to be 'A. C. M.' with a checkmark at the end.

**Decision maker: Alan Meyrick**

**Date: 6 october 2016**

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