



Teaching
Regulation
Agency

Mr Craig Ward: Professional conduct panel meeting outcome

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

September 2021

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

Teacher:	Mr Craig Ward
Teacher ref number:	0758669
Teacher date of birth:	17 September 1985
TRA reference:	18053
Date of determination:	28 September 2021
Former employer:	University Academy, now known as Padgate Academy, Warrington

Introduction

A professional conduct panel (“the panel”) of the Teaching Regulation Agency (“the TRA”) convened on 28 September 2021 by virtual means, to consider the case of Mr Craig Ward.

The panel members were Mr David Raff (lay panellist – in the chair), Ms Jo Palmer-Tweed teacher panellist) and Miss Charlotte McCallum (lay panellist).

The legal adviser to the panel was Mrs Luisa Gibbons of Eversheds Sutherland (International) 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 Ward that the allegations be considered without a hearing. Mr Ward 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 Luke Berry of Browne Jacobson LLP, Mr Ward or his representative, Mr Michael Fenton of NASUWT.

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

Allegations

The panel considered the allegations set out in the notice of meeting dated 9 September 2021.

It was alleged that Mr Ward was guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute, in that whilst employed at University Academy Warrington, now known as Padgate Academy:

1. He failed to maintain appropriate boundaries with Pupil A, including by;
 - a. Sending Pupil A one or more messages of an inappropriate and/or sexual nature on facebook messenger including in which he stated:
 - i. “me and [REDACTED] just having the bottle of champagne you got me... its made her a bit frisky.... nice one lad x”
 - ii. “Sorry, Im arruming (since) ur up 2 cum! Speak 2 u when ur on ur way home x”
 - iii. “... I wanna suck u dry. I’m home in a week if ur ok for trying stuff xx”
 - iv. “please come and sleep with me. I’ll keep it between me n u n it’ll le(sic) the bee (sic) night of ur life x”
 - v. “so horny. See you next week x”
 - vi. “mate if you say nothing. We’ve got awkwardness for time, well past results day n shit? If ur sound, u might just have the best summer hideout where u can spunk everywhere n worry about fuck all. No one needs to know n u don’t have to worry about anyone finding out x I’m not looking for owt serious, just proper fun sex xx”
 - vii. “u know u can trust me. N it’ll be fucking tremendous xx”
 - b. Sending Pupil A one or more messages on Facebook messenger including:
 - i. Which were sent late at night and/or in the early hours of the morning;
 - ii. In which you use explicit language including ‘fuck’, ‘fucking’, ‘pissing’,
 - c. asking Pupil A to purchase items from the shop for him;
 - d. transporting Pupil A alone in his car with no other adult present and without permissions from the Academy to do so;
 - e. encouraging Pupil A to drink alcohol whilst travelling back from the [REDACTED];
2. He failed to maintain appropriate boundaries with Pupil B, including by transporting him alone in his car with no other adult present and without permissions from the Academy to do so;
3. His conduct as outlined at Allegation 1 above was sexually motivated.

Mr Ward admits both the facts of the allegations and that they amount to unacceptable professional conduct and conduct that may bring the profession into disrepute.

Preliminary applications

Applicable Procedures

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: Notice of Referral and Response – pages 3 to 15b

Section 2: Statement of Agreed Facts and Presenting Officer Representations – pages 16 to 22

Section 3: Teaching Regulation Agency Documents – pages 23 to 288

Section 4: Teacher Documents – pages 289 to 291

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 Ward on 14 May 2021.

Decision and reasons

The panel announced its decision and reasons as follows:

The panel carefully considered the case and reached a decision.

In advance of the meeting, the TRA agreed to a request from Mr Ward 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 Ward commenced his employment as a PE teacher at the University Academy Warrington ("UAW") on 1 January 2013. On 1 December 2018, the University Academy Warrington became known as the Padgate Academy ("the Academy"). On or around 25 July 2018, a report was made to Cheshire Constabulary regarding messages sent by Mr Ward to Pupil A. Cheshire Constabulary notified the Local Authority Designated Officer, whom in turn informed UAW. UAW carried out an investigation in September and October 2018, following conclusion of the police investigation. Mr Ward attended an investigatory interview on 4 October 2018, but resigned from his post on 7 January 2019, the day before he was due to attend a disciplinary hearing.

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:

Whilst employed at University Academy Warrington, now known as Padgate Academy:

- 1. You failed to maintain appropriate boundaries with Pupil A, including by;**
 - a. Sending him one or more messages of an inappropriate and/or sexual nature on facebook messenger including in which you state:**
 - i. "me and [REDACTED] just having the bottle of champagne you got me... its made her a bit frisky.... nice one lad x"**
 - ii. "Sorry, Im arruming (since) ur up 2 cum! Speak 2 u when ur on ur way home x"**
 - iii. "... I wanna suck u dry. I'm home in a week if ur ok for trying stuff xx"**
 - iv. "please come and sleep with me. I'll keep it between me n u n it'll le(sic) the bee (sic) night of ur life x"**

- v. **“so horny. See you next week x”**
- vi. **“mate if you say nothing. We’ve got awkwardness for time, well past results day n shit? If ur sound, u might just have the best summer hideout where u can spunk everywhere n worry about fuck all. No one needs to know n u don’t have to worry about anyone finding out x I’m not looking for owt serious, just proper fun sex xx”**
- vii. **“u know u can trust me. N it’ll be fucking tremendous xx”**

Mr Ward has admitted sending each of these allegations and has admitted that the allegations were of an inappropriate and/or sexual nature, and that he failed to maintain appropriate boundaries.

The panel has seen screenshots of the messages referred to in each of these allegations. Pupil A stated in an interview for the school’s disciplinary investigation that Mr Ward had initiated the contact via Facebook messenger. Initially the messages concerned football, then Mr Ward started to send messages regarding schoolwork. The subject of the messages then developed into requests for Pupil A to pick up items from the shop for him, and then Mr Ward sent the messages referred to in the allegations. Pupil A confirmed in his interview that he received these messages.

The panel considered that in sending the messages referred to in the allegations Mr Ward had failed to maintain appropriate boundaries. Mr Ward confirmed he had received the policies that governed what was expected of him in his role. Sending these messages was in direct contradiction of these policies. In any event, it is obvious that sending messages including the content alleged would breach the teacher pupil boundaries.

The panel found this allegation proven in its entirety.

b. Sending him one or more messages on Facebook messenger including:

- i. **Which were sent late at night and/or in the early hours of the morning;**
- ii. **In which you use explicit language including ‘fuck’, ‘fucking’, ‘pissing’,**

Mr Ward has admitted this allegation and that he failed to maintain appropriate boundaries.

The panel has seen screenshots of messages from Mr Ward containing explicit language and messages that were sent early in the morning for example, at 06:30, 06:54, 01:36, 02:23, 03:15, 00:34 and 06:21 and late at night, for example at 22:15, 23:57, 21:39 and 23:35. This included messages that Mr Ward sent to Pupil A during the school holidays.

As referred to above, sending these messages was in direct contradiction of the policies that Mr Ward had confirmed receiving.

The panel found this allegation proven in its entirety.

c. asking Pupil A to purchase items from the shop for you;

Mr Ward has admitted this allegation and that he failed to maintain appropriate boundaries.

The panel has seen a message from Mr Ward to pupil A stating “Get us a bottle of milk on the way in please x”. There is also a photograph of a snack with a message from Pupil A asking, “That ok”, a message from Mr Ward stating, “Yes thanks”, a question from Pupil A, “Want ewt [sic] else with it” and Mr Ward responding, “Drink please x.”

The transcript of an interview with Pupil A records that Pupil A stated that Mr Ward would sometimes give him the money for the items that Pupil A had purchased, and sometimes Mr Ward did not.

The panel considered it inappropriate for Mr Ward to have asked Pupil A to purchase items from the shop for him, particularly given that Mr Ward did not always pay for the items.

The panel found this allegation proven in its entirety.

d. transporting him alone in your car with no other adult present and without permissions from the Academy to do so;

Mr Ward has admitted this allegation and that he failed to maintain appropriate boundaries.

The panel has seen a screenshot of a message sent by Mr Ward to Pupil A stating “I’ll drop u home after.” In a transcript of an interview with Pupil A, Pupil A stated that Mr Ward had taken him home a couple of times after Pupil A had helped coaching other pupils. Pupil A confirmed that there were no other adults in the car when Mr Ward drove him home, and that Mr Ward had taken him straight home. Pupil A stated that this hadn’t bothered him, nor had he thought it strange for Mr Ward to have driven him home without others present. Pupil A also referred to another occasion when Mr Ward had dropped him off at home following the after school football practice. He stated that he was, “Pretty sure” Mr Ward had taken him straight home.

The transcript of the school’s disciplinary interview with Mr Ward refers to there being a requirement for a risk assessment for all after school activity such as this and Mr Ward accepted that he should not have taken “anybody alone.”

The staff conduct policy states that it is inappropriate for adults to offer lifts to a child or young person outside their normal working duties, unless this has been brought to the

attention of the line manager and has been agreed with the parents/carers. With regard to one to one situations, the policy states that when these are unavoidable, reasonable and sensible precautions should be taken. There was no evidence that the instances concerned were unavoidable, nor is there any evidence that these occasions had been brought to the attention of Mr Ward's line manager.

The panel found this allegation proven in its entirety.

e. encouraging Pupil A to drink alcohol whilst travelling back from [REDACTED];

Mr Ward has admitted this allegation and that he failed to maintain appropriate boundaries.

In the transcript of Pupil A's interview he stated that whilst travelling back from the [REDACTED] in a minibus, Pupil A and Pupil B had been pretending to drink a bottle of vodka that had been bought for Mr Ward as a gift, and "then [Mr Ward] said go on then as like a joke to do it, so we popped it open and then started to drink it", and that Mr Ward had said it in a way that another teacher present didn't hear.

The panel considered that this was a clear breach of appropriate boundaries given the age of Pupil A and that Mr Ward had been entrusted with the care of Pupil A at the time.

The panel found this allegation proven.

2. You failed to maintain appropriate boundaries with Pupil B, including by transporting him alone in your car with no other adult present and without permissions from the Academy to do so;

Mr Ward has admitted this allegation in its entirety.

The panel has seen a message from Mr Ward to Pupil A stating, "Tell [Pupil B's first name] to let you know if he's not coming tomorrow morning. I'll wait at my car till 6:45 but if he doesn't come out I'll have to go." The transcript of Pupil A's interview records that Pupil A confirmed that this message was referring to Pupil B and that there were no other adults in the car. Pupil A thought that Mr Ward had picked Pupil B up on two occasions that week, "cos we had PE two days and it was early in the morning", but Pupil A was not completely sure of this. He also stated that he knew Mr Ward had taken Pupil B home on a couple of occasions as well.

The transcript of the school's disciplinary interview with Mr Ward refers to there being a requirement for a risk assessment for all after school activity such as this and Mr Ward accepted that he should not have taken "anybody alone."

The staff conduct policy states that it is inappropriate for adults to offer lifts to a child or young person outside their normal working duties, unless this has been brought to the

attention of the line manager and has been agreed with the parents/carers. With regard to one to one situations, the policy states that when these are unavoidable, reasonable and sensible precautions should be taken. There was no evidence that the instances concerned were unavoidable, nor is there any evidence that these occasions had been brought to the attention of Mr Ward's line manager.

The panel found this allegation proven in its entirety.

3. Your conduct as outlined at Allegation 1 above was sexually motivated.

Mr Ward has admitted this allegation.

In the transcript of the interview with Pupil A, Pupil A stated that he initially thought that the kisses Mr Ward had added to his messages were, "Pally, I send kisses to my mates" and he hadn't thought much about them. He had viewed the messages as being a "bit more matey than a member of staff."

Pupil A stated that when Mr Ward started using explicit language, he had thought it was a "bit weird" and that Mr Ward "was probably a bit drunk." Pupil A described having received the message referred to at allegation 1a(i) and thought it was weird but that he did not really think about it again.

Pupil A later described that on 31 July, Mr Ward had rang him whilst Pupil A was in [REDACTED]. He described this as being out of the blue. Pupil A stated that he had rung Mr Ward back, as he was wondering if there was something wrong, since Mr Ward had never rung him before. He stated that Mr Ward answered and there was, "like two seconds of no one speaking... then he put it down." He believed Mr Ward to have been on holiday himself at the time.

Pupil A then described receiving the message referred to at allegation 1a(ii) and that Pupil A had understood the word Mr Ward to have used to have a sexual connotation. He described receiving the message referred to at allegation 1a(iii) and 1a(iv) and stated that he was shocked, confused, didn't know how to respond and just wanted the messages to stop. Mr Ward then sent a message stating, "I'm not taking the piss. N you'll come round, give it a couple weeks x." Pupil A stated that he interpreted this message as trying to persuade him. Pupil A described having carefully thought about how to respond as he was trying to get the messages to stop, and Mr Ward then sent the message referred to at allegation 1a(v) and then 20 – 25 minutes later Pupil A received the message referred to at allegation 1a(vi). Pupil A stated that he interpreted the reference to the best summer hideout to be a reference to Mr Ward's house.

Pupil A then described receiving the message referred to at allegation 1a(vii) and stated, "That's the worse one for me.... It's like you know you can trust me, so it's like all of those years he has spent developing a relationship with me and all of a sudden he's just said oh you know you can trust me... that is the worst one because you know he's not blagging it." Pupil A described taking half an hour to respond because he was so

shocked and debating whether to respond and fearing that if he didn't Mr Ward might keep messaging him.

Pupil A stated that Mr Ward had then sent a further message in the morning stating, "I'm really sorry. Was out of my head."

At his interview as part of the school disciplinary process, Mr Ward denied having any sexual interest in Pupil A, and that he had not been aware that he had sent the message, having "no idea why I sent it, I was extremely drunk." It is now the case, however, that Mr Ward admits his conduct was sexually motivated.

The panel considered that the content of the messages sent by Mr Ward was sexual. It then went on to consider whether it was more likely than not that Mr Ward's purpose in sending them was sexual. The panel has carefully looked at the surrounding evidence to assess Mr Ward's state of mind at the time that the messages were sent. It is clear from the transcript of Pupil A's evidence that he understood the messages to be sexual. The fact that Mr Ward apologised for them and referred to them having been sent whilst he was intoxicated indicated that he was conscious of the intention he had had when sending the messages.

The content of the messages in 1a indicated a clear intention to pursue sexual gratification and/ or a future sexual relationship with Pupil A, and was therefore sexually motivated. There is no other reasonable explanation for sending these messages.

In a statement, Pupil A described, "When I think about things that happened in school with Mr Ward, I can now see that he build (sic) a different relationship with me than with most other students." It is clear to the panel that the manner in which Mr Ward fostered a relationship with Pupil A, sending messages containing explicit language, late at night and early in the morning enabled him to develop a relationship that was more akin to a friendship. Similarly, asking Pupil A to buy items from the shop, transporting Pupil A alone in his car and encouraging him to consume alcohol, whilst not inherently sexual, all formed part of a pattern of behaviour that blurred the boundaries of the teacher pupil relationship. This enabled him to continue contact with Pupil A after he had concluded his [REDACTED] studies. It was apparent that Mr Ward then sought to develop the relationship into a sexual one. This indicated to the panel that it was more likely than not that the conduct found proven at allegations 1b, 1c, 1d and 1e were all part of cultivating a relationship that Mr Ward had the intention of turning into either a sexual one, or one that would provide him with sexual gratification. The panel therefore found that Mr Ward's conduct as found proven at allegation 1 was sexually motivated.

The panel found this allegation proven.

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

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

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

The panel was satisfied that the conduct of Mr Ward in relation to the facts found proved, involved breaches of the Teachers’ Standards. The panel considered that, by reference to Part 2, Mr Ward 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
- showing tolerance of and respect for the rights of others
- 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 Mr Ward fell significantly short of the standards expected of the profession. It was of concern to the panel that Mr Ward pursued Pupil A for sexual gratification or a sexual relationship, notwithstanding Pupil A had sent a clear message declining Mr Ward’s advances. Mr Ward ignored this and continued sending him unwanted messages and also requested Pupil A keep the messages between themselves. Mr Ward demonstrated a complete disregard for the right of Pupil A not to be harassed by someone who had been entrusted not to abuse his professional position.

The panel also considered whether Mr Ward’s conduct displayed behaviours associated with any of the offences listed on pages 10 and 11 of the Advice.

The panel found that the offence of sexual activity was relevant.

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

The panel noted that the allegation took place outside the education setting. However, it affected the way that Pupil A felt about returning to the school,[REDACTED]. Pupil A also described feeling uncomfortable about telling anyone what had happened, because he was concerned that he would not be believed that a teacher had acted in this way and that he is anxious about meeting Mr Ward around his home town. Mr Ward's behaviour has therefore caused harm to Pupil A.

Accordingly, the panel was satisfied that Mr Ward is 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 Ward's actions constituted conduct that may bring the profession into disrepute.

Having found the facts of all of the particulars proved, the panel further found that Mr Ward'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 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 the following to be relevant in this case, the protection of pupils; the maintenance of public confidence in the profession; and declaring and upholding proper standards of conduct.

In the light of the panel's findings against Mr Ward, which involved seeking to cultivate a relationship with Pupil A for his own sexual gratification and/ or to pursue a sexual relationship with him, there was a strong public interest consideration in respect of the protection of pupils. The panel also noted that Mr Ward had failed to observe appropriate boundaries with a second pupil, Pupil B.

Similarly, the panel considered that public confidence in the profession could be seriously weakened if conduct such as that found against Mr Ward were not treated with the utmost seriousness when regulating the conduct of the profession. Mr Ward himself had asked that Pupil A keep the matter between themselves which is indicative that Mr Ward was aware of the public reaction if his conduct was discovered.

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 Ward was outside that which could reasonably be tolerated.

The panel considered that the adverse public interest considerations above outweigh any interest in retaining Mr Ward in the profession. No evidence has been adduced of any ability he had as an educator, but, in any event, he fundamentally breached the trust placed in him.

In view of 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 Ward.

In carrying out the balancing exercise, the panel had regard to the public interest considerations both in favour of, and against, prohibition as well as the interests of Mr Ward. 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 vulnerable pupils) or violation of the rights of pupils;
- other deliberate behaviour that undermines pupils, the profession, the school or colleagues;

- 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;

Given the pattern of behaviours, the panel was concerned about there being a continuing risk. Mr Ward sought to groom Pupil A, and did so under the cloak of seeking to establish a relationship that went beyond the teacher pupil relationship. He sought to keep his conduct secret. His behaviour in itself abused the position of trust, and also continued after Pupil A had indicated that he wanted the attention to stop. This has caused harm to Pupil A.

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

The panel has found that Mr Ward's actions were deliberate and sexually motivated.

There was no evidence that Mr Ward was acting under duress. Mr Ward stated in his interview for the school's disciplinary investigation that he [REDACTED]. However, no evidence has been adduced to the panel that would enable it to consider whether any prevailing circumstances at the time impacted upon his behaviour.

The panel accepted that there were no findings by any previous teacher misconduct panel against Mr Ward, but no testimonial statements have been produced by Mr Ward attesting to his good character or ability as a teacher.

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 Ward 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 Ward. These matters have had an impact upon Pupil A who continued to experience anxiety about the possibility of seeing Mr Ward, and was worried about Mr Ward's reaction. Pupil A ended his statement for the school's disciplinary investigation saying, "This has had an effect on me and I do not feel a teacher should make a student feel like that, even though I am not in the school any more." The impact upon Pupil A was a significant factor in the panel forming its opinion. Accordingly, the panel made a

recommendation to the Secretary of State that a prohibition order should be imposed with immediate effect.

The panel went on to consider whether or not it would be appropriate to recommend that a review period of the order should be considered. The panel was mindful that the Advice states that a prohibition order applies for life, but there may be circumstances, in any given case, that may make it appropriate to allow a teacher to apply to have the prohibition order reviewed after a specified period of time that may not be less than 2 years.

The Advice indicates that there are behaviours that, if proved, would militate against the recommendation of a review period. One of these behaviours includes serious sexual misconduct, such as where the act was sexually motivated and resulted in or had the potential to result in, harm to a person or persons, particularly where the individual has used his professional position to influence or exploit a person or persons. The panel found that Mr Ward had abused his position as a teacher to pursue either sexual gratification or a sexual relationship with Pupil A, causing harm to Pupil A. Had Pupil A accepted Mr Ward's advances, more serious harm could have followed.

At the school's disciplinary hearing, Mr Ward's representative stated that Mr Ward was there to say that he had done wrong and made a serious error of judgment, and did not dispute that the messages were sent by him. Mr Ward expressed an apology for his actions and expressed his appreciation for the support he had been provided with. He further stated that he "personally want[ed] to apologise to the family" and that he had "made a serious error of judgement" and that he "wouldn't do anything like that again". He stated that "I feel guilty, I do wish to apologise for my actions. I wish to apologise to [the Vice Principal and Investigating Officer] and I am sorry that you have had to deal with all of this work". However, Mr Ward has not provided any evidence to the panel that would have allowed it to be assured of his remorse. Mr Ward has not demonstrated any insight into the possible effect of his actions.

Mr Ward has admitted the allegations which has meant that Pupil A has not had to recount what happened to the panel, although the panel has had no evidence that this was Mr Ward's motivation. The panel noted Mr Ward resigned the day before his disciplinary hearing, and therefore avoided the scrutiny of his employer.

Furthermore, he has not provided any explanation to the panel of his actions or produced any evidence that might have provided assurance to the panel regarding the risk of repetition.

The panel decided that 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 provision for a review period.

Decision and reasons on behalf of the Secretary of State

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

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

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

The panel has made a recommendation to the Secretary of State that Mr Craig Ward should be the subject of a prohibition order, with no provision for a review period.

In particular, the panel has found that Mr Craig Ward 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
- showing tolerance of and respect for the rights of others
- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach...
- Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities.

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

The findings of misconduct are particularly serious as they include a finding of a failure to maintain appropriate boundaries with two pupils, sending messages of an inappropriate nature to a pupil, conduct that was found to be sexually motivated.

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 Ward, and the impact that will have on him, is proportionate and in the public interest.

In this case, I have considered the extent to which a prohibition order would protect children. The panel has observed, "Given the pattern of behaviours, the panel was concerned about there being a continuing risk. Mr Ward sought to groom Pupil A, and did so under the cloak of seeking to establish a relationship that went beyond the teacher pupil relationship. He sought to keep his conduct secret. His behaviour in itself abused the position of trust, and also continued after Pupil A had indicated that he wanted the attention to stop. This has caused harm to Pupil A." 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, "At the school's disciplinary hearing, Mr Ward's representative stated that Mr Ward was there to say that he had done wrong and made a serious error of judgment, and did not dispute that the messages were sent by him. Mr Ward expressed an apology for his actions". The panel also observed "Mr Ward has not provided any evidence to the panel that would have allowed it to be assured of his remorse. Mr Ward has not demonstrated any insight into the possible effect of his actions." In my judgement, the lack of full insight means that there is some risk of the repetition of this behaviour and this puts at risk future pupils' wellbeing. 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, "public confidence in the profession could be seriously weakened if conduct such as that found against Mr Ward were not treated with the utmost seriousness when regulating the conduct of the profession. Mr Ward himself had asked that Pupil A keep the matter between themselves which is indicative that Mr Ward was aware of the public reaction if his conduct was discovered." I am particularly mindful of the finding of sexual motivation 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 Ward himself and the panel comment “there were no findings by any previous teacher misconduct panel against Mr Ward, but no testimonial statements have been produced by Mr Ward attesting to his good character or ability as a teacher.”

A prohibition order would prevent Mr Ward from teaching. A prohibition order would also clearly deprive the public of his contribution to the profession for the period that it is in force.

In this case, I have placed considerable weight on the panel’s comments “The panel found that Mr Ward had abused his position as a teacher to pursue either sexual gratification or a sexual relationship with Pupil A, causing harm to Pupil A. Had Pupil A accepted Mr Ward’s advances, more serious harm could have followed.”

I have also placed considerable weight on the finding of the panel that Mr Ward sought to keep his conduct a secret and continued his advances despite Pupil A indicating he wanted the attention to stop.

I have given less weight in my consideration of sanction therefore, to the contribution that Mr Ward 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, that is not fully backed up by remorse or insight, does not in my view satisfy the public interest requirement concerning public confidence in the profession.

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

I have gone on to consider the matter of a review period. In this case, the panel has recommended that no provision should be made for a review period.

I have considered the panel’s comments “Mr Ward has admitted the allegations which has meant that Pupil A has not had to recount what happened to the panel, although the panel has had no evidence that this was Mr Ward’s motivation. The panel noted Mr Ward resigned the day before his disciplinary hearing, and therefore avoided the scrutiny of his employer.

Furthermore, he has not provided any explanation to the panel of his actions or produced any evidence that might have provided assurance to the panel regarding the risk of repetition.”

I have considered whether not allowing a review period reflects the seriousness of the findings and is a proportionate period to achieve the aim of maintaining public confidence in the profession. In this case, a number of factors mean that allowing a review period is not sufficient to achieve the aim of maintaining public confidence in the profession. These elements are the lack of full remorse and insight, particularly the affect of his actions on Pupil A.

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

This means that Mr Craig Ward 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 Ward 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 Craig Ward has a right of appeal to the Queen's Bench Division of the High Court within 28 days from the date he is given notice of this order.

A handwritten signature in black ink, appearing to read 'SABuxcey', with a stylized, cursive script.

Decision maker: Sarah Buxcey

Date: 30 September 2021

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