



Teaching
Regulation
Agency

Mr Matthew Sides: Professional conduct panel meeting outcome

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

July 2021

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

Teacher:	Mr Matthew Sides
Teacher ref number:	3773801
Teacher date of birth:	18 March 1993
TRA reference:	18328
Date of determination:	29 July 2021
Former employer:	Eldon Grove Academy, Hartlepool

Introduction

A professional conduct panel (“the panel”) of the Teaching Regulation Agency (“the TRA”) convened on 29 July 2021 by way of a virtual hearing, to consider the case of Mr Matthew Sides.

The panel members were Mr Alf Bean (lay panellist – in the chair), Ms Charlotte McCallum (lay panellist) and Mr Chris Major (teacher panellist).

The legal adviser to the panel was Mr Robert Kellaway of Birketts LLP solicitors.

In advance of the meeting, after taking into consideration the public interest and the interests of justice, the TRA agreed to a request from Mr Sides that the allegations be considered without a hearing. A signed statement of agreed facts had been agreed in advance of the meeting.

The panel considered the case at a meeting without the attendance of the presenting officer, Ms Tamy Conn of Fieldfisher LLP; Mr Sides; or any representative of Mr Sides.

The meeting took place in private, save for the announcement of the panel’s decision, which was announced in public and recorded.

Allegations

The panel considered the allegations set out in the notice of meeting dated 5 July 2021.

It was alleged that Mr Sides was guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute in that whilst employed as a teacher at Eldon Grove Academy:

1. In or around January 2019 he engaged in sexual activity with Child A.
2. In or around February 2019 he engaged in sexual activity with Child A.
3. By his conduct at paragraph 1, he failed to uphold public trust in the profession and maintain high standards of ethics and behaviour, within and outside of school.

Mr Sides admitted the facts of allegations 1 to 3 and that his behaviour amounted to unacceptable professional conduct and/or conduct that may bring the profession into disrepute, as set out in his response to notice of referral form dated 15 December 2020 and in the statement of agreed facts signed by Mr Sides on 19 May 2021.

Preliminary applications

There were no preliminary applications.

Summary of evidence

Documents

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

- Section 1: Chronology, anonymised pupil list and list of key people – pages 1 to 3
- Section 2: Notice of referral, response and notice of meeting – pages 4 to 8b
- Section 3: Statement of agreed facts and presenting officer representations – pages 9 to 12
- Section 4: Teaching Regulation Agency documents – pages 13 to 102
- Section 5: Teacher documents – pages 103 to 143

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

Statement of agreed facts

The panel considered a statement of agreed facts which was signed by Mr Sides on 19 May 2021 and which had been signed on behalf of a presenting officer on 27 May 2019.

Decision and reasons

The panel announced its decision and reasons as follows:

The panel carefully considered the case and reached a decision.

In advance of the meeting, the TRA agreed to a request from Mr Sides for the allegations to be considered without a hearing. The panel had the ability to direct that the case be considered at a hearing if required in the interests of justice or in the public interest. The panel did not determine that such a direction was necessary or appropriate in this case.

Mr Sides was employed as a teacher at Eldon Grove Academy (“the School”) from September 2016 until he was dismissed on 10 July 2019. The School is a co-educational primary school which caters for pupils aged 3 to 11. Prior to his dismissal by the School, Mr Sides had been a Year 3 teacher.

In or around January 2019, Mr Sides met Child A via the Grindr app (marketed as a social networking app for gay, bi, trans and queer people). Mr Sides and Child A exchanged messages on Grindr including pictures of their faces and arranged to meet. In or around January 2019, Mr Sides picked up Child A in his car and drove to a location where they engaged in sexual activity.

Mr Sides has said he believed Child A was 16 as Child A told him he was during their initial messages on Grindr. Child A admitted to the police that he told Mr Sides, on one occasion, that he was 16 years of age.

In or around February 2019, Mr Sides arranged to meet Child A again. Mr Sides picked up Child A in his car and drove to Mr Sides’ house. Mr Sides and Child A engaged in sexual activity at Mr Sides’ house.

Child A told the police during their investigations that the encounters and sexual activity were consensual and without pressure.

On 16 April 2019, Mr Sides called the police and made a voluntary confession that he had engaged in sexual activities with Child A having been told by Child A’s parents that Child A was actually 14. Mr Sides was arrested on the night of 16 April 2019.

On 17 April 2019, Mr Sides was released by the police and he emailed the School to inform them of the criminal allegations against him and that the police were currently

investigating the matter. Mr Sides was placed on a paid leave of absence on 18 April 2019 and was later suspended.

A Local Authority Designated Officer meeting was held on 1 May 2019. The School held an investigation meeting on 17 May 2019. A disciplinary meeting was held on 10 July 2019 at which Mr Sides' employment with the School was terminated without notice.

The matter was referred to the TRA by the School on 12 July 2019. The police decided to take no further action against Mr Sides. The TRA issued Mr Sides with an interim prohibition order on 7 February 2020.

Findings of fact

The findings of fact are as follows:

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

- 1. In or around January 2019 you engaged in sexual activity with Child A.**
- 2. In or around February 2019 you engaged in sexual activity with Child A.**

The panel noted that in the response to the notice of referral form dated 15 December 2020 and in the statement of agreed facts, which Mr Sides had signed on 19 May 2021, Mr Sides had admitted the facts of allegations 1 and 2. Notwithstanding that being the case, the panel made its own determination on the facts of the allegations on all of the evidence before it.

The panel concluded that the evidence within the bundle supported the statement of agreed facts. In particular, the panel noted: the transcript of the police interview with Mr Sides, the statement taken from Child A by the police, the notes of the School's investigation meeting dated 17 May 2019, the police incident report and Mr Sides' witness statement and representations. All of these documents supported the fact that Mr Sides had engaged in sexual activity with Child A in January 2019 and in February 2019. The panel also noted that Mr Sides' account had been consistent and detailed throughout the investigation and he had been honest in admitting his conduct to the police and the School.

The panel found that in January 2019, Child A performed oral sex on Mr Sides whilst he was in Mr Sides' car. The car was parked on a road at the time. Mr Sides had initially driven to a local car park but had moved on as another car was in the car park at the time.

In February 2019, the sexual activity took place at Mr Sides' house.

Mr Sides and Child A had performed oral sex on each other. The panel noted that Mr Sides had stated he had performed penetrative sex on Child A but that Child A had denied this when he was interviewed by the police. On the balance of probabilities, the panel preferred the evidence of Mr Sides on this point of fact. Mr Sides' had given a consistent and detailed account of events in his interviews with the police and the School at the time. Mr Sides had also been open and honest in making his admissions to the School and the police. The panel conceived there was no reason or motivation to support a finding that Mr Sides had dishonestly admitted to performing this sexual act with Child A. The panel therefore found that Mr Sides had engaged in penetrative sex with Child A in February 2019 whilst Child A was at his house.

The panel was satisfied, on the balance of probabilities, that Mr Sides had believed Child A had been 16 when he had engaged in sexual activity with Child A. However, the panel considered that Mr Sides had completely neglected his duty, as the adult and as a teacher, to take steps to ensure that Child A was in fact 16.

The panel was concerned by the evidence in how the issue of Child A's age had come about. It had been Child A who had said he was 16. The evidence given by Mr Sides in his police interview was that he had responded to this with words the along the lines of *'As long as you are 16 you're legal that's fine' 'he went yes and I, truly believed that he was.'*

The panel also noted that it appeared Mr Sides had noted that Child A appeared to be drinking alcohol in one of his pictures. Child A was not of the legal drinking age (and would not have been even if he were 16) and this should have served as a further warning to Mr Sides that the conduct he was embarking on was wholly inappropriate.

The panel found the particulars of allegations 1 and 2 proved.

3. By your conduct at paragraph 1, you failed to uphold public trust in the profession and maintain high standards of ethics and behaviour, within and outside of school.

The panel noted that in the statement of agreed facts, which Mr Sides signed on 19 May 2021, Mr Sides admitted the facts of allegation 3. Notwithstanding the admissions in the statement of agreed facts, the panel made its own determination on this allegation.

On examination of the documents before the panel, the panel was of the view that Mr Sides had failed to uphold public trust in the profession and maintain high standard of ethics and behaviour. Mr Sides had engaged in sexual activity with a child aged 14, who he thought had been 16.

Mr Sides had engaged in a sexual activity in a public location, a road in the local area. The panel considered that the public trust would be most certainly breached upon discovering that a teacher was engaging with and in sexual activity with someone they

believed to be 16 but was actually 14 and was doing so in a public location. The panel also considered that Mr Sides had failed to maintain high standards of ethics and behaviours.

The panel found the particulars of allegation 3 proved.

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

Having found the allegations proved, the panel went on to consider whether the facts of the allegations amounted to unacceptable professional conduct and/or conduct that may bring the profession into disrepute.

In doing so, the panel had regard to the document Teacher Misconduct: The Prohibition of Teachers, which is referred to as “the Advice”.

The panel was satisfied that the conduct of Mr Sides in relation to the facts found proved, involved breaches of the Teachers’ Standards. The panel considered that, by reference to Part 2, Mr Sides was in breach of the following standards:

- Teachers uphold public trust in the profession and maintain high standards of ethics and behaviour, within and outside school, by
 - treating pupils with dignity, building relationships rooted in mutual respect, and at all times observing proper boundaries appropriate to a teacher’s professional position
- Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities.

The panel was satisfied that the conduct of Mr Sides fell significantly short of the standards expected of the profession.

The panel considered the proven facts to be very serious. Mr Sides had engaged in sexual activity with a 14-year-old child (although he believed the child was 16).

The panel determined that Mr Sides’ awareness of the risks to Child A, himself, the School and the teaching profession had been woefully inadequate in his exchanges on Grindr with Child A and his decision to proceed to engage in sexual relations with Child A, someone he had met very briefly on Grindr and who had simply said they were 16. The panel determined that Mr Sides had devolved his responsibilities as an adult (he was 25 at the time).

The panel was concerned that Mr Sides believed that some users of Grindr were actually 16 or 17 when he believed that users had to be 18 to have an account. The panel considered this, yet a further example of Mr Sides being blind to his responsibilities as an

adult and as a teacher and failing to take appropriate precautions when embarking on such activity which was inherently risky and could have significant negative consequences for himself, the teaching profession and most importantly a vulnerable person, who in this case was in fact a child.

The panel considered that any reasonable person, let alone someone in the teaching profession, would, and should, have been more aware of the risks and consequences of engaging in sexual activity with someone who they did not know who said on one occasion that they were 16, the legal age of consent.

The panel also considered whether Mr Sides' conduct displayed behaviours associated with any of the offences listed on pages 10 and 11 of the Advice. The Advice indicates that where behaviours associated with such an offence exist (even though the individual has not been convicted of the offence), a panel is more likely to conclude that an individual's conduct would amount to unacceptable professional conduct. The panel found that offences of sexual activity were relevant.

The panel noted that the allegations took place outside the education setting in that Mr Sides met Child A via an online dating app and met him outside of working hours. The panel also noted that Child A was not a pupil of the School. The panel noted the Advice and considered that Mr Sides' misconduct was serious and his actions, engaging in sexual activity with a child aged 14, would have a negative impact on his status as a teacher and, further, as also set out below, would be likely to damage the public perception of teachers.

The panel was satisfied that the proven allegations amounted to unacceptable professional conduct.

In considering whether Mr Sides' proven actions amounted to conduct that may bring the profession into disrepute, the panel took into account the way the teaching profession is viewed by others and considered the influence that teachers may have on pupils, parents and others in the community. The panel also took account of the uniquely influential role that teachers can hold in pupils' lives and the fact that pupils must be able to view teachers as role models in the way they behave.

The findings of misconduct were serious and the panel was in no doubt that the conduct displayed would be likely to have a negative impact on the individual's status as a teacher, potentially damaging the public's perception. The panel considered that the actions of Mr Sides fell well short of what the public would expect or tolerate of a teacher.

Given the panel considered that the public would not accept or tolerate a teacher engaging in sexual activity with a child who was 14 or someone they believed to be 16 after a very short initial meeting. The panel also determined that the public trust in the

profession would also be negatively impacted if they discovered that a teacher had engaged in sexual activities in a public location and especially one in the local area.

The panel therefore found that Mr Sides' actions constituted conduct that may bring the profession into disrepute.

In summary, having found the facts of particulars 1, 2 and 3 proved, the panel further found that Mr Sides' conduct amounted to both unacceptable professional conduct and conduct that may bring the profession into disrepute.

Panel's recommendation to the Secretary of State

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

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

The panel had regard to the particular public interest considerations set out in the Advice and, having done so, found a number of them to be relevant in this case, namely the protection of pupils, the protection of other members of the public, the maintenance of public confidence in the profession and declaring and upholding proper standards of conduct.

The panel was in no doubt that public confidence in the profession would be seriously weakened if conduct, such as that found against Mr Sides, was not treated with the utmost seriousness when regulating the profession.

The panel also decided that a strong public interest consideration in declaring proper standards of conduct in the profession was also present, as the conduct found against Mr Sides was so far beyond that which could reasonably be tolerated.

In the light of the panel's findings against Mr Sides which involved engaging in sexual activity with a 14-year-old child, there was a potential public interest consideration in respect of the protection of pupils. However, the panel considered the risk of Mr Sides repeating such misconduct to be limited as it was clear, on the documentary evidence provided, that he fully appreciated and accepted that his actions had been completely wrong and far removed from what was expected of a teacher.

On balance, the panel decided that there was not a substantial public interest consideration in retaining the teacher in the profession. The panel did note Mr Sides' submissions in his witness statement in which he described his previous good history as a teacher, which was short given his limited experience. However, the panel concluded that very little evidence had been submitted to support this; the only other references provided as to his teaching ability and enthusiasm for teaching were from Individual A [redacted] and Individual B [redacted].

Whilst the panel was of the view that Mr Sides could potentially make a valuable contribution to the teaching profession in the future, it was not convinced on the evidence that there was a strong public interest in retaining Mr Sides in the profession.

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 Sides.

In carrying out the balancing exercise, the panel had regard to the public interest considerations, as well as the interests of Mr Sides. The panel took further account of the Advice, which suggests that a prohibition order may be appropriate if certain behaviours of a teacher have been proved. In the list of such behaviours, those that are relevant in this case are:

- serious departure from the personal and professional conduct elements of the Teachers' Standards;
- sexual misconduct, for example, involving actions that were sexually motivated or of a sexual nature...;

The panel considered the proven misconduct of Mr Sides, engaging in sexual activity with a child aged 14 (albeit Mr Sides believed the child was 16), to be of the utmost seriousness and certainly a serious departure from the basic tenets of what is expected, and required, of an adult and especially someone in the teaching profession.

Even though some of the behaviour found proved in this case indicated that a prohibition order would be appropriate, the panel went on to consider the mitigating factors. Mitigating factors may indicate that a prohibition order would not be appropriate or proportionate.

The panel considered that Mr Sides' actions had not been deliberate in terms of engaging in sexual activity with a child under the age of 16. However, as mentioned earlier, the panel was very concerned that Mr Sides, as someone who taught children, considered it acceptable to proceed with a sexual relationship with someone he believed to be 16. The panel determined this was an act of extreme poor judgement on the part of Mr Sides.

There was no evidence to suggest that Mr Sides was acting under duress.

The panel took note of the character evidence submitted on behalf of Mr Sides, although as Mr Sides had not told people about what had happened this character evidence was limited to statements produced by Individual A and Individual B. The panel noted the following statements:

- Individual A.
 - *“Prior to this, Matthew had an impeccable record. He possessed an outstanding reputation for commitment to teaching and adherence to professional standards. He had taught and worked with children around the world in the UK as well as America, Sweden, Norway and China. He had always received praiseful references and high recommendations from his previous employers. He adored working with young people and was proud to be a role model. [sic]”*

- Individual B.
 - *“Matthew’s prohibition would be hugely detrimental to the teaching profession. He has successfully worked with children around the world, but his biggest impact has been on the young people of EGA. His loss has been felt throughout the School.”*

The panel considered upon review of the documents within the bundle that Mr Sides had been fully cooperative and honest throughout the entire process. Mr Sides had himself called the police on the day he had discovered that Child A was in fact not 16 but 14. In addition, Mr Sides had emailed the School to inform them of the allegations that had been made against him at the earliest available opportunity. However, credible as Mr Sides’ actions were following a difficult meeting with Child A’s family members, the panel concluded this did not negate the seriousness that Mr Sides had engaged in sexual activity with a child aged 14.

The panel considered the evidence within the bundle, and Mr Sides’ witness statement suggested that he was very remorseful for his actions and accepted that what he had done had been wrong and careless. It was clear from Mr Sides’ witness statement that he was aware of the impact that his misconduct had on Child A and could continue to have in the future. Mr Sides had also reflected on how his misconduct could have negatively impacted the School in which he had taught and the teaching profession generally.

In his witness statement, Mr Sides also displayed some insight into why he had made such poor decisions and what he needed to do differently to make sure he never made such poor decisions again. He has taken time to reflect on his personal life and has taken steps to educate himself on how to have a better approach to sex and relationships in the

future. However, it was clear from Mr Sides' own evidence that he considered he had further steps to take. In particular, the panel noted the comments made by Mr Sides in his statement dated 5 March 2021:

'[redacted], I have begun to start unravelling the reasons why I might have made such a poor choice. Due to the underlying shame about [redacted], I saw dating and relationships as aspects of my life I wanted to keep hidden from others and so I sought refuge in online apps. Yet [redacted] is something which I am learning to accept and embrace. I'm beginning to understand how to make choices that keep my future relationships in a safe and happy space. Hopefully after the pandemic, I'll feel ready to begin dating in a more traditional way.'

Mr Sides had stated he had spoken to [redacted], to seek guidance. Although, no further evidence [redacted] had been submitted to expand on this support.

The panel first considered whether it would be proportionate to conclude this case with no recommendation of prohibition, considering whether the publication of the findings made by the panel would be sufficient.

The panel was of the view that, applying the standard of the ordinary intelligent citizen, it would not be a proportionate and appropriate response in the circumstances of this case to recommend no prohibition order.

The panel determined that recommending that the publication of adverse findings was sufficient would unacceptably compromise the public interest considerations present in this case, despite the severity of the consequences for Mr Sides of prohibition.

The panel was of the view that prohibition was both proportionate and appropriate. The panel decided that the public interest considerations outweighed the interests of Mr Sides. The severity of Mr Sides' misconduct was a significant factor in forming that opinion. Accordingly, the panel made 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 to recommend that a review period of the order should be considered. The panel was mindful that the Advice states 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 Advice indicates that there are behaviours that, if proved, would militate against the recommendation of a review period. One of these behaviours include serious sexual misconduct, such as where the act was sexually motivated and resulted in or had the potential to result in, harm to a person or persons, particularly where the individual has used his professional position to influence or exploit a person or persons. The panel

found Mr Sides' engaged in serious sexual misconduct involving a child but did not consider that Mr Sides had used his teaching position to influence or exploit a person or persons.

The panel considered that Mr Sides' actions were at the far end of the spectrum of seriousness but also considered that there may be a time in the future that he would be able to contribute once again to the teaching profession.

The panel decided that the findings indicated a situation in which a review period would be appropriate. The panel decided that it would be proportionate in all the circumstances for the prohibition order to be recommended with provision for a five-year review period. The panel considered five years to be appropriate and proportionate given the seriousness of the misconduct.

Decision and reasons on behalf of the Secretary of State

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

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

In this case, the panel has found all of the allegations proven and found that those proven facts amount to unacceptable professional conduct and conduct that may bring the profession into disrepute.

The panel has made a recommendation to the Secretary of State that Mr Matthew Sides should be the subject of a prohibition order, with a review period of five years.

In particular, the panel has found that Mr Sides 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
- Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities.

The panel finds that the conduct of Mr Sides fell significantly short of the standards expected of the profession.

The findings of misconduct are particularly serious as they include a finding that involved engaging in sexual activity with a 14-year-old child (believed to be 16 years old).

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

I have also taken into account the panel's comments on insight and remorse, which the panel sets out as follows, "Mr Sides' witness statement suggested that he was very remorseful for his actions and accepted that what he had done had been wrong and careless. It was clear from Mr Sides' witness statement that he was aware of the impact that his misconduct had on Child A and could continue to have in the future. Mr Sides had also reflected on how his misconduct could have negatively impacted the School in which he had taught and the teaching profession generally."

I have gone on to consider the extent to which a prohibition order would maintain public confidence in the profession. The panel observe, "In the light of the panel's findings against Mr Sides which involved engaging in sexual activity with a 14-year-old child, there was a potential public interest consideration in respect of the protection of pupils. However, the panel considered the risk of Mr Sides repeating such misconduct to be limited as it was clear, on the documentary evidence provided, that he fully appreciated and accepted that his actions had been completely wrong and far removed from what was expected of a teacher."

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

I have considered whether the publication of a finding of unacceptable professional conduct, in the absence of a prohibition order, can itself be regarded by such a person as being a proportionate response to the misconduct that has been found proven in this case.

I have also considered the impact of a prohibition order on Mr Sides himself and the panel observed "On balance, the panel decided that there was not a substantial public interest consideration in retaining the teacher in the profession. The panel did note Mr Sides' submissions in his witness statement in which he described his previous good

history as a teacher, which was short given his limited experience. However, the panel concluded that very little evidence had been submitted to support this.” A prohibition order would prevent Mr Sides from teaching. A prohibition order would also clearly deprive the public of his contribution to the profession for the period that it is in force.

In this case, I have placed considerable weight on the panel’s comments “the proven misconduct of Mr Sides, engaging in sexual activity with a child aged 14 (albeit Mr Sides believed the child was 16), to be of the utmost seriousness and certainly a serious departure from the basic tenets of what is expected, and required, of an adult and especially someone in the teaching profession.”

In addition I have placed weight on the impact of the findings on the profession and the panel comment “Given the panel considered that the public would not accept or tolerate a teacher engaging in sexual activity with a child who was 14 or someone they believed to be 16 after a very short initial meeting. The panel also determined that the public trust in the profession would also be negatively impacted if they discovered that a teacher had engaged in sexual activities in a public location and especially one in the local area.”

I have given less weight in my consideration of sanction therefore, to the contribution that Mr Sides has made to the profession. In my view, it is necessary to impose a prohibition order in order to maintain public confidence in the profession. A published decision, in light of the circumstances in this case, does not in my view satisfy the public interest requirement concerning public confidence in the profession.

For these reasons, I have concluded that a prohibition order is proportionate and in the public interest in order to achieve the intended aims of a prohibition order.

I have gone on to consider the matter of a review period. In this case, the panel has recommended a 5 year review period.

I have considered the panel’s comments “The panel considered that Mr Sides’ actions were at the far end of the spectrum of seriousness but also considered that there may be a time in the future that he would be able to contribute once again to the teaching profession.”

I have considered whether a 5 year review period reflects the seriousness of the findings and is a proportionate period to achieve the aim of maintaining public confidence in the profession. In this case, a number of factors mean that a two-year review period is not sufficient to achieve the aim of maintaining public confidence in the profession. These elements are the seriousness of the findings and the impact on the profession.

I recognise the serious nature of this case and that Mr Sides admitted to having sexual activity with a 14 year old child, and I recognise the significant impact that could have on maintaining public trust in the profession. In my view the panel have given disproportionate weight to the mitigating circumstances in this case, along with their

consideration of the insight and remorse shown. Therefore I do not support the panel's recommendation.

The fact that Mr Sides proceeded to engage in sexual relations with Child A, someone he met briefly on a social media platform, without taking responsibility to check the correct age posed a risk to the child, himself, the school and the profession.

I consider therefore that allowing for no review period is necessary to maintain public confidence and is proportionate and in the public interest.

This means that Mr Matthew Sides 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 Matthew Sides 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 Matthew Sides 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 'S Buxcey', with a horizontal line underneath.

Decision maker: Sarah Buxcey

Date: 2 August 2021

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