



National College for
Teaching & Leadership

Mr Jeffrey Tansey: Professional conduct panel outcome

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

May 2015

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

Teacher:	Mr Jeffrey Tansey
Teacher ref no:	09/66687
Teacher date of birth:	8 October 1974
NCTL case ref no:	10102
Date of determination:	8 May 2015
Former employer:	Aylesbury Grammar School, Buckinghamshire

A. Introduction

A professional conduct panel (“the panel”) of the National College for Teaching and Leadership (“the National College”) convened on 6 May 2015 at the Copthorne Hotel Birmingham, Paradise Circus, Birmingham B3 3HJ and on 7 and 8 May 2015 at 53-55 Butts Road, Earlsdon Park, Coventry CV1 3BH to consider the case of Mr Jeffrey Tansey.

The panel members were Ms Mick Levens (teacher panellist – in the chair), Ms Jean Carter (lay panellist) and Mr Tony Woodward (teacher panellist).

The legal adviser to the panel was Miss Eszter Horvath-Papp of Eversheds LLP.

The presenting officer for the National College was Ms Louisa Atkin of Browne Jacobson.

Mr Tansey was present and was not represented.

The hearing took place in public and was recorded.

B. Allegations

The panel considered the allegations set out in the Notice of Proceedings dated 30 September 2014, as amended by the panel in its preliminary decision as detailed in section C below.

It was alleged that Mr Tansey was guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute in that whilst employed at the Aylesbury Grammar School, Aylesbury, he:

1. Met Child A on or around 26 May 2012, a Child that he knew was 15, having met Child A on a dating site;
2. Kissed Child A on one or more occasion;
3. Held hands with Child A;
4. Agreed that he would meet Child A on a future occasion;
5. Continued to communicate with Child A after 26 May 2012, including that he sent Child A a message on a dating website after the Police Investigation in approximately June 2013;
6. The above behaviour constituting conduct of a sexual nature.

Mr Tansey admitted allegations 1 to 5, clarifying that there were only two kisses, both on the lips, with mouths closed.

Mr Tansey did not admit allegation 6, nor that his behaviour amounted to unacceptable professional conduct or conduct that may bring the profession into disrepute.

C. Preliminary applications

The panel dealt with two preliminary applications.

Firstly, the presenting officer made an application to amend the allegations in the notice of proceedings from referring to "Pupil A" to "Child A", as Mr Tansey had expressed concern that the person in question had never been a pupil of his, and he felt that this gave a misleading impression of the status of the Child. The presenting officer did not object to this change in naming.

The panel was advised that it had the power under paragraph 4.56 of the disciplinary procedures, in the interests of justice, to amend the particulars of an allegation, at any stage before making its decision about whether the facts of the case have been proved. The panel considered the interests of justice and whether there was a risk that prejudice would be caused to the teacher if the amendment was to be allowed. In the circumstances, the panel was satisfied that the proposed amendment was of an administrative nature and would not cause unfairness or prejudice to Mr Tansey, as it

would not change the nature of the allegations against him or change the factual bases upon which the allegations were founded.

On that basis, the panel agreed to amend the allegations so that they referred to “Child A”.

Secondly, Mr Tansey made a preliminary application to admit a number of documents, which for ease of reference the panel referred to as documents A to P during the representations made by the parties and during the panel’s deliberations. Mr Tansey and the presenting officer made representations on the relevance of the documents to the proceedings and the fairness of admitting them at this late stage.

The panel received legal advice that paragraph 4.20 of the procedures require each party to submit to the panel and the other party to the proceedings, a copy of the documents at least 4 weeks prior to the hearing. In addition, the panel noted that paragraph 4.25 states that if either party wishes to rely at the hearing upon any document not served in accordance with these requirements, then that document may only be admitted at the discretion of the panel.

The panel was also advised that with regard to the exercise of that discretion, paragraph 4.18 states that the panel may admit any evidence, where it is fair to do so, which may reasonably be considered to be relevant to the case. The panel noted the advice that it could consider each document individually, or a category of documents. The panel also understood that it could take into consideration what evidence Mr Tansey himself could give from his own knowledge.

The panel has carefully considered the application and the representations made. In reaching its decision, the panel is mindful of its role in finding the facts of the allegations as set out in the Notice of Proceedings, not wider issues surrounding the difficulties faced by transgender people, or the problem of underage users on dating websites.

On that basis, the panel decided to admit “document A”, being 34 pages of Mr Tansey’s Facebook messages. The panel considered that the messages between Mr Tansey and Child A are directly relevant to the allegations and the relatively small number of pages meant that it was fair to admit these documents at this late stage.

The panel also decided to admit the following documents, on the basis that they are directly relevant to Mr Tansey’s interactions with Child A and it was fair to admit these:

- Document C: Private chat message from Child A to Mr Tansey suggesting that they chat on Facebook, dated 30 May 2012.

- Document K: A list of Mr Tansey's contacts via a particular dating website, including Child A.
- Document L: Private chat messages between Mr Tansey and Child A in November 2013.
- Document O: Private chat messages between Mr Tansey and Child A on 15 September 2013.

The panel decided not to admit the remainder of the documents, which fall into the following categories:

- Document B – the panel decided that this document, which merely set out the dates of the other documents, was in itself not necessary to be admitted, as the dates of the admitted documents are all self-evident. It would therefore be possible to determine the age of Child A at the time of the particular document.
- Documents D, H, I and P – the panel considered that these documents showed Child A's propensity to go on dating websites while under the age of 18. While the panel noted that this showed that she was possibly putting herself at risk, this issue was not relevant to the allegations set out in the notice of proceedings. The panel also considered that this issue was within Mr Tansey's own knowledge and it was open to him to raise this himself in his own evidence.
- Documents E and F – the panel considered that newspaper articles about underage users of websites were not relevant to the allegations against Mr Tansey.
- Document G – [redacted] The panel considered that this was [redacted] unrelated to the proceedings and had no relevance to the allegations against Mr Tansey himself.
- Documents J, M, and N: these documents are message board discussions on dating websites about the problem of underage users. Again, the panel decided that these discussions are not relevant to the allegations set out in the notice of proceedings. Further, knowledge of this issue generally would be within Mr Tansey's own knowledge and it was open to him to raise this in his evidence.

The panel reiterated that the evidence must be confined to the allegations as charged in the notice of proceedings and that the panel's role was concerned with findings of facts of the allegations.

D. Summary of evidence

Documents

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

Document	Date	Pages
1. Anonymised pupil list and chronology		2-3
2. Notice of proceedings and associated correspondence		5-14
3. Witness statement of Witness A (police constable)	25/06/2013	16-18
4. Witness statement of Witness B (deputy headteacher)	09/07/2013	19-22
5. Disciplinary investigation report by Witness B		24-27
6. Letter from Mr Tansey to Witness B	09/10/2012	28-29
7. Notes of meeting between Mr Tansey and Witness B on 20/09/2012	20/09/2012	30-34
8. Notes of the above amended by Mr Tansey	09/10/2012	35-40
9. Mr Tansey's statement submitted to Witness B	09/10/2012	41-49
10. Notes of meeting between Witness B and Individual C (headteacher at Aylesbury Grammar School)	17/09/2012	50-51
11. Notes of meeting between Witness B and Individual D (deputy headteacher at Aylesbury Grammar School)	20/09/2012	52-53
12. Advice to school from LADO	26/06/2012	54-55
13. Strategy meeting	03/07/2012	56-59
14. Strategy meeting	04/09/2012	60-64
15. Thames Valley Police Crime Incident Management unit notes		65-66
16. Pupil A's transcript of interview	28/06/2012	67-72
17. DC Witness A's police witness statement	09/07/2012	73-75

Document	Date	Pages
18. DC Individual E's police witness statement	05/07/2012	76
19. Mr Tansey transcript of police interview under caution	04/07/2012	77-112
20. Letter from Mr Tansey to Individual C regarding disciplinary hearing (with attachments)		113-115
21. Disciplinary hearing minutes	16/11/2012	116-120
22. Letter from Aylesbury Grammar School to Mr Tansey re: outcome of disciplinary hearing	19/11/2012	121-122
23. Letter from Mr Tansey to Governors of Aylesbury Grammar School re: appeal		123-131
24. Minutes of appeal hearing	25/01/2013	132-135
25. Letter from Aylesbury Grammar School to Mr Tansey re: outcome of appeal hearing	30/01/2013	136
26. E-mails between NCTL and Police re: PNC	19-20/03/2013	137-138
27. Referral to DBS	07/02/2013	139-146
28. Extract from Aylesbury Grammar School Child Protection Policy		147-148
29. Extract from Every Child Matters guidance		149-150
30. E-mails between Laura Hackney and Mr Tansey		151-155

In addition, the panel agreed to accept the documents referred to in section C above, namely:

Document	Date	Pages
31. Extracts from Mr Tansey's Facebook messages		T1-T34
32. Document C: Private chat message from Child A to Mr Tansey suggesting that they chat on Facebook	30/05/2012	T35
33. Document K: A list of Mr Tansey's contacts via a particular dating website, including Child A		T36

34. Document L: Private chat messages between Mr Tansey and Child A	November 2013	T37-38
35. Document O: Private chat messages between Mr Tansey and Child A on 15 September 2013.	15/09/2013	T39

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

Witnesses

The panel heard oral evidence from Witness A, police constable, and Witness B, deputy head teacher at Aylesbury Grammar School and investigating officer at the school into Mr Tansey’s case. Witness A and Witness B were called by the presenting officer.

Mr Tansey did not call any witnesses, but gave evidence on his own behalf.

E. Decision and reasons

The panel announced its decision and reasons as follows:

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

We confirm that we have read all the documents provided in the bundle in advance of the hearing, as well as the additional documents admitted as a result of the preliminary application.

Summary of Evidence

Mr Tansey was employed as a teacher at Aylesbury Grammar School at the time of the allegations. In around May 2012, he made contact with a person on a dating website who he initially believed to be over 18. However, soon after initial contact, the person, Child A, made him aware that she was 15 years old. He nevertheless arranged to meet her for what was described as a “date” on 26 May 2012. During this meeting, Mr Tansey held hands with Child A and he kissed her on the lips on two occasions. He continued communications with her after this meeting.

Findings of Fact

Our findings of fact are as follows:

Allegations 1 to 5 have been admitted by Mr Tansey in the hearing. In addition, the panel heard and read evidence confirming that Mr Tansey had previously admitted the facts constituting the allegations set out in 1 to 4 in his police interview and/or during his

disciplinary process at Aylesbury Grammar School. Further, in respect of allegations 4 and 5, it was evident from the documentary evidence that Mr Tansey had continued communications with Child A after his police interview and led her to believe that they would meet again on a future occasion. Therefore the panel finds allegations 1 to 5 proven.

The panel has found the following particular of the allegations against Mr Tansey proven, for these reasons:

Allegation 6: The behaviour [set in out allegations 1 to 5] constituting conduct of a sexual nature

It is the panel's decision that, on the balance of probabilities, Mr Tansey's behaviour did constitute conduct of a sexual nature.

The panel took account of all the evidence presented to it and considered the circumstances and Mr Tansey's purpose in meeting Child A on 26 May 2012. In particular, the panel has carefully considered Mr Tansey's explanation that, as Child A was using an adult website; she made herself particularly vulnerable because of her individual circumstances. He stated that he met her in order to assess her vulnerability, offer her support and to identify her so that he could ensure that the authorities became involved and so prevented her from putting herself at risk in the future. The panel did not find this explanation credible and noted a number of inconsistencies with his earlier accounts to the police and to the school disciplinary hearing.

The panel noted that Mr Tansey described the meeting as a "date" on more than one occasion, including in his interview under caution with the police. While Mr Tansey stated in his witness evidence that for him dates in general were social occasions, the panel did not find this a credible explanation. In any event, the panel was of the view that Mr Tansey knew that it was Child A's understanding that she was going on a date with a view to exploring the possibility of a relationship.

The panel noted Mr Tansey's admission of allegations 1 to 5, and considered that the context of the conduct was that they met on a dating site, then met in person for what was identified by both parties as a date, where they held hands and exchanged two closed mouth kisses on the lips. Mr Tansey has admitted that he said to Child A that he would meet her on a future occasion and continued to communicate with her after their meeting and after his interview with the police. Taking all of the above into consideration, the panel was satisfied that this behaviour constituted conduct of a sexual nature.

The panel therefore found allegation 6 proven.

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

In considering the allegations that the panel has found proven, the panel has had regard to the definitions in *Teacher Misconduct – The Prohibition of Teachers* advice, which we refer to as the “guidance”.

In particular, the panel has given careful consideration to the wording of paragraph 5(ii)(a) of the guidance which states that “misconduct outside of the education setting will only amount to ‘unacceptable professional conduct’ if it affects the way the person fulfils their teaching role or if it may lead to pupils being exposed to or influenced by the behaviour in a harmful way”. In the current case, the panel accepted that Child A was not a pupil of Mr Tansey or on the roll of the school in which he was a teacher. The panel therefore noted that the behaviour took place outside of the education setting. The panel accepted Mr Tansey’s witness evidence that he was likely to have acted differently had Child A been a pupil at his school.

The panel was persuaded by the presenting officer’s evidence that, despite Mr Tansey’s assertions that his actions were the only option available to him, there were a number of opportunities and alternatives for Mr Tansey to achieve his stated aim of keeping Child A safe.

The panel considered that Mr Tansey’s actions showed a serious lack of judgment and deliberate disregard for safeguarding protocols and that this amounted to misconduct of a serious nature.

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

- Teachers uphold public trust in the profession and maintain high standards of ethics and behaviour, within and outside school.

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

However, upon careful review, the panel considered that paragraph 5(ii)(a) of the guidance only permitted a finding of unacceptable professional conduct in the case of misconduct outside the school setting in the specific circumstances expressly stated in that paragraph. The panel did not consider that Mr Tansey’s behaviour in this case would affect the way he fulfils his teaching role or that it might lead to his pupils being exposed to or influenced by the behaviour in a harmful way. On that basis, the panel concluded that it was not open to it to make a finding of unacceptable professional conduct.

Nevertheless, the panel is satisfied that Mr Tansey’s conduct in relation to the facts found proven amounted to conduct that may bring the profession into disrepute.

The panel has taken into account how 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 has taken account of the uniquely influential role that teachers can hold in pupils' lives and that pupils must be able to view teachers as role models in the way they behave.

Again, the panel was conscious that the conduct took place outside of the education setting and the wording of the guidance at paragraph 5(ii)(b). The panel found that Mr Tansey's misconduct was serious and had a negative impact on his status as a teacher, potentially damaged the public's perception of teachers and therefore had the potential to bring the profession into disrepute.

Mr Tansey was inconsistent in his explanation of his actions, giving one version to the police and the school, and another to the panel. The panel did not accept Mr Tansey's explanation as to the reason for this discrepancy, particularly given that his police interview was under caution and with the benefit of the aid of a legal advisor.

In addition, the panel noted that by his own account, Mr Tansey knew that his status as a teacher would result in a more severe response from the authorities than if he had not been a teacher. Further, in his Facebook messages with Child A, prior to the meeting on 26 May 2012, Mr Tansey had stated: "the law protects people under 16.. and I don't want to be on the wrong side of that, that's no good to me, and no good to you..in societies [sic] eyes, and we agree to those terms by living in this country".

Mr Tansey has admitted allegations 1 to 5 and admitted in his witness evidence to the panel that these acts alone would bring about the end of his career as a teacher. Witness B's evidence also confirmed that Mr Tansey knew "from being a teacher that it is not what you do" and he knew that in terms of his profession, his private life was linked to his work life and he also said that he "understood the age limit too". The panel noted that Mr Tansey's admissions in themselves would have led the panel to a finding of conduct which brings the profession into disrepute.

The panel has also considered whether Mr Tansey's conduct displayed behaviours associated with any of the offences listed on page 8 and 9 of the guidance. The panel has found that behaviour associated with an offence relating to or involving sexual activity to be relevant. The guidance indicates that where behaviours associated with such an offence exist, a panel is likely to conclude that an individual's actions would amount to conduct that may bring the profession into disrepute.

Accordingly, the panel is satisfied that Mr Tansey is guilty of conduct that may bring the profession into disrepute.

Panel's recommendation to the Secretary of State

Given the panel's findings in respect of conduct that may bring the profession into disrepute, the panel went on to consider whether it would be appropriate to recommend the imposition of a prohibition order by the Secretary of State. The panel considered whether it would be an appropriate and proportionate measure, and whether it would be in the public interest to do so. The panel was mindful that prohibition orders should not be given in order to be punitive, or to show that blame has been apportioned, although it acknowledged that a prohibition order was likely to have punitive effect.

The panel has taken into account the particular public interest considerations set out in the *Teacher Misconduct – The Prohibition of Teachers* advice and having done so has found a number of them to be relevant in this case, namely:

- The protection of pupils and other members of the public;
- The maintenance of public confidence in the profession;
- Declaring and upholding proper standards of conduct.

In light of the panel's findings against Mr Tansey, which involved a highly inappropriate meeting with a child aged 15 and conduct of a sexual nature, the panel considered that there was a strong public interest consideration in recommending a prohibition order.

In particular, the panel considered that Mr Tansey had shown no judgment in relation to safeguarding of children, and has continued to maintain an untenable position that he alone had a proper understanding of the situation she was in and that he alone could "save" Child A and only by means of the conduct that he has admitted. This shows a serious and continuing lack of judgment on his part.

Mr Tansey continued to show a fundamental misunderstanding of safeguarding advice, which he appeared to interpret as putting yourself first and stepping away from a difficult situation. The panel's view was that safeguarding advice to "keep yourself safe" meant that as a teacher in monitoring your own behaviour, following the appropriate protocols, and maintaining appropriate standards of conduct, you avoid putting pupils at risk. There is no suggestion that a child at risk is to be ignored, but an expectation that a professional will understand that all appropriate protocols need to be followed.

The panel heard Mr Tansey's representations that safeguarding training does not cover circumstances where teachers may encounter underage users on dating websites where those children may be putting themselves at risk. The panel did not agree with this submission, and in any event, it was the panel's view that the appropriate response in such circumstances was a matter of common sense. When making difficult decisions, particularly about the safety and welfare of vulnerable children, it should be a matter of course to consult the appropriate colleagues for advice.

The panel further noted that the events took place in 2012, and in the three years since then, Mr Tansey has not reflected on his actions or gained an insight into the inappropriateness of what he did.

Given Mr Tansey's continuing misapprehension, his deliberate disregard for safeguarding protocols, and his lack of judgment and insight, the panel was satisfied that a prohibition order would be appropriate to afford protection to pupils and other members of the public in the future.

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

Further, given Mr Tansey's deliberate disregard for safeguarding practices, the panel considered that there was public interest in declaring and upholding proper standards of conduct.

In carrying out the balancing exercise the panel has considered the public interest considerations both in favour of and against prohibition as well as the interests of Mr Tansey himself. The panel took further account of the guidance, which suggested that a prohibition order may be appropriate if certain behaviours of a teacher have been proven. In the list of such behaviours, those that are relevant in this case are:

- serious departure from the personal and professional conduct elements of the Teachers' Standards, and Mr Tansey himself has accepted that the standards were not met;
- sexual misconduct, e.g. involving actions that were sexually motivated or of a sexual nature. The panel has already found that Mr Tansey's conduct was of a sexual nature.

In light of these factors, the guidance indicated that a prohibition order would be appropriate.

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 Tansey. Given the serious failings and the continued lack of insight by Mr Tansey, the panel considered that prohibition was a proportionate measure.

Even though there were behaviours that would point to a prohibition order being appropriate, the panel went on to consider whether or not there were sufficient mitigating factors to militate against a prohibition order being an appropriate and proportionate measure to impose, particularly taking into account the nature and severity of the behaviour in this case. In particular:

- The panel was of the view that Mr Tansey's actions were deliberate;

- The panel was not convinced by Mr Tansey's argument that he was under duress when acting as he did;
- However, the panel did note that Mr Tansey was a relatively new teacher at the relevant time and he did have a previously good history.

In light of the above, 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 Tansey. His obvious and ongoing lack of insight into the inappropriateness of his actions 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 then went on to consider whether or not it would be appropriate for them to decide to recommend that a review period of the order should be considered. The panel was mindful that the *Teacher Misconduct – The Prohibition of Teachers* advice advises 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 *Teacher Misconduct – The Prohibition of Teachers* advice indicates that there are behaviours that, if proven, would militate against a review period being recommended. These behaviours include serious sexual misconduct, e.g. involving actions that were of a sexual nature. The panel has already found that Mr Tansey's conduct was of a sexual nature.

The panel considered that of most significance was Mr Tansey's ongoing apparent belief that he alone could have kept Child A safe and only through the actions that he took. This demonstrated that Mr Tansey continued to have poor judgment when it comes to safeguarding of children. A proper understanding of safeguarding is an integral part of being a teacher. The panel was of the view that it was unlikely that Mr Tansey would ever gain the necessary insight to demonstrate his understanding of why his conduct was inappropriate and that this would pose an ongoing risk to vulnerable young people in the future.

The panel felt the findings indicated a situation in which a review period would not be appropriate and as such decided 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 recommendations made by the panel in respect of both sanction and review period.

This is a very serious case. The panel has found that Mr Tansey's actions showed a serious lack of judgment and deliberate disregard for safeguarding protocols and that this amounted to misconduct of a serious nature.

I am satisfied that the conduct of Mr Tansey in relation to the facts found proven by the panel, involved breaches of the Teachers' Standards. I agree with the panel that Mr Tansey was in breach of the following:

- Teachers uphold public trust in the profession and maintain high standards of ethics and behaviour, within and outside school.

I agree with the finding of the panel that the conduct of Mr Tansey fell significantly short of the standards expected of the profession.

I have taken into account the need to balance the interests of the public with those of Mr Tansey. I have also taken into account the need to be proportionate.

As a result of those considerations I support the recommendation of the panel in regard to sanction. I have taken account of the published guidance and agree that a prohibition order is appropriate. In this case the following are relevant:

- serious departure from the personal and professional conduct elements of the Teachers' Standards, and Mr Tansey himself has accepted that the standards were not met;
- sexual misconduct, e.g. involving actions that were sexually motivated or of a sexual nature. The panel found that Mr Tansey's conduct was of a sexual nature.

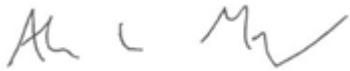
I have also given consideration to the matter of a review period. I have taken into account the relevant issues and in particular the view of the panel relating to Mr Tansey's judgment and insight. I support the recommendation that there should be no review period.

This means that Mr Jeffrey Tansey 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 Jeffrey Tansey 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 Jeffrey Tansey 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.

NAME OF DECISION MAKER: Alan Meyrick

A handwritten signature in black ink, appearing to read 'Alan Meyrick', with a checkmark at the end.

Date: 12 May 2015

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