



Teaching
Regulation
Agency

Mr Dan Boulton: Professional conduct panel meeting outcome

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

November 2022

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

Teacher:	Mr Dan Boulton
Teacher ref number:	9637750
Teacher date of birth:	29 September 1966
TRA reference:	17555
Date of determination:	7 November 2022
Former employer:	Brine Leas County High School, Cheshire

Introduction

A professional conduct panel ('the panel') of the Teaching Regulation Agency ('the TRA') convened on 7 November 2022 by way of a virtual meeting, to consider the case of Mr Dan Boulton.

The panel members were Mr Maurice McBride (lay panellist – in the chair), Ms Jackie Hutchings (teacher panellist) and Mr Roger Woods (former teacher panellist).

The legal adviser to the panel was Ms Olivia Toulson 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 Boulton that the allegations be considered without a hearing. Mr Boulton provided a signed statement of agreed facts and admitted unacceptable professional conduct and conduct that may bring the profession into disrepute. The panel considered the case at a meeting without the attendance of the presenting officer, Ms Rebecca Neeson of Fieldfisher LLP, Mr Boulton or any representative for Mr Boulton.

The meeting took place in private by way of a virtual meeting.

Allegations

The panel considered the allegations set out in the notice of meeting dated 17 October 2022.

It was alleged that Mr Boulton was guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute, in that whilst a teacher at Brine Leas County High School:

1. Between March and December 2015, he engaged in a sexual relationship with Pupil A, who was a Pupil at the School during the academic year 2014-15.
2. On the dates shown, he made inappropriate comments to the following:
 - a. In or around February 2018, to a group of Pupils, in that he used words to the effect that "bisexual people are just greedy"
 - b. On or around 21 May 2018, to Staff Member 1, words to the effect of "I fucking hate her, I hope she dies of a brain haemorrhage", referring to a pupil.
3. By his conduct set out in paragraph 1, he failed to observe a proper boundary appropriate to a teacher's professional position.
4. By his conduct set out in paragraph 2, he failed to treat pupils with dignity.

Mr Boulton admitted the facts of allegations 1 to 4 and that his behaviour amounted to unacceptable professional conduct and conduct that may bring the profession into disrepute falling short of the standards of behaviour expected of a teacher, as set out in the response to the notice of proceedings dated 25 June 2020 and in the statement of agreed facts signed by Mr Boulton on 6 July 2022.

Preliminary applications

There were no preliminary applications.

The panel noted that since the date of the referral to the TRA in this case, new 'Teacher misconduct: Disciplinary procedures for the teaching profession' were published in May 2020 (the 'May 2020 Procedures'). The panel understands that the earlier provisions contained within the 'Teacher misconduct: disciplinary procedures for the teaching profession' updated in April 2018 (the 'April 2018 Procedures') apply to this case, given that those provisions applied when the referral was made. Although the panel has the power to direct that the May 2020 Procedures should apply in the interests of justice or the public interest, the panel had received no representations that this should be the case. For the avoidance of doubt, therefore, the panel confirms that it has applied the April 2018 Procedures in this case.

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 2
- Section 2: Notice of referral, response and notice of meeting – pages 3 to 8
- Section 3: Statement of agreed facts and presenting officer representations – pages 9 to 13
- Section 4: TRA documents – pages 14 to 152
- Section 5: Teacher documents – pages 153 to 171

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 Boulton on 6 July 2022 and by the presenting officer on 27 July 2022.

Decision and reasons

The panel carefully considered the case and reached the following decision and reasons:

In advance of the meeting, the TRA agreed to a request from Mr Boulton 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 Boulton commenced employment at Brine Leas County High School ('the School') in 2003.

On 5 March 2018, Mr Boulton received a verbal warning for inappropriate comments towards students which form the substance of allegation 2(a) below.

A grievance was received by the School on 5 June 2018 and Mr Boulton was invited to a meeting regarding alleged inappropriate comments and actions towards colleagues and alleged inappropriate comments and actions towards and about students. The grievance related to comments which form the substance of allegation 2(b) below.

A referral was made to the LADO on 7 June 2018 that related to a separate matter. The referral set out that an allegation had been made by an anonymous caller to the school that Mr Boulton had been involved in a sexual relationship with an individual who was a pupil at the School when the relationship occurred.

On 14 June 2018, Mr Boulton was instructed to attend a reconciliation meeting with colleagues and training in relation to concerns regarding the use of inappropriate comments.

A referral was made to the police on 15 June 2018. Following disclosure and an allegation of a relationship with Pupil A, an investigation commenced.

A fact finding meeting was held on 13 September 2018 and a disciplinary hearing was held on 1 October 2018.

Mr Boulton ceased employment at the School on 4 October 2018.

The matter was referred to the TRA on 4 October 2018.

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. Between March and December 2015, you engage in a sexual relationship with Pupil A, who was a Pupil at the School during the academic year 2014-15.**
- 2. On the dates shown, you made inappropriate comments to the following:**
 - a. In or around February 2018, to a group of Pupils, in that you used words to effect that "bisexual people are just greedy"**
 - b. On or around 21 May 2018, to Staff Member 1, words to the effect of "I fucking hate her, I hope she dies of a brain haemorrhage", referring to a pupil.**
- 3. By your conduct set out in paragraph 1, you failed to observe a proper boundary appropriate to a teacher's professional position.**
- 4. By your conduct set out in paragraph 2, you failed to treat pupils with dignity.**

The panel noted that Mr Boulton admitted the facts of allegation 1 to 4, as set out in the statement of agreed facts signed by Mr Boulton on 6 July 2022. Notwithstanding this, the panel made a determination based on the evidence available to it.

In relation to the first allegation, Mr Boulton admitted that between March and December 2015, he engaged in a sexual relationship with Pupil A, who was a pupil at the School during the academic year 2014-2015. Mr Boulton admitted that the relationship commenced in December 2014, progressed to a sexual relationship in March 2015 and then ended in December 2015. Mr Boulton admitted that the relationship occurred when Pupil A was in the sixth form. Mr Boulton admitted that Pupil A visited his house during this period, and that he discussed with Pupil A the nature of their relationship from the outset, and jointly agreed with Pupil A that they would not make the relationship common knowledge until after she had left the School. Pupil A has not made a statement to be taken into account by the panel, however it is understood that she was interviewed by Cheshire Police and confirmed, to them, that she had had a sexual relationship with Mr Boulton that lasted for approximately one year whilst she was a pupil at the School.

Mr Boulton admitted that he was aware of the School's policies and what constitutes an inappropriate relationship with a pupil. Further, Mr Boulton accepted full responsibility for the relationship developing with Pupil A; he admitted that he was in a position of responsibility and should not have allowed the relationship to continue. The panel found allegation 1 proven.

In relation to allegation 2(a), Mr Boulton admitted that in or around February 2018, to a group of pupils, he used words to the effect that, "bisexual people are just greedy". Mr Boulton admitted that he said this during a PSHE lesson on the topic of sexuality. Other pupils were witnesses to this comment and confirmed this comment as part of the School's internal disciplinary investigation. The panel found allegation 2(a) proven.

In relation to allegation 2(b), Mr Boulton admitted that on or around 21 March 2018, he said to Staff Member 1 words to the effect of "I fucking hate her, I hope she dies of a brain haemorrhage" referring to a pupil. The panel found allegation 2(b) proven.

In relation to the third allegation, Mr Boulton admitted that by his conduct set out in allegation 1, he failed to observe a proper boundary appropriate to a teacher's professional position. He admitted to a sexual relationship with someone who was a Pupil at the School at the time. The panel found allegation 3 proven.

In relation to the fourth allegation, Mr Boulton admitted that by his conduct set out in allegation 2, he failed to treat pupils with dignity. In relation to allegation 2(a) the panel noted that the comment was made in a classroom setting in front of pupils, some of whom were LGBT. In relation to allegation 2(b) the comment was particularly unpleasant and made about a pupil to a colleague at school, albeit expressed in private conversation. The panel found allegation 4 proven.

The panel noted a number of statements collected as part of the School's internal investigation, submitted as part of the bundle.

The panel found allegations 1, 2, 3 and 4 proven.

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 those proved 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 Boulton, in relation to the facts found proved, involved breaches of the Teachers’ Standards. The panel considered that, by reference to Part 2, Mr Boulton 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
 - having regard for the need to safeguard pupils’ well-being, in accordance with statutory provisions
 - ensuring that personal beliefs are not expressed in ways which exploit pupils’ vulnerability or might lead them to break the law
- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach...
- Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities.

In relation to the first allegation, the panel also considered whether Mr Boulton’s conduct displayed behaviours associated with any of the offences listed on pages 12 and 13 of the Advice. There has not been a conviction in this case, however the Advice states that where a teacher has been found by a panel to have displayed behaviours associated with any of the offence types shown in the list on page 12, but was not convicted of a relevant offence, a panel is likely to conclude that those behaviours would amount to “unacceptable professional conduct”.

The panel found that the offence of sexual activity listed on page 12 of the Advice was relevant.

In this case, Mr Boulton admitted to having a sexual relationship with Pupil A, who was in the sixth form during the time of the relationship. Pupil A visited his house and there was an agreement between them that they would not make the relationship common knowledge until after she left school. Mr Boulton admits he was in a position of responsibility at the time and accepts that he should not have allowed it to continue. The panel found this amounted to unacceptable professional conduct.

In relation to allegation 2(a), Mr Boulton admitted he used words to the effect of, “bisexual people are just greedy”. He made this comment to pupils in a lesson. Some of the class members identified as LGBT. The panel accepted that this comment fell significantly short of the standards expected of the profession. The panel drew on its own knowledge and experience of the teaching profession and considered how pupils might be exposed to or influenced by these types of behaviours and concluded this behaviour amounted to unacceptable professional conduct. In relation to allegation 2(b), Mr Boulton admitted that he said to staff member 1 words to the effect of “I fucking hate her, I hope she dies of a brain haemorrhage”. The panel accepted that this comment fell short of the standards expected of the profession but if it was being considered in isolation, did not think that by itself it amounted to unacceptable professional conduct. Whilst ill-advised and unprofessional, the comment was made in what was considered to be a private conversation which could not be overheard by others. Overall however, the panel concluded that this amounted to unacceptable professional conduct.

In relation to allegation 3, the panel concluded, having taken into account its findings in respect of allegation 1, that the failure to observe a proper boundary appropriate to a teacher’s professional position amounts to unacceptable professional conduct.

In relation to allegation 4, the panel concluded that having taken into account its findings in respect of allegation 2, that the failure to treat pupils with dignity amounts to unacceptable professional conduct.

Accordingly, the panel was satisfied that Mr Boulton was guilty of unacceptable professional conduct.

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 conduct displayed would be likely to have a negative impact on the individual’s status as a teacher, potentially damaging the public perception. In relation to allegation 1, for the reasons set out above, this behaviour is likely to have a very negative impact on the individual’s status as a teacher and damage public perception. In relation to allegation 2(a), the comments were made in front

of pupils in a teaching setting. Some of the pupils identified as LGBT and parents were likely to have been made aware of the comment by them. In relation to 2(b) the comment was made at school and although made in a private setting, if they were overheard they would have brought the profession into disrepute.

In relation to allegations 3 and 4, by virtue of the facts stated in allegation 1 and 2, the panel finds that Mr Boulton's actions constituted conduct that may bring the profession into disrepute.

Overall, the panel therefore found that Mr Boulton's actions constituted 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 safeguarding and wellbeing of pupils and the protection of other members of the public; the maintenance of public confidence in the profession; declaring and upholding proper standards of conduct; and that prohibition strikes the right balance between the rights of the teacher and the public interest, if they are in conflict.

In the light of the panel's findings against Mr Boulton, which involved engaging in a sexual relationship with Pupil A, making an inappropriate comment towards pupils and making an inappropriate comment about a pupil to another member of staff, there was a strong public interest consideration in respect of the protection of pupils given the serious finding of an inappropriate relationship with a pupil.

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

The panel 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 Boulton 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 Boulton.

In carrying out the balancing exercise, the panel had regard to the public interest considerations both in favour of, and against, prohibition as well as the interests of Mr Boulton. 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;
- misconduct seriously affecting the education and/or well-being of pupils, and particularly where there is a continuing risk;
- abuse of position or trust (particularly involving pupils);
- any abuse of any trust, knowledge or influence gained through their professional position in order to advance a romantic or sexual relationship with a pupil or former pupil;
- sexual misconduct, for example, involving actions that were sexually motivated or of a sexual nature and/or that use or exploit the trust, knowledge or influence derived from the individual's professional position;
- failure in their duty of care towards a child, including exposing a child to risk or failing to promote the safety and welfare of the children (as set out in Part 1 of KCSIE);

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.

Mr Boulton's actions were deliberate.

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

No evidence was submitted to attest to Mr Boulton's previous history or ability as a teacher. Nor was any evidence submitted which demonstrates exceptionally high standards in both personal and professional conduct, or that Mr Boulton contributed significantly to the education sector. The panel noted that the bundle contained

comments from the headteacher who noted that Mr Boulton had, “made a difference” and that his department had, “done well” but no statement of this nature had been submitted to the panel for consideration. The panel does not however consider this sufficient to mitigate the offences committed.

Mr Boulton, in an email to the TRA dated 21 June 2022, stated that he was deeply sorry for his comments. Mr Boulton submitted that the comments were not meant to cause offence or upset an individual and were merely an attempt at humour. The panel noted that Mr Boulton took full responsibility for his behaviour from the outset and admitted he had been in a position of trust. However, the panel did not consider that this mitigated against the offences.

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 was proportionate and appropriate to recommend a prohibition order. 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 Boulton 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 Boulton. The nature of the offences and in particular, allegation 1, that he engaged in a sexual relationship with a Pupil at the school, 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 2 years.

The Advice indicates that there are behaviours that, if proved, would militate against the recommendation of a review period. One of these behaviours includes 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 / any sexual misconduct involving a child. The panel found that Mr Boulton was responsible for engaging in a sexual relationship with Pupil A, making an inappropriate comment towards pupils and making an inappropriate comment to a colleague about a pupil.

The panel decided that the findings indicated a situation in which a review period would not be appropriate and, as such, determined that it would be proportionate in all the circumstances for the prohibition order to be recommended without provisions for a review period.

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 Dan Boulton should be the subject of a prohibition order, with no provision for a review period.

In particular, the panel has found that Mr Boulton 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
 - ensuring that personal beliefs are not expressed in ways which exploit pupils' vulnerability or might lead them to break the law
- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach...
- 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 Boulton fell significantly short of the standards expected of the profession.

The findings of misconduct are particularly serious as they involved engaging in a sexual relationship with a pupil and making inappropriate comments about pupils.

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 Boulton, and the impact that will have on the teacher, is proportionate and in the public interest.

In this case, I have considered the extent to which a prohibition order would protect pupils. The panel has observed, "In the light of the panel's findings against Mr Boulton, which involved engaging in a sexual relationship with Pupil A, making an inappropriate comment towards pupils and making an inappropriate comment about a pupil to another member of staff, there was a strong public interest consideration in respect of the protection of pupils given the serious finding of an inappropriate relationship with a pupil." A prohibition order would therefore prevent such a risk from being present in the future.

I have also taken into account the panel's comments on insight and remorse, which the panel sets out as follows, "Mr Boulton, in an email to the TRA dated 21 June 2022, stated that he was deeply sorry for his comments. Mr Boulton submitted that the comments were not meant to cause offence or upset an individual and were merely an attempt at humour. The panel noted that Mr Boulton took full responsibility for his behaviour from the outset and admitted he had been in a position of trust. However, the panel did not consider that this mitigated against the offences." I have therefore given this element considerable weight in reaching my decision.

I have gone on to consider the extent to which a prohibition order would maintain public confidence in the profession. The panel observe, "the panel considered that public confidence in the profession could be seriously weakened if conduct such as that found against Mr Boulton were not treated with the utmost seriousness when regulating the conduct of the profession." I am particularly mindful of the finding involving a sexual relationship with a pupil in this case and the impact that such a finding has on the reputation of the profession.

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 Boulton himself and the panel comment “No evidence was submitted to attest to Mr Boulton’s previous history or ability as a teacher. Nor was any evidence submitted which demonstrates exceptionally high standards in both personal and professional conduct, or that Mr Boulton contributed significantly to the education sector. The panel noted that the bundle contained comments from the headteacher who noted that Mr Boulton had, “made a difference” and that his department had, “done well” but no statement of this nature had been submitted to the panel for consideration. The panel does not however consider this sufficient to mitigate the offences committed.”

A prohibition order would prevent Mr Boulton 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 findings of misconduct were serious and the conduct displayed would be likely to have a negative impact on the individual’s status as a teacher, potentially damaging the public perception. In relation to allegation 1, for the reasons set out above, this behaviour is likely to have a very negative impact on the individual’s status as a teacher and damage public perception. In relation to allegation 2(a), the comments were made in front of pupils in a teaching setting. Some of the pupils identified as LGBT and parents were likely to have been made aware of the comment by them. In relation to 2(b) the comment was made at school and although made in a private setting, if they were overheard they would have brought the profession into disrepute.”

I have also placed considerable weight on the finding of the panel that “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 Boulton. The nature of the offences and in particular, allegation 1, that he engaged in a sexual relationship with a Pupil at the school, 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.”

I have given less weight in my consideration of sanction therefore, to the contribution that Mr Boulton 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 that no provision should be made for a review period.

I have considered the panel's comments "The Advice indicates that there are behaviours that, if proved, would militate against the recommendation of a review period. One of these behaviours includes 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 / any sexual misconduct involving a child. The panel found that Mr Boulton was responsible for engaging in a sexual relationship with Pupil A, making an inappropriate comment towards pupils and making an inappropriate comment to a colleague about a pupil."

In this case, factors mean that allowing a review period is not sufficient to achieve the aim of maintaining public confidence in the profession. These elements are the seriousness of the findings involving a sexual relationship with a pupil.

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 Dan Boulton 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 Boulton 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 Boulton has a right of appeal to the King's Bench Division of the High Court within 28 days from the date he is given notice of this order.



Decision maker: Sarah Buxcey

Date: 10 November 2022

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