



Teaching
Regulation
Agency

Mr Steven Jackson: Professional conduct panel outcome

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

July 2024

Contents

Introduction	3
Allegations	4
Preliminary applications	5
Summary of evidence	7
Documents	7
Witnesses	8
Decision and reasons	8
Findings of fact	10
Panel's recommendation to the Secretary of State	21
Decision and reasons on behalf of the Secretary of State	24

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

Teacher: Mr Steven Jackson

Teacher ref number: 0146378

Teacher date of birth: 30 August 1970

TRA reference: 19163

Date of determination: 17 July 2024

Former employer: Upton Hall School, Birkenhead, Wirral

Introduction

A professional conduct panel (“the panel”) of the Teaching Regulation Agency (“the TRA”) convened on 15 to 17 July 2024 by way of a virtual hearing, to consider the case of Mr Steven Jackson.

The panel members were Mr Ian Hylan (teacher panellist – in the chair), Mrs Shabana Robertson (lay panellist) and Ms Olivia Kong (lay panellist).

The legal adviser to the panel was Mr Graham Miles of Blake Morgan LLP solicitors.

The presenting officer for the TRA was Ms Louise Atkin of Capsticks LLP solicitors.

Mr Steven Jackson was not present and was not represented.

The hearing took place in public and was recorded.

Allegations

The panel considered the allegations set out in the notice of proceedings dated 2 May 2024.

It was alleged that Mr Steven Jackson was guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute in that, while employed as a teacher at Upton Hall School (“the School”) he:

1. On one or more occasions, [REDACTED], when Pupil B was a student at the School, and/or between [REDACTED], after Pupil B had left the School, he
 - a. drank alcohol with Pupil B;
 - b. met and/or invited Pupil B to meet outside of school hours;
 - c. visited Pupil B’s house;
 - d. added Pupil B as a ‘friend’ on Facebook;
 - e. contacted Pupil B:
 - i using his personal contact details;
 - ii via social media;
 - iii outside of school hours;
 - f. inappropriately touched Pupil B by:
 - i placing his hands on Pupil B’s legs;
 - ii rubbing Pupil B’s legs;
 - iii hugging her;
2. On one or more occasions, [REDACTED], when Pupil A was a student at the School, [REDACTED], after Pupil A had left the School, he:
 - a. made a comment to Pupil A as detailed in Schedule 1, or words to that effect;
 - b. told Pupil A that he was going to miss her, or words to that effect;
 - c. hugged Pupil A;
 - d. gave his personal contact details to Pupil A;
 - e. contacted Pupil A:

- i using his personal contact details;
 - ii outside of school hours;
 - f. sent text messages to Pupil A of an inappropriate and/or sexual nature;
 - g. invited and/or met Pupil A to meet outside of school hours;
 - h. had dinner and/or drank alcohol with Pupil A;
 - i. offered to pay for Pupil A's taxi so she could visit him;
 - j. engaged in any or all of the conduct detailed in Schedule 2.
3. His conduct at paragraph 1 and/or 2 above was:
- a. a failure to maintain appropriate professional boundaries;
 - b. sexually motivated.

Mr Jackson did not make a formal response to the Notice of Proceedings. However, in an email dated 14 June 2024, Mr Jackson said that he admitted all the allegations against him except that he did not admit that he had inappropriately touched and propositioned Pupil B. The presenting officer submitted that it appeared from Mr Jackson's response that he did not admit allegation 1(f) or 3b (to the extent that allegation 3b related to Pupil B). However, in the absence of formal admissions from Mr Jackson to each allegation, Ms Atkin submitted that the hearing should proceed as a disputed case and that the panel should consider Mr Jackson's informal admissions in the context of the other evidence in deciding whether the factual allegations had been proved. The panel agreed to proceed on this basis.

Mr Jackson made no reference in his email to his position in relation to unacceptable professional conduct or conduct that may bring the profession into disrepute. Accordingly, the panel treated unacceptable professional conduct and conduct that may bring the profession into disrepute as not admitted.

Preliminary applications

Proceeding in the absence of Mr Jackson

Ms Atkin made an application for the hearing to proceed in the absence of Mr Jackson. After hearing submissions from Ms Atkin and receiving legal advice, the panel made the following determination.

The panel determined that the hearing should proceed in the absence of Mr Jackson for the following reasons:

- the Notice of Proceedings was sent to Mr Jackson in accordance with the requirements of Teacher Misconduct: Disciplinary Procedures for the Teaching Profession 2018;
- in an email dated 14 June 2024, Mr Jackson confirmed that he would not be attending the hearing. The panel was satisfied that Mr Jackson had voluntarily waived his right to participate;
- there was no application for an adjournment and no purpose would be served by adjournment;
- there was a public interest in regulatory proceedings taking place reasonably promptly;
- the panel also had regard to the interests of witnesses called by the TRA, including a vulnerable witness.

Application for special measures in relation to Pupil A

Ms Atkin made an application for special measures to be adopted to safeguard the interests of Pupil A, who was a vulnerable witness because of the nature of the allegations against Mr Jackson.

After hearing submissions from Ms Atkin and receiving legal advice, the panel agreed that:

- Pupil A should be permitted to give evidence accompanied by a witness supporter provided the proposed witness supporter is aged 18 or over;
- Any questions from the panel would be asked by a female panellist, Mrs Shabana Robertson;

The panel considered a request that there should be no break in the hearing between questions from Ms Atkin and Mrs Robertson on behalf of the panel. However, the panel

felt that it would be necessary for there to be a short break to ensure that any questions that other panel members might wish to be asked are asked by Mrs Robertson.

As to a request that Pupil A should give the whole of her evidence in private, the panel recognised that there was a presumption that hearings should take place in public. The panel determined that Pupil A's evidence should be given in public, but that the panel would go into private session to hear any evidence relating to matters [REDACTED].

Ms Atkin also requested that, should Mr Jackson attend the hearing, his camera should be switched off during Pupil A's evidence. The panel declined to make any direction to that effect at that stage. Mr Jackson had not attended the first day of the hearing. In the event of him attending on a subsequent day, the panel would revisit any arrangements for his participation in the hearing.

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 proceedings and response – pages 7 to 41

Section 3: Teaching Regulation Agency witness statements – pages 42 to 63

Section 4: Teaching Regulation Agency documents – pages 64 to 413

Section 5: Teacher documents – pages 414 to 417

Also in advance of the hearing, the panel received an additional bundle entitled 'service/proceeding in absence' which included:

Section 1: Referral form – pages 2 to 16

Section 2: Notice of Referral (original) including response form and correspondence request form – pages 17 to 27

Section 3: Trace report – pages 28 to 29

Section 4: Notice of Proceedings – pages 30 to 42

Section 5: Emails sending Notice of Proceedings and draft bundle to the Teacher – pages 43 to 44

Section 6: Royal Mail Delivery Confirmation – pages 45 to 47

Section 7: Email from Teacher confirming that he will not be attending – 48 to 51

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

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 and Pupil A, [REDACTED].

Decision and reasons

The panel announced its decision and reasons as follows:

The panel carefully considered this case and reached a decision.

Upton Hall School, Birkenhead (“the School”) is an all-girls Catholic Grammar School for students aged 11 to 18. Mr Steven Jackson commenced his employment at the School in 2011 as a Teacher of English. In 2013, he became Head of English. He had responsibility for A-Level and Key Stage 4 English.

[REDACTED], the School received an anonymous letter addressed to Witness A. The letter described Mr Jackson having an inappropriate relationship with a student shortly after they left School. The letter also described seeing and hearing Mr Jackson’s interactions with another student who had left the School [REDACTED]. It was alleged that Mr Jackson had sent messages to this student and was having a sexual relationship with her. The panel noted that it was subsequently established that that the anonymous letter had been written by Pupil B’s [REDACTED]. On receipt of this letter, Witness A met with Mr Jackson when the concerns raised in the letter were put to him. Mr Jackson denied any knowledge of the concerns raised.

Pupil A had been a pupil at the School and had completed her A-Levels [REDACTED]. [REDACTED], Pupil A contacted the [REDACTED] School and asked to speak to her about an allegation relating to a member of staff. When Pupil A met with [REDACTED] she reported that Mr Steven Jackson had given her his telephone number [REDACTED] and that he had then started to text her and invited her to his house. Pupil A also reported that she had been to Mr Jackson’s house on four or five occasions and that they

engaged in sexual acts and sexual intercourse. Pupil A also reported that she was aware that what had happened to her had also happened to another pupil (Pupil B).

On 9 January 2020, the School reported the concerns raised by Pupil A to the Local Authority Designated Officer (LADO) and to the police. Mr Jackson was suspended the same day.

[REDACTED], Pupil B contacted Witness A, by email to say that she had been informed by Pupil A that it would be useful for her to get in touch with Witness A to say that something similar had happened to her. Pupil B had been a pupil at the School until [REDACTED]. Pupil B provided Witness A with screenshots of Facebook Messenger communications which Pupil B said had taken place with Mr Jackson [REDACTED]. [REDACTED], the School reported the concerns raised by Pupil B relating to Mr Jackson to the LADO and to the police.

Mr Jackson was interviewed by the police, but there were no criminal charges. The School subsequently conducted a disciplinary investigation. Mr Jackson did not attend any disciplinary investigation meetings and did not submit any written representations. He resigned on 31 January 2020.

On 24 February 2020, the School referred Mr Jackson to the TRA.

The panel heard oral evidence at this hearing from Witness A and Pupil A. Mr Jackson did not attend and was not represented. In an email to the Presenting Officer dated 14 June 2024, Mr Jackson said that he admitted the allegations against him except the allegations that he had 'inappropriately touched and propositioned Pupil B'. He also referred to a statement that he had provided to the police when he had been interviewed under caution. The panel treated Mr Jackson's response as a denial of allegation 1(f) and 3b (to the extent that allegation 3b related to Pupil B). In the absence of any formal admissions from Mr Jackson to the other allegations, the panel treated this as a disputed case, but took Mr Jackson's responses into account in determining whether the allegations had been proved on the balance of probabilities.

In evidence, the panel heard that there were different understandings of when a sixth form pupil was no longer a member of the School. These included from when their teaching periods had ended, when their last exam had taken place, when the School's internal farewell ceremonies had taken place and from the release date of the sixth form results. In line with DfE guidance, the panel took the academic year to run from the first of September in one year until the 31 of August in the following year. [REDACTED].

The panel accepted the legal advice provided. In particular, the panel adopted the approach of testing the evidence of the oral witnesses, in the first instance, by reference to objective facts and, where available, contemporaneous documents. The panel avoided making any initial general assessment of the credibility of any witness by reference to

their demeanour and confined its analysis to the specific allegations and consistency or lack of consistency with other evidence. In the absence of contemporaneous documents, the panel felt that it was able to attach some weight, where appropriate, to demeanour.

Findings of fact

The findings of fact are as follows:

1. On one or more occasions, [REDACTED], when Pupil B was a student at the School, [REDACTED], after Pupil B had left the School, you:

a. drank alcohol with Pupil B;

Pupil B did not give evidence at this hearing. However, the panel considered the record of her interview by Witness A as part of the School's investigation on 21 January 2020 and a summary of Pupil B's interview by the police on 10 March 2020.

In the summary of her police interview, Pupil B referred to a school trip [REDACTED]. One of the teachers that attended was Mr Jackson. Pupil B said that on the last night everyone went for drinks and she had drunk wine and vodka during the meal. Pupil B said that she had stayed up talking to Mr Jackson alone in the hostel bar for approximately two hours. Pupil B said that this was friendly conversation about music.

In the written statement that Mr Jackson provided at his police interview, he said that on the last night of the [REDACTED] trip, he and the other member of staff arranged for a special meal at a restaurant. He said that they had decided that the pupils would be allowed to drink alcohol with their meal. Mr Jackson recalled that all of the pupils had drunk wine or cocktails. He said that they all returned to the hostel at about 11pm and most of the pupils went to bed, but a few of them, including Pupil B, stayed up as the café in the hostel was still open. Mr Jackson said that, after about 20 minutes, it was just Pupil B left chatting with him. Mr Jackson said he had noticed that Pupil B was wearing a [REDACTED] t-shirt, and this became a talking point as he was a huge fan. Mr Jackson said that they stayed talking for about 30 minutes before they went to their separate rooms. He said that, after they had returned to the hostel following the meal, they had both been drinking soft drinks. The panel noted that the summary of Pupil B's interview by the police did not say that Mr Jackson and Pupil B had drunk alcohol together after returning to the hostel.

There were several references in the evidence to the consumption of alcohol by Mr Jackson or by Pupil B. This included when they both attended a [REDACTED] concert. After the concert Individual A came to pick up Pupil B and also gave Mr Jackson a lift. At Pupil B's request, her [REDACTED] invited Mr Jackson to her home for a drink. There was also reference to Mr Jackson having alcohol when he met Pupil B at the beach. However, there was no clear evidence that Pupil B and Mr Jackson had consumed

alcohol together on those occasions. The panel acknowledged that, in order find this allegation proved it needed to be satisfied that there was evidence of Pupil B and Mr Jackson drinking alcohol together. The panel concluded that the only clear evidence that they had done so was confined to them consuming alcohol during the meal in [REDACTED] when the other pupils were present.

The panel found 1a proved on that limited basis.

b. met and/or invited Pupil B to meet outside of school hours;

In the summary of her police interview, Pupil B said that, on the last day of school before A-Levels, [REDACTED], Mr Jackson told her that he was going to see a [REDACTED] tribute act. Pupil B said that he did not directly ask her to go with him, but he told her all of the details and she did attend where she met Mr Jackson. Pupil B said that he was very drunk as he had been to the pub first. Pupil B said that Mr Jackson subsequently started messaging her on Facebook asking her to go to gigs during her A-Levels, but she told him that she had to study.

When interviewed by Witness A, Pupil B said that Mr Jackson asked her to go round to his house several times and she made excuses not to go.

Pupil B provided Witness A with screenshots of messages sent to her by Mr Jackson via Facebook Messenger. The panel noted that in a message [REDACTED], Mr Jackson said, “[REDACTED]event in WK tonight if you’re interested”, to which Pupil B responded that she had an exam on Monday. The panel also noted that there were several messages in which Mr Jackson asked Pupil B to “come round”.

In his statement provided for the police interview, Mr Jackson said that Pupil B had contacted him on Facebook [REDACTED]when he had been to a barbeque and been drinking. He acknowledged that he had then said that Pupil B could come round and listen to [REDACTED]. Mr Jackson said that he did not do this with any intention other than to listen to [REDACTED], but he accepted that this was an error of judgment, which he regretted. Mr Jackson went on to say that, later than night, Pupil B told him that she was at the [REDACTED] pub and he did meet her as she was in the area.

The panel found 1b proved.

c. visited Pupil B’s house;

In her written statement to the police, Individual A referred to an occasion when she went to pick Pupil B up from a [REDACTED]concert. When she arrived at the venue, Mr Jackson was there. Individual A said that Pupil B asked if Mr Jackson could have a lift, to which Individual A agreed. When in the car, Pupil B asked if Mr Jackson could come back to their house for a coffee, to which Individual A agreed. Mr Jackson accepted the invitation. There was no evidence that he visited the house on any other occasion.

The panel found 1c proved.

d. added Pupil B as a ‘friend’ on Facebook;

In his written statement for the police interview, Mr Jackson said he accepted that he and Pupil B became ‘friends’ on Facebook, but he did not recall who invited who. Mr Jackson said that he had also received such requests from other pupils, but he would always wait until they had left school before accepting them.

The panel noted that this explanation was contradicted by the screenshot of the message sent by Mr Jackson to Pupil B [REDACTED] about the “[REDACTED] event” to which Pupil B had responded that she had an exam on the following Monday. The panel was satisfied that Mr Jackson had added Pupil B as a ‘friend’ on Facebook when she was still a pupil at the School.

The panel found 1d proved.

e. contacted Pupil B:

i using your personal contact details;

ii via social media;

iii outside of school hours;

The panel noted that Mr Jackson did not dispute that he had added Pupil B as a ‘friend’ on Facebook. Whether or not he had done so in response to a request from Pupil B, this had involved him using his personal contact details. The panel was presented with screenshots of messages sent by Mr Jackson to Pupil B between [REDACTED]. Many of these were sent to Pupil B outside of school hours.

The panel found 1e i, ii and iii proved.

f. inappropriately touched Pupil B by:

i placing your hands on Pupil B’s legs;

ii rubbing Pupil B’s legs;

The panel considered 1f i and ii together, as the allegations arise from the same event.

In the summary of Pupil B’s police interview, she said that after [REDACTED] concert at which Mr Jackson was also present, Individual A picked her and Mr Jackson up and took them back to Pupil B’s home. Pupil B said that she and Mr Jackson were on a couch in the living room. Pupil B said [REDACTED], Pupil E, was also present. Pupil B said that

Mr Jackson kept touching her leg, including rubbing and grabbing her leg whilst talking to her.

In her written statement to the police, Pupil E referred to the occasion when Mr Jackson came to their house with Individual A and Pupil B after the concert. However, Pupil E said that she went upstairs within a few minutes of Mr Jackson arriving and her statement made no reference to her seeing Mr Jackson touch Pupil B in any way.

Individual A also made a statement to the police. In this statement, Individual A said that, after returning to her home following the concert, Mr Jackson and Pupil B were sitting next to each other on the couch in the living room. She said that the conversation between Mr Jackson and Pupil B was about school work. Individual A said that when she looked at them, she noted that Mr Jackson's hand was resting on Pupil B's leg. She said that this made her feel really awkward and this caused her to say to Mr Jackson that she would give him a lift home.

Mr Jackson denied that he had inappropriately touched Pupil B. He admitted that he had attended Pupil B's home, having been driven there by Individual A after the concert. Mr Jackson maintained that he had been sitting in a single armchair whilst he was there. Mr Jackson also said that Individual A had given him a lift on a subsequent occasion, which he suggested was inconsistent with the concerns expressed in her witness statement.

The panel recognised that the accounts of Pupil B, Pupil E and Individual A amounted to hearsay evidence as they did not attend and give evidence in person. Furthermore, the record of Pupil B's police interview was only a summary. There were some inconsistencies between the written accounts of Pupil B, Pupil E and Individual A. If they had been able to give oral evidence at this hearing, the areas of apparent inconsistency might have been capable of being resolved by the panel's questions. The panel's inability to test their evidence by questioning significantly affected the weight that the panel could attach to that evidence. The panel concluded that the evidence presented was not sufficiently cogent to find the allegations proved on the balance of probabilities.

The panel found 1f i and ii not proved.

iii hugging her;

In the summary of Pupil B's police interview, Pupil B referred to the occasion when she met Mr Jackson at [REDACTED]. She said that Mr Jackson was drunk and he hugged her. There were no other references to Mr Jackson hugging her in the record of her interview by the School. During his police interview, Mr Jackson denied hugging Pupil B. The panel concluded that the burden of proof on the TRA had not been discharged in relation to this allegation.

The panel found 1f iii not proved.

2. On one or more occasions, [REDACTED], when Pupil A was a student at the School, [REDACTED], after Pupil A had left the School, you:

- a. made a comment to Pupil A as detailed in Schedule 1, or words to that effect;**

Pupil A gave evidence that, on one occasion when she was an [REDACTED] student, Mr Jackson made a comment in class about her being the “*queen of analysing sexual language*”. She said that she thought that this was because, when there was any discussion in class about the use of sexualised language in the context of analysing poems, she had been able to talk about it without feeling awkward. Pupil A said that comment by Mr Jackson was made in front of other pupils. She said that she did laugh it off, but it did make her feel uncomfortable at the time as she felt strange that she was being singled out.

The panel found 2a proved.

- b. told Pupil A that you were going to miss her, or words to that effect;**

- c. hugged Pupil A;**

- d. gave your personal contact details to Pupil A;**

The panel considered 2b, 2c and 2d together as some of the evidence relied upon in relation to each allegation was the same.

Pupil A said that, on the last day of term before she went on study leave [REDACTED], she went to Mr Jackson’s classroom and spoke to him. Pupil A said that nobody else was in the classroom at that time. Pupil A said that Mr Jackson told her that he would miss her, but she could not recall if this was in response to her saying that she would miss him. She said that they then hugged. Again she could not be sure if this had been instigated by her or Mr Jackson.

Pupil A said Mr Jackson insisted that they should stay in touch, he then entered his mobile number into her phone and saved himself as a contact under the name [REDACTED]. Pupil A said that she sent him a text soon after this so that Mr Jackson had her number.

The panel found Pupil A’s evidence in relation to these allegations to be reflective, balanced and credible. Her oral evidence was supported by and consistent with the content of text messages sent to her by Mr Jackson. In reviewing screenshots of those text messages, the panel noted that there were several examples of texts that Mr Jackson sent to Pupil A in which he said he missed her, including those sent on [REDACTED].

In addition to providing Pupil A with his personal mobile phone number on the last day before study leave, the panel noted that in a subsequent text exchange, Mr Jackson also provided Pupil A with his home address.

The panel found allegations 2b, 2c and 2d proved.

e. contacted Pupil A:

i using your personal contact details;

ii outside of school hours;

Pupil A said that, during her study leave, Mr Jackson called her on her mobile phone. She said he then asked her if she wanted to go to his house that evening for dinner. Pupil A said that, although she was at first taken aback, she agreed to go and it was then that Mr Jackson provided her with his home address.

Pupil A said that, after she had visited Mr Jackson at his home, she deleted text messages that passed between her and Mr Jackson. Pupil A said in her written statement that her [REDACTED] at the time was concerned for her welfare. In her oral evidence she added that she was scared that her [REDACTED] would see them on her phone and report this to the police or to Mr Jackson's [REDACTED] at the time. Pupil A said that, a few weeks later, she and her [REDACTED] broke up. At that point she resumed contact with Mr Jackson. Pupil A said that, from that point she did not delete the messages that she exchanged with Mr Jackson and she provided screenshots of those messages to the School. The panel was presented with those screenshots of text messages exchanged [REDACTED].

The panel noted that the sender of the messages was '[REDACTED]'. Although the messages did not refer to Mr Jackson by name, the panel took into account the evidence of Pupil A that Mr Jackson had entered his mobile number into her phone and saved himself as a contact under the name '[REDACTED]' on the last day of term. Witness A said in her evidence that the telephone number for '[REDACTED]' in Pupil A's contact list was checked by Witness A and confirmed to be that of Mr Jackson. The panel was satisfied by this evidence that the messages had been sent by Mr Jackson.

The panel found allegation 2e i and ii proved.

f. sent text messages to Pupil A of an inappropriate and/or sexual nature;

The panel reviewed the screenshots of the messages sent to Pupil A by Mr Jackson. The panel noted that there were numerous messages that were inappropriate and/or sexual in nature.

The panel was satisfied that the following messages are examples of messages from Mr Jackson that were inappropriate:

- After Pupil A told Mr Jackson in a text message that she had finished with her [REDACTED], Mr Jackson sent a message in which he said, *“Does this mean I can see you now? X”*
- *“...I’m free after school if you want to come round...”*
- *“Drunk, Thinking of you. Bad idea. X”*
- *“I’m drunk and vulnerable”*
- *“We should be vulnerable together! X”*

The panel was satisfied that the following messages are examples of messages from Mr Jackson that were sexual in nature:

- *“I want you. Near me X”*
- In response to a text message in which Pupil A said that she would soon be able to give Mr Jackson lots of hugs, he said, *“I want them and I need them and I will savour them over and over and over. X”*
- *“You are in all my day dreams and all my night dreams X”*
- *“I want to love to sleep in with you. X”*

The panel found allegation 2f proved on the basis that Mr Jackson sent both inappropriate and sexual text messages to Pupil A.

g. invited and/or met Pupil A to meet outside of school hours;

As already referred to in relation to allegation 1e, Pupil A said that in the first call from Mr Jackson’s mobile phone, during her study leave, he invited her to dinner that evening at his home address. Pupil A confirmed in her evidence that she subsequently attended Mr Jackson’s address.

On reviewing the screenshots of text messages sent by Mr Jackson to Pupil A, the panel noted the times when the messages were sent. The panel noted the following in which he had invited her to meet him outside of school hours:

“Perfect! You can stay the night if you want. XXX”

“How about coming round on the afternoon of the 6th. XXX”

“Come here! X”

“Do you want to come at 11. Too early, Sleeping Beauty? X”

“Just to invite you to stay tonight. X”

“You could, of course, come round for a couple of hours today”

“I was thinking about tonight but its probably too short notice?”

The panel found allegation 2g proved.

h. had dinner and/or drank alcohol with Pupil A;

Pupil A said that she did go to Mr Jackson’s house following his invitation as referred to in allegation 2g. Pupil A said that she went to his house in the evening and they had dinner and drank wine. Pupil A said that Mr Jackson encouraged her to try whisky. Pupil A also said that, when she was there, Mr Jackson kissed her and touched her inappropriately over her clothing.

The panel found allegation 2h proved.

i. offered to pay for Pupil A’s taxi so she could visit you;

Pupil A said that, on at least one occasion, Mr Jackson paid for a taxi for her to come to his house.

In addition to Pupil A’s evidence, the panel noted that payment for a taxi was mentioned by Mr Jackson in several text messages sent by him, including the following:

- *“I promise to start paying for taxis for you”*
- *“Let me know what time you’ll be here and I’ll have the taxi money to give you. X”*
- *“Yes”, in response to a text message from Pupil A which asked, “Does your offer of taxis still stand?”*

The panel found allegation 2i proved.

j. engaged in any or all of the conduct detailed in Schedule 2.

The conduct alleged in Schedule 2 was that Mr Jackson had engaged in sexual activity with Pupil A, including kissing and sexual intercourse with her.

The panel was satisfied by the evidence of Pupil A, whom the panel regarded as a credible witness, that Mr Jackson had first engaged in sexual activity, including kissing,

with Pupil A when she attended his house for dinner, as referred to in allegation 2h. The panel noted that this was when she was on study leave.

Pupil A also gave evidence that Mr Jackson had sexual intercourse with Pupil A on several occasions at his home. She recalled that the first of these occasions was in [REDACTED].

In his email dated 14 June 2024, Mr Jackson said that he started texting Pupil A in [REDACTED] and that it became a sexual relationship in [REDACTED].

The panel accepted the oral evidence of Witness A to the effect that pupils remained on the roll at the School until the end of August each year. The panel was satisfied that the relationship between Mr Jackson and Pupil A became a sexual one before the end of [REDACTED] and, therefore, whilst she was still a pupil. It also continued into the immediate period after she ceased to be a pupil.

The panel found allegation 2j proved.

3. His conduct at paragraph 1 and/or 2 above was:

a. a failure to maintain appropriate professional boundaries;

Pupil B

The panel first considered allegation 3a in relation to Mr Jackson's proven conduct towards Pupil B in allegations 1a to 1e.

Based on the findings made in relation to allegations 1a and 1c, the panel was not satisfied that the conduct of Mr Jackson in relation to those individual allegations represented a failure to maintain appropriate professional boundaries.

However, the panel found that Mr Jackson's conduct towards Pupil B in allegations 1b, 1d, 1e i, ii and iii amounted to clear failures to maintain appropriate professional boundaries. Mr Jackson added Pupil B as a Facebook 'friend' prior to completion of her A-Level examinations when she was still a pupil at the School. When interviewed by the police, Mr Jackson acknowledged that he had been pursuing a friendship with Pupil B, although he denied that he had sought any romantic or sexual involvement with her. The panel was satisfied that Mr Jackson's proven conduct represented a clear failure to maintain appropriate professional boundaries with Pupil B.

Pupil A

The panel then considered allegation 3a in relation to Mr Jackson's proven conduct towards Pupil A in allegations 2a to 2j.

As regards the conduct in allegation 2a, although it may have been an unwise comment for Mr Jackson to have made, the panel did not regard it as an instance of failing to maintain appropriate professional boundaries.

However, the panel was satisfied that the conduct found proved in allegations 2b to 2j amounted to conduct which failed to maintain appropriate professional boundaries with Pupil A. Pupil A had relied upon Mr Jackson in his role as Head of English to support her development as a pupil. By his own admission and in his own words, Mr Jackson '*breached and betrayed the trust that [Pupil A], her family, the School and the state had in [him].*'

The panel found allegation 3a proved as regards Mr Jackson's conduct towards Pupil B in allegations 1b, 1d, 1e i, ii and iii and towards Pupil A in allegations 2b to 2j

b. sexually motivated.

Pupil B

The panel first considered allegation 3b in relation to Mr Jackson's proven conduct towards Pupil B in allegations 1a to 1e.

The panel was not satisfied that the conduct on Mr Jackson in allegations 1a and 1c amounted to sexually motivated conduct.

The panel then considered whether Mr Jackson's conduct towards Pupil B in allegations 1b, 1d, 1e i, ii and iii was sexually motivated. Although Mr Jackson denied that he had sought any romantic or sexual involvement with Pupil B, the panel noted the persistent attempts that Mr Jackson made to persuade Pupil B to meet with him. There was no evidence that any sexual contact actually took place. The panel noted, from the screenshots, that Pupil B had declined Mr Jackson's requests to meet on numerous occasions. The panel felt that Mr Jackson's explanation for his behaviour was not plausible. The panel was satisfied, on the balance of probabilities, that his proven actions were in pursuit of a sexual relationship with Pupil B. His conduct was, therefore, sexually motivated.

Pupil A

The panel then considered allegation 3b in relation to Mr Jackson's proven conduct towards Pupil A in allegations 2a to 2j.

In relation to the conduct in allegation 2a, the panel did not regard Mr Jackson's comment as being sexually motivated.

However, the panel was satisfied that the conduct in allegations 2b to 2j was motivated by Mr Jackson's desire to engage in a sexual relationship with Pupil A, which he admits took place.

The panel found allegation 3(b) proved in relation to Mr Jackson's conduct towards Pupil B in allegations 1b, 1d, 1e i, ii and iii and towards Pupil A in allegations 2b to 2j.

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

In relation to allegations 1a, 1c and 2a, the panel was not satisfied that the facts found proved involved a breach of the Teachers' Standards. The conduct found proved in those allegations did not contribute to the panel's findings in allegations 3a or 3b. Looked at in isolation, the conduct found proved in 1a, 1c and 2a did not reach the threshold for a finding of unacceptable professional conduct or conduct that may bring the profession into disrepute.

However, the panel was satisfied that the conduct of Mr Jackson, in relation to the facts found proved in allegations 1b, 1d, 1e i, ii and iii, 2b, 2c, 2d, 2e i and ii, 2f, 2g, 2h, 2i, 2j, 3a and 3b involved breaches of the Teachers' Standards. The panel considered that, by reference to Part 2, Mr Jackson was in breach of the following standards:

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

The panel also considered whether Mr Jackson's conduct displayed behaviours associated with any of the offences listed on pages 10 and 11 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 the offences of sexual activity and sexual communication with a child were relevant.

The panel was satisfied that the conduct of Mr Jackson amounted to misconduct of a serious nature which fell significantly short of the standards expected of the profession.

The panel noted that some of the allegations took place outside the education setting. However, the behaviour of Mr Jackson had its roots in activities in the school environment. The panel found that Mr Jackson used his professional position to groom the pupils concerned. This conduct affected the way he fulfilled his responsibilities as a teacher, which included safeguarding pupils. This also led to the pupils being exposed to, or influenced by, the behaviour in a harmful way.

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

In relation to whether Mr Jackson'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 therefore found that Mr Jackson's actions constituted conduct that may bring the profession into disrepute.

Panel's recommendation to the Secretary of State

Given the panel's findings in respect of unacceptable professional conduct and conduct that may bring the profession into disrepute, it was necessary for the panel to go on to consider whether it would be appropriate to recommend the imposition of a prohibition order by the Secretary of State.

In considering whether to recommend to the Secretary of State that a prohibition order should be made, the panel had to consider whether it would be an appropriate and proportionate measure, and whether it would be in the public interest to do so. Prohibition orders should not be given in order to be punitive, or to show that blame has been apportioned, although they are likely to have punitive effect.

The panel had regard to the particular public interest considerations set out in the Advice and, having done so, found a number of them to be relevant in this case, namely: the safeguarding and wellbeing of pupils, the maintenance of public confidence in the profession and declaring and upholding proper standards of conduct.

In the light of the panel's findings against Mr Jackson, which involved sexually motivated conduct towards two pupils and engaging in sexual activity with one of those pupils, there was a strong public interest consideration in respect of the safeguarding and wellbeing of pupils.

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

The panel was of the view that a strong public interest consideration in declaring proper standards of conduct in the profession was also present as the conduct found against Mr Jackson 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 Jackson in the profession. The panel decided that there was a public interest consideration in retaining the teacher in the profession in that the Witness A, regarded him as a highly effective teacher and head of department.

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 Jackson.

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 Jackson. The panel took further account of the Advice, which suggests that a prohibition order may be appropriate if certain behaviours of a teacher have been proved. In the list of such behaviours, those that were relevant in this case were:

- serious departure from the personal and professional conduct elements of the Teachers' Standards;
- misconduct seriously affecting the education and/or safeguarding and well-being of pupils, and particularly where there is a continuing risk;
- abuse of position of 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.

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 took into account that Mr Jackson has not been the subject of any previous disciplinary findings and he made some admissions to the allegations in this case. Mr Jackson did not present any evidence of his ability as an educator. Witness A reported that he was an effective and popular teacher, but the panel could not be satisfied there was evidence to say that he had made such an exceptional contribution to the education sector as to suggest there was a compelling public interest in retaining him in the profession.

The panel's findings were of extremely serious misconduct. Mr Jackson acknowledged that he had "breached and betrayed the trust that [Pupil A] had in [him] and [he] profoundly regretted the harm it has caused [Pupil A]". Mr Jackson denied that his actions in relation to Pupil B were sexually motivated. The panel was conscious that Mr Jackson's actions were deliberate and repeated over two academic years in relation to two different pupils, suggesting a pattern of behaviour. There was no evidence of Mr Jackson acting under duress.

Mr Jackson has not fully engaged with these proceedings, but in his email dated 14 June 2024, he said "*I fully accept a prohibition order as a verdict for my case*". The panel recognised that this demonstrated some insight by Mr Jackson.

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 Jackson 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 Jackson. In the view of the panel, Mr Jackson presents a serious and ongoing risk to young people. The panel did not have the opportunity to hear about the impact on Pupil B. However, the panel did hear evidence about the severe and ongoing impact of Mr

Jackson's actions on Pupil A. [REDACTED]. The impact of Mr Jackson's actions on Pupil A was also a significant factor in forming the opinion that prohibition was appropriate.

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

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

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

These include:

- serious sexual misconduct e.g. where the act was sexually motivated and resulted in, or had the potential to result in, harm to a person or persons, particularly where the individual has used their professional position to influence or exploit a person or persons;
- any sexual misconduct involving a child;

Both of these elements were strong features in this case, together with the limited insight and serious and ongoing risk of repetition as explained above. In view of this, 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.

The panel was satisfied that that the recommended approach was necessary to protect the public interest and that the impact on Mr Jackson would be proportionate.

Decision and reasons on behalf of the Secretary of State

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

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

In this case, the panel has found some of the allegations proven and found that some of those proven facts amount to unacceptable professional conduct and conduct that may bring the profession into disrepute. In this case, the panel has found some of the allegations not proven, and/or found that some allegations in part do not amount to

unacceptable professional conduct or conduct likely to bring the profession into disrepute. I have therefore put those matters entirely from my mind.

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

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

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

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

The findings of misconduct are particularly serious as they include sexually motivated conduct towards two pupils and engaging in sexual activity with one of those pupils.

I have to determine whether the imposition of a prohibition order is proportionate and in the public interest. In considering that for this case, I have considered the overall aim of a prohibition order which is to protect pupils and to maintain public confidence in the profession. I have considered the extent to which a prohibition order in this case would achieve that aim taking into account the impact that it will have on the individual teacher. I have also asked myself, whether a less intrusive measure, such as the published finding of unacceptable professional conduct or 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 Jackson, 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, "The panel noted that some of the allegations took place outside the education setting. However, the behaviour of Mr Jackson had its roots in activities in the school environment. The panel found that Mr

Jackson used his professional position to groom the pupils concerned. This conduct affected the way he fulfilled his responsibilities as a teacher, which included safeguarding pupils. This also led to the pupils being exposed to, or influenced by, the behaviour in a harmful way.” A prohibition order would therefore prevent such a risk from being present in the future.

I have also taken into account the panel’s comments on insight and remorse, which the panel sets out as follows, “Mr Jackson has not fully engaged with these proceedings, but in his email dated 14 June 2024, he said “*I fully accept a prohibition order as a verdict for my case*”. The panel recognised that this demonstrated some insight by Mr Jackson.” In my judgement, there is limited evidence of full insight or remorse, which could indicate 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 weight in reaching my decision.

I have gone on to consider the extent to which a prohibition order would maintain public confidence in the profession. The panel observe, “the panel considered that public confidence in the profession could be seriously weakened if conduct such as that found against Mr Jackson were not treated with the utmost seriousness when regulating the conduct of the profession.” I am particularly mindful of the finding of sexual misconduct in this case and the impact that such a finding has on the reputation of the profession.

I have had to consider that the public has a high expectation of professional standards of all teachers and that the public might regard a failure to impose a prohibition order as a failure to uphold those high standards. In weighing these considerations, I have had to consider the matter from the point of view of an “ordinary intelligent and well-informed citizen.”

I have considered whether the publication of a finding of unacceptable professional conduct or 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 Jackson himself and the panel comment “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 Jackson 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 Jackson in the profession. The panel decided that there was a public interest consideration in retaining the teacher in the profession in that the Witness A, regarded him as a highly effective teacher and head of department.”

A prohibition order would prevent Mr Jackson 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 level of insight or remorse. The panel has said, "The panel's findings were of extremely serious misconduct. Mr Jackson acknowledged that he had "breached and betrayed the trust that [Pupil A] had in [him] and [he] profoundly regretted the harm it has caused [Pupil A]". Mr Jackson denied that his actions in relation to Pupil B were sexually motivated. The panel was conscious that Mr Jackson's actions were deliberate and repeated over two academic years in relation to two different pupils, suggesting a pattern of behaviour. There was no evidence of Mr Jackson acting under duress."

I have also placed considerable weight on the finding of the panel that "The panel decided that the public interest considerations outweighed the interests of Mr Jackson. In the view of the panel, Mr Jackson presents a serious and ongoing risk to young people."

Although some of the allegations took place outside the education setting, Mr Jackson used his position of trust as a teacher to develop inappropriate relationships with pupils.

I have given less weight in my consideration of sanction therefore, to the contribution that Mr Jackson 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.

I have considered the panel's comments "The Advice indicates that there are certain types of case where, if relevant, the public interest will have greater relevance and weigh in favour of not offering a review period.

These include:

- serious sexual misconduct e.g. where the act was sexually motivated and resulted in, or had the potential to result in, harm to a person or persons, particularly where the individual has used their professional position to influence or exploit a person or persons;
- any sexual misconduct involving a child;

Both of these elements were strong features in this case, together with the limited insight and serious and ongoing risk of repetition as explained above. In view of this, 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.”

In this case, factors mean that allowing a review period is not sufficient to achieve the aim of maintaining public confidence in the profession. These elements are the seriousness of the findings and that Mr Jackson demonstrated limited insight.

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 Steven Jackson 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 Jackson 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 Jackson has a right of appeal to 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 'S Buxcey', with a horizontal line underneath.

Decision maker: Sarah Buxcey

Date: 19 July 2024

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