



Teaching  
Regulation  
Agency

# **Mr Daniel Watkins: Professional conduct panel meeting outcome**

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

**October 2023**

## Contents

Introduction	3
Allegation	4
Preliminary applications	4
Summary of evidence	4
Documents	4
Statement of agreed facts	5
Decision and reasons	5
Findings of fact	6
Panel's recommendation to the Secretary of State	8
Decision and reasons on behalf of the Secretary of State	11

## Professional conduct panel decision

<b>Teacher:</b>	Mr Daniel Watkins
<b>Teacher ref number:</b>	9562930
<b>Teacher date of birth:</b>	12 January 1973
<b>TRA reference:</b>	19839
<b>Date of determination:</b>	30 October 2023
<b>Former employer:</b>	Hinchley Wood Learning Partnership

## Introduction

A professional conduct panel (“the panel”) of the Teaching Regulation Agency (“the TRA”) convened on 30 October 2023, via Microsoft Teams, to consider the case of Mr Daniel Watkins.

The panel members were Mr Paul Hawkins (lay panellist), Ms Christine McLintock (teacher panellist – in the chair) and Ms Penny Griffith (lay panellist).

The legal adviser to the panel was Mr James Danks of Blake Morgan LLP.

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 Watkins that the allegation be considered without a hearing. Mr Watkins provided a signed statement of agreed facts and admitted his behaviour amounted to unacceptable professional conduct and conduct that may bring the profession into disrepute.

The panel considered the case at a meeting without the attendance of the presenting officer, Mr Watkins or his representative.

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

## **Allegation**

The panel considered the allegation set out in the notice of meeting dated 17 August 2023.

It was alleged that Mr Daniel Watkins was guilty of unacceptable professional conduct and / or conduct that may bring the profession into disrepute, in that:

1. Between March 2018 and April 2020, he failed to disclose to Hinchley Wood Learning Partnership (“the School”), that he was the subject of a police investigation by North Yorkshire Police (“the Police Investigation”);
2. On or around 16 September 2020 he provided Individual A [REDACTED] with an inaccurate explanation of the reason for the Police Investigation in March 2018;
3. On or around 17 September 2020 he told Individual A [REDACTED] that the Police Investigation had been closed in April 2018 and that he had received a ‘notification of no further action’ at or around that time, when this was not true;
4. His conduct described in Paragraphs 1 to 3 above was dishonest;
5. By his conduct at Paragraph 1 and 2 above, he prevented the School from carrying out proper safeguarding checks in relation to his employment history, contrary to statutory guidance.

## **Preliminary applications**

There were no preliminary applications.

## **Summary of evidence**

### **Documents**

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

Section 1: Chronology and anonymised pupil list – pages 3 to 5

Section 2: Notice of referral, response and Notice of Hearing – pages 6 to 31

Section 3: Statement of Agreed Facts and Representations – pages 32 to 37

Section 4: Teaching Regulation Agency witness statements and documents – pages 38 to 262

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 Watkins on 30 April 2023.

## **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 Watkins 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 Watkins was employed by Grammar School Leeds ('GSL') until he submitted his resignation in December 2017, with a term's notice. Shortly after this, Mr Watkins successfully applied to Hinchley Wood Learning Partnership ('the School') for a teaching position and was offered a role on 24 January 2018 (to commence in April 2018).

On 5 March 2018, prior to Mr Watkins commencing his employment at the School, he was arrested by police for suspicion of [REDACTED]. Subsequently, Mr Watkins commenced his role at the School in April 2018 but did not disclose his arrest. The police investigation was subsequently closed in April 2020, with no further action being taken against Mr Watkins.

In June 2020, concerns were raised with the School in respect of the reasons for Mr Watkins leaving GSL, and that he had been 'moonlighting' in a different role whilst employed by GSL. The School's [REDACTED] raised the issue with Mr Watkins, who informed him that GSL had allowed him some time off to support his partner. No mention was made of the police investigation.

As a result of the concerns, the School held further discussions with Mr Watkins on 16 September 2020. During this discussion, Mr Watkins stated that there had been a police investigation, but stated it was related to him having alcohol in his possession at GSL. When this comment was queried by the School to GSL, GSL clarified that the police investigation related to a possible [REDACTED].

Mr Watkins was questioned by the School regarding his arrest on suspicion of [REDACTED]. He explained that the police investigation had concluded, with no further action, in April 2018.

The police were contacted by the relevant LADO and confirmed that their investigation was actually closed in April 2020. The School dismissed Mr Watkins in November 2020.

## **Findings of fact**

The findings of fact are as follows:

The panel found the following particulars of the allegation against you proved, for these reasons:

**1. Between March 2018 and April 2020, you failed to disclose to Hinchley Wood Learning Partnership (“the School”), that you were the subject of a police investigation by North Yorkshire Police (“the Police Investigation”).**

**2. On or around 16 September 2020 you provided the School with an inaccurate explanation of the reason for the Police Investigation in March 2018.**

**3. On or around 17 September 2020 you told the School that the Police Investigation had been closed in April 2018 and that you had received a ‘notification of no further action’ at or around that time, when this was not true.**

The panel had before it the Statement of Agreed Facts, signed by both parties (‘the Statement’).

Within this Statement, Mr Watkins unequivocally admitted the facts of 1, 2 and 3. In the light of this admission, which was clear and not contradicted by other evidence within the material before the panel, these three particulars were found proved.

**4. Your conduct described in Paragraphs 1 to 3 above was dishonest.**

Within the Statement, Mr Watkins admitted that:

- At the material time, he was aware that he needed to disclose the Police Investigation to the School but did not do so (particular 1);
- He had given the School an incorrect explanation as to why there was police involvement (particular 2); and

- When he stated in September 2020 that the police investigation had been closed in April 2018, he was aware that was not the correct position, and that the investigation was not concluded until two years later in April 2020 (particular 3).

In all of the circumstances, the panel was clear on Mr Watkins' genuine knowledge of the relevant facts, and it was clear on each particular, that he had been dishonest. The panel therefore found particular 4 proved.

**5. By your conduct at Paragraph 1 and 2 above, you prevented the School from carrying out proper safeguarding checks in relation to your employment history, contrary to statutory guidance.**

The panel was content, by virtue of the accepted facts in the Statement, had the School been aware of the actual situation, it would have undertaken additional safeguarding checks, as per Keeping Children Safe in Education.

Whilst the panel considered that others could have made the same disclosures that Mr Watkins should have, he was clearly in a position to take the necessary steps but did not do so.

In the circumstances, the panel also found this particular proved.

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

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

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

The panel was satisfied that the conduct of Mr Watkins in relation to the facts found proved, involved breaches of the Teachers' Standards. The panel considered that, by reference to Part 2, Mr Watkins 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
  - 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 Mr Watkins fell significantly short of the standards expected of the profession. He had over a two-year period, albeit on only two specific direct occasions, been dishonest with the School as to the underlying reason for the police investigation. When the opportunity arose to correct any previous inaccurate statement made by him, Mr Watkins instead provided a further, inaccurate account.

Mr Watkins' actions also meant a basic tenet of teaching, that of safer recruitment (as part of safeguarding), could not be properly carried out by the School.

The panel also considered whether Mr Watkin's conduct displayed behaviours associated with any of the offences listed on pages 12 to 14 of the Advice and found that the offence of 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 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.

Mr Watkins's initial lack of disclosure, and subsequent dishonest explanations provided to the School, were each serious departures from the appropriate teaching standards. In the panel's view, each particular amounted to unacceptable professional conduct and also 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 a 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 well-being of pupils
- the maintenance of public confidence in the profession
- declaring and upholding proper standards of conduct
- prohibition strikes the right balance between the rights of the teacher and the public interest, if they are in conflict.

In the light of the panel's findings against Mr Watkins, which involved him dishonestly not disclosing the fundamental fact of there being a police investigation regarding him, and therefore impacting what appropriate safeguarding checks were carried out upon his recruitment, there was a strong public interest consideration in respect of the protection of pupils.

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

For the same reasons, 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 Watkins was outside that which could reasonably be tolerated.

Although there was some indication within the references from GSL to the School that Mr Watkins was a good teacher, these indicators were minimal and of some vintage. The panel did not, therefore, give these much weight in respect of retaining Mr Watkins in the profession.

Notwithstanding the clear public interest considerations that were present, the panel considered carefully whether or not it would be proportionate to impose a prohibition order, taking into account the effect that this would have on Mr Watkins.

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 Watkins. 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; and

- dishonesty especially where there have been serious consequences, and/or it has been repeated and/or covered up.

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.

In the light of the panel's findings, there was no evidence that Mr Watkins was acting under duress or that his actions were not deliberate.

The panel accepted that Mr Watkins had not previously had a disciplinary finding against him, but the panel had not been provided with any additional material (other than the references provided as part of his recruitment to the School) regarding his past history as a teacher, such as character references.

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 Watkins 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 Watkins. Ensuring the safeguarding of pupils, even when it is to the detriment of a teacher, must be paramount. Mr Watkins had not provided to the panel any suggestion that he appreciated the seriousness of his actions, and that he understood the potential repercussions of a teacher not being fully transparent with their employers.

In this case, by his non-disclosure of the police investigation, Mr Watkins had not given an accurate position to the School, and also deliberately presented an inaccurate position of the investigation to his employers when questioned.

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 was serious dishonesty, which the panel considered Mr Watkins' actions amounted to.

However, the panel was also mindful of the following factors:

- the actions of Mr Watkins took place during a turbulent time in his life, and there was some indication that those issues were in his past;
- whilst dishonesty is inherently serious, Mr Watkins' actions were limited to a few occasions, and may in the circumstances appear remediable;
- Mr Watkins had not attended, to give further information.

On this basis, the panel did consider that Mr Watkins' actions may be remediated but any further panel would benefit from some detailed reflections from him, and some indication as to what efforts he has made to ensure he is fully aware of a teacher's responsibilities, and the required honesty and transparency that comes with this.

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 after two years.

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

In particular, the panel has found that Mr Watkins 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
  - 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 considered whether the conduct involved breaches of the responsibilities and duties set out in statutory guidance Keeping children safe in education (KCSIE) and I have noted the following comment "The panel was content, by virtue of the accepted facts in the Statement, had the School been aware of the actual situation, it would have undertaken additional safeguarding checks, as per Keeping Children Safe in Education."

The panel finds that the conduct of Mr Daniel Watkins 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 Watkins, 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/or safeguard pupils. The panel has observed, "In the light of the panel's findings against Mr Watkins, which involved him dishonestly not disclosing the fundamental fact of there being a police investigation regarding him, and therefore impacting what appropriate safeguarding checks were carried out upon his recruitment, there was a strong public interest consideration in respect of the protection of pupils." A prohibition order would therefore prevent such a risk from being present in the future.

I have also taken into account the panel's comments on insight and remorse, which the panel sets out as follows, "Mr Watkins had not provided to the panel any suggestion that he appreciated the seriousness of his actions, and that he understood the potential repercussions of a teacher not being fully transparent with their employers." In my

judgement although Mr Watkins admitted the facts of the allegations without evidence of insight or remorse 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 considered that public confidence in the profession could be seriously weakened if conduct such as that found against Mr Watkins was not treated with the utmost seriousness when regulating the conduct of the profession.”

“For the same reasons, 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 Watkins was outside that which could reasonably be tolerated.”

I am particularly mindful of the finding of dishonesty 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 and conduct that may bring the profession into disrepute, 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 Watkins himself and the panel comment “The panel accepted that Mr Watkins had not previously had a disciplinary finding against him, but the panel had not been provided with any additional material (other than the references provided as part of his recruitment to the School) regarding his past history as a teacher, such as character references.”

A prohibition order would prevent Mr Watkins 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, “Mr Watkins's initial lack of disclosure, and subsequent dishonest explanations provided to the School, were each serious departures from the appropriate teaching standards.”

I have also placed considerable weight on the finding of the panel that “The panel was satisfied that the conduct of Mr Watkins fell significantly short of the standards expected

of the profession. He had over a two-year period, albeit on only two specific direct occasions, been dishonest with the School as to the underlying reason for the police investigation. When the opportunity arose to correct any previous inaccurate statement made by him, Mr Watkins instead provided a further, inaccurate account.”

I have given less weight in my consideration of sanction therefore, to the contribution that Mr Watkins 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 2 year review period.

I have considered the panel’s comments related to the published Advice, which indicates that there are behaviours that, if proved, would militate against the recommendation of a review period, including dishonesty, however the panel was mindful of a number of factors, in particular “whilst dishonesty is inherently serious, Mr Watkins' actions were limited to a few occasions, and may in the circumstances appear remediable.” The panel has also said “On this basis, the panel did consider that Mr Watkins' actions may be remediated but any further panel would benefit from some detailed reflections from him, and some indication as to what efforts he has made to ensure he is fully aware of a teacher's responsibilities, and the required honesty and transparency that comes with this.”

I agree with the panel that 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.

**This means that Mr Daniel Watkins 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 10 November 2025, 2 years from the date of this order at the earliest. This is not an automatic right to have the prohibition order removed. If he does apply, a panel will meet to consider whether the prohibition order should be set aside. Without a successful application, Mr Watkins remains prohibited from teaching indefinitely.

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

Mr Daniel Watkins 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 'SABuxcey', with a horizontal line underneath.

**Decision maker: Sarah Buxcey**

**Date: 2 November 2023**

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