



Teaching
Regulation
Agency

Mr Jay Plucknett: Professional conduct panel outcome

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

March 2024

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

Teacher: Mr Jay Plucknett
Teacher ref number: 3371842
Teacher date of birth: 13 October 1983
TRA reference: 19743
Date of determination: 25 March 2024
Former employer: Castle View School, Essex

Introduction

A professional conduct panel (“the panel”) of the Teaching Regulation Agency (“the TRA”) convened by virtual means on Monday 25 March 2024, to consider the case of Mr Jay Plucknett.

The panel members were Mr Alan Wells (former teacher panellist – in the chair), Mrs Karen Graham (teacher panellist) and Mr Peter Ward (lay panellist).

The legal adviser to the panel was Miss Shanie Probert of Eversheds Sutherland (International) LLP solicitors.

The presenting officer for the TRA was Mr Lee Bridges of Kingsley Napley solicitors.

Mr Plucknett was not present and was not represented.

The hearing took place in public and was recorded.

Allegations

The panel considered the allegation set out in the Notice of Proceedings dated 20 December 2023.

It was alleged that Mr Plucknett was guilty of having been convicted of a relevant offence, in that:

On 22 April 2022, he was convicted of Sexual Activity with a Child between the dates of 1 February 2017 and 19 June 2017 by a person in a position of trust in contravention of s.16(1)(e)(i) Sexual Offences Act 2003.

The allegation was admitted, and the teacher further admitted that this conduct amounted to the conviction of a relevant offence.

Preliminary applications

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

The panel was satisfied that TRA had complied with the service requirements of paragraph 19(1) (a) to (c) of the Teachers' Disciplinary (England) Regulations 2012, (the "Regulations").

The panel was also satisfied that the Notice of Proceedings complied with paragraphs 5.23 and 5.24 of the Teacher misconduct: Disciplinary procedures for the teaching profession updated May 2020, (the "Procedures").

Therefore, the panel determined to exercise its discretion under paragraph 5.47 of the Procedures to proceed with the hearing in the absence of the teacher.

The panel took 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 recognised that fairness to the professional 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 noted that the teacher may waive his right to participate in the hearing. The panel firstly took account of the various factors drawn to its attention from the case of *R v Jones* [2003] 1 AC1:-

- i) The panel noted that the teacher confirmed in his response to the Notice of Proceedings dated 7 January 2024 that he would not be attending the hearing,

and that he did not intend to be represented at the hearing. The teacher also confirmed in a letter to the TRA dated 26 February 2024 that he would not be in attendance at the hearing, due to the need to consider his [REDACTED]. The panel therefore considered that the teacher expressly waived his right to be present at the hearing in the knowledge of when and where the hearing is taking place.

- ii) The panel did not consider that an adjournment would result in the teacher attending voluntarily.
- iii) The panel did not feel there was a disadvantage to the teacher in this instance, given that there is a conviction. The teacher did not offer any evidence or written representations to be considered by the panel. There were also no witnesses in attendance, so there was no evidence to be tested at the hearing.
- iv) The panel had not identified any significant gaps in the documentary evidence provided to it and it felt that, if any gaps were to arise during the course of the hearing, the panel was able to take such gaps into consideration in considering whether the hearing should be adjourned for such documents to become available, and in considering whether the presenting officer had discharged the burden of proof. The panel was 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) The panel felt the risk of reaching an improper conclusion about the absence of the teacher was low. The teacher had communicated to the TRA on two occasions that he did not wish to attend, and in his letter dated 26 February 2024, he provided clear reasons as to why this was the case.
- vi) The panel recognised that the allegation against the teacher was serious and that there was a real risk that if proven, the panel would be required to consider whether to recommend that the teacher ought to be prohibited from teaching.
- vii) The panel recognised that the efficient disposal of allegations against teachers is required to ensure the protection of pupils and to maintain confidence in the profession.
- viii) The panel noted that there were no witnesses to be called, and therefore the effect of delay on the memories of witnesses was not a factor to be taken into consideration in this case.

The panel decided to proceed with the hearing in the absence of the teacher. The panel considered that in light of the teacher's waiver of his right to appear, and by taking such

measures referred to above to address any potential unfairness insofar as is possible, that on balance, this was a serious allegation and the public interest in this hearing proceeding within a reasonable time was in favour of the hearing continuing as listed.

The panel decided to continue in the absence of the teacher.

Summary of evidence

Documents

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

Section 1: Chronology, Anonymised Pupil List and List of Key People – pages 4 to 6

Section 2: Notice of Hearing and Response – pages 7 to 22

Section 3: Teaching Regulation Agency documents – pages 23 to 116

Section 4: Teacher’s Response – pages 117 to 120

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

Witnesses

The panel did not hear any oral evidence at the hearing.

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 Plucknett was employed at Futures Community College (Southchurch High School) from January 2009 to 31 August 2017. Pupil A was a student at Futures Community College, until she left on [REDACTED].

On 1 September 2017, Mr Plucknett joined Castle View School (the “School”) as a Teacher.

In or around July 2020, Pupil A reported to police that she had been sexually assaulted by Mr Plucknett, by hugging, kissing, touching and sexualised communication whilst she was a pupil at Futures Community College and he was a teacher. Pupil A stated that they had a consensual sexual relationship for about a year after she left.

On 29 July 2020, an email was received into the School “admin” email account from the Local Authority Designated Officer (the “LADO”), raising a staffing concern.

On 31 July 2020, the Headteacher of the School received an email from the LADO which advised that the Police planned to interview Mr Plucknett in the week commencing 3 August 2020.

On 25 August 2020, the Headteacher of the School received a call from the LADO which advised of a serious allegation raised against Mr Plucknett.

On 1 September 2020, Mr Plucknett was arrested on suspicion of Sexual Activity Involving a Child Under 16.

On 2 September 2020, a LADO meeting was held. On 16 November 2020, a disciplinary investigation meeting took place, which Mr Plucknett did not attend.

On 25 November 2020, Mr Plucknett submitted his resignation letter and he left his employment on 26 November 2020. On 4 December 2020, a Disciplinary Hearing was held. The conclusion at the Disciplinary Hearing was that, had Mr Plucknett not voluntarily resigned from the School during the disciplinary process, he would have been dismissed without notice for gross misconduct.

On 13 January 2021, Mr Plucknett was referred to the TRA.

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:

You have been convicted of a relevant offence, in that:

- 1. On 22 April 2022, you were convicted of Sexual Activity with a Child between the dates of 1 February 2017 and 19 June 2017 by a person in a position of trust in contravention of s.16(1)(e)(i) Sexual Offences Act 2003.**

The allegation was admitted by Mr Plucknett in the Statement of Agreed Facts that he signed on 11 November 2023, and also in his response to the Notice of Hearing dated 7 January 2024.

The panel had sight of the Certificate of Conviction confirming Mr Plucknett's conviction of the alleged offence. The panel accepted the Certificate of Conviction as conclusive proof of both the conviction and the facts necessarily implied by the conviction.

On 22 April 2022, Mr Plucknett was convicted of one count of Sexual Activity with a Child by a person in a position of trust, after entering a guilty plea. On 15 July 2022, Mr Plucknett was sentenced at Basildon Crown Court to 8 months of imprisonment, suspended for 24 months. Mr Plucknett was also sentenced to a 55-day rehabilitation activity requirement, 140 hours' unpaid work (to be completed within 18 months), and a Barring Order.

The panel had noted the circumstances of the conviction as set out in the Judge's sentencing remarks. The matters dated back to 2017 and concerned Pupil A, who was his student at Futures Community College. [REDACTED]. Initially, Mr Plucknett would only send emails to Pupil A from his school email address, relating to school matters. However, he then began to send personal emails to her.

By February 2017, when Pupil A would [REDACTED], Mr Plucknett would initiate physical contact and would hug her, rest his hand on her thighs, hold her hand and kiss her own the forehead. In June 2017, Mr Plucknett and Pupil A exchanged a kiss and from this point on, the physical contact became increasingly frequent. When the end of the school year was approaching, Mr Plucknett and Pupil A exchanged mobile numbers. Pupil A left the [REDACTED], following which, the relationship escalated. From July 2017, Pupil A and Mr Plucknett would meet on a weekly basis either at Mr Plucknett's home or in his car, and would engage in consensual sexual touching. By the end of 2017, the relationship had developed to include sexual intercourse. The relationship lasted until 2 August 2018.

The panel had sight of a letter from Mr Plucknett to the TRA dated 26 February 2024, in which Mr Plucknett denied that the sexual activity with Pupil A started in February. Mr Plucknett also denied that he engaged in any sexual activity with Pupil A at his home address.

The panel found the allegation proven in its entirety.

Findings as to conviction of a relevant offence

Having found the allegation proved, the panel went on to consider whether the facts of the allegation found proved amounted to a conviction of a relevant offence.

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

Teachers uphold public trust in the profession and maintain high standards of ethics and behaviour, within and outside school, by

- treating pupils with dignity, building relationships rooted in mutual respect, and at all times observing proper boundaries appropriate to a teacher's professional position
- having regard for the need to safeguard pupils' well-being, in accordance with statutory provisions
- showing tolerance of and respect for the rights of others

Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach, and maintain high standards in their own attendance and punctuality.

Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities.

The panel noted that the individual's actions were relevant to teaching, working with children and working in an education setting. In particular, Mr Plucknett's conduct involved a student that had attended the school where he had worked, and some of the conduct (such as touching and kissing) took place within school grounds. The panel noted that Mr Plucknett's conduct was a clear breach of his position of trust as a teacher.

The panel noted that the behaviour involved in committing the offence would have been likely to have had an impact on the safety, security of pupils and members of the public.

The panel also took account of the way the teaching profession is viewed by others. The panel considered that Mr Plucknett's behaviour in committing the offence would be likely to affect public confidence in the teaching profession, if Mr Plucknett was allowed to continue teaching.

The panel noted that Mr Plucknett's behaviour ultimately led to a sentence of imprisonment, (albeit that it was suspended), which was indicative of the seriousness of the offences committed, and which the Advice states is likely to be considered "a relevant offence".

This was a case concerning offences involving sexual activity with a child, and sexual communication with a child under 18. The Advice indicates that a conviction for any offence that relates to or involves such offences is likely to be considered "a relevant offence".

The panel felt that this was a particularly serious offence, at the higher end of the spectrum. In particular, Mr Plucknett's conduct was prolonged, over a significant period of time and involved sexual activity with a child. The Judge had also remarked that Mr Plucknett's conduct "*did involve grooming behaviours*".

Whilst the panel noted that in his sentencing remarks, the Judge acknowledged that Mr Plucknett previously displayed "*exemplary conduct*" in his career, the panel also found that the seriousness of the offending behaviour that led to the conviction was relevant to Mr Plucknett's fitness to be a teacher. The panel considered that a finding that this conviction was for a relevant offence was necessary to affirm clear standards of conduct so as to maintain public confidence in the teaching profession.

Panel's recommendation to the Secretary of State

Given the panel's findings in respect of 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 Plucknett 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 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 protection of other members of the public, the maintenance of public confidence in the profession, and declaring and upholding proper standards of conduct.

In the light of the panel's findings against Mr Plucknett which involved a conviction of Sexual Activity with a child (in breach of a position of trust), there was a strong public interest consideration in respect of the safeguarding and wellbeing of pupils, given the serious findings of inappropriate relationships with a child.

Similarly, the panel considered that public confidence in the profession could be seriously weakened if conduct such as that found against Mr Plucknett was 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 Plucknett was outside that which could reasonably be tolerated.

There was no evidence adduced in respect of Mr Plucknett's ability as an educator. In any event, the panel considered that the adverse public interest considerations above outweigh any interest in retaining Mr Plucknett in the profession, since his behaviour fundamentally breached the standard of conduct expected of a teacher, and he sought to exploit his position of trust.

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 noted that a teacher's behaviour that seeks to exploit their position of trust should be viewed very seriously in terms of its potential influence on pupils and be seen as a possible threat to the public interest.

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, including those that resulted in a conviction or caution, paying particular attention to offences that are "relevant matters" for the purposes of the Police Act 1997 and criminal record disclosure;

- misconduct seriously affecting the education and/or safeguarding and well-being of pupils, and particularly where there is a continuing risk;
- abuse of position or trust (particularly involving vulnerable pupils);
- 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, for example, involving actions that were sexually motivated or of a sexual nature and/or that use or exploit the trust, knowledge or influence derived from the individual's professional position;
- 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); and
- violation of the rights of pupils.

Even though some of 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 the mitigation offered by the teacher and/or whether there were mitigating circumstances.

Mr Plucknett did not offer any evidence in respect of mitigation for the panel to consider.

Mr Plucknett's actions were deliberate.

There was no evidence to suggest that Mr Plucknett was acting under extreme duress, e.g. a physical threat or significant intimidation and, in fact, the panel found Mr Plucknett's actions to be calculated and motivated.

The panel did not see any evidence of previous disciplinary proceedings or warnings. However, the panel also did not have sight of any evidence which revealed that Mr Plucknett demonstrated exceptionally high standards in both his personal and professional conduct and had contributed significantly to the education sector.

The panel did not have sight of any good character evidence. Whilst Mr Plucknett did plead guilty to the alleged offence of which he was convicted, the panel did not have sight of any additional evidence to demonstrate that Mr Plucknett had insight into his actions, or any remorse.

Whilst the Judge in his sentencing remarks noted that Mr Plucknett did express "*incredible remorse*" and had felt "*guilt and shame*", there was no additional evidence adduced by Mr Plucknett to demonstrate that he had truly understood the impact of his behaviour on the victim, or the wider public. In particular, the Judge did also state that there were some elements "*of victim blaming*" in Mr Plucknett's account of the events.

The panel had sight of Mr Plucknett's letter to the TRA dated 26 February 2024. The panel did not feel this letter demonstrated any sign of insight or remorse. In particular, the panel felt that Mr Plucknett was attempting to make excuses for his behaviour, and was putting some blame onto the victim by referring to a letter from her after his arrest that was "*threatening in nature*". Overall, the panel felt that Mr Plucknett did not take accountability for his own conduct which resulted in a criminal conviction.

Proportionality

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 would be sufficient would unacceptably compromise the public interest considerations present in this case, despite the severity of the consequences for Mr Plucknett 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 Plucknett. In particular, the fact that Mr Plucknett had breached his position of trust, and that his conduct had involved "grooming behaviours", was a significant factor 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 not offering a review period. These cases 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 his professional position to influence or exploit a person or persons, and any sexual misconduct involving a child. The panel found that Mr Plucknett was responsible for engaging in serious sexual misconduct involving a child (Pupil A), in breach of his position of trust, which is a clear example of the behaviours which recommend no review period.

The panel did not feel that there were any mitigating circumstances to be considered. In particular, no evidence was offered or adduced by Mr Plucknett to show that he had any level of insight or remorse into his actions, and the impact of those actions on the victim

and the wider public. The panel was particularly concerned that whilst the sexual relationship between Mr Plucknett and Pupil A was consensual, there was a substantial age gap present and an imbalance of power in light of Mr Plucknett's role as a teacher. The panel was also concerned that Mr Plucknett had demonstrated grooming behaviours, over a prolonged period of time. The panel also noted from the sentencing remarks that there appeared to be some "*indication of a lack of understanding about the severe breach of trust involved*". As a result, the panel felt there would be a real risk of repetition of similar conduct, were Mr Plucknett permitted to continue to teach.

The panel decided that the findings indicated a situation in which a review period would not be appropriate and, as such, decided that it would be proportionate, in all the circumstances, for the prohibition order to be recommended without provisions for a review period.

Decision and reasons on behalf of the Secretary of State

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

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

In this case, the panel has found all of the allegations proven and found that those proven facts amount to a relevant conviction.

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

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

Teachers uphold public trust in the profession and maintain high standards of ethics and behaviour, within and outside school, by

- treating pupils with dignity, building relationships rooted in mutual respect, and at all times observing proper boundaries appropriate to a teacher's professional position
- having regard for the need to safeguard pupils' well-being, in accordance with statutory provisions
- showing tolerance of and respect for the rights of others
- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach, and maintain high standards in their own attendance and punctuality.

- 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 Plucknett involved breaches of the responsibilities and duties set out in statutory guidance Keeping children safe in education (KCSIE).

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

The findings of misconduct are particularly serious as they include a finding of a relevant conviction for sexual activity with a child, which resulted in a suspended prison sentence.

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 a relevant conviction, 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 Plucknett, 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, “Mr Plucknett’s conduct involved a student that had attended the school where he had worked, and some of the conduct (such as touching and kissing) took place within school grounds. The panel noted that Mr Plucknett’s conduct was a clear breach of his position of trust as a teacher.” 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, “Whilst Mr Plucknett did plead guilty to the alleged offence of which he was convicted, the panel did not have sight of any additional evidence to demonstrate that Mr Plucknett had insight into his actions, or any remorse.” The panel notes that in his sentencing remarks the Judge referred to Mr Plucknett expressing “*incredible remorse*” and feeling “*guilt and shame*”, but the panel was concerned that there was no additional evidence that Mr Plucknett had understood the impact of his behaviour on the victim and the wider public. The panel was also concerned that in a letter to the TRA dated 26 February that “Mr Plucknett was attempting to make excuses for his behaviour, and was putting some blame onto the victim”. In my judgement, the lack of insight and 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 “Mr Plucknett’s behaviour in committing the offence would be likely to affect public confidence in the teaching profession, if Mr Plucknett was allowed to continue teaching.” I am particularly mindful of the finding of sexual activity with a child 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 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 Plucknett himself. The panel has commented, “The panel did not see any evidence of previous disciplinary proceedings or warnings. However, the panel also did not have sight of any evidence which revealed that Mr Plucknett demonstrated exceptionally high standards in both his personal and professional conduct and had contributed significantly to the education sector.”

A prohibition order would prevent Mr Plucknett 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 that “no evidence was offered or adduced by Mr Plucknett to show that he had any level of insight or remorse into his actions, and the impact of those actions on the victim and the wider public.”

I have also placed considerable weight on the finding of the panel about the seriousness of the conduct for which Mr Plucknett was convicted. The panel has said that it “was particularly concerned that whilst the sexual relationship between Mr Plucknett and Pupil A was consensual, there was a substantial age gap present and an imbalance of power in light of Mr Plucknett’s role as a teacher. The panel was also concerned that Mr Plucknett had demonstrated grooming behaviours, over a prolonged period of time.” The panel also found that “there would be a real risk of repetition of similar conduct, were Mr Plucknett permitted to continue to teach.”

I have given less weight in my consideration of sanction therefore, to the contribution that Mr Plucknett 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 insight and

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.

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 not offering a review period. These cases include serious sexual misconduct, such as where the act was sexually motivated and resulted in, or had the potential to result in, harm to a person or persons, particularly where the individual has used his professional position to influence or exploit a person or persons, and any sexual misconduct involving a child. The panel found that Mr Plucknett was responsible for engaging in serious sexual misconduct involving a child (Pupil A), in breach of his position of trust, which is a clear example of the behaviours which recommend no review period."

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 very serious nature of the offence of sexual activity with a child, the lack of insight and remorse, and the risk of repetition of similar conduct.

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 Jay Plucknett 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 Plucknett shall not be entitled to apply for restoration of his eligibility to teach.

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

Mr Jay Plucknett 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', with a large, sweeping flourish at the end.

Decision maker: David Oatley

Date: 26 March 2024

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