



Teaching  
Regulation  
Agency

# **Ms Gemma Cooper: Professional conduct panel meeting outcome**

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

**December 2022**

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

<b>Teacher:</b>	Ms Gemma Cooper
<b>Teacher ref number:</b>	0161706
<b>Teacher date of birth:</b>	19 October 1978
<b>TRA reference:</b>	17502
<b>Date of determination:</b>	8 December 2022
<b>Former employer:</b>	Notre Dame High School, Norwich

### **Introduction**

A professional conduct panel ('the panel') of the Teaching Regulation Agency ('the TRA') convened on 8 December 2022 by way of a virtual meeting, to consider the case of Ms Gemma Cooper.

The panel members were Mr Ian Carter (former teacher panellist – in the chair), Ms Clare Haines (teacher panellist) and Ms Esther Maxwell (lay 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 Ms Cooper that the allegations be considered without a hearing. Ms Cooper 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, Mr Ben Bentley of Browne Jacobson, Ms Cooper or any representative for Ms Cooper.

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 8 November 2022.

It was alleged that Ms Cooper was guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute, in that whilst employed at Notre Dame High School:

1. She engaged in and/or developed an inappropriate relationship with Pupil A, whom she had known whilst he was a pupil at the School, after he left the School in or around July 2016, by;
  - (i) Accepting him as a 'friend' on Facebook;
  - (ii) Exchanging one or more inappropriate and/or explicit messages with him; and
  - (iii) Sending one or more inappropriate image(s) of herself to him.
2. Her conduct as may be found proven at allegation 1, above, was conduct of a sexual nature and/or sexually motivated.
3. She demonstrated a lack of integrity in that she instructed and/or requested Pupil A to delete evidence of her contact with him.

Ms Cooper admitted the facts of allegations 1 to 3 and that her behaviour amounted to unacceptable professional conduct and/or conduct that may bring the profession into disrepute falling short of the standards of behaviour expected of a teacher, as set out in the statement of agreed facts signed by Ms Cooper on 27 March 2021.

## 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 and anonymised pupil list – pages 4 to 5
- Section 2: Procedural documentation – pages 6 to 19
- Section 3: TRA documents – pages 20 to 141
- Section 4: Teacher documents – pages 142 to 154

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 Ms Cooper on 27 March 2021, and subsequently signed by the presenting officer on 22 April 2021.

### 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 Ms Cooper 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.

Ms Cooper commenced employment as an English teacher at Notre Dame High School ('the School') on 1 September 2006.

On 4 September 2018, Ms Cooper was arrested for alleged 'sexual offences' in relation to her conduct with Pupil A.

In February 2019, the police finished their investigation and the School began their internal investigation. The police investigation concluded with a final decision that they were unable to confirm if a crime had been committed.

On 11 July 2019, a disciplinary hearing took place and it was decided that Ms Cooper should be summarily dismissed.

## 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. You engaged in and/or developed an inappropriate relationship with Pupil A, whom you had known whilst he was a pupil at the School, after he left the School in or around July 2016, by;**

- (i) Accepting him as a 'friend' on Facebook**
- (ii) Exchanging one or more inappropriate and/or explicit messages with him;**
- (iii) Sending one or more inappropriate image(s) of yourself to him.**

The panel noted that Ms Cooper had admitted the facts of allegation 1(i), (ii) and (iii), as set out in the statement of agreed facts, signed by Ms Cooper on 27 March 2021.

Further, Ms Cooper admitted that those admitted facts amounted to unprofessional conduct and/or conduct that may bring the profession into disrepute. Notwithstanding this, the panel made a determination based on the evidence available to it.

Ms Cooper admitted that she engaged and developed an inappropriate relationship with Pupil A. It was further accepted that Ms Cooper knew Pupil A from his attendance as a student at the School. Ms Cooper taught Pupil A English.

Ms Cooper admitted that she accepted Pupil A as a 'friend' on Facebook and their conversations dated back to December 2017. Ms Cooper admitted that after Pupil A left the School in July 2016, she exchanged inappropriate and explicit messages with him and though the panel has not seen the content of those, it has been provided with a description of them. Ms Cooper further admitted that the messages included sending one or more inappropriate images of herself to him exposing her breasts. Pupil A was attending a sixth-form college elsewhere at the time and denied any sexual relationship with Ms Cooper.

Ms Cooper admitted that her conduct was inappropriate in that she had previously taught Pupil A whilst he was a student at the School. She accepts she held a position of trust as his teacher and should not have engaged in such communications with him.

In a letter to the presenting officer, dated 10 January 2020, Ms Cooper stated that she accepted Pupil A's request to become 'friends' on Facebook but it is not clear to the panel when this occurred. Ms Cooper submitted that she had never requested friendship from an ex-student but has accepted requests, after students have left school, if she

knew them from teaching and where there had been a positive student-teacher relationship.

Ms Cooper further stated that, long after Pupil A had left the School, he began to send Ms Cooper messages of a polite yet friendly nature. Over a period of a few weeks, Ms Cooper believed the messages became more personal and flattering and around December 2018, Pupil A began sending sexualised messages; Ms Cooper admitted that she responded in a similar tone. Ms Cooper submitted that the messages quickly became out of hand and she asked Pupil A to delete the messages. Ms Cooper admitted that her behaviour had shown “awful judgement” but stated that she was not aware at that point that Pupil A was under 18 years old.

The panel found allegation 1(i), 1(ii) and 1(iii) proven.

## **2. Your conduct as may be found proven at allegation 1, above, was conduct of a sexual nature and/or sexually motivated.**

Having found allegations 1(i), 1(ii) and 1(iii) proven, the panel went on to consider whether Ms Cooper’s conduct was conduct of a sexual nature and/or was sexually motivated. The panel noted that Ms Cooper had admitted the facts of allegation 2, as set out in the statement of agreed facts, signed by Ms Cooper on 27 March 2021. Notwithstanding this, the panel made a determination based on the evidence available to it.

Ms Cooper submitted that, whilst her admissions to allegation 1(i), (ii) and (iii) show that online content of a sexual nature was exchanged, no physical sexual contact ever took place. Ms Cooper admitted that her conduct, outlined in allegation 1 above, was conduct of a sexual nature and was sexually motivated.

The panel’s attention was drawn to section 78 *Sexual Offences Act 2003* and to the cases of *Sait v The General Medical Council [2018]*, *Basson v General Medical Council [2018]* and *The General Medical Council v Haris [2020] EWHC 2518*.

The panel considered whether the conduct was sexually motivated. It noted that in *Basson* it was stated that “A sexual motive means that the conduct was done either in pursuit of sexual gratification or in pursuit of a sexual relationship”. The panel accepted Ms Cooper’s admissions and concluded that whilst it had not seen the messages exchanged, they had been provided with a description of them which included the fact that a topless photo was sent by Ms Cooper to Pupil A. Ms Cooper accepts that these are messages which she should not have sent. She further recognised that these were inappropriate because she subsequently asked Pupil A to delete these messages and commented in a message to him that she could lose her job. This demonstrated to the panel that she was well aware at the time she exchanged these messages, that her behaviour was wrong.

The panel found allegation 2 proven.

### **3. You demonstrated a lack of integrity in that you instructed and/or requested Pupil A to delete evidence of your contact with him**

The panel noted that Ms Cooper admitted the facts of allegation 3, as set out in the statement of agreed facts, signed by Ms Cooper on 27 March 2021. Further, Ms Cooper admitted that those admitted facts amounted to unprofessional conduct and/or conduct that may bring the profession into disrepute. Notwithstanding this, the panel made a determination based on the evidence available to it.

As referred to above, Ms Cooper admitted that she instructed Pupil A to delete evidence of her contact with him. This demonstrated to the panel that she was well aware that her actions were unacceptable and amounted to an attempt to effectively destroy evidence. Further, Ms Cooper admitted that in doing so, her conduct demonstrated a lack of integrity and fell far below the standard expected of professional persons and which the teaching profession expects from its own members.

Ms Cooper submitted that she asked Pupil A to delete the conversation as she knew this had been a “terrible mistake” and she feared that Pupil A may share it with peers or simply not keep it private.

The panel found allegation 3 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 Ms Cooper, in relation to the facts found proved, involved breaches of the Teachers’ Standards. The panel considered that, by reference to Part 2, Ms Cooper 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
- 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 was satisfied that the conduct of Ms Cooper fell significantly short of the standards expected of the profession. The panel noted that Ms Cooper herself accepted in her statement that “...I know beyond all doubt that I was wrong”.

The panel also considered whether Ms Cooper'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 / sexual communication with a child was relevant.

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 the allegations took place outside the education setting in that Ms Cooper was communicating with Pupil A via social media after he had left the School but whilst still in an educational setting. However, the panel believed this touched upon Ms Cooper's profession as a teacher, as Pupil A was an ex-pupil of Ms Cooper's and she was in a position of responsibility and trust. These offences were further compounded by Ms Cooper's request that Pupil A delete messages exchanged between them, which both demonstrated she knew her behaviours were wrong and that she was willing to destroy evidence in an attempt to hide it.

Accordingly, the panel was satisfied that Ms Cooper 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 Ms Cooper's actions constituted conduct that may bring the profession into disrepute.

Having found the facts of particulars 1(i), (ii) and (iii), 2 and 3 proved, the panel further found that Ms Cooper'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 and/or 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 light of the panel's findings against Ms Cooper, which involved engaging in and/or developing an inappropriate relationship with Pupil A and subsequently trying to arrange for evidence of this to be deleted, there was a strong public interest consideration in respect of the protection of pupils given the serious findings of inappropriate relationships with children.

Similarly, the panel considered that public confidence in the profession could be seriously weakened if conduct such as that found against Ms Cooper 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 Ms Cooper 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 Ms Cooper.

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 Ms Cooper. 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;
- violating of the rights of pupils;
- ...other deliberate behaviour that undermines pupils, the profession, the school or colleagues;
- dishonesty or a lack of integrity, including the deliberate concealment of their actions or purposeful destruction of evidence, especially where these behaviours have been repeated or had serious consequences, or involved the coercion of another person to act in a way contrary to their own interests;
- collusion or concealment including:
  - any activity that involves knowingly substantiating another person's statements where they are known to be false;
  - failure to challenge inappropriate actions, defending inappropriate actions or concealing inappropriate actions;
  - encouraging others to break rules;
  - lying to prevent the identification of wrongdoing;

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 Ms Cooper's actions were not deliberate.

There was no evidence to suggest that Ms Cooper was acting under extreme duress.

No evidence was submitted to attest to Ms Cooper's previous history or ability as a teacher. Ms Cooper, in her witness statement dated 30 March 2021, stated that she otherwise has a flawless record during a long, successful and happy teaching career which lasted around 20 years.

No evidence was submitted which demonstrates exceptionally high standards in both personal and professional conduct or that Ms Cooper contributed significantly to the education sector, for example no character references have been provided for the panel to consider.

Ms Cooper, in her witness statement dated 30 March 2021, and in a letter to the presenting officer dated 10 January 2020, submitted that following the birth of her second child, [REDACTED]. Ms Cooper states that having spent a period of time reflecting on her actions, she feels "deep regret" and recognises the impact these have had on her students and colleagues.

Ms Cooper further submitted that, during the time in which she was teaching Pupil A, and when she was pregnant with her second child, she found that period of teaching very tough. Ms Cooper had a young toddler to care for while working a 60% timetable, which was spread over four days, in numerous teaching rooms located in various buildings. Ms Cooper found this exhausting and as a result, classroom management presented more challenges to her.

Ms Cooper stated that she was extremely remorseful for her actions and has since taken steps to ensure that she never repeats such behaviour. [REDACTED].

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 Ms Cooper 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 Ms

Cooper. In reaching this decision, the panel noted that the seriousness of the offences (which were sexual in nature), the position of trust she was in, and the subsequent effort to delete evidence of them were significant factors 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. These behaviours include serious sexual misconduct, such as where the act was sexually motivated and resulted in, or had the potential to result in, harm to a person or persons, particularly where the individual has used her professional position to influence or exploit a person or persons / any sexual misconduct involving a child. The panel found that Ms Cooper was responsible for engaging in and/or developing an inappropriate relationship with Pupil A which was of a sexual nature/and or sexually motivated.

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 Ms Cooper 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 formed this view taking into account that the police had investigated the matter and concluded there was no case to answer. Ms Cooper's actions were at the less serious end of the spectrum. It did not appear that the relationship had progressed to in-person contact. It was at a particularly difficult time in her life managing a new baby and a toddler and that this was effectively a "one-off" incident. She had shown insight into her actions and expressed "deep regret" and apologised for her misjudgement. [REDACTED]. The panel concluded she did not appear to be likely to repeat these behaviours in future.

## **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 Ms Cooper should be the subject of a prohibition order, with a review period of two years.

In particular, the panel has found that Ms Cooper is in breach of the following standards:

- Teachers uphold public trust in the profession and maintain high standards of ethics and behaviour, within and outside school, by
  - treating pupils with dignity, building relationships rooted in mutual respect, and at all times observing proper boundaries appropriate to a teacher's professional position
  - having regard for the need to safeguard pupils' well-being, in accordance with statutory provisions
- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach.
- Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities.

The panel was also, "satisfied that the conduct of Ms Cooper fell significantly short of the standards expected of the profession. The panel noted that Ms Cooper herself accepted in her statement that *"...I know beyond all doubt that I was wrong"*."

The findings of misconduct are serious as they include a finding of both sexual misconduct and lack of integrity.

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 Ms Cooper, 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 and safeguard pupils. The panel has observed, “The panel found that the offence of sexual activity / sexual communication with a child was relevant.” 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, “She had shown insight into her actions and expressed “deep regret” and apologised for her misjudgement. [REDACTED]. The panel concluded she did not appear to be likely to repeat these behaviours in future.” 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 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.”

I am particularly mindful of the finding of sexual misconduct and lack of integrity 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 Ms Cooper herself. The panel comment “No evidence was submitted to attest to Ms Cooper’s previous history or ability as a teacher. Ms Cooper, in her witness statement dated 30 March 2021, stated that she otherwise has a flawless record during a long, successful and happy teaching career which lasted around 20 years.”

The panel also say that, “No evidence was submitted which demonstrates exceptionally high standards in both personal and professional conduct or that Ms Cooper contributed

significantly to the education sector, for example no character references have been provided for the panel to consider.”

A prohibition order would prevent Ms Cooper from teaching and would also clearly deprive the public of her 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 panel found that Ms Cooper was responsible for engaging in and/or developing an inappropriate relationship with Pupil A which was of a sexual nature/and or sexually motivated.”

I have given less weight in my consideration of sanction therefore, to the contribution that Ms Cooper 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 all of 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, “formed this view taking into account that the police had investigated the matter and concluded there was no case to answer. Ms Cooper’s actions were at the less serious end of the spectrum. It did not appear that the relationship had progressed to in-person contact. It was at a particularly difficult time in her life managing a new baby and a toddler and that this was effectively a “one-off” incident. She had shown insight into her actions and expressed “deep regret” and apologised for her misjudgement. [REDACTED]. The panel concluded she did not appear to be likely to repeat these behaviours in future.”

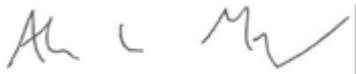
I have considered whether a 2 year review period reflects the seriousness of the findings and is a proportionate period to achieve the aim of maintaining public confidence in the profession. In this case, I believe that it is.

I consider therefore that a two year review period is required to satisfy the maintenance of public confidence in the profession.

**This means that Ms Gemma Cooper is prohibited from teaching indefinitely and cannot teach in any school, sixth form college, relevant youth accommodation or children's home in England.** She may apply for the prohibition order to be set aside, but not until 15 December 2024, 2 years from the date of this order at the earliest. This is not an automatic right to have the prohibition order removed. If she does apply, a panel will meet to consider whether the prohibition order should be set aside. Without a successful application, Ms Gemma Cooper remains prohibited from teaching indefinitely.

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

Ms Gemma Cooper has a right of appeal to the King's Bench Division of the High Court within 28 days from the date she is given notice of this order.

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

**Decision maker: Alan Meyrick**

**Date: 9 December 2022**

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