



Teaching  
Regulation  
Agency

# **Mr Blaine Wakeman: Professional conduct panel outcome**

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

**May 2023**

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

<b>Teacher:</b>	Mr Blaine Wakeman
<b>Teacher ref number:</b>	1643477
<b>Teacher date of birth:</b>	13 March 1991
<b>TRA reference:</b>	17573
<b>Date of determination:</b>	16 May 2023
<b>Former employer:</b>	Grace Academy, Solihull (School 1) and Wodensborough Ormiston Academy (School 2)

### **Introduction**

A professional conduct panel (“the Panel”) of the Teaching Regulation Agency (“the TRA”) convened on 15 May 2023 via Microsoft Teams to consider the case of Mr Blaine Wakeman.

The Panel members were Mr Clive Ruddle (lay panellist – in the chair), Mrs Bernie Whittle (teacher panellist) and Mrs Oluremi Alabi (lay panellist).

The legal adviser to the Panel was Mrs Alexandra Byard of Eversheds Sutherland (International) LLP.

The presenting officer for the TRA was Ms Louisa Atkin of Capsticks LLP solicitors.

Mr Wakeman was not present and was not represented.

The hearing took place in public and was recorded.

## Allegations

The Panel considered the allegations set out in the notice of proceedings dated 23 February 2023.

It was alleged that Mr Wakeman was guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute and/or having been convicted of a relevant offence, in that:

1. Mr Wakeman was convicted of one or more relevant offences on or around 9 October 2017, when he was convicted at Birmingham Crown Court of the offence(s) of:-

a. Being knowingly concerned in fraudulent evasion of VAT (contrary to section 72 of the Value Added Tax Act 1994);

b. Making or supplying articles for use in fraud (contrary to section 7 of the Fraud Act 2006).

2. Mr Wakeman engaged in unacceptable professional conduct and/or conduct that may bring the profession into disrepute whilst employed and/or engaged as a teacher at Grace Academy Solihull ('School 1'), in that:-

a. Between 1 September 2016 and 9 October 2017, he failed to disclose to or inform School 1 that he:

i. had been arrested on or about 31 August 2016; and / or

ii. was the subject of an investigation for tax offences; and / or

iii. was the subject of criminal proceedings requiring attendance at court, including on 9 October 2017;

b. On or around 9 October 2017, he stated to School 1 he was absent from School 1 as his son was in hospital, and he failed to disclose to or inform School 1 that he was also making a court appearance on 9 October 2017;

c. On or after 9 October 2017, he failed to disclose to or inform School 1 that he had been convicted of one or more criminal offences on 9 October 2017;

d. His conduct as set out at particulars 2a and / or 2b and / or 2c was dishonest.

3. He engaged in unacceptable professional conduct and/or conduct that may bring the profession into disrepute whilst employed and/or engaged as a teacher at the Wodensborough Ormiston Academy ('School 2'), in that:

a. He failed to appropriately manage finances relating to a school ski trip, in that:

- i. On or around 16 September 2019 he accepted a cash payment of £160 from Parent B;
  - ii. Between 16 September 2019 and 21 October 2019, he did not deposit or account for the £160 payment received from Parent B with the School 2 Finance officers or otherwise;
  - iii. Between 2 December 2019 and 4 December 2019, he claimed to have returned £160 to the School when he had not done so.
- b. By his conduct at particulars 3a(i) and / or 3a(ii) above he was in breach of cash handling guidance and / or a criminal records risk assessment dated 26 October 2018 which had been put in place as a result of your conviction on 9 October 2017.
  - c. His conduct as set out at particulars 3a(ii) and / or 3a(iii) above was dishonest.

In the absence of the response from the teacher, the allegations are not admitted.

## **Preliminary applications**

The Panel considered an application from the Presenting Officer to proceed in the absence of Mr Wakeman.

The Panel is satisfied that the TRA has complied with the service requirements of paragraph 19 a to c of the Teachers' Disciplinary (England) Regulations 2012, (the "Regulations").

The Panel is also satisfied that the Notice of Proceedings complied with paragraphs 4.11 and 4.12 of the Teacher Misconduct: Disciplinary Procedures for the Teaching Profession 2018, (the "Procedures").

The Panel has determined to exercise its discretion under paragraph 4.29 of the Procedures to proceed with the hearing in the absence of the teacher.

The Panel has taken as its starting point the principle from *R v Jones* that its discretion to commence a hearing in the absence of the teacher has to be exercised with the utmost care and caution, and that its discretion is a severely constrained one. In considering the question of fairness, the Panel has recognised that fairness to the profession is of prime importance but that it also encompasses the fair, economic, expeditious and efficient disposal of allegations against the professional, as was explained in *GMC v Adeogba & Visvardis*.

In making its decision, the Panel has noted that the teacher may waive his right to participate in the hearing. The Panel has firstly taken account of the various factors drawn to its attention from the case of *R v Jones* [2003] 1 AC1.

- i)* The Panel was satisfied that the teacher is aware of the proceedings. Notice was sent by Special Delivery (Royal Mail) to the last known address of the teacher and was signed for. Emails were also sent to an email address that the teacher had previously responded to. The Panel considered that there has been a long period for the teacher to become aware of the proceedings. The Panel therefore considers that the teacher has the knowledge of when and where the hearing is taking place and waived his right to be present.
- ii)* The Panel considered if an adjournment might result in the teacher attending voluntarily and if so, the length of such adjournment. The Panel was not satisfied that an adjournment would result in the teacher attending given that service was effective and that the teacher had knowledge of the hearing taking place.
- iii)* The Panel noted that the teacher is not represented and has expressed no intention of being represented.
- iv)* The Panel has the benefit of a letter sent by the teacher and is able to ascertain the lines of defence. The Panel has noted that all witnesses relied upon by the TRA are to be called to give evidence and the Panel can test that evidence in questioning those witnesses, considering such points as are favourable to the teacher, as are reasonably available on the evidence. The Panel has not identified any significant gaps in the documentary evidence provided to it. The Panel is also able to exercise vigilance in making its decision, taking into account the degree of risk of the Panel reaching the wrong decision as a result of not having heard the teacher's account.
- v)* No reasons were provided for the teacher's non-attendance and so the Panel found that the non-attendance was voluntary.
- vi)* The Panel recognises that the allegations against the teacher are serious and that there is a real risk that if proven, the Panel will be required to consider whether to recommend that the teacher ought to be prohibited from teaching.
- vii)* The Panel recognises that the efficient disposal of allegations against teachers is required to ensure the protection of pupils and to maintain confidence in the profession. The conduct alleged is said to have taken place

whilst the teacher was employed at School 1 and School 2. Each school will have an interest in this hearing taking place in order to move forwards.

- viii) The Panel also notes that there are four witnesses present at the hearing, who are prepared to give evidence, and that it would be inconvenient and unfair for them to return again. Delaying the case may also impact upon the memories of those witnesses.

The Panel has therefore decided to proceed with the hearing in the absence of the teacher. The Panel considers that:

1. the teacher has waived his right to appear;
2. such measures referred to above would address any unfairness;
3. an adjournment would cause inconvenience to the witnesses;
4. the allegations are serious and there is a public interest in this hearing proceeding within a reasonable time.

## Summary of evidence

### Documents

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

#### Hearing Bundle

Section 1: Chronology and anonymised pupil list and List of Key People – pages 4 to 5

Section 2: Notice of proceedings and response – pages 7 to 14

Section 3: Teaching Regulation Agency witness statements – pages 15 to 28

Section 4: Teaching Regulation Agency documents – pages 29 to 128

Section 5: Teacher documents – pages 129 to 132

#### Service Bundle

Section 1: Notice of Hearing, proof of delivery and letter seeking Teacher's intentions regarding the hearing – pages 3 to 14

Section 2: Other recent correspondence with the Teacher – pages 15 to 28

The Panel members confirmed that they had read all of the documents within the bundles, in advance of the hearing.

## Witnesses

The Panel heard oral evidence from the following:

1. Witness A – [REDACTED]
2. Parent B – [REDACTED]
3. Witness C – [REDACTED]
4. Witness D – [REDACTED]

Each witness was called by the Presenting Officer.

## Decision and reasons

The panel announced its decision and reasons as follows:

The Panel carefully considered the case before it and reached a decision.

Mr Wakeman had been employed at School 1 from 1 September 2016 as a PE teacher. On 9 October 2017, Mr Wakeman was convicted for fraudulent evasion of VAT and making/supplying articles for use in fraud. It is alleged that Mr Wakeman failed to disclose his convictions to School 1. On 23 April 2018, Mr Wakeman was suspended from School 1 and ultimately resigned on 11 June 2018 (with effect from 30 June 2018). In January 2019, Mr Wakeman was employed by School 2 as a PE teacher. In September 2019 it is alleged that Mr Wakeman took cash from a parent and failed to appropriately manage finances in relation to a school ski trip. On 4 November 2019 Mr Wakeman resigned from School 2.

## Findings of fact

The findings of fact are as follows:

The Panel found the following particulars of the allegations against Mr Wakeman proved, for these reasons:

**1. Mr Wakeman was convicted of one or more relevant offences on or around 9 October 2017, when he was convicted at Birmingham Crown Court of the offence(s) of:-**

**a. Being knowingly concerned in fraudulent evasion of VAT (contrary to section 72 of the Value Added Tax Act 1994);**

**b. Making or supplying articles for use in fraud (contrary to section 7 of the Fraud Act 2006).**



The Panel heard submissions from the Presenting Officer and accepted the certificates of convictions as conclusive proof of both the convictions and the facts necessarily implied by the convictions. The Panel noted that the convictions were not trivial (£115,000 fraudulently claimed and making or supplying articles for use in fraud) and the custodial sentences were significant (albeit suspended). The Panel therefore found allegation 1 proved and that the convictions were each a relevant offence.

**2. Mr Wakeman engaged in unacceptable professional conduct and/or conduct that may bring the profession into disrepute whilst employed and/or engaged as a teacher at Grace Academy Solihull ('School 1'), in that:-**

**a. Between 1 September 2016 and 9 October 2017, he failed to disclose to or inform School 1 that he:**

**i. had been arrested on or about 31 August 2016; and / or**

**ii. was the subject of an investigation for tax offences; and / or**

**iii. was the subject of criminal proceedings requiring attendance at court, including on 9 October 2017;**

The Panel heard evidence from Witness A and found it to be compelling and unequivocal. It was clear in School 1's Code of Conduct, and Mr Wakeman's teaching contract, that he was required to inform School 1 immediately if he was arrested or subject to criminal proceedings. The Panel heard evidence from Witness A that he was not informed that Mr Wakeman had been arrested, was subject to an investigation or subject to criminal proceedings. Witness A became aware of this when he was sent a newspaper article summarising Mr Wakeman's attendance at Court and his convictions. The Panel assessed the weight and reliability of the evidence, and on the balance of probabilities, the Panel believed that this allegation was more likely than not to have occurred.

**b. On or around 9 October 2017, he stated to School 1 he was absent from School 1 as his son was in hospital, and he failed to disclose to or inform School 1 that he was also making a court appearance on 9 October 2017;**

The Panel considered the absence logs from 9 October 2017 which stated Mr Wakeman's absence was for "compassionate leave" and the Defence Plea documentation from the Crown Court at Birmingham. The Panel found that Mr Wakeman was in Court on 9 October 2017 at 10:25 giving his guilty plea. Witness A in his oral evidence confirmed that Mr Wakeman did not inform him of the attendance at court on 9 October 2017. The Panel therefore found that this allegation was proved based on the evidence.

**c. On or after 9 October 2017, he failed to disclose to or inform School 1 that he had been convicted of one or more criminal offences on 9 October 2017;**

The Panel heard evidence from Witness A and found it to be compelling and unequivocal. School 1's Code of Conduct and Mr Wakeman's teaching contract required him to inform School 1 immediately if he was convicted of a criminal offence. Witness A in his oral evidence confirmed that Mr Wakeman did not inform him of his convictions. Mr Wakeman accepted that he did not notify Witness A because he felt that the convictions were not relevant to teaching, and his employment had ceased, so therefore he did not need to disclose the convictions to School 1. The Panel assessed the weight and reliability of the evidence, and on the balance of probabilities, the Panel believed that this allegation was more likely than not to have occurred.

**d. His conduct as set out at particulars 2a and / or 2b and / or 2c was dishonest.**

The Panel considered the test in the case of *Ivey v Genting Casinos (UK) Ltd*. The test required the Panel to first ascertain (subjectively) the actual state of the individual's knowledge or belief as to the facts. The Panel also considered that the question of whether Mr Wakeman's conduct was honest or dishonest, is to be determined by applying the (objective) standards of ordinary honest people. The Panel found that Mr Wakeman's conduct was dishonest because the allegations were all matters which should have been disclosed to School 1 and Mr Wakeman would have been aware of this from the School 1's Code of Conduct and his teaching employment contract. Further Mr Wakeman is a professional and should have recognised that disclosure of criminal proceedings and convictions would be required to his employer.

**3. Mr Wakeman engaged in unacceptable professional conduct and/or conduct that may bring the profession into disrepute whilst employed and/or engaged as a teacher at the Wodensborough Ormiston Academy ('School 2'), in that:**

**a. He failed to appropriately manage finances relating to a school ski trip, in that:**

**i. On or around 16 September 2019 he accepted a cash payment of £160 from Parent B;**

The Panel heard evidence from Parent B and noted that Mr Wakeman confirmed that cash was given to him by Parent B, which Mr Wakeman said that he put in to his teaching box because the finance office was unattended. The Panel assessed the weight and reliability of the evidence, and on the balance of probabilities, the Panel believed that this allegation was more likely than not to have occurred.

**ii. Between 16 September 2019 and 21 October 2019, he did not deposit or account for the £160 payment received from Parent B with the School 2 Finance officers or otherwise;**

The Panel heard evidence from Witness C and Witness D and that evidence was tested by the Panel. The Panel also noted that in Mr Wakeman's email dated 4 November 2019 to Witness D, that he accepts that the cash was not deposited to the finance officers. The Panel assessed the weight and reliability of the evidence, and on the

balance of probabilities, the Panel believed that this allegation was more likely than not to have occurred.

**iii. Between 2 December 2019 and 4 December 2019, he claimed to have returned £160 to the School when he had not done so.**

The Panel heard evidence from Witness D. Witness D was a credible witness and confirmed that the cash was not returned to School 2. Witness D explained that Mr Wakeman had provided a tracking number for a letter to School 2 which allegedly contained the cash but that the tracking number was for a different address. Witness D explained that Mr Wakeman was made aware of this and Mr Wakeman acknowledged sending the incorrect tracking number which was evidenced in the emails exchanged between Witness D and Mr Wakeman on 4 December 2019. Witness D confirmed during her evidence that the cash has still not been received from Mr Wakeman to date. The Panel assessed the weight and reliability of the evidence, and on the balance of probabilities, the Panel found that this allegation was more likely than not to have occurred.

**b. By his conduct at particulars 3a(i) and / or 3a(ii) above he was in breach of cash handling guidance and / or a criminal records risk assessment dated 26 October 2018 which had been put in place as a result of your conviction on 9 October 2017.**

The Panel heard evidence from Witness D. Witness D explained that a risk assessment was put in place for Mr Wakeman at the start of his employment which was discussed with him. This risk assessment made clear that Mr Wakeman was not to handle cash or be a budget holder. Witness D has testified that she had discussions with Mr Wakeman prior to the school ski trip being organised to reiterate School 2's cash handling guidance and the risk assessment in place. The Panel assessed the weight and reliability of the evidence, and on the balance of probabilities, the Panel found that this allegation was more likely than not to have occurred.

**c. His conduct as set out at particulars 3a(ii) and / or 3a(iii) above was dishonest.**

The Panel considered the test in the case of *Ivey v Genting Casinos (UK) Ltd*. The test required the Panel to first ascertain (subjectively) the actual state of the individual's knowledge or belief as to the facts. The Panel also considered that the question of whether Mr Wakeman's conduct was honest or dishonest, is to be determined by applying the (objective) standards of ordinary honest people. The Panel found that Mr Wakeman's conduct was dishonest because of the fact that (i) there appeared to the Panel numerous opportunities for Mr Wakeman to hand in the cash and he did not do so; and (ii) Mr Wakeman said he was resending the cash to School 2 and to date has not done so.

## **Findings as to unacceptable professional conduct and/or conduct that may bring the profession into disrepute and/or conviction of a relevant offence**

Having found all the allegations proved, the Panel went on to consider whether the facts of all 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 2022, which is referred to as “the Advice”.

The Panel was satisfied that the conduct of Mr Wakeman, in relation to the facts found proved, involved breaches of the Teachers’ Standards. The Panel considered that, by reference to Part 2, Mr Wakeman 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
  - not undermining fundamental British values namely, the rule of law
- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach.
- Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities.

The Panel was satisfied that the conduct of Mr Wakeman fell significantly short of the standard of behaviour expected of a teacher.

The Panel also considered whether Mr Wakeman’s convictions displayed behaviours associated with any of the offences in the list that begins on page 12 of the Advice. The Panel found that the offence of fraud or serious dishonesty 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 1 took place outside the education setting. The Panel found that Mr Wakeman’s actions for all allegations were contrary to the standards of personal and professional conduct expected of a teacher and would be likely to affect public confidence in the teaching profession if the teacher were allowed to continue teaching.

Accordingly, the Panel was satisfied that Mr Wakeman was guilty of unacceptable professional conduct.

The Panel took into account the way the teaching profession is viewed by others, the responsibilities and duties of teachers in relation to the safeguarding and welfare of

pupils 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 that they behave.

The Panel also considered whether Mr Wakeman's convictions displayed behaviours associated with any of the offences in the list that begins on page 12 of the Advice. The Panel found that the offence of fraud or serious dishonesty 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 conduct that may bring the profession into disrepute. The Panel also considered its findings of dishonesty would also amount to conduct that may bring the profession into disrepute.

The findings of misconduct are serious, and the conduct displayed would be likely to have a negative impact on the individual's status as a teacher. The Panel considered that Mr Wakeman's conduct could potentially damage the public's perception of a teacher. The Panel noted the four news articles produced as evidence would negatively impact the public's perception of a teacher.

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

Having found all facts of the particulars proved, the Panel further found that Mr Wakeman's conduct amounted to both unacceptable professional conduct and conduct that may bring the profession into disrepute.

The Panel noted that the individual's actions were relevant to teaching and/or working in an education setting. The Panel noted that the behaviour involved in committing the offence and the allegations above would have been likely to have had an impact on pupils and/or members of the public. The Panel also took account of the way the teaching profession is viewed by others. The Panel considered that Mr Wakeman's behaviour in committing the offence and the allegations above would be likely to affect public confidence in the teaching profession, if Mr Wakeman was allowed to continue teaching.

The Panel noted that Mr Wakeman's behaviour ultimately led to a sentence of imprisonment (albeit suspended) which was indicative of the seriousness of the offences committed, and which the Advice states is likely to be considered "a relevant offence". The Advice also indicates that convictions for fraud or serious dishonesty are likely to be considered "a relevant offence". The Panel considered that a finding that these convictions were for relevant offences was necessary to reaffirm clear standards of conduct so as to maintain public confidence in the teaching profession.

The Panel noted that the gravity of the offence was so serious that it attracted a custodial sentence and the value of the offence makes it even more serious.

The Panel noted that at the time of the offences Mr Wakeman was [REDACTED], recently qualified and new to the profession. The [REDACTED] was taken into account in the sentencing remarks as mitigating factors. The Panel saw no mitigation from Mr Wakeman in respect of allegations 2 and 3. The Panel found that Mr Wakeman failed to engage with this process and have seen no evidence of mitigation factors relevant to this stage of the process.

## **Panel's recommendation to the Secretary of State**

Given the Panel's findings in respect of unacceptable professional conduct/ conduct that may bring the profession into disrepute/ a conviction of a relevant offence, 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 is appropriate, the Panel had to consider the public interest, the seriousness of the behaviour and any mitigation offered by Mr Wakeman and whether a prohibition order is necessary and proportionate. 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 a punitive effect.

In the light of the Panel's findings against Mr Wakeman which included findings of dishonesty, there was a strong public interest consideration in that public confidence in the profession could be seriously undermined if conduct such as that found against Mr Wakeman was not treated with the utmost seriousness when regulating the conduct of the profession. The Panel considered that the dishonesty displayed by Mr Wakeman showed a lack of regard to both regulatory and statutory guidance.

The Panel was of the view that a strong public interest consideration in declaring proper standards of conduct in the profession was also present as the conduct found against Mr Wakeman was outside that which could reasonably be tolerated.

The Panel considered carefully the seriousness of the behaviour, noting that the Advice states that the expectation of both the public and pupils, is that members of the teaching profession maintain an exemplary level of integrity and ethical standards at all times.

The Panel took further account of the Advice, which suggests that a Panel will likely consider a teacher's behaviour to be incompatible with being a teacher if there is evidence of one or more of the factors that begin on page 15. In the list of such factors, those that were relevant in this case were:

- serious departure from the personal and professional conduct elements of the Teachers' Standards;
- the commission of a serious criminal offence and criminal record disclosure;

- an abuse of any trust;
- dishonesty and lack of integrity, including the deliberate concealment of their actions, especially where these behaviours have been repeated or had serious consequences;
- concealment including concealing inappropriate actions and the convictions;

Even though the behaviour found proved in this case indicated that a prohibition order would be appropriate, taking account of the public interest and the seriousness of the behaviour and the likely harm to the public interest were the teacher be allowed to continue to teach, the Panel went on to consider whether there were mitigating circumstances.

The Panel noted that Mr Wakeman has not been forthcoming in the TRA investigation and has failed to engage in the regulatory disciplinary hearing. The Panel had no evidence before them as to Mr Wakeman's remorse and insight as to the consequences of his actions. The Panel did note that Mr Wakeman had no previous convictions.

The Panel was presented with no evidence drawing into serious doubt his abilities as an educator, particularly as a less experienced 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 prohibition was both proportionate and appropriate. The Panel decided that the public interest considerations outweighed the interests of Mr Wakeman. The position of trust provided to Mr Wakeman and his repeated dishonesty over a period of time 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 for it to decide to recommend a review period of the order. 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 cases involving certain conduct where it is likely that the public interest will have greater relevance and weigh in favour of a longer period before a review is considered appropriate. This includes offences of fraud and serious dishonesty. The Panel found that there was lack of evidence of remorse and insight by Mr Wakeman and that he should be afforded time to reflect in a meaningful way as to the consequences of his actions and to rehabilitate.

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 (in which the Panel considered not less than 5 years appropriate).

## **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, conduct that may bring the profession into disrepute and a relevant conviction.

The panel has made a recommendation to the Secretary of State that Mr Blaine Wakeman should be the subject of a prohibition order, with a review period of five years.

In particular, the panel has found that Mr Blaine Wakeman 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
  - not undermining fundamental British values namely, the rule of law
- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach.
- Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities.

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

I have to determine whether the imposition of a prohibition order is proportionate and in the public interest. In considering that for this case, I have considered the overall aim of a prohibition order which is to protect pupils and to maintain public confidence in the profession. I have considered the extent to which a prohibition order in this case would achieve that aim taking into account the impact that it will have on the individual teacher. I have also asked myself, whether a less intrusive measure, such as the published finding of unacceptable professional conduct and conduct that may bring the profession into disrepute, would itself be sufficient to achieve the overall aim. I have to consider whether the consequences of such a publication are themselves sufficient. I



have considered therefore whether or not prohibiting Mr Wakeman 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, I have observed the following comment “The Panel took into account the way the teaching profession is viewed by others, the responsibilities and duties of teachers in relation to the safeguarding and welfare of pupils 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 that they behave.”. 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, “The Panel noted that Mr Wakeman has not been forthcoming in the TRA investigation and has failed to engage in the regulatory disciplinary hearing. The Panel had no evidence before them as to Mr Wakeman’s remorse and insight as to the consequences of his actions. The Panel did note that Mr Wakeman had no previous convictions.”. In my judgement, the lack of evidence of insight and/or remorse means that there is some risk of the repetition of this behaviour and this puts at risk the future wellbeing of pupils’. 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 noted that the individual’s actions were relevant to teaching and/or working in an education setting. The Panel noted that the behaviour involved in committing the offence and the allegations above would have been likely to have had an impact on pupils and/or members of the public. The Panel also took account of the way the teaching profession is viewed by others. The Panel considered that Mr Wakeman’s behaviour in committing the offence and the allegations above would be likely to affect public confidence in the teaching profession, if Mr Wakeman was allowed to continue teaching.”. I am particularly mindful of the finding of repeated dishonesty in this case and the impact that such a finding has on the reputation of the profession.

The Panel considered that the dishonesty displayed by Mr Wakeman showed a lack of regard to both regulatory and statutory guidance.

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, conduct that may bring the profession into disrepute and a relevant conviction, 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 Wakeman himself and the panel comment “The Panel was presented with no evidence drawing into serious doubt his abilities as an educator, particularly as a less experienced teacher.”.

A prohibition order would prevent Mr Wakeman 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 considered mitigation and the following comment, “The Panel noted that at the time of the offences Mr Wakeman was [REDACTED], recently qualified and new to the profession. The [REDACTED] was taken into account in the sentencing remarks as mitigating factors. The Panel saw no mitigation from Mr Wakeman in respect of allegations 2 and 3. The Panel found that Mr Wakeman failed to engage with this process and have seen no evidence of mitigation factors relevant to this stage of the process.”.

I have also placed considerable weight on the finding that “The Panel was of the view that prohibition was both proportionate and appropriate. The Panel decided that the public interest considerations outweighed the interests of Mr Wakeman. The position of trust provided to Mr Wakeman and his repeated dishonesty over a period of time 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.”.

I have given less weight in my consideration of sanction therefore, to the contribution that Mr Wakeman 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 backed up by evidence of 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 a 5 year review period.

I have considered the panel’s comments “The Advice indicates that there are cases involving certain conduct where it is likely that the public interest will have greater relevance and weigh in favour of a longer period before a review is considered appropriate. This includes offences of fraud and serious dishonesty. The Panel found

that there was lack of evidence of remorse and insight by Mr Wakeman and that he should be afforded time to reflect in a meaningful way as to the consequences of his actions and to rehabilitate.”.

In this case, factors mean that allowing a two-year review period is not sufficient to achieve the aim of maintaining public confidence in the profession. These elements are the seriousness of the findings, the repeated dishonesty found and the lack of evidence of either insight or remorse.

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

**This means that Mr Blaine Wakeman is prohibited from teaching indefinitely and cannot teach in any school, sixth form college, relevant youth accommodation or children’s home in England.** He may apply for the prohibition order to be set aside, but not until 30 May 2028, 5 years from the date of this order at the earliest. This is not an automatic right to have the prohibition order removed. If he does apply, a panel will meet to consider whether the prohibition order should be set aside. Without a successful application, Mr Wakeman remains prohibited from teaching indefinitely.

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

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

A handwritten signature in black ink, appearing to read 'S Buxcey', with a horizontal line underneath.

**Decision maker: Sarah Buxcey**

**Date: 23 May 2023**

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