



Teaching
Regulation
Agency

Mr Matthew Thring: Professional conduct panel meeting outcome

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

July 2023

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

Teacher:	Mr Matthew Thring
Teacher ref number:	1587163
Teacher date of birth:	5 December 1992
TRA reference:	20798
Date of determination:	14 July 2023
Former employer:	Fareham Academy, Hampshire

Introduction

A professional conduct panel ('the panel') of the Teaching Regulation Agency ('the TRA') convened on 14 July 2023 by way of a virtual meeting, to consider the case of Mr Matthew Thring.

The panel members were Mrs Bev Williams (teacher panellist – in the chair), Mr Neil Hillman (teacher panellist) and Mr Peter Ward (lay panellist).

The legal adviser to the panel was Mrs Samantha Cass 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 Thring that the allegations be considered without a hearing. Mr Thring provided a signed statement of agreed facts and admitted unacceptable professional conduct and/or conduct that may bring the profession into disrepute. The panel considered the case at a meeting without the attendance of the presenting officer, Ms Louise Murphy-King of Kingsley Napley LLP solicitors, Mr Thring or any representative for Mr Thring.

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 16 June 2023.

It was alleged that Mr Thring was guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute, in that whilst working as an English and Media teacher at Fareham Academy:

1. Between around February 2022 and April 2022, he behaved in an inappropriate manner in relation to Pupil A, in that he:
 - a. gave her his telephone number;
 - b. gave her his home address;
 - c. exchanged messages via Whatsapp;
 - d. hugged her on one or more occasions;
 - e. gave her chocolate and/or a card and/or a pencil case;
 - f. said that he “really enjoy her company”, or words to that effect; and
 - g. shared information about your personal life.

Mr Thring admitted the facts of allegations 1(a)-(g) and that his behaviour amounted to unacceptable professional conduct and/or conduct that may bring the profession into disrepute, as set out in the response to the notice of proceedings dated 6 March 2023 and in the statement of agreed facts signed by Mr Thring on 29 April 2023.

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 4 to 6
- Section 2: Notice of referral, response and notice of meeting – pages 7 to 21A
- Section 3: Statement of agreed facts – pages 22 to 25

- Section 4: TRA documents – pages 26 to 166
- Section 5: Teacher documents – pages 167 to 187

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 Thring on 29 April 2023 and subsequently signed by the presenting officer on 3 May 2023.

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 Thring 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 Thring commenced employment as an English and Media teacher at Fareham Academy ('the School') on 20 June 2016. He was later promoted to head of English on 2 March 2021.

In April 2022, Mr Thring allegedly gave his telephone number to Pupil A and exchanged messages.

Mother B raised a safeguarding concern to the School on 25 April 2022. On 24 May 2022, Mr Thring was invited to a disciplinary investigation meeting. He was due to return to the eastern police investigation centre on 26 May 2022.

An investigation meeting was held on 17 June 2022 and, on 7 July 2022, Mr Thring was invited to a disciplinary meeting. The meeting was held on 15 July 2022.

Mr Thring was informed of the outcome of the disciplinary meeting on 22 July 2022. Mr Thring's employment ceased on 23 July 2022.

On 26 September 2022, Hampshire police confirmed that their investigation resulted in no further action. Hampshire police referred the matter to the TRA on 9 November 2022.

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 around February 2022 and April 2022, you behaved in an inappropriate manner in relation to Pupil A, in that you:**
 - a. gave her your telephone number;**
 - b. gave her your home address;**
 - c. exchanged messages via Whatsapp;**
 - d. hugged her on one or more occasions;**
 - e. gave her chocolate and/or a card and/or a pencil case;**
 - f. said that you “really enjoy her company”, or words to that effect; and**
 - g. shared information about your personal life.**

The panel noted that in the response to the notice of proceedings dated 6 March 2023 and in the statement of agreed facts signed by Mr Thring on 29 April 2023, Mr Thring admitted allegations 1(a)-(g). The panel also considered the admissions in Mr Thring’s Statement of April 2023. Notwithstanding this, the panel made a determination based upon the evidence available to it.

Mr Thring admitted that during the week before Easter, when Pupil A asked for his mobile phone number, he put it on a piece of paper and told Pupil A to use it should they need to. Mr Thring also admitted that he showed Pupil A his home address.

Between approximately 5 April 2022 and 25 April 2022, Mr Thring admitted that he exchanged messages with Pupil A via WhatsApp. Mr Thring further admitted that he hugged Pupil A when she was upset (redacted). He also admitted that he purchased and gave Pupil A a pencil case, chocolate and a card/postcard.

Whilst in his classroom, he told Pupil A that he really enjoyed her company and shared information about his personal life, namely that he had not seen his father for three years; he rents his house as he cannot afford to buy it; and that he was going to the pub and/or that he might be a bit drunk.

The panel found allegations 1(a)-(g) proven.

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

Having found all of 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 Thring, in relation to the facts found proved, involved breaches of the Teachers' Standards. The panel considered that, by reference to Part 2, Mr Thring 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; and
 - 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 was satisfied that the conduct of Mr Thring fell significantly short of the standards expected of the profession.

The panel also considered whether Mr Thring's conduct displayed behaviours associated with any of the offences listed on pages 12 and 13 of the Advice.

The panel found that Mr Thring had displayed controlling or coercive behaviour in particular with regard to the way in which Mr Thring had communicated with Pupil A.

The Advice indicates that where behaviours associated with such an offence exist, a panel is more likely to conclude that an individual's conduct would amount to unacceptable professional conduct.

The panel noted that allegation 1(c) took place outside the education setting. However, given that Pupil A was a current pupil of Mr Thring, the panel believed that Mr Thring's actions touched upon this profession as a teacher.

Accordingly, the panel was satisfied that Mr Thring 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.

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

Having found the facts of particulars 1(a)-(g) proved, the panel further found that Mr Thring's 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/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 Thring, which involved engaging in an inappropriate relationship with Pupil A, there was a strong public interest consideration in respect of the protection of pupils.

Similarly, the panel considered that public confidence in the profession could be seriously weakened if conduct such as that found against Mr Thring was 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 Thring 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 Thring. The panel was mindful of the need to strike the right balance between the rights of the teacher and the public interest.

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 the teacher. 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); and
- 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.

There was no evidence that Mr Thring's actions were not deliberate.

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

No evidence was submitted which demonstrates exceptionally high standards in both personal and professional conduct or that Mr Thring contributed significantly to the

education sector. However, the panel did note that Mr Thring had contributed to some extent to the education within the School over the previous six years.

The panel noted Mr Thring's statement dated April 2023. Mr Thring stated that he had provided his phone number to a pupil at the School following personal and professional struggles. This included struggling to manage his new role as head of department and dealing with student and staff issues. Mr Thring submitted that other staff in the department were struggling with student behaviour and abusive TikTok videos that had been made. Mr Thring was also having difficulties coping with the volume of students experiencing anxiety and family issues. He felt at the time that he had no coping mechanisms.

Mr Thring stated that in March 2022, [redacted]

In around April 2022, when he was mentoring Pupil A, Mr Thring stated that he wrote his phone number on a piece of paper for her to use if she needed it. He knew that he should not have done this but also believed more strongly, perhaps irrationally [redacted] Mr Thring understood that he should have asked for help and has since [redacted] in the future should a similar issue arise.

Mr Thring understood that, regardless of his motivations and [redacted], he should not have behaved in this way; he deeply regretted his actions and took full responsibility. Mr Thring could see that he risked his actions being misinterpreted, and that he could have made Pupil A feel uncomfortable. In addition, Mr Thring had identified that his actions could have led to Pupil A facing challenges with trusting adults in the future. Mr Thring also understood that his actions were clearly inappropriate and could bring the teaching profession into disrepute because they may undermine public confidence in the profession.

Since [redacted] and the events, Mr Thring has been [redacted].

The panel also noted character references submitted to attest to Mr Thring's ability as a teacher. In particular, the panel noted the following comments:

- Individual A
 - *“Matthew is also hardworking and dedicated, and I have always been impressed by his dedication to the education of young people.”*
 - *“For as long as I have known him, he has been determined to become an English teacher. Not only has this dedication been obvious through his swift rising from English teacher to Assistant Head of the English Department, to the Head of the English Department, but having accomplished all this within six years undeniably demonstrates his passion for teaching.”*

- *“Since April 2022, I have seen Matthew not only express regret for his actions from this period, but also work towards supporting himself and [redacted].”*
- Individual B
 - *“He is an outstanding teacher.”*
 - *“Matthew is one of the most dedicated people i have ever met and his passion for teaching goes beyond expectations. Matthew is honest and trustworthy, he has inspired students to put in their best efforts to gain the GCSE grades.”*
- Individual C and Individual D, teachers and former colleagues of Mr Thring:
 - *“When describing Matt’s character, he is an intelligent man who is an extremely gifted teacher. He strives for perfection, putting a lot of time into his work, whether it was planning resources which his whole department would use to teach to ease their workload, or bringing in thoroughly researched ideas, all of which would have taken a lot of time to do.”*

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 to recommend no 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 Thring 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 Thring. The deliberate actions of Mr Thring and seriousness of the behaviours were 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. The panel found that Mr Thring was not responsible for any such behaviours.

The Advice also indicates that there are behaviours that, if proved, would have greater relevance and weigh in favour of a longer review period. The panel found that Mr Thring was not responsible for any such behaviours.

The panel decided that 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 of 2 years. The panel considered that a review period of 2 years would be proportionate taking into account the seriousness of Mr Thring's behaviour. The panel felt that this was a sufficient period of time to allow him to reflect on his conduct and address his [redacted] concerns. The panel also considered that this period of time would enable him to demonstrate insight and remorse and give him the opportunity to cope with the demands of working life.

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 Thring should be the subject of a prohibition order, with a review period of two years.

In particular, the panel has found that Mr Thring 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; and
 - 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 took further account of the Advice, which suggests that a prohibition order may be appropriate if certain behaviours of a teacher have been proved, those relevant in this case include “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).”

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

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 Thring, 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 children/safeguard pupils. The panel has observed, “In the light of the panel’s findings against Mr Thring, which involved engaging in an inappropriate relationship with Pupil A, there was a strong public interest consideration in respect of the protection of pupils.” 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 Thring understood that, regardless of his motivations and [redacted], he should not have behaved in this way; he deeply regretted his actions and took full responsibility. Mr Thring could see that he risked his actions being misinterpreted, and that he could have made Pupil A feel uncomfortable. In addition, Mr Thring had identified that his actions could have led to Pupil A facing challenges with trusting adults in the future. Mr Thring also understood that his actions were clearly inappropriate and could bring the teaching profession into disrepute because they may undermine public confidence in the profession.” I have given this element 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 Thring was not treated with the utmost seriousness when regulating the conduct of the profession.” I am particularly mindful of the finding of engaging in an inappropriate 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 Thring himself and the panel comment “No evidence was submitted which demonstrates exceptionally high standards in both personal and professional conduct or that Mr Thring contributed significantly to the education sector. However, the panel did note that Mr Thring had contributed to some extent to the education within the School over the previous six years.”

A prohibition order would prevent Mr Thring 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 following comment from the panel, “The panel found that Mr Thring had displayed controlling or coercive behaviour in particular with regard to the way in which Mr Thring had communicated with Pupil A.”

I have also placed considerable weight on the finding “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 Thring. The deliberate actions of Mr Thring and seriousness of the behaviours were 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 Thring 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 2 year review period.

I have considered the panel's comments "The panel decided that 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 of 2 years. The panel considered that a review period of 2 years would be proportionate taking into account the seriousness of Mr Thring's behaviour. The panel felt that this was a sufficient period of time to allow him to reflect on his conduct and address his [redacted] concerns. The panel also considered that this period of time would enable him to demonstrate insight and remorse and give him the opportunity to cope with the demands of working life."

I have decided that a 2 year review period is proportionate to achieve the aim of maintaining public confidence in the profession in this case.

This means that Mr Matthew Thring 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 27 July 2025, 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 Thring remains prohibited from teaching indefinitely.

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

Mr Thring 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: 21 July 2023

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