



Teaching  
Regulation  
Agency

# **Mr Daniel Treameer: Professional conduct panel outcome**

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

**February 2024**

## Contents

Introduction	3
Allegations	4
Preliminary application	4
Summary of evidence	6
Documents	6
Witnesses	6
Decision and reasons	6
Findings of fact	9
Panel's recommendation to the Secretary of State	20
Decision and reasons on behalf of the Secretary of State	25

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

<b>Teacher:</b>	Mr Daniel Treamer
<b>Teacher ref number:</b>	1536671
<b>Teacher date of birth:</b>	22 October 1986
<b>TRA reference:</b>	19467
<b>Date of determination:</b>	31 January 2024
<b>Former employer:</b>	Stewards Academy Trust, Essex

### **Introduction**

A professional conduct panel (“the panel”) of the Teaching Regulation Agency (“the TRA”) convened by way of a virtual hearing, to consider the case of Mr Daniel Treamer.

The panel members were Mrs Melissa West (teacher panellist – in the chair), Ms Mona Sood (lay panellist) and Mr Stephen Chappell (lay panellist).

The legal adviser to the panel was Mr Delme Griffiths of Blake Morgan LLP solicitors.

The presenting officer for the TRA was Ms Sherelle Appleby of Browne Jacobson solicitors.

Mr Treamer 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 hearing dated 20 November 2023.

It was alleged that Mr Treamer was guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute, in that whilst employed as a pastoral lead at Stewards Academy Trust:

1. He engaged in and or developed an inappropriate relationship with Pupil A, in that he;
  - a. Provided his phone number to Pupil A;
  - b. Communicated with Pupil A via Facetime and/or social media platforms including Instagram and/or SnapChat;
  - c. Arranged to meet Pupil A at her friend's home address on or around 20 March 2020, in circumstances where:
    - i. He collected Pupil A from her friend's house in his car and then transported her to another friend's house;
2. He failed to maintain appropriate professional boundaries with pupils by allowing one or more pupils to follow him on Instagram.
3. His conduct as may be found proven at allegations 1a-c were sexually motivated.

The panel was presented with a Statement of Agreed and Disputed Facts signed by Mr Treamer on 4 November 2021. Mr Treamer admitted the facts of allegations 1 and 2 and that his conduct, in relation to those allegations, amounted to unacceptable professional conduct and conduct that may bring the profession into disrepute. Allegation 3 was denied.

## Preliminary application

### Application to proceed in the absence of Mr Treamer

The panel considered an application from the presenting officer to proceed in the absence of Mr Treamer.

The panel accepted the legal advice provided in relation to this application and took account of the various factors referred to it.

The panel was satisfied that the Notice had been sent in accordance with the Teacher Misconduct: Disciplinary Procedures for the Teaching Profession ("the Procedures") and that the requirements for service had been satisfied.

Mr Treamer was aware of the proceedings and had engaged with the TRA, expressly confirming that he would not be attending the hearing.

The panel went on to consider whether to proceed in Mr Treamer's absence or to adjourn, in accordance with Rule 5.47 of the Procedures.

The panel had regard to the fact that its discretion to continue in the absence of a teacher should be exercised with caution and with close regard to the overall fairness of the proceedings.

The panel gave careful consideration to the fact that Mr Treamer would not be in attendance and would not be represented at this hearing, should it proceed, and the extent of the disadvantage to him as a consequence.

On balance, the panel decided that the hearing should continue in the absence of Mr Treamer for the following reasons in particular:

- The panel was satisfied that Mr Treamer's absence was voluntary, and he had waived his right to attend.
- There was no indication that Mr Treamer might attend at a future date. As such, the panel concluded that no purpose would be served by an adjournment, which had not been requested by Mr Treamer.
- There is a public interest in hearings taking place within a reasonable time.
- Witnesses were scheduled to give evidence and would be inconvenienced by an adjournment, as would the other participants in this hearing.
- Mr Treamer had provided submissions and made admissions in response to the allegations, which the panel considered mitigated the prejudice arising from his absence.

Having decided that it was appropriate to proceed, the panel would strive to ensure that the proceedings were as fair as possible in the circumstances, bearing in mind that Mr Treamer would not be present or represented.

## Summary of evidence

### Documents

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

Section 1: Notice of hearing and response – pages 6 to 21

Section 2: Anonymised pupil list – page 23

Section 3: Statement of Agreed and Disputed facts – pages 25 to 28

Section 4: Teaching Regulation Agency witness statements – pages 30 to 56

Section 4: Teaching Regulation Agency documents – pages 58 to 175

Section 5: Teacher documents – pages 177 to 179

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

### Witnesses

The panel heard oral evidence from the following witnesses called on behalf of the TRA:

- Witness A [REDACTED]
- Pupil A; and
- Pupil B.

## Decision and reasons

The panel announced its decision and reasons as follows:

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

### Introduction

Mr Treamer was employed by the Stewards Academy Trust ("the School"), latterly as a teacher of ICT and pastoral lead for years 9 and 10. He commenced that role on 1 October 2018.

On 23 March 2020, the School was notified of an allegation that Mr Treamer was engaged in an inappropriate relationship with a pupil, who is referred to as Pupil A.

In response, the School decided to commence an investigation and a LADO referral was completed.

Subsequently:

- On 24 March 2020, the School received notification from Essex Police that they had been alerted to Mr Treamer's alleged conduct.
- On 27 March 2020, the School wrote to Mr Treamer confirming the arrangements that would be place whilst the School conducted its investigation, whereby he would work from home.
- On 30 March 2020, the police advised they were taking no further action.
- On 9 April 2020, the School was informed of further concerns regarding Mr Treamer's use of social media and he was suspended.
- On 20 April 2020, Mr Treamer attended an investigation meeting with the investigating officer, [REDACTED]. [REDACTED] was the [REDACTED].
- On 6 May 2020, Mr Treamer submitted his resignation, with effect from 31 August 2020.
- On 7 May 2020, a disciplinary hearing was held. [REDACTED] investigation report was published that same date.

Mr Treamer was subsequently referred to the TRA.

## **Evidence**

The panel had careful regard to the oral and documentary evidence presented and the submissions made.

It accepted the legal advice provided.

The panel heard oral evidence from the following witnesses called by the presenting officer:

- Witness A;
- Pupil A; and
- Pupil B.

In addition, the panel was presented with written accounts from individuals who did not appear before it.

The panel was satisfied that the admission of the hearsay evidence included within the case papers did not give rise to any unfairness in the specific circumstances of this case.

Nonetheless, this evidence was considered with appropriate caution. If and where it was relied upon, this is addressed in the panel's reasons, below.

Mr Treameer signed a Statement of Agreed and Disputed Facts ("the Agreed Statement") in which he admitted the facts of the allegations 1 and 2 and that his conduct, in relation to those allegations, amounted to unacceptable professional conduct and conduct that may bring the profession into disrepute.

Mr Treameer denied allegation 3.

But for the matters before the panel, Mr Treameer was understood to be a person of good character, with no known disciplinary or regulatory proceedings recorded against him. This was a factor the panel took into account when considering the allegations before it.

In considering those allegations, the panel formed its own, independent view based on the evidence presented.

The panel was aware, for instance, that Mr Treameer was dismissed by the School and the panel was presented with various opinions in relation to the underlying events.

It was mindful of the need to exercise its own, independent judgement and not rely upon any opinions recorded. It was for the panel, not anyone else, to draw inferences and conclusions from proven facts in this case.

In addition, there were extensive references, within the evidence, to other alleged failings on the part of Mr Treameer, which did not relate to the specific allegations set out in the Notice of Hearing ("the Notice").

Most saliently, Pupil A's witness statement included a raft of potentially serious allegations that did not form part of the School's investigation or the Notice.

Pupil A's statement post-dated the Agreed Statement. Accordingly, these additional allegations had never been formally put to Mr Treameer. His position, in relation to these matters, was unknown. As they were not included in the Notice and as a matter of fairness, the panel was, therefore, unable to make findings in relation to them.

This was raised as a preliminary issue at the outset of the case whereby the panel received legal advice regarding this evidence.

The TRA confirmed its position was that it did not seek an adjournment to allow an opportunity to consider whether these additional matters ought to be separately pleaded.



Given the TRA had resolved not to specifically plead additional allegations deriving from Pupil A's evidence, the panel accepted the legal advice it received that references to these further, alleged instances of misconduct should have been redacted from the case papers.

The most notable examples of this were included were within Pupil A's evidence. However, there were also references to other, alleged instances of misconduct that formed part of the School's investigation which were similarly not pleaded as allegations in this case. Those references should also have been redacted.

The panel accordingly disregarded these matters. They did not form part of its deliberations.

With reference to Pupil A's evidence and to address its concerns, the panel directed that the evidence should be redacted and a new bundle prepared, which was actioned before the hearing commenced substantively.

As the panel had already read the original bundle, it carefully considered whether it should proceed with the hearing. It recognised the overarching need to ensure a fair hearing and therefore considered whether the inclusion of irrelevant, prejudicial material compromised that requirement.

On balance, the panel was satisfied that a fair hearing remained possible. The panel members were very experienced and were satisfied that they were able to disregard this material from their minds. The additional complaints were entirely untested and formed no part of the panel's consideration of this case.

## **Findings of fact**

The findings of fact are as follows:

- 1. You engaged in and or developed an inappropriate relationship with Pupil A, in that you;**
  - a. Provided your phone number to Pupil A;**
  - b. Communicated with Pupil A via Facetime and/or social media platforms including Instagram and/or SnapChat;**
  - c. Arranged to meet Pupil A at her friend's home address on or around 20 March 2020, in circumstances where:**
    - i. You collected Pupil A from her friend's house in your car and then transported her to another friend's house;**

The panel considered allegations 1(a) to (c) together, which were admitted by Mr Treamer. He accepted that:

- He provided Pupil A with his personal and work phone number allowing Pupil A to contact him.
- He communicated with Pupil A on social media, including via Instagram and Snapchat, on several occasions.
- The communication with Pupil A via Instagram included being in a 'group chat' with Pupil A and other students. This group had been created by one of the pupils at the School on their final day of school.
- Having been added to the group chat, Mr Treamer engaged in conversation with the pupils.
- On 20 March 2020, following contact with Pupil A, he collected her by car from a friend's house and transported her to another friend's house. Both friends were pupils at the School.

In light of Mr Treamer's admissions, which were consistent with the evidence before the panel, particulars (a) to (c) were found proved.

Whilst Pupil A and Mr Treamer presented different accounts as to who instigated the encounter on 20 March 2020, it was clear and not in dispute that arrangements were made having regard to the wording of this allegation.

In addition, whilst the panel noted that Mr Treamer dropped Pupil A at a location a short distance from her friend's house, it did not consider this to be a material issue for the purpose of allegation (c).

Pursuant to the stem of allegation 1, the panel went on to determine whether Mr Treamer's actions were such that he engaged in or developed an inappropriate relationship with Pupil A, which he also admitted.

Mr Treamer accepted that this relationship was outside of appropriate boundaries between a teacher and a pupil.

The panel agreed. Mr Treamer's actions went beyond what was appropriate as regards interactions between a teacher and a pupil. In each of the respects found proved, this was conduct unrelated to school matters. It took place without the knowledge of the School and was contrary to the School's policies and expectations.

Accordingly, in light of the admissions made and the evidence, the panel found allegations 1(a) to (c) proved.

## **2. You failed to maintain appropriate professional boundaries with pupils by allowing one or more pupils to follow you on Instagram.**

Mr Treamer admitted allegation 2.

He accepted that pupils, including but not limited to Pupil A, were able to like, and make comments on his Instagram posts and follow his account.

This was consistent with the evidence before the panel.

Mr Treamer also admitted that, by his actions, he failed to maintain appropriate professional boundaries with pupils, in that he failed to ensure his privacy settings prevented pupils from interacting with him.

Once again, the panel accepted Mr Treamer's admission.

It was presented with an excerpt from the School's Staff Code of Conduct, which his actions clearly contravened. It stated:

*"... workers must not accept or propose contact, nor engage in any conversation with pupils on any personal social networking sites".*

Having regard to this and Mr Treamer's status as an experienced ICT teacher, with a particular expertise in pastoral and behavioural matters, the panel was satisfied that Mr Treamer was aware of the expectations upon him.

Mr Treamer was required to ensure that he maintained appropriate professional boundaries with all pupils and at all times, including in relation to his use of social media. He had breached his obligations in that regard.

The panel therefore found allegation 2 proved.

## **3. Your conduct as may be found proven at allegations 1a-c were sexually motivated.**

Having found allegations 1(a) to (c) proved, the panel went on to consider whether Mr Treamer's conduct was sexually motivated.

The panel repeats that in determining this allegation, it limited its deliberations to the specific allegations found proved. It took no account of the other, non-proved instances of alleged misconduct previously included as part of Pupil A's evidence.

On the basis of his conduct and the context in which it occurred, the TRA submitted that the appropriate inference to draw was that Mr Treamer's actions were sexually motivated in relation to Pupil A, in terms of seeking sexual gratification or seeking a future sexual relationship.

The TRA relied upon the evidence of Pupil A, in particular, and Pupil B.

Witness A stated that whilst Pupil A had no known, specific vulnerabilities, she was someone who was regarded as having some difficulties within school and who needed emotional support.

Pupil B's evidence was limited to information she derived from Pupil A. She was not a first-hand witness to any interactions between Pupil A and Mr Tremer. Insofar as Pupil B expressed knowledge of contact between Pupil A and Mr Tremer, she could not recall how that came to her attention. Nonetheless, the panel carefully considered her evidence in relation to the underlying events.

In her evidence, Pupil A addressed her interactions with Mr Tremer, as a pupil, and the development of their relationship.

At the relevant time, for the purposes of the allegations, Mr Tremer did not teach Pupil A and he was not her head of year, though he had been when she was in [REDACTED].

It followed he had no formal, pastoral role in relation to Pupil A.

When considering her evidence, the panel had in mind that as well as addressing specific factual events, Pupil A set out her views, opinions and perceptions of Mr Tremer and their interactions.

In addition, the panel took account of the fact that it was not presented with any independent corroboration with reference to the key aspects of Pupil A's account.

For example, whilst there was reference to extensive telephone and online contact, there was no documentary evidence before the panel evidencing this, such as examples of specific messages that were exchanged between Mr Tremer and Pupil A.

Pupil A stated, in particular:

- They had "*a lot of banter*" and he was regarded as a popular, laid back teacher.
- Pupil A considered him as more of a friend than a teacher.
- On an undisclosed date in February 2020, Mr Tremer gave her his number on a post-it note and that was when they first began communicating. Pupil A could not recall "*the ins and outs*" of this interaction.
- Pupil A addressed her frequent use of his classroom during lunch breaks, which she felt to be a "*safe space*".
- During these times, there were occasions when they watched Netflix on her phone and on at least one occasion, they were sat with her blanket around them. Pupil A

confirmed these were not private interactions in that other pupils would be around and similarly using Mr Treamer's classroom at the same time, including on the occasion involving her blanket. However, Pupil A could not recall Mr Treamer behaving in this manner towards any other pupil.

- On 14 February 2020, during the course of a lunch she attended with Mr Treamer as part of a rewards system, "*Mr Treamer gave [her] his personal phone to set up a SnapChat account*". In oral evidence, she confirmed this was because he stated he wanted to open a SnapChat account but did not know how to do so. As a consequence, she set up the account and therefore knew Mr Treamer's login details, though not his password.
- Around 16 March 2020, one of the School's safeguarding leads spoke to Pupil A and asked her about Mr Treamer, in response to which she assured him that nothing was going on. Afterwards, she went to Mr Treamer's classroom.
- She felt they both engaged in "*flirting*" from September 2019 through to December 2019, which led to a "*seed being planted*" in her mind and, ultimately, intense feelings of love on her part.
- On 20 March 2020, as a consequence of the lockdown imposed as part of the response to the Covid-19 pandemic, all of the pupils at the School were sent home. She stated:

*"I went to my friend's house after the school closed. Whilst I was there Mr Treamer sent me a message saying that he needed to see me, he then called me so I put in my earphones and stood on the landing away from my friends to speak to him. When I returned to sit with my friends and said my mum was coming to pick me up they asked if I was on the phone with Mr Treamer and I denied it. Pupil B was there at the time, and she was not having any of it, she kind of knew was happening. ...*

*Mr Treamer came to pick me up and took me to another friend's house, we parked at the bottom of the street. This was the last time I saw Mr Treamer."*

- When Mr Treamer's evidence was put to Pupil A, namely that Pupil A called him on 20 March 2020 because she was upset, she refuted this and asserted it was a lie. Her account was, therefore, that it was Mr Treamer who instigated the arrangements that led to her being collected.
- In her interview with the police, when asked about whether there was a relationship between her and Mr Treamer, Pupil A responded, "*technically I guess*" because "*he never asked me to be his girlfriend*". However, in oral evidence she stated she felt they "*looked*", "*acted*" and "*spoke*" like a couple, in terms of physical

proximity and some physical contact at times, such as Mr Treamer brushing her arm.

- She deleted all evidence of the messages, which were exchanged by iMessage, Instagram and SnapChat. In relation to the latter, Pupil A could not recall whether she had originally saved any of the messages. In any event, she stated she deleted everything as she did not want Mr Treamer to get into trouble once the police got involved. In their communications, she confirmed she would refer to Mr Treamer as 'Daniel' and he would refer to her by her name and pet names, including "poppet" and "worldy". She could recall one occasion, shortly before lockdown when he had been out of school, when he sent her a photograph of the gym to indicate he was in, she found him and they hugged in the presence of other staff. In other messages, Pupil A stated that Mr Treamer told her he loved her, something he also said to her in person and in a manner that indicated to her, that "he meant it".
- For a period of around a month from some point in February 2020, conversations would occur via FaceTime and Snapchat every day and sometimes into the early hours, on one occasion from approximately 10pm to 5am. She could recall one specific occasion when a member of staff was present at his home, which led to Mr Treamer indicating they could not speak.
- [REDACTED].
- In her mind, "Dan came first" and she had no room for anyone else in her life at that moment in time. She stated that she expressed this to Mr Treamer, and whilst she could not recall his response it was "likely" that he would have brushed it off and said something along the lines of, 'it was normal to have such feelings'.
- Messaging continued for approximately six days following the onset of the national lockdown.

Mr Treamer denied that he was sexually motivated towards Pupil A.

Whilst he admitted the factual allegations, in his written submissions he sought to put his actions in context with reference to the circumstances and his motivations. In particular, as well as setting out his version of events regarding his social media activity, with reference to the occasion when he picked Pupil A up he stated:

*"I, as I said in my statement, gave a student a lift. I picked the student up and dropped her at a friends house. This was a one time incident that I did as and deeply regret it. There were no further Interactions. This event was not pre planned and was never repeated. It was never discussed and I had no further contact with that student. My intentions, feeling sorrow for a young person that had their final year cut short and*

*was deeply distressed leaving the security of the academy. At the time I made this mistake and regret my actions. There were never any discussions about future contact. There is an allegation that I gave the student a second life but this is incorrect, stated in her [REDACTED] statement that she collected her for the location that I dropped her.” (sic)*

In terms of an earlier interaction during the course of 20 March 2020, Mr Treamer also stated:

*“We talked about how she was coping with the early school closure and what her future held whilst engaging in a fun activity. This was not NO way, as suggested in the report, anything for her than a friendly interaction. I had developed a relationship with this young person over the years and she regularly asked me for support, referring to me in the report as a “rock”, something I take pride in, supporting the young people of the academy is a passion! I’m sure that you can understand that this was a distressing time following the government announcement.”*

As he did not participate in this hearing, the panel was unable to explore these issues and Mr Treamer’s various accounts.

The panel also took account of the fact that Mr Treamer was a person of prior good character. Additionally, it was apparent that Mr Treamer had documented personal issues at this time, albeit these could similarly not be explored.

His prior good character, coupled with the serious nature of this allegation, was such that the panel had firmly in mind the need to undertake particularly careful scrutiny of the evidence before it.

Against this backdrop and having regard to the submissions and the legal advice provided to it, the panel proceeded to carefully consider whether Mr Treamer’s actions were sexually motivated.

The panel considered that the development of the relationship, in terms of the provision of Mr Treamer’s phone number, communication via various platforms and events on 20 March 2020 were inherently linked and so closely intertwined that it was appropriate to consider allegations 1(a), 1(b) and 1(c), as proven, together.

As a starting point, the panel considered that Pupil A was, in broad terms, a credible witness.

The panel did have concerns about aspects of her evidence, which it considered may have been influenced by the intensity of her feelings as well as the passage of time.

For example, in terms of the regularity and intensity of the communications she had with Mr Treamer, the panel considered her evidence was not completely plausible.

However, whilst the panel took account of the passage of time, Pupil A was able to recount a raft of incidents that marked the onset and development of the relationship. The panel concluded, on balance, that she was a truthful witness.

In relation to the specific events as found proved, her account was also largely corroborated by Mr Treamer's admissions.

Insofar as there was a dispute between Pupil A and Mr Treamer in relation to events on 20 March 2020, leading to her being picked up by Mr Treamer, Pupil A's evidence was preferred. In relation to the precise arrangements that led to them meeting that afternoon, she was clear, categorical and consistent in her evidence.

In contrast, the panel noted that Mr Treamer had provided different accounts of this specific issue that were not entirely consistent. Insofar as Mr Treamer suggested that he only collected Pupil A because he felt sorry for her, the panel felt this was unpersuasive and not credible.

In relation to each element of the conduct as found proved, the panel was satisfied that Mr Treamer knew that his actions were wrong and inappropriate.

Whilst the specific messages may not have been before the panel, it was clear and not in dispute that Mr Treamer provided Pupil A with his number and they engaged on social media platforms, spoke and exchanged messages to at least some extent.

Mr Treamer had no educational or pastoral reason to have contact with Pupil A in this manner. He would have been aware, in light of the School's policies and good practice, that this conduct was extremely inappropriate. He was an experienced teacher.

For these reasons, the panel did not think it likely that Mr Treamer was motivated by more prosaic intentions, such as a desire to engender some form of platonic friendship.

Importantly, there was no evidence that he behaved in a similar way towards any other pupil.

On balance, the panel was therefore persuaded that the evidence, as a whole, indicated that Mr Treamer had a particular interest in and focus upon Pupil A.

Further, it was more likely than not that Mr Treamer fully recognised that Pupil A had a particular interest in him, which came close to infatuation on her part.

Rather than discourage this, the evidence indicated that he encouraged it. This was a concerning feature of this case. As well as being a pupil, Pupil A had issues in terms of her schooling and behaviour, which the panel was satisfied would have been known to Mr Treamer to at least some extent.



This led to an increased closeness and a development in their relationship that culminated in the events on 20 March 2020, when the panel was persuaded that Mr Treamer contacted Pupil A outside of school and arranged to give her a lift in circumstances where he must have known this was wrong and inappropriate.

Far from being a one-off occasion, the panel was therefore presented with an episode of inappropriate conduct and a clear escalation. Mr Treamer's denials were, accordingly, undermined by his actions and the precise context in which they occurred.

The panel was satisfied that he had a particular interest in Pupil A which was the likely motivation behind his actions. Mr Treamer had not put forward a reasonable, alternative explanation for his actions, particularly with reference to events on 20 March 2020. He had suggested, for example, that this was a "*silly mistake*", which the panel therefore rejected.

On balance and having carefully weighed all of the evidence, the panel accordingly concluded that Mr Treamer's conduct was sexually motivated.

In the absence of any direct evidence in terms of, for example, the messages that were exchanged between them, the panel was not persuaded that Mr Treamer derived sexual gratification from his actions as found proved.

However, it was satisfied, on the balance of probabilities and considering the evidence as a whole, that the appropriate inference to be drawn, as regards the development of his relationship with Pupil A, culminating in events on 20 March 2020, was that Mr Treamer's actions were in pursuit of some form of future sexual relationship.

The panel was unable to determine categorically whether Mr Treamer would have ultimately sought to give effect to that.

Nonetheless, it was satisfied that the evidence, considered objectively and as a whole, indicated there was an underlying sexual element to his actions, with reference to the particular focus upon Pupil A and the escalation of their relationship. The panel was satisfied that Mr Treamer must have recognised Pupil A's infatuation with him and yet his actions had the effect of deepening their relationship rather than curtailing it.

Whilst the relationship may have started out within the proper boundaries of a teacher/pupil relationship, that clearly changed and certainly by 20 March 2020 to a point where Mr Treamer was sexually motivated. This was the appropriate and reasonable inference to be drawn from the panel's findings in circumstances where no plausible alternative had been put forward by Mr Treamer or identified by the panel.

On that basis and for the above reasons the panel found allegation 3 proved in relation to Mr Treamer's conduct in allegations 1(a), 1(b) and 1(c).

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

Having found all 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.

Whilst this was admitted by Mr Treameer in relation to those factual allegations he admitted, the panel was mindful of the need to make its own, independent determination.

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 Treameer, in relation to the facts found proved, involved breaches of the Teachers’ Standards. The panel considered that, by reference to Part 2, Mr Treameer was in breach of the following standards:

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

The panel also considered whether Mr Treameer’s conduct displayed behaviours associated with any of the offences listed on pages 12 of the Advice.

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.

However, the panel found that none of these offences were directly relevant on the basis of its findings.

Over and above the breaches of the Teachers’ Standards identified above, the panel took into account the wider context.

Mr Treamer was in a position of trust and responsibility as a teacher. He was also a role model. He had a duty to maintain appropriate professional boundaries with all pupils and at all times. Mr Treamer had clearly breached his obligations in that regard.

In relation to allegations 1(b) and 2, his actions also contravened the School's policies. Witness A's evidence was to the effect that this was an issue routinely addressed in staff training as well as the School's Staff Code of Conduct. His conduct raised safeguarding implications as well as breaching professional boundaries.

Most saliently, in relation to allegations 1 and 3, which were considered together, the panel had concluded that Mr Treamer's actions were sexually motivated. The underlying conduct, found proved in allegation 1, was highly inappropriate in and of itself, particularly given Mr Treamer's status and Pupil A's circumstances. They created an obvious dependency on the part of Pupil A which Mr Treamer, by his actions, encouraged.

However, that fact that Mr Treamer was sexually motivated, on the specific basis found proved, meant that this was a particularly serious as well as a protracted instance of misconduct.

For all these reasons, in relation to each of the proven allegations, considered individually and together, the panel was satisfied that the conduct of Mr Treamer amounted to misconduct of a serious nature which fell significantly short of the standards expected of the profession.

Accordingly, the panel was satisfied that Mr Treamer was guilty of unacceptable professional conduct.

In relation to whether Mr Treamer's actions amounted to conduct that may bring the profession into disrepute, the panel took into account the way the teaching profession is viewed by others. It 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.

For the reasons set out above and in relation to each of the proven allegations, 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, potentially damaging the public perception.

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

In summary, having found the facts of allegations 1, 2 and 3 proved, the panel further found that Mr Treamer'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 a number of them to be relevant in this case, namely:

- the safeguarding and wellbeing 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, which involved breaches of professional boundaries and sexually motivated conduct in relation to a pupil, there was a strong public interest in the safeguarding and wellbeing of pupils.

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

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 Treame was outside that which could reasonably be tolerated.

Weighed against these matters, the panel also considered whether there was a public interest in retaining Mr Treame in the profession, should he choose to return to teaching.

Mr Treame has an otherwise good record and there was positive information about Mr Treame's prior practice within the evidence. His competence had not been called into question.

However, in all the circumstances, the panel was not persuaded that there was a particularly strong public interest in retaining Mr Treame in the profession. For instance, there was no evidence before the panel, such as references and testimonials, to suggest that Mr Treame had demonstrated exceptionally high standards in his professional conduct or contributed significantly to the education sector.

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 Treamer.

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 Treamer.

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 were relevant in this case were:

- serious departure from the personal and professional conduct elements of the Teachers' Standards;
- misconduct seriously affecting the education and/or safeguarding and well-being of pupils, and particularly where there is a continuing risk;
- an abuse of any trust, knowledge, or influence gained through their professional position in order to advance a romantic or sexual relationship with a pupil or former pupil;
- sexual misconduct, e.g. 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;
- failure in their duty of care towards a child, including exposing a child to risk or failing to promote the safety and welfare of the children (as set out in Part 1 of KCSIE).

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 its findings and having regard to the evidence before it, the panel considered the following mitigating factors were present in this case:

- Mr Treamer had not been subject to any previous regulatory or disciplinary proceedings.
- Although the panel was not presented with references or testimonials regarding his practice as a teacher, Mr Treamer's abilities as an educator had not been challenged and there was positive reference to his career in teaching. He had a track-record of promotion at the School and was a staff governor. Witness A described him as a popular teacher who was well liked by colleagues. She

confirmed he was known to be hard-working and should be regarded as a good teacher.

- Mr Treamer had engaged with the TRA, to a limited extent, and made some, if not full, admissions.
- There was reference to challenging personal difficulties at the time of these events. Whilst these matters were not independently evidenced and could not be tested, the panel accepted that this was a stressful and difficult time for Mr Treamer, particularly in respect of his [REDACTED], having regard to the information presented.
- This was an isolated episode in the context of Mr Treamer's career as a whole, even though the misconduct itself could not be regarded as isolated.

Weighed against these matters, the panel considered there were several aggravating factors present, including:

- Mr Treamer's conduct amounted to a breach of the Teachers' Standards and was deliberate. It could not be said that he was acting under duress and whatever personal challenges he faced, he remained responsible for his actions.
- Mr Treamer was in a position of trust and responsibility as well as a role model. He was an experienced teacher. The panel considered he should have known what was expected of him and conducted himself accordingly.
- In relation to his social media use, Mr Treamer had acted contrary to the School's policies and raised safeguarding concerns as well as being a breach of professional boundaries.
- This was a protracted instance of misconduct towards a [REDACTED] pupil with known [REDACTED], who had clearly demonstrated that she had feelings for him.
- Mr Treamer's actions were sexually motivated on the specific basis found proved, albeit the panel had firmly in mind that no sexual activity ever took place.
- His conduct had a clear and ongoing impact upon Pupil A in terms of her health and wellbeing, as addressed in her written and oral evidence.
- Having considered the limited information presented by Mr Treamer, there was no evidence of insight and limited evidence of regret and remorse. Even in relation to the allegations Mr Treamer admitted, he had shown no understanding of the implications of his actions. In particular, there was no consideration of Pupil A and the panel considered that Mr Treamer had sought to downplay his actions. At one stage, Mr Treamer suggested their behaviour was "*silly on both their parts*". In the

panel's view, that evidenced a fundamental misunderstanding of his position as a teacher and demonstrated a failure to accept responsibility for his actions.

- Whilst Mr Treameer had engaged in these proceedings, that was only to a very limited extent and there was no evidence regarding any steps taken by Mr Treameer to remediate his failings. The only substantive response from Mr Treameer before the panel was from 2021, such that there was no evidence regarding his present circumstances.

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 Treameer 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 Treameer. In particular, the panel felt that public confidence in the profession would be weakened if conduct of this nature was not treated with the utmost seriousness.

The panel's finding that Mr Treameer had engaged in sexually motivated behaviour towards a pupil was a significant factor in forming that opinion. This was a serious instance of professional boundaries being breached over a protracted period in circumstances where there was no evidence of insight and very limited evidence of regret and remorse.

Mr Treameer's actions were deliberate and had clearly impacted upon Pupil A.

The panel had also concluded that several behaviours found proved in this case indicated that a prohibition order would be appropriate.

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 certain types of case where, if relevant, the public interest will have greater relevance and weigh in favour of not offering a review period.

These include:

- serious sexual misconduct e.g. 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 their professional position to influence or exploit a person or persons;
- any sexual misconduct involving a child;

Given the panel's findings, these behaviours were directly applicable in this case.

Having regard to the seriousness of the panel's findings and the protracted nature of Mr Treame's conduct in relation to a pupil, in circumstances where there was limited mitigation present, the panel decided that its findings indicated a situation in which a review period would not be appropriate.

The panel concluded that Mr Treame had abused his position of trust and his actions caused harm to a pupil. His actions, as found proven, are fundamentally incompatible with his being a teacher.

There was no evidence that Mr Treame had gained insight or that he had remediated his conduct to an extent that he presented no future risk. He had not taken responsibility for his actions and there was no evidence of reflection. To that extent, it was extremely regrettable that Mr Treame had not fully engaged in this process so that these issues could have been explored with him. That meant the panel was limited to consider the information Mr Treame provided during the School's investigation and his email of 3 December 2020. There was no evidence of any personal growth or learning in the period since. This presented obvious limitations when the panel sought to consider his position and mitigating factors in the context of this decision.

For these reasons, the panel decided that it would be proportionate, in the circumstances, for the prohibition order to be recommended without provision for a review period.

The public interest considerations that Mr Treame's actions give rise to were such that this was necessary, appropriate and proportionate.



## 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 Treamer should be the subject of a prohibition order, with no provision for a review period.

In particular, the panel has found that Mr Treamer is in breach of the following standards:

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

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

The findings of misconduct are particularly serious as they include a finding of engaging in and/or developing an inappropriate relationship with a pupil and that this conduct was 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 likely to 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 Treameer, and the impact that will have on the teacher, is proportionate and in the public interest.

In this case, I have considered the extent to which a prohibition order would protect children and safeguard pupils. The panel has observed, "In the light of the panel's findings, which involved breaches of professional boundaries and sexually motivated conduct in relation to a pupil, there was a strong public interest in the safeguarding and wellbeing 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 has set out as follows, "Having considered the limited information presented by Mr Treameer, there was no evidence of insight and limited evidence of regret and remorse. Even in relation to the allegations Mr Treameer admitted, he had shown no understanding of the implications of his actions. In particular, there was no consideration of Pupil A and the panel considered that Mr Treameer had sought to downplay his actions." In my judgement, the lack of insight and limited evidence of 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 has observed that "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, potentially damaging the public perception." I am particularly mindful of the finding of sexually motivated conduct towards a pupil 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 likely to 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 Treameer himself. The panel has commented, "Mr Treameer has an otherwise good record and there was positive information about Mr Treameer's prior practice within the evidence. His competence had not been called into question." However, the panel has also noted that

“there was no evidence before the panel, such as references and testimonials, to suggest that Mr Treamer had demonstrated exceptionally high standards in his professional conduct or contributed significantly to the education sector.”

A prohibition order would prevent Mr Treamer 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 concerning the lack of insight or remorse. The panel has said, “There was no evidence that Mr Treamer had gained insight or that he had remediated his conduct to an extent that he presented no future risk. He had not taken responsibility for his actions and there was no evidence of reflection.”

I have also placed considerable weight on the finding of the panel that Mr Treamer had engaged in sexually motivated behaviour towards a pupil with known [REDACTED], and that there was a clear and ongoing impact on the pupil in terms of her health and wellbeing. I have also been mindful of the finding that the misconduct and breach of professional boundaries took place over a protracted period.

I have given less weight in my consideration of sanction therefore, to the contribution that Mr Treamer 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 insight and full remorse, 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 in view of the seriousness of the panel’s findings and the protracted nature of Mr Treamer’s conduct.

I have considered the panel’s comments that the Advice indicates that where cases involve serious sexual misconduct, or any sexual misconduct involving a child, the public interest will have greater relevance and weigh in favour of not offering a review period. The panel has concluded that “Mr Treamer had abused his position of trust and his actions caused harm to a pupil. His actions, as found proven, are fundamentally incompatible with his being a teacher.”

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, 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 seriousness of the panel's finding of sexually motivated conduct and the lack of evidence of insight and full remorse.

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 Daniel Tremer 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 Tremer shall not be entitled to apply for restoration of his eligibility to teach.

Mr Daniel Tremer 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 'D Oatley', written in a cursive style.

**Decision maker: David Oatley**

**Date: 1 February 2024**

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