



Teaching  
Regulation  
Agency

# **Mr Christopher Long Professional conduct panel hearing 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**

**Teacher:** Mr Christopher Long

**TRA reference:** 19284

**Date of determination:** 22 May 2024

**Former employer:** Westerton Primary School, Wakefield

### **Introduction**

A professional conduct panel (“the panel”) of the Teaching Regulation Agency (“the TRA”) convened on 20 to 22 May 2024 by way of a virtual hearing, to consider the case of Mr Christopher Long.

The panel members were Mr Alan Wells (teacher panellist – in the chair), Ms Geraldine Baird (lay panellist) and Ms Antonia Jackson (teacher panellist).

The legal adviser to the panel was Mr Jermel Anderson of Blake Morgan LLP solicitors.

The presenting officer for the TRA was Mr Andrew Cullen of Browne Jacobson LLP solicitors.

Mr Christopher Long was present and was represented by Ms Megan Fletcher-Smith of Cornwall Street Chambers.

The hearing took place in public and was recorded. Where matters were heard in private, they are highlighted below in red.

## Allegations

The panel considered the allegations set out in the notice of proceedings dated 8 March 2024.

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

1. Whilst employed as a teacher at Westerton Primary School and/or one or more children were in your care whilst you were [REDACTED];
  - a. you intentionally recorded and/or permitted one or more children to be recorded without their knowledge;
  - b. you failed to report the recording(s) taken of one or more children referred to at allegation 1a above to the local authority;
  - c. you intentionally followed one or more children without their knowledge;
2. Your conduct as may be found proven at allegation 1 above demonstrated a lack of integrity;
3. You demonstrated a lack of insight into guidance you had been given by Social Services not to attend the marital home until a planned move was made for the children, in that in or around November 2019 you continued to attend your marital home.

Mr Long made admissions to Allegation 1a, 1b and 1c. Mr Long also made an admission to Allegation 2. Mr Long denied Allegation 3. Additionally, he made no admissions of unacceptable professional conduct and/or conduct that may bring the profession into disrepute.

## Preliminary applications

The TRA made an application to the panel to admit additional documentation. The document contained within the application, related to the minutes of a meeting held by Witness A which Mr Long also attended. The application was not opposed by Mr Long's representative, who confirmed that the contents of the document were not contested. The panel first considered that the document was relevant, given the direct connection to the case as advanced by the TRA. The panel then moved to considerations of fairness. The panel was of the view that given the lack of contention with regard to the substance of the documents, the risk of prejudice to Mr Long was limited. It therefore was satisfied that it would be fair in the circumstances to admit the documents, recognising the potential consequences of not admitting the material as being minimal. The panel therefore admitted the additional documentation.

Mr Long's representative made an application to adduce additional documentation before the panel. The documentation in question related to material that formed part of the TRA's initial investigation that had not featured in the final bundle. The material included character references, certificates, supporting statements, and a document pertaining to the mortgage that was shared between Mr Long and Witness B. The TRA did not oppose the application. The panel felt that, as the material had at least in part directly informed the TRA's pursuance of this case, it was clear that it was relevant. It also considered it to be fair to include and consider the material, given that the TRA was already aware of the existence of such material. The panel therefore admitted the additional documentation.

The panel considered an application from Mr Long's representative to hear part of this matter in private when mention of various sensitive issues may arise. The application was not opposed by the TRA, who further addressed the panel in relation to the issue. The panel received and accepted legal advice with regard to the issue of privacy. The panel first considered the contents of the bundle, bearing in mind the open justice principle and the necessity to maintain transparency within legal proceedings. The panel were satisfied that Mr Long's article 8 rights were engaged. It additionally considered that there was no particular public interest in relation to the public hearing of the particular issues in concern. The panel accordingly determined that it would be proportionate and reasonable to retire into private session when engaging with the sensitive issues as outlined by the parties. It felt that this was an appropriate means of dealing with the concerns, whilst still allowing for a public hearing which reflected the objectives of the regulation of the teaching profession.

The panel accordingly determined that matters would be held in private session where sensitive health and personal issues arise.

The panel received an application for Special Measures in respect of the witness, Witness B. The TRA's request was that an observer, Individual C, should be excluded whilst Witness B gives evidence. The panel had sight of an email exchange dated 20 May 2024 between the TRA's presenting officer to this effect. The application was made on the basis that Witness B was a vulnerable witness within the meaning of the disciplinary procedures and that she complained of intimidation. The application was opposed by Mr Long's representative. It was argued that the description of the interaction underlying the email exchange was inaccurate. It also was apparent that the factual nexus belying the complaint of intimidation was denied.

The panel noted that it had received no prior notice regarding the incidents that were referred to within the TRA's application and that there was no supporting material. The panel first considered whether Witness B could be properly characterised as a vulnerable witness. The panel felt that it may be able to appropriately recognise her as vulnerable on the basis that she had a complaint of intimidation. It noted that the vulnerability itself on that basis was a consideration, but the nature of the complaint of intimidation should also be explored. The timeliness of the application was also a matter of concern for the panel, given the concerns which formed the main part of the application were of some age.

The panel noted that Witness B had chosen to attend as a voluntary witness to the TRA. The issue of fairness to Mr Long was paramount to its consideration. It noted that the alleged incidents were some time ago. It was also cognisant of the fact that the observer that it was being asked to exclude, had been noted as the only supporter of Mr Long who was in attendance. It therefore considered that it would be particularly unfair in the circumstances to grant this application. The panel acknowledged that the witness had concerns in relation to being recorded by the observer, in addition to the intimidation concerns, however it was satisfied that a proper warning as given to every witness would suffice.

The panel formed the view that it would be an extraordinary measure in these circumstances to exclude the witness Individual C. It therefore refused the application on behalf of the TRA.

## **Summary of evidence**

### **Documents**

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

Section 1: Chronology and anonymised child list – pages 6 to 7

Section 2: Notice of proceedings and response – pages 9 to 22

Section 3: Teaching Regulation Agency witness statements – pages 25 to 71

Section 4: Teaching Regulation Agency documents – pages 74 to 391

Section 5: Teacher documents – pages 393 to 400

In addition, the panel agreed to accept the following:

Section 6: Additional documents from the TRA – pages 401 to 403

Section 7: Additional documents from the Teacher – pages 404 to 446

The panel members confirmed that they had read all of the documents within the bundle, in advance of the hearing and the additional documents that the panel decided to admit.

In the consideration of this case, the panel had regard to the document Teacher Misconduct: Disciplinary Procedures for the Teaching Profession 2018, (the “Procedures”).

## **Witnesses**

The panel heard oral evidence from Witness A, [REDACTED]. Witness B, [REDACTED] also gave live evidence. Mr Long also gave live evidence.

## **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 Long was first employed by Westerton Primary Academy in September 2015 as a newly qualified teacher. In 2015, whilst still employed in this capacity, Mr Long and his [REDACTED], Witness B, [REDACTED]. In August 2019, Witness B advised the local authority during a [REDACTED] review that [REDACTED] was separated from Mr Long. Mr Long was asked by the Council following a [REDACTED] planning meeting on 26 November 2019 whether he would consider not attending the marital home until the children had been removed from the property, due to [REDACTED]. Mr Long was suspended from the School in January 2020 because of an ongoing investigation by the school and was later reinstated. Mr Long was deregistered [REDACTED] by the local authority on 3 March 2020. The matter was subsequently referred to the TRA.

## **Findings of fact**

The findings of fact are as follows:

The panel found the following particulars of the allegations against you proved:

Allegation 1a, Allegation 1b, Allegation 1c, Allegation 2

The panel found the following particulars of the allegations against you not proved:

Allegation 3

The panel was presented with the witness statements of Witness A and Witness B, it also heard live evidence from both witnesses. In addition to this, the panel had sight of a variety of documents pertaining to the local authority investigation of this matter and a range of policy documents pertaining to both the school [REDACTED]. [REDACTED]. Mr Long also provided several professional and character references, in addition to certificates demonstrating the completion of professional courses, and a statement from him directly addressing the allegations.

The panel's considered the allegations as follows:

- 1. Whilst employed as a teacher at Westerton Primary School and/or one or more children were in your care whilst you were [REDACTED];**
  - a. you intentionally recorded and/or permitted one or more children to be recorded without their knowledge;**
  - b. you failed to report the recording(s) taken of one or more children referred to at allegation 1a above to the local authority;**
  - c. you intentionally followed one or more children without their knowledge;**

The panel noted that Mr Long made admissions to Allegation 1a, Allegation 1b and Allegation 1c. The panel also heard from all witnesses in relation to these Allegations. It therefore dealt with them accordingly.

In relation to Allegation 1a, the panel were satisfied from the evidence of Mr Long that he had made a full and candid admission to recording children without their permission on at least one occasion. It also felt that this was supported by the evidence of Witness B who confirmed that recording had taken place.

Allegation 1b was again accepted by Mr Long. The panel considered that whilst there may have been an intention to make a report to the local authority, Mr Long had by his own account not done so. It therefore accepted that there had been no reporting of the recording to the local authority.



The panel considered the issue of following children without their knowledge within Allegation 1c. The panel heard from Mr Long that both he and Witness B had followed children, though Mr Long's account was that this was done primarily for what could be categorised for safeguarding purposes. The panel however considered that even with a justification or qualification as provided by Mr Long through his oral evidence, it was clear that Mr Long's oral evidence had extended to following children without their knowledge.

The panel therefore found Allegation 1a, Allegation 1b, and Allegation 1c proved.

**2. Your conduct as may be found proven at allegation 1 above demonstrated a lack of integrity;**

The panel noted that Allegation 2 was admitted by Mr Long, though it considered that his admission only extended to the basis on which he admitted Allegation 1a and Allegation 1b. The panel however considered Allegation 2 in respect to Allegation 1 in totality, having found all sub-limbs of Allegation 1 proved.

The panel felt that Mr Long as a member of the teaching profession was subject to higher standards in relation to his conduct, than a general member of the public, due to the trust that the public places in the teaching profession. The panel recognised that this did not mean that it needed to hold Mr Long to an unreasonably high standard. Regardless, the panel felt that considering the ethical standards of the teaching profession, behaviour which ultimately amounted to breaching the privacy of young people and failing to act with proper safeguarding considerations, did suggest that his behaviour fell outside of that expected of a teacher. The panel felt that Mr Long was aware of general safeguarding principles as both a teacher and a [REDACTED] and considered that all of the behaviour within Allegation 1, was fundamentally contrary to the degree of integrity expected of a teacher.

The panel therefore considered on the balance of probabilities that Mr Long's actions had demonstrated a lack of integrity.

The panel found therefore Allegation 2 proved.

**3. You demonstrated a lack of insight into guidance you had been given by Social Services not to attend the marital home until a planned move was made for the children, in that in or around November 2019 you continued to attend your marital home.**

The panel heard submissions from both the TRA and Mr Long's representative in relation to this Allegation. It also acknowledged that it was denied in totality by Mr Long. It noted that when exploring the topic with Witness A, [REDACTED] indicated that no specific "guidance" had been given in relation to non-attendance of the home, but rather it

appeared that a suggestion that Mr Long not attend was given. The panel also took the view that this suggestion may not have been given until 26 November 2019, even if the topic had been explored previously. The panel were also advised by all witnesses that the children were removed from the home on 29 November 2019, and Mr Long did not attend the home between the 26 November 2019 and 29 November 2019. It therefore could not be said, within the meaning of the allegation, that Mr Long had failed to follow the guidance within November 2019.

The panel also considered whether communications that took place prior to 26 November 2019 could amount to guidance from Social Services. It considered that there was a lack of clarity in relation to this. It was felt that due to the lack of clarity in relation to any purported guidance, Mr Long could not specifically know what the guidance was said to have been given. It therefore felt that even if the prior communication could be demonstrated to amount to guidance, it would have been impossible to establish a lack of insight in relation to it.

On balance of probabilities the panel accordingly felt it could find neither that guidance was given, nor that a lack of insight was shown to anything that may amount to guidance.

Accordingly the panel found Allegation 3 not proven.

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

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

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

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

- Teachers uphold public trust in the profession and maintain high standards of ethics and behaviour, within and outside school, by
  - showing tolerance of and respect for the rights of others

The panel also considered whether Mr Long’s conduct displayed behaviours associated with any of the offences listed on pages 12 and 13 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.

The panel found that none of these offences was relevant. The panel considered whether the behaviour of Mr Long could be associated with the offence of stalking, following submissions of the TRA's presenting officer to this effect. However, it felt that the behaviour could not be properly said to engage the nature of this offence.

The panel noted that the allegations took place outside the education setting. It therefore sought to consider the conduct in the context of Mr Long's role as a teacher.

The panel felt that the conduct did not affect his teaching role. The panel also felt that there was no prospect of pupils being exposed to or influenced by the conduct in question in a harmful way. Whilst Mr Long's behaviour amounted to a serious lack of judgment, the panel did not feel that the behaviour could properly be construed within the definition of unacceptable professional conduct when considering the matter as a whole. The panel ultimately felt that the young people concerned were never aware of the conduct and so the prospect of any direct harm or exposure to harm was limited.

Accordingly, the panel was not satisfied that Mr Long was guilty of unacceptable professional conduct.

In relation to whether Mr Long'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.

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 felt that prolonged recording of young persons in addition to following them, and a general failure to report what were clear safeguarding concerns, is conduct that speaks directly to the perception of the teaching profession amongst the general public.

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

Having found the facts of particulars Allegation 1a, Allegation 1b, Allegation 1c and Allegation 2 proved, the panel further found that Mr Long's conduct amounted to conduct that may bring the profession into disrepute.

## Panel's recommendation to the Secretary of State

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

In the light of the panel's findings against Mr Long which involved following and recording children within his care and failing to properly report this, there was a strong public interest consideration in all of the above public interest concerns.

There was a strong public interest consideration in respect of the safeguarding and wellbeing of pupils, given the findings in relation to his failure to report matters.

Similarly, the panel considered that public confidence in the profession could be seriously weakened if conduct such as that found against Mr Long was not treated with 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 Long was outside that which could reasonably be tolerated.

In addition to the public interest considerations set out above, the panel went on to consider whether there was a public interest in retaining Mr Long in the profession. Mr Long had demonstrated that he had continued to teach at the School, and had received praise from both pupils and parents. Mr Long also notably received references from the [REDACTED] of the school which painted him in a very positive light. Additionally, Mr Long had been nominated for a local award due to his perceived excellence as a teacher.

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 Long.

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 Long. 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;
- abuse of position or trust (particularly involving pupils);
- 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);

Mitigation – as per the list in the Teacher Misconduct – The Prohibition of Teachers Advice

Even though some of the behaviour found proved in this case indicated that a prohibition order would be appropriate, the panel went on to consider the mitigating factors. Mitigating factors may indicate that a prohibition order would not be appropriate or proportionate.

In the light of the panel's findings, it went on to consider the mitigating factors in this case:

The panel felt that there was evidence that Mr Long's actions were deliberate. The panel however accepted that Mr Long may have been acting under some degree of duress. [REDACTED] and it determined that this may have impacted Mr Long's decision making to some degree.

The panel also acknowledged that Mr Long did have a previously good history and not been subject to any previous disciplinary procedures. The panel felt that there was very little evidence of a risk of repetition, not least due to the fact that he was no longer acting as [REDACTED].

The panel also had sight of four-character references that were provided in support of Mr Long. These character references were also supported by documents expressing appreciation for his work as a teacher which were provided by pupils and parents. The character reference of Individual A, [REDACTED] "Chris has always acted vigilantly regarding any child protection or safeguarding issues that have arisen during his time at Westerton" was of particular note to the panel, as it assuaged the concerns raised by its findings in relation to safeguarding. It also recognised that this reference was made in 2023, demonstrating a contemporary reflection of Mr Long's professional standing. The character reference of Individual B, [REDACTED] also assisted the panel which noted

that he had remarked in relation to Mr Long “he has always demonstrated integrity, honesty and openness both in his daily working life and also when sharing the details and incidents that took place in his personal life during and around the time of the allegations”.

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, the recommendation of no prohibition order would be both a proportionate and an appropriate response. Given that the nature and severity of the behaviour were at the less serious end of the possible spectrum and, having considered the mitigating factors that were present, the panel determined that a recommendation for a prohibition order would not be appropriate in this case. The panel considered that the publication of the adverse findings it had made was sufficient to send an appropriate message to the teacher as to the standards of behaviour that are not acceptable, and the publication would meet the public interest requirement of declaring proper standards of the profession.

The panel accordingly concluded that there should be no recommendation of prohibition in relation to Mr Long.

## **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 sanction.

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 some of the allegations proven and found that those proven facts amount to conduct that may bring the profession into disrepute. In this case, the panel has found some of the allegations not proven, including allegation 3 and found that proven allegations do not amount to unacceptable professional conduct. I have therefore put those matters entirely from my mind.

The panel has made a recommendation to the Secretary of State that Mr Christopher Long should not be the subject of a prohibition order. The panel has recommended that the findings of conduct likely to bring the profession into disrepute, should be published and that such an action is proportionate and in the public interest.

In particular, the panel has found that Mr Long 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
  - showing tolerance of and respect for the rights of others

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

I have to determine whether the imposition of a prohibition order is proportionate and in the public interest. In considering that for this case, I have considered the overall aim of a prohibition order which is to protect pupils and to maintain public confidence in the profession. I have considered the extent to which a prohibition order in this case would achieve that aim taking into account the impact that it will have on the individual teacher. I have also asked myself, whether a less intrusive measure, such as the published finding of 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 Long, 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/safeguard pupils. The panel has observed, “There was a strong public interest consideration in respect of the safeguarding and wellbeing of pupils, given the findings in relation to his failure to report matters.” A prohibition order would therefore prevent such a risk from being present in the future.

Although I am aware that Mr Long made admissions to some of the allegations, the panel did not make a comment on the level of insight and remorse shown.

I have gone on to consider the extent to which a prohibition order would maintain public confidence in the profession. The panel observe, “the panel considered that public confidence in the profession could be seriously weakened if conduct such as that found against Mr Long was not treated with seriousness when regulating the conduct 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 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 Long himself and the panel comment “Mr Long had demonstrated that he had continued to teach at the School, and had received praise from both pupils and parents. Mr Long also notably received references from the [REDACTED] of the school which painted him in a very positive light. Additionally, Mr Long had been nominated for a local award due to his perceived excellence as a teacher.”

A prohibition order would prevent Mr Long 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 “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 felt that prolonged recording of young persons in addition to following them, and a general failure to report what were clear safeguarding concerns, is conduct that speaks directly to the perception of the teaching profession amongst the general public.”

I have also given considerable weight to the mitigating circumstances in this case, and noted the following comments from the panel;

“The panel felt that there was evidence that Mr Long’s actions were deliberate. The panel however accepted that Mr Long may have been acting under some degree of duress. [REDACTED] and it determined that this may have impacted Mr Long’s decision making to some degree.”

“The panel also acknowledged that Mr Long did have a previously good history and not been subject to any previous disciplinary procedures. The panel felt that there was very little evidence of a risk of repetition, not least due to the fact that he was no longer acting as [REDACTED].”

The panel had sight of a number of character references and I have given particular consideration to the following “The character reference of Individual A, [REDACTED] “Chris has always acted vigilantly regarding any child protection or safeguarding issues that have arisen during his time at Wester ton” was of particular note to the panel, as it assuaged the concerns raised by its findings in relation to safeguarding. It also recognised that this reference was made in 2023, demonstrating a contemporary reflection of Mr Long’s professional standing.”

I have given weight in my consideration of sanction therefore, to the contribution that Mr Long has made to the profession.

For these reasons, I have concluded that a prohibition order is not proportionate or in the public interest. I consider that the publication of the findings made would be sufficient to send an appropriate message to the teacher as to the standards of behaviour that were



not acceptable, and that the publication would meet the public interest requirement of declaring proper standards of the profession.

A handwritten signature in black ink, appearing to read 'SABuxcey', with a stylized, cursive script.

**Decision maker: Sarah Buxcey**

**Date: 28 May 2024**

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