



Teaching  
Regulation  
Agency

# **Mr Calum Lacey: Professional conduct panel meeting outcome**

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

**May 2024**

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

|                               |                              |
|-------------------------------|------------------------------|
| <b>Teacher:</b>               | Mr Calum Lacey               |
| <b>Teacher ref number:</b>    | 1168496                      |
| <b>Teacher date of birth:</b> | 27 March 1989                |
| <b>TRA reference:</b>         | 19903                        |
| <b>Date of determination:</b> | 14 May 2024                  |
| <b>Former employer:</b>       | Amery Hill School, Hampshire |

### Introduction

A professional conduct panel (“the panel”) of the Teaching Regulation Agency (“the TRA”) convened virtually on 14 May 2024, to consider the case of Mr Calum Lacey.

The panel members were Mr Nigel Shock (lay panellist – in the chair), Mrs Diana Barry (teacher panellist) and Ms Jackie Hutchings (teacher panellist).

The legal adviser to the panel was Miss Rachel Phillips of Blake Morgan LLP.

In advance of the meeting, after taking into consideration the public interest and the interests of justice, the TRA agreed to a request from Mr Lacey that the allegations be considered without a hearing. Mr Lacey provided a signed statement of agreed facts and admitted conviction of a relevant offence. The panel considered the case at a meeting without the attendance of the presenting officer, or Mr Lacey.

The meeting took place in private.

## **Allegations**

The panel considered the allegations set out in the notice of meeting dated 4 March 2024.

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

He had been convicted at any time, of the following relevant offences:

1. Engaged in Sexual Communication with a Child on 01/10/20-31/03/21 Sexual Offences Act 2003 s15A(1)
2. Cause/incite Sexual activity with Female 13-17 Offender 18 or Over Abuse of Position of Trust on 01/03/20-31/07/20 Sexual Offences Act 2003 s17(1)(e)(i).

Mr Lacey admitted the facts of the allegations and that the offences amounted to a conviction for a relevant offence.

## **Preliminary applications**

There were no preliminary applications.

## **Summary of evidence**

### **Documents**

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

Section 1: Notice of Meeting – pages 3 to 4

Section 2: Statement of Agreed Facts – pages 5 to 6

Section 3: Teaching Regulation Agency documents – pages 8 to 69

Section 4: Teacher documents – page 71

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

### **Statement of agreed facts**

The panel considered a statement of agreed facts which was signed by Mr Lacey on 7 December 2023.

## Decision and reasons

The panel announced its decision and reasons as follows:

The panel carefully considered the case and reached a decision.

In advance of the meeting, the TRA agreed to a request from Mr Lacey for the allegations to be considered without a hearing.

The panel had the ability to direct that the case be considered at a hearing if required in the interests of justice or in the public interest. The panel did not determine that such a direction was necessary or appropriate in this case.

The panel proceeded to consider the case carefully, having read all of the documents, and reached a decision. It accepted the legal advice provided.

Mr Lacey was previously employed as a geography teacher at Amery Hill School ("the School"). He commenced employment at the School in 2017.

On 18 March 2021, Mr Lacey was arrested at the School by Hampshire Constabulary on suspicion of grooming a child, and inappropriate contact with a minor.

On 19 March 2021, Mr Lacey resigned from his position at the School with immediate effect.

On 29 November 2022, Mr Lacey was convicted of two offences contrary to the Sexual Offences Act 2003. On 19 January 2023, he was sentenced in the Crown Court at Southampton.

## Findings of fact

The findings of fact are as follows:

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

**You have been convicted at any time, of the following relevant offences:**

- 1. Engaged in Sexual Communication with a Child on 01/10/20-31/03/21 Sexual Offences Act 2003 s15A(1)**
- 2. Cause/incite Sexual activity with Female 13-17 Offender 18 or Over Abuse of Position of Trust on 01/03/20-31/07/20 Sexual Offences Act 2003 s17(1)(e)(i).**

The panel considered allegations 1 and 2 together.

The panel was presented with a statement of agreed facts, signed by Mr Lacey, in which this allegations were admitted.

The panel was also presented with a certificate of conviction from Southampton Crown Court, confirming that Mr Lacey was convicted, on 29 November 2022, of the offences particularised in allegations 1 and 2.

Mr Lacey was sentenced to:

- a. 24 months imprisonment;
- b. Be subject to notification requirements for 10 years;
- c. A sexual harm prevention order for 5 years; and
- d. Pay a victim surcharge of £149.

The panel was presented with the sentencing remarks of the presiding judge sitting at Court on 19 January 2023, summarising the offences and the reasons for the sentence imposed.

The panel accepted the certificate of conviction as conclusive proof of the commission of these offences by Mr Lacey.

In light of this and Mr Lacey's admission, the panel found allegations 1 and 2 proved.

### **Findings as to conviction of a relevant offence**

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

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 Lacey in relation to the facts found proved, involved breaches of the Teachers’ Standards. The panel considered that, by reference to Part 2, he 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
  - ensuring that personal beliefs are not expressed in ways which exploit pupils’ vulnerability or might lead them to break the law

- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach...
- Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities.

In addition, the panel noted that, pursuant to the Advice it is likely that:

- A conviction for any offence that led to a term of imprisonment, including any suspended sentence will be considered "a relevant offence".
- A conviction for any offence that relates to, or involves, sexual communication with a child will be considered "a relevant offence".

Over and above these matters, the panel determined that Mr Lacey's actions were directly relevant to teaching, working with children and working in an education setting. The conviction is extremely serious in nature and directly involved a child who was a pupil. The panel, therefore, considered Mr Lacey's actions to be an abuse of a position of trust.

The panel also took account of the way the teaching profession is viewed by others. The panel considered that Mr Lacey's behaviour in committing these offences would undoubtedly affect public confidence in the teaching profession, particularly given the influence that teachers may have on pupils, parents and others in the community. His conduct ran counter to what should be at the very core of the practice of a teacher with a duty of care towards children. As the Court recognised when imposing sentence, Mr Lacey "*actively took advantage of his position as a teacher to ingratiate with and to groom two teenage schoolgirls, one at his school, or had been at his school, and one on the internet, for the purposes of his own sexual gratification*".

Mr Lacey's behaviour ultimately led to a lengthy term of imprisonment, which demonstrated the public and child protection issues raised by his actions together with the other aspects of the sentence imposed.

The panel did not consider there to be any relevant mitigating circumstances in relation to the commission of these offences.

For all these reasons, the panel found that the seriousness of the offending behaviour that led to the conviction was directly relevant to Mr Lacey's ongoing suitability to teach. The panel considered that a finding that this conviction was for relevant offences was necessary to reaffirm 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 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 and 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 nature of the offences for which Mr Lacey was convicted and having regard to the specific context, with particular reference to the sentencing remarks, there was an extremely strong public interest consideration in respect of the safeguarding and wellbeing of pupils and protection of other members of the public. Mr Lacey's actions raised obvious and significant public and child protection concerns.

The panel considered that public confidence in the profession would be very seriously weakened if conduct such as that found against Mr Lacey was not treated with the utmost seriousness when regulating the profession. This was conduct that was, very clearly, at the most serious end of the spectrum, amounting to an egregious breach of the trust placed in him as a teacher.

For the same reasons, the panel decided that a strong public interest consideration in declaring proper standards of conduct in the profession was also present.

Whilst no doubt had been cast upon Mr Lacey's abilities as an educator, given the nature of the allegations in this case and in the absence of any evidence that he ought to be regarded as an exceptional practitioner, the panel concluded there was not a strong public interest consideration in retaining him in the profession.

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



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 Lacey. The panel took further account of the Advice, which suggests that a prohibition order may be appropriate if certain behaviours of a teacher have been proved.

In the list of such behaviours, those that are relevant in this case are:

- serious departure from the personal and professional conduct elements of the Teachers' Standards;
- 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 disclosures;
- 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 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, 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);
- 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, the panel went on to consider the mitigating factors. Mitigating factors may indicate that a prohibition order would not be appropriate or proportionate.

The panel considered that the following mitigating factors are present in this case:

- Although the panel was not presented with positive references or testimonials regarding his practice as a teacher, Mr Lacey's abilities as an educator had not been challenged.
- Mr Lacey had fully engaged with the TRA and made full admissions.
- Mr Lacey pleaded guilty in the criminal proceedings.

- Mr Lacey had evidenced some regret and remorse in relation to his actions and insight into the implications of his actions.

Weighed against this, the aggravating features in this case included that:

- Mr Lacey's actions were deliberate, repeated and spanned a prolonged period.
- Despite being warned about his conduct in 2019, Mr Lacey continued to act in the same way.
- Mr Lacey's actions amounted to a clear breach of the Teachers' Standards and raised serious public and child protection concerns.
- Mr Lacey has been convicted of and sentenced for very serious offences involving a child, for which he received a custodial sentence and is subject to a sexual harm prevention order.
- The pupils sustained significant psychological harm as a result of Mr Lacey's actions.
- Mr Lacey was in a position of trust and responsibility. He was also a role model. He had fallen very far short of the standards expected of him in that regard.

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 Lacey of prohibition.

Mr Lacey's actions were fundamentally incompatible with his being a teacher. This was conduct of the most serious nature. The nature and gravity of these offences was a matter of significant concern. Accordingly, there were particularly strong public interest considerations in this case in terms of the safeguarding and wellbeing of pupils and protecting the public, public confidence in the teaching profession and the declaring of proper standards of conduct in this case.

Mr Lacey's behaviour led to him receiving a significant sentence, which is indicative of the seriousness of the offences. The panel noted, in particular, the following remarks of the sentencing judge:

- *"You were in a position where parents ought to be able to trust to care for their children, to protect them, and not in any way to interfere with or abuse them. The pupils too should have been able to trust you to look after them and not interfere with them".*
- *"You were already aware of a red flag being waved in front of you because of your warning in May of 2019 in respect of one of the very same children whom you later groomed. There is also suggestion that there is evidence that you invited two other children to contact you by secure messaging service, although nothing ever came of that".*

The panel was therefore of the view that prohibition was both proportionate and appropriate. The panel decided that the public interest considerations outweighed the interests of Mr Lacey.

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

The panel went on to consider whether or not it would be appropriate to recommend that a review period of the order should be considered.

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

The Advice indicates that there are behaviours that, if proved, would militate against the recommendation of a review period.

These behaviours 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;

These were both directly applicable in this case.

The panel found that Mr Lacey was responsible for a series of failings in relation to his conduct. These included serious sexual misconduct with pupils, which he exploited for his own sexual gratification. Mr Lacey's actions had a significant, enduring impact on those pupils.

Accordingly, 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 Calum Lacey should be the subject of a prohibition order, with no provision for a review period.

In particular, the panel has found that Mr Lacey 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
  - ensuring that personal beliefs are not expressed in ways which exploit pupils' vulnerability or might lead them to break the law
- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach...
- Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities.

The panel was satisfied that the conduct of Mr Lacey, involved breaches of the responsibilities and duties set out in statutory guidance Keeping children safe in education.

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

The findings of misconduct are extremely serious as they include relevant convictions for behaviour which included engaging both in sexual activity and sexual communications with schoolchildren, resulting in a sentence of imprisonment.

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 Lacey, 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 notes that:

“In the light of the nature of the offences for which Mr Lacey was convicted and having regard to the specific context, with particular reference to the sentencing remarks, there was an extremely strong public interest consideration in respect of the safeguarding and wellbeing of pupils and protection of other members of the public. Mr Lacey’s actions raised obvious and significant public and child protection concerns.”

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. The panel both note that Mr Lacey pleaded guilty to the charges against him and observe that “Mr Lacey had evidenced some regret and remorse in relation to his actions and insight into the implications of his actions.” In my judgement however, the lack of evidence that Mr Lacey has attained full insight into his actions and their impact means that there is some risk of the repetition of this behaviour and this puts at risk the future wellbeing of pupils. I have therefore given this element considerable weight in reaching my decision.

I have gone on to consider the extent to which a prohibition order would maintain public confidence in the profession. The panel observe:

“His conduct ran counter to what should be at the very core of the practice of a teacher with a duty of care towards children. As the Court recognised when imposing sentence, Mr Lacey *“actively took advantage of his position as a teacher to ingratiate with and to groom two teenage schoolgirls, one at his school, or had been at his school, and one on the internet, for the purposes of his own sexual gratification”*.”

I am particularly mindful of the finding of sexually motivated behaviour towards schoolchildren 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 Lacey himself. The panel notes that “Although the panel was not presented with positive references or testimonials regarding his practice as a teacher, Mr Lacey's abilities as an educator had not been challenged.”

A prohibition order would prevent Mr Lacey 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 very serious nature of the panel's findings, which include a relevant conviction for sexually motivated behaviour towards children. I have also reflected on the severe breach of trust inherent in Mr Lacey's actions. Such behaviour is, as the panel states, fundamentally incompatible with being a teacher.

I have also placed weight on the panel's comments regarding the lack of evidence that Mr Lacey has attained full insight into and remorse for his behaviour, and the risk of repetition that this raises.

I have given less weight in my consideration of sanction therefore, to the contribution that Mr Lacey 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, 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 doing so, the panel has referred to the Advice which indicates that there are behaviours that, if proved, would militate against the recommendation of a review period.

These behaviours 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;

The panel determined that were both directly applicable in this case.

I have considered the panel's concluding remarks

“The panel found that Mr Lacey was responsible for a series of failings in relation to his conduct. These included serious sexual misconduct with pupils, which he exploited for his own sexual gratification. Mr Lacey's actions had a significant, enduring impact on those pupils.”

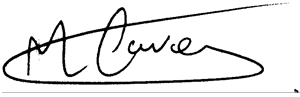
I have considered whether not allowing a review period reflects the seriousness of the findings and is a proportionate period to achieve the aim of maintaining public confidence in the profession. In this case, factors mean that allowing a review period is not sufficient to achieve the aim of maintaining public confidence in the profession. These elements are the extremely serious nature of the misconduct found, which involved behaviour incompatible with being a teacher, as well as the lack of evidence of full remorse and insight.

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

**This means that Mr Calum Lacey 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 Lacey 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 Lacey 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 'M. Cavey', enclosed within a thin black rectangular border.

**Decision maker: Marc Cavey**

**Date: 16 May 2024**

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