



Teaching
Regulation
Agency

Mr Daniel Hammond: Professional conduct panel outcome

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

August 2024

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

Teacher:	Mr Daniel Hammond
Teacher ref number:	1255144
Teacher date of birth:	24 January 1983
TRA reference:	0018720
Date of determination:	13 August 2024
Former employer:	St Francis Hill Primary School (“the School”), Lincolnshire County Council

Introduction

A professional conduct panel (“the panel”) of the Teaching Regulation Agency (“the TRA”) convened on 8 and 9 August 2023 by virtual means to consider the case of Mr Daniel Hammond. The hearing was adjourned and reconvened on 31 August 2023. The hearing was adjourned again and reconvened on 13 August 2024.

The panel members were Mrs Shabana Robertson (chair - lay panellist), Dr Lee Longden (former teacher panellist), and Mr Chris Major (teacher panellist).

The legal adviser to the panel was Mr Harry Taylor of Eversheds Sutherland (International) LLP solicitors.

The presenting officer for the TRA was Mr Ciju Puthupally (Counsel) of 3 Raymond Buildings instructed by Kingsley Napley LLP.

Mr Hammond was not present and was not represented throughout each hearing day.

The hearing took place in public and was recorded.

Allegations

The panel considered the allegations set out in the notice of proceedings dated 22 May 2023.

It was alleged that Mr Hammond was guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute and/or was convicted of a relevant offence in that, whilst a teacher at Sir Francis Hill Primary School:

1. On 12 March 2021 he was convicted of engaging in sexual communication with Child 1 between 1 May 2019 and 30 June 2019, contrary to section 15A(1) of the Sexual Offences Act 2003;
2. He behaved in an unsolicited and inappropriate manner towards Individual A in that:
 - (a) On 19 October 2018 he touched Individual A's bottom without her consent;
 - (b) In or around November 2018, he sent a message to Individual A, via Snapchat and said 'let's meet up and spoon/cuddle', or words to that effect;
3. In or around May 2019 he sent unwanted and inappropriate messages to Individual D, via Facebook messenger and said:
 - (a) 'lil but [sic] of a Facebook stalk';
 - (b) 'sounds a bit creepy';
 - (c) 'Random question but are you single?'
4. Between 25 May and 24 June 2019, he sent unwanted and inappropriate messages to Individual F saying:
 - (a) '... you can get your boobs out and hurt yourself as long as it isn't at the same time? Xxx';
 - (b) 'Ok, I promise I will try to keep my clothes on xxx';
 - (c) 'you have nice legs and boobs';
 - (d) 'actually had a weird dream about you the other night';
 - (e) 'we didn't go that far, heavy flirting/petting'.
5. On 22 June 2019, he sent unsolicited and inappropriate messages to Individual H via social media and said:
 - (a) 'Heard you were a good night out...';
 - (b) 'hope you are enjoying the night around me';
 - (c) 'Still have me to corrupt you though';
 - (d) 'Can stay at mine...'
6. His conduct set out in once or more of the allegations above at 1 to 5 was sexually motivated;

7. By his conduct in the paragraphs 1-5:
 - (a) Failed to observe a proper boundary appropriate to a teacher's professional position;
8. By his conduct in the paragraphs 4 and 5:
 - (a) He continued to make unsolicited and inappropriate contact with his colleagues despite being given professional advice on 11 June 2019 that all conversations with staff should be kept professional and/or work related at all times.

By a notice of referral form completed, signed and dated by Mr Hammond on 18 November 2022, Mr Hammond has, with the exception of allegations 2(a) and 6, agreed the facts from which the allegations are based and has admitted that he is guilty of unacceptable professional conduct and/or conduct that may bring the teaching profession into disrepute and/or being convicted of a relevant offence.

Preliminary applications

Decision on Excluding the Public

The panel, of its own volition, considered whether to exercise its discretion under paragraph 11 of the Teachers' Disciplinary (England) Regulations 2012 (the "Regulations") and paragraph 4.57 of the Teacher Misconduct: Disciplinary Procedures for the Teaching Profession 2018 (the "Procedures") to exclude the public from all or part of the hearing.

The panel determined to exercise its discretion under paragraph 11(3)(a) of the Regulations and the first and third bullet point of paragraph 4.57 of the Procedures that the public should be excluded from part of the hearing.

The panel took into account the general rule that hearings should be held in public and that this is generally desirable to maintain public confidence in the administration of these proceedings and also to maintain confidence in the teaching profession. On this occasion, however, the panel considered that it was reasonable to hear part of the hearing in private given concerns about confidential matters relating to the identity of Child 1 being placed in the public domain. The panel considered whether there were any steps short of excluding the public that would serve the purpose of protecting the confidentiality of Child 1's identity. The panel considered that it was only necessary to exclude the public in so far as discussions relevant to the context of the anonymised individuals set out in the allegations. The hearing bundle presented before the panel contained inconsistent anonymisation and no key or other indicators were provided to the panel. It was therefore necessary for the parties to agree how each individual within the allegations would be referred to during the hearing.

The panel also considered whether it would sufficiently protect the interests of third parties to grant anonymity to those third parties without the need to exclude the public from the hearing. The panel was not satisfied that this would be a sufficient step given the reasons mentioned above.

The panel had regard to whether holding part of the hearing in private would be contrary to the public interest. The panel is required to announce its decisions in public as to whether the facts have been proven and whether those facts amount to unacceptable professional conduct and/or conduct that may bring the profession into disrepute and/or if there has been a conviction of a relevant offence. In the event that the case continues any decision of the Secretary of State will also be in public. The panel considered that in the circumstances of this case the public interest would be satisfied by these announcements. Those public announcements will ensure that public confidence in these proceedings and in the standards of the profession are maintained.

Decision to proceed in absence

The panel considered whether this hearing should continue in the absence of Mr Hammond.

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

The panel was also satisfied that the notice of hearing complied with paragraphs 4.11 and 4.12 of the Teacher misconduct: Disciplinary procedures for the teaching profession 2018 (the "Procedures").

The panel determined to exercise its discretion under paragraph 4.29 of the Procedures to proceed with the hearing in the absence of the teacher.

The panel took as its starting point the principle from *R v Jones* that its discretion to commence a hearing in the absence of the teacher has to be exercised with the utmost care and caution, and that its discretion is a severely constrained one. In considering the question of fairness, the panel recognised that fairness to the professional was of prime importance but that it also encompassed the fair, economic, expeditious and efficient disposal of allegations against the professional, as was explained in *GMC v Adeogba & Visvardis*.

In making its decision, the panel noted that the teacher may waive his right to participate in the hearing. The panel has firstly taken account of the various factors drawn to its attention from the case of *R v Jones* [2003] 1 AC1.

- i)* The panel had regard to the nature and circumstances of the teacher absenting himself. On the face of it, this appears to be deliberate. In the teacher's response to the notice of referral, sent to him in late 2022, he requested that the allegations be considered without a hearing. He also indicated that he would not like to request that the TRA considered his case at an in-person hearing. Further, the teacher requested that the TRA communicate with him directly and that email was an acceptable method of communication. The teacher has signed the notice of referral document and has dated it on 18 November 2022. The teacher was sent the notice of hearing on 22 May 2023, more than 8 weeks prior to this hearing. The presenting officer informed the panel that the TRA had no further correspondence from the teacher since 2022. The teacher's email address had been used to access the hearing bundle made available to him via an online platform on 26 July 2023 at 18:54. The panel accepts that this email address was previously confirmed by the teacher, to the TRA's representatives, as being the correct email address for correspondence. On balance therefore, the panel believed that the teacher had been provided with the necessary documents and he had deliberately chosen not to attend the hearing. The panel therefore considered that the teacher has waived his right to be present at the hearing in the knowledge of when and where the hearing was taking place.
- ii)* The panel also considered whether an adjournment might result in the teacher attending voluntarily. For the reasons stated above, particularly the teacher's request for a hearing not to take place, the panel did not consider that an adjournment might result in the teacher attending voluntarily.
- iii)* The panel also considered whether the teacher was represented and whether there was a desire to adjourn in order for the teacher to obtain legal representation. Additionally, the panel considered the extent to which the teacher may have been disadvantaged in not being able to give his account of events. The panel noted that the teacher had responded to the case against him and that there was no witness evidence for the panel to consider. The panel also found that, on balance, the teacher would not use an adjournment to seek to obtain legal representation.
- iv)* The panel considered the extent of the disadvantage to the teacher in not being able to give his account of events, having regard to the nature of the evidence against him. The panel has the teacher's evidence addressing the allegations against him and is able to take this into account at the relevant stage. The panel has not noted any significant gaps in the documentary evidence provided to it and should such gaps arise during the course of the hearing, the panel may take such gaps into consideration in considering whether the hearing should be adjourned for such documents to become available and in considering whether

the presenting officer has discharged the burden of proof. The panel is also able to exercise vigilance in making its decision, taking into account the degree of risk of the panel reaching the wrong decision as a result of not having heard the teacher's account.

- v) The panel was provided with no evidence from the teacher as to why he was unable to attend the hearing. The panel recognised that the allegations against the teacher were serious and that there was a real risk that if proven, the panel will be required to consider whether to recommend that the teacher ought to be prohibited from teaching. However, the panel has also considered the balance of fairness in this case, which has already been delayed by a significant period of time.
- vi) The panel recognised that the efficient disposal of allegations against teachers is required to ensure the protection of pupils and to maintain public confidence in the profession. The conduct alleged is said to have taken place whilst the teacher was employed at the School, and, on balance, it was reasonable to suggest that the School is also likely to have an interest in the case proceeding.
- vii) The panel notes that there are no witnesses to be called, and therefore the effect of delay on the memories of witnesses is not a factor to be taken into consideration in this case.

The panel decided to proceed with the hearing in the absence of the teacher. The panel considered that in light of the teacher's waiver of his right to appear; by taking such measures referred to above to address that unfairness insofar as is possible; and taking account of any inconvenience that may be caused to the parties by adjourning the hearing; that on balance, these are serious allegations and the public interest in this hearing proceeding within a reasonable time was in favour of this hearing continuing.

Decision to admit late evidence

The presenting officer applied to admit one document late, namely a note of a telephone call between Individual A and the [REDACTED] of the School on 2 July 2019. This document did not appear in the hearing bundle but was provided to the panel on 8 August 2023 as a separate attachment. The document was served on the teacher by email on 25 July 2023, albeit it appears that the teacher was in receipt of a copy of this document before that date.

That document was not served in accordance with the requirements of paragraph 4.20 of the Procedures, and as such the panel was required to decide whether that document should be admitted under paragraph 4.25 of the Procedures at the discretion of the panel. The panel took into account the representations from the presenting officer. The panel

exercised caution in applying this discretion given that it determined to proceed with this hearing in the absence of the teacher.

Under paragraph 4.18 of the Procedures, the panel may admit any evidence, where it is fair to do so, which may reasonably be considered to be relevant to the case.

The panel was satisfied that the document is likely to have relevance to the case as it clarifies the allegation made by Individual A at the material time.

The central question for the panel was whether it is fair in the circumstances to allow evidence to be put forward by the presenting officer without the opportunity for the witness to be cross-examined by the teacher and/or panel. The panel enquired as to the efforts made to secure the attendance of the witnesses. On balance, the panel felt that more efforts could have been made to contact Individual A but even more so in respect of the deputy headteacher of the School. The presenting officer's explanation as to why the latter had not attended to give witness evidence was that the TRA had deemed it inefficient to do so, which the panel finds to be an unconvincing explanation. Notwithstanding the panel's disappointment in this regard, the panel also considered the admission of hearsay evidence more generally, which is addressed below.

The panel had regard to the seriousness of the allegations in this case, and that it would be open to the panel to recommend prohibition in this case if the allegations were found proven. However, the panel noted that this evidence relates to an allegation that, taken on its own was towards the less serious end of the possible spectrum. The panel also considered the importance of the evidence and whether it constituted a critical part of the evidence against the teacher. The panel noted that the evidence was of a witness on the periphery of the case, relating to a less serious allegation.

The panel also considered that the teacher has, within the bundle, provided responses to the allegations and it was clear to the panel he understood the allegation to which this late evidence relates. In the circumstances therefore, the panel decided that there were sufficient safeguards to protect the teacher against any unfairness caused by being unable to cross-examine this witness. The panel will be provided with a hearsay warning in due course, and the panel will determine what weight, if any it should attach to the evidence.

With regard to the overall question of fairness, the panel considered that it would be fair to admit the evidence. It appears that the document formed part of the School's internal investigation and, in any event, the teacher was sent a copy of the same by the TRA's representatives at an earlier date, as part of the Case to Answer documentation.

By reason of the above, the panel has decided to admit the document and this was paginated as follows: "Note of telephone call between Individual A and deputy head teacher of the School dated 2 July 2019" – page 232.

Decision regarding admission of hearsay evidence

Under paragraph 4.18 of the Procedures, the panel may admit any evidence, where it is fair to do so, which may reasonably be considered to be relevant to the case.

The presenting officer applied for the following documents to be admitted as hearsay evidence:

Bundle page number (s)	Relevant allegation
99, 210, 213, 232	2
82-86	3
97, 105-107, 109, 214, 215, 216-222, 228	4
82, 97, 118, 223-225, 227-231	5

The panel was satisfied that the documents were relevant to the case because they go to the heart of the issues for the panel to determine.

The central question for the panel was whether it was fair in the circumstances to allow evidence to be put forward by the presenting officer without the opportunity for the witness to be cross-examined by the teacher and/or panel.

The panel took account of the efforts made to secure the attendance of the witness and concluded that further efforts could have been made. In some circumstances, it appeared to the panel, based on the presenting officer's submissions, that no efforts had been made to secure the attendance of relevant witnesses (for example in the case of the deputy head teacher).

The panel had regard to the seriousness of the allegations in this case, and that it was open to the panel to recommend prohibition in this case if the allegations were found proven. However, the panel noted that some of this evidence relates to an allegation that, taken on its own was towards the less serious end of the spectrum.

The panel also considered the importance of the evidence and whether it constituted a critical part of the evidence against the teacher. The panel noted that the evidence was both of a key witness to a central allegation in this case and that which related to a less serious allegation.

In the circumstances, and on balance, the panel has decided that there were sufficient safeguards to protect the teacher against any unfairness caused by being unable to cross-

examine relevant witnesses. The panel will be provided with a hearsay warning in due course, and the panel will determine what weight, if any it should attach to the evidence.

With regard to the overall question of fairness the panel considered it would be fair to admit the evidence. Notably, the teacher has responded to the allegations against him and has provided his own evidence in response for the panel to consider.

By reason of the above, the panel has decided to admit each of the documents.

Summary of evidence

Documents

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

Section 1: Chronology, and list of key people – pages 4 and 5

Section 2: Notice of Hearing and Response to Notice of Hearing– pages 6-10

Section 3: Teaching Regulation Agency Documents – pages 11 to 201

Section 4: Teacher’s Documents – pages 202 to 232 (including the additional page as set out above)

The panel members confirmed that they had read all of the documents within the bundle, in advance of the hearing, as well as the additional page (see above) on the first day of the hearing.

On 3 August 2023 the TRA’s representatives had sent to the panel a bundle of 33 pages evidencing service of documents upon Mr Hammond (“the Service Bundle”). However, this had not been received by the panel. On the first day of the hearing, the panel received the Service Bundle. The panel had sight of the pages that it was directly taken to by the presenting officer but the panel noted that a number of the documents also appear in the hearing bundle. The panel considered the contents of the Service Bundle to the extent that it was relevant to their determination of the applications referred to above.

Witnesses

The panel heard no oral evidence as neither party relied on witness evidence and Mr Hammond did not attend the hearing.

Decision and reasons

The panel announced its decision and reasons as follows:

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

In September 2018, Mr Hammond commenced working at the School as a class teacher.

On 6 June 2019 concerns were raised by Lincoln College regarding Mr Hammond's conduct in relation to a work experience student, Individual D. On 11 June 2019 a referral was made to the Local Authority Designated Officer ("LADO"). Specifically, concerns were raised about messages Mr Hammond had sent to Individual D on social media.

On 25 June 2019 the School received separate reports from staff that they had received inappropriate messages from Mr Hammond via social media.

In or around July 2019 the School was notified that Mr Hammond had allegedly acted in an inappropriate manner towards Individual A and had also sent them an inappropriate message.

On 3 September 2019 the School was notified that Mr Hammond had allegedly sent inappropriate sexual messages to Child 1. The LADO and the Police were notified on or around the same date.

On 13 September 2019 Mr Hammond resigned from his position at the School.

Findings of fact

The findings of fact are as follows:

The panel found the following allegations proved.

It was alleged that Mr Hammond was guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute and/or was convicted of a relevant offence, in that:

Allegation 1: On 12 March 2021 he was convicted of engaging in sexual communication with Child 1 between 1 May 2019 and 30 June 2019, contrary to section 15A(1) of the Sexual Offences Act 2003;

Mr Hammond admitted this allegation in the notice of referral form. There was also a Certificate of Conviction against him dated 24 May 2021. Mr Hammond's conviction was for "engaging in sexual communication with a child". His sentence was 6 months imprisonment suspended for 24 months, with a requirement to undertake rehabilitation activity. Mr Hammond was also required to register under s.92 of the Sexual Offences Act 2003 for 7 years. The panel accepted the Certificate of Conviction as conclusive proof of both the conviction and the facts necessarily implied by the conviction.

The panel therefore found this allegation proved.

Allegation 2(b): He behaved in an unsolicited and inappropriate manner towards Individual A in that in or around November 2018, he sent a message to Individual A, via Snapchat and said 'let's meet up and spoon/cuddle', or words to that effect;

The TRA has not presented evidence of the alleged message itself. However, the panel noted that Mr Hammond responded to admit this allegation. That was consistent with Mr Hammond's response during the School's internal investigation, in which he admitted sending the message, which he stated was "him reaching out because of his home situation". The panel has had particular regard to the consistency of Mr Hammond admitting the allegation and that the panel has seen no evidence to dispute that the alleged incident occurred.

For the reasons above, the panel found this allegation proved.

Allegation 3: In or around May 2019 he sent unwanted and inappropriate messages to Individual D, via Facebook messenger and said:

- (a) 'lil but [sic] of a Facebook stalk';**
- (b) 'sounds a bit creepy';**
- (c) 'Random question but are you single?'**

The panel noted the contents of a note signed by the designated safeguarding lead for the School on 12 June 2019. It details conversations between the School, Individual D's college, the LADO, and Mr Hammond. These conversations appear to have been between the School and the respective parties individually, rather than collective conversations. Screenshots of the alleged messages are provided within the bundle. Again, the panel also noted that Mr Hammond admitted these allegations. Mr Hammond alleged that his reason for messaging Individual D and asking whether she was single, was because he had been planning a night out and wanted to see if she needed to ask someone first if she could come out. Notwithstanding that Mr Hammond did not give oral evidence, the panel was not persuaded by the explanation given by Mr Hammond in June 2019.

Individual D was [REDACTED]. They were an adult at the material time. The panel has not heard evidence on whether or not Individual D worked exclusively in Mr Hammond's class but, nonetheless, it is reasonable to believe that Mr Hammond held some degree of authority over Individual D, given their respective positions at the School.

In the interests of completeness, the panel assessed each of the allegations at 3(a-c) as being part of the same thread. Based on the evidence available to it, the panel was mindful that the messages were sent by Mr Hammond on different dates but it is the panel's view that they form part of the same conduct by Mr Hammond.

In the panel's view, it was reasonable to interpret the messages as demonstrating that Individual D did not appear to be open to further conversation with Mr Hammond, beyond anything work related. Individual D's messages were succinct and often limited to a small number of words. Further, it was the panel's view that Mr Hammond's messages did cause harm because Individual D stated that they did not wish to return to the School.

For the reasons above, the panel found this allegation proved.

Allegation 6: His conduct set out in one or more of the allegations above at 1 to 5 was sexually motivated;

The panel has had regard to the definition of 'sexual', in s.78(1)(b) of the Sexual Offences Act 2003. It is the panel's view that, on the balance of probabilities, a reasonable person would think the words found proved could be sexual as they were by their very nature sexual. The panel therefore considered whether Mr Hammond's messages were sexually motivated.

The panel therefore found Mr Hammond's conduct found proved at allegation 1 to have been sexually motivated. Mr Hammond's messages included "How's that pussy of yours today babe?", "Get me hard at school" and "I would get so done for fucking you at school [if] I worked there". It is clear to the panel that the particularly strong words used by Mr Hammond could be interpreted as nothing other than for pursuit of a future sexual relationship.

The panel did not believe that there is sufficient evidence to persuade it that the message referred to at allegation 2b was sexually motivated. There was no witness evidence for the panel to consider and copies of the message and/or surrounding conversation were not provided.

The panel had regard to the definition of 'sexual', in s.78(1)(b) of the Sexual Offences Act 2003. It is the panel's view that, on the balance of probabilities, it is unlikely that reasonable persons would think the words found proven could be sexual in these circumstances. In the panel's view, one reasonable interpretation of "spoon/cuddle" is for a cuddle with no sexual implication whatsoever. In forming this view, the panel paid due regard to the presenting officer's submissions, including directing the panel to notes of Mr Hammond's response to the respective allegation during the internal HR investigation, in July 2019. On balance, therefore, the panel considered that it was not appropriate in this case to infer sexual motivation, given the circumstances.

The panel did not find that Mr Hammond's conduct as found proven at allegation 2b was sexually motivated.

With respect to the conduct found proven at allegations 3(a), 3(b) and 3(c), the panel noted the lack of witness evidence available before it, which could have been helpful in better understanding the intentions and effect of the messages Mr Hammond sent to Individual D. Notwithstanding this point, the panel has had regard to the definition of 'sexual', in s.78(1)(b) of the Sexual Offences Act 2003. It was the panel's view that, on the balance of probabilities, it is likely that reasonable persons would think the words found proven could be sexual. In the panel's view, an inference can be drawn from the messages, specifically when Mr Hammond asks Individual D "random question but are you single?". Further, the panel considered the full screenshot of the exchange. Mr Hammond follows up his question with "That's ok. I shouldn't have asked really, plus I'm like really old lol".

In the panel's view, a reasonable person could view Mr Hammond's messages as being sexually motivated. The context of the exchange indicated that Mr Hammond was acting in pursuit of a sexual relationship. The panel therefore considered that the conduct found proved at allegations 3(a), 3(b) and 3(c) was sexually motivated.

For the avoidance of doubt, the panel did not consider allegations 2(a), 4 and 5 in the context of allegation 6 because the panel found those allegations not proved.

The panel found this allegation proved in respect of the conduct at allegations 1, 3(a), 3(b) and 3(c), but not proved in respect of the conduct at 2(b).

Allegation 7: By his conduct in the paragraphs 1-5, failed to observe a proper boundary appropriate to a teacher's professional position;

Mr Hammond admits this allegation in the notice of referral form.

Given that Mr Hammond's conviction was of engaging in sexual communication with a child, this is clearly conduct in which Mr Hammond failed to observe a proper boundary appropriate to a teacher's professional position in line with Teachers' Standards.

The panel therefore found this allegation proved in respect of his conduct at allegation 1.

With respect to the conduct found proven at allegation 2(b), the panel did not believe that there was sufficient evidence to persuade it that this message amounted to failing to observe a proper boundary appropriate to a teacher's professional position.

There is a notable lack of evidence. There was no witness evidence for the panel to consider and copies of the message and/or surrounding conversation were not provided. That being said, the panel did consider whether a reasonable person would consider Mr Hammond's message to be a contravention of his professional boundaries as a teacher. On balance, the panel was not persuaded that the reasonable person would likely think this.

The panel found this allegation proven in respect of the conduct at allegation 2(b).

With respect to the conduct found proven at allegation 3(a), 3(b) and 3(c) the panel noted the lack of witness evidence available before it, which could have been helpful in better understanding the intentions and effect of the messages Mr Hammond sent to Individual D. Notwithstanding this point, the panel considered whether Mr Hammond's message demonstrates his failure to observe a proper boundary appropriate to a teacher's professional position. In considering this, the panel was particularly concerned of the professional dynamic between Mr Hammond and Individual D at the material time. Mr Hammond was employed as a qualified teacher, whereas Individual D was a student on a work placement. The panel also considered whether the professional dynamic would have been different depending on whether or not Individual D worked in Mr Hammond's class. The panel held that it may have done, but not to a material extent. For clarity, the panel

heard no evidence on this point. In the panel's view, regardless of the class that Individual D worked in, Mr Hammond held a position of authority over Individual D. The panel also noted that harm had been caused; based on the evidence available Individual D felt sufficiently uncomfortable by Mr Hammond's actions that they reported it to their college.

For the reasons above, the panel found this allegation proved in respect of allegation 3(a), 3(b) and 3(c).

For the avoidance of doubt, the panel did not consider allegations 2(a), 4 and 5 in the context of allegation 6 because the panel found those allegations not proved.

The panel found allegation 7 proved in respect of allegations 1, 3(a), 3(b) and 3(c) but not proved in respect of allegation 2(b).

The panel found the following allegations not proved.

It was alleged that Mr Hammond was guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute and/or was convicted of a relevant offence, in that:

Allegation 2(a): He behaved in an unsolicited and inappropriate manner towards Individual A in that on 19 October 2018 he touched Individual A's bottom without her consent;

Mr Hammond indicated in the notice of referral that he disputed this allegation.

The panel was unable to hear from Mr Hammond as he did not attend to give evidence in person. Although Individual A had worked at the School previously, the panel noted that Individual A and Mr Hammond were not employed by the School at the same time. Mr Hammond's employment at the School began in September 2018, after Individual A had already left. The panel was provided with a copy of a note of a conversation held between Mr Hammond and the deputy head teacher as part of an internal investigation into allegations against Mr Hammond, in which Mr Hammond admits to touching Individual A's bottom because he "felt [she] was being very flirtatious". However, Mr Hammond denies this allegation and in Mr Hammond's response to the allegations, Mr Hammond stated that during a night out he put his arm around Individual A, in between her "lower back and bottom". The panel did not hear oral evidence from Individual A, Mr Hammond or the deputy head teacher. The key evidence in support of the allegation is the note written by the deputy head teacher admitted as late evidence, of a conversation she had with Individual A, some 8 months after the alleged incidents. As the panel had not had an opportunity to test this evidence in cross examination, and the document had not been signed or otherwise verified by Individual A as a true account, it decided to attach little weight to it.

For the reasons set out above, the panel found this allegation not proved.

Allegation 4: Between 25 May and 24 June 2019, he sent unwanted and inappropriate messages to Individual F saying:

(a) ‘... you can get your boobs out and hurt yourself as long as it isn’t at the same time? Xxxx’;

(b) ‘Ok, I promise I will try to keep my clothes on xxx’

The panel considered that the allegations within allegation 4 could be properly grouped as 4(a) and 4(b) together, and 4(c) – 4(e), based on the context and recipients of the messages.

The panel was satisfied based on the evidence available that Mr Hammond sent the aforementioned messages to Individual F. The panel saw the internal investigation notes of an interview with Individual F. The panel also considered the evidence provided by Mr Hammond with respect to these allegations. Having considered the evidence, it was clear to the panel that the full context of the messages was not included within the allegations put to Mr Hammond. Without having heard oral evidence, the panel was unable to explore whether the messages Mr Hammond sent to Individual F were unwanted. On balance, from the evidence available, the panel’s view was that the messages formed part of a group chat involving several staff, in which there was a culture of conversing in an inappropriate manner for professional colleagues. It was, in fact, Individual F that initiated the respective conversation topic by stating “as long as I don’t run anywhere with my boobs out or hurt myself”.

The panel’s view was that whilst the messages within this allegation were clearly inappropriate, there was insufficient evidence presented to support an allegation that they were unwanted.

For the reasons above, the panel found that these allegations are not proved.

(c) ‘you have nice legs and boobs’;

(d) ‘actually had a weird dream about you the other night’;

(e) ‘we didn’t go that far, heavy flirting/petting’.

The panel considered the internal investigation notes signed by the School’s designated safeguarding lead and Individual F on 26 and 27 June 2019; screenshots of messages between Mr Hammond and Individual F; Mr Hammond’s responses to the notice of referral; and evidence provided by Mr Hammond.

The comments were indicative of inappropriate conduct, in the panel’s opinion. However, the panel was more swayed by the tone of the relationship between Mr Hammond and Individual F, which was evident when looking at the group message (as referred to in the panel’s considerations of allegations 4(a)-4(b)).

In response to the allegations, Mr Hammond provided more screenshots of the respective online conversation. The panel was assisted by the full context of the relevant

conversation, which these pages provided. The panel also heard no evidence to suggest that these screenshots were disputed and the panel therefore accepted them as they appear in the bundle.

The panel noted that Individual F tells Mr Hammond that [they are not cross with Mr Hammond because he'll] "know if [they are] not happy". In the next message from Individual F, Individual F agrees to continue to be Mr Hammond's 'drinking buddy', indicating that their friendship has not been harmed by the communications. As such, it was the panel's view that the messages were inappropriate but it was reasonable to form the view that they were not unwanted.

For the reasons above, the panel finds that this allegation is not proved.

Allegation 5: On 22 June 2019, he sent unsolicited and inappropriate messages to Individual H via social media and said:

- (a) 'Heard you were a good night out...';**
- (b) 'hope you are enjoying the night around me';**
- (c) 'Still have me to corrupt you though';**
- (d) 'Can stay at mine...'**

Similarly to the above, the panel had regard to a note of Mr Hammond's response to the allegations put to him during the School's internal investigation. This, coupled with Mr Hammond's responses to the allegations before the panel, satisfied the panel that Mr Hammond did send the alleged messages to Individual H. Mr Hammond stated that the messages were not intended to be inappropriate. The panel also attached weight to the screenshots Mr Hammond has provided. These documents give the full context to the messages. The panel was of the view that Mr Hammond and Individual H were mutually engaged in a conversation via social media messaging. The conversation included reference to a staff night out that had been or was being planned at the time. It is unfortunate that no witness evidence from participants in the messages, other than Mr Hammond, was presented to the panel. This may have shed more light on the messages.

Based on the evidence that was presented to the panel, the panel was satisfied that the messages were not unsolicited and inappropriate.

For the reasons above, the panel found this allegation not proved.

Allegation 8: By his conduct in the paragraphs 4 and 5, he continued to make unsolicited and inappropriate contact with his colleagues despite being given professional advice on 11 June 2019 that all conversations with staff should be kept professional and/or work related at all times.

The panel considered that allegations 4 and 5 were not proved and therefore allegation 8 is also not proved.

Findings as to unacceptable professional conduct and/or conduct that may bring the profession into disrepute and/or conviction of a relevant offence.

Having found some 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 and/or whether Mr Hammond was convicted of a relevant offence.

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

The panel was satisfied that the conduct of Mr Hammond, in relation to the facts found proved, involved breaches of the Teachers’ Standards. The panel considered that, by reference to Part 2, Mr Hammond 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
 - o treating pupils with dignity, building relationships rooted in mutual respect, and at all times observing proper boundaries appropriate to a teacher’s professional position;
 - o having regard for the need to safeguard pupils’ well-being, in accordance with statutory provisions;
 - o showing tolerance of and respect for the rights of others.
- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach, and maintain high standards in their own attendance and punctuality.
- Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities.

The panel found that Mr Hammond had breached his overriding responsibility to safeguard the welfare of children, as set out in Part 1 of Keeping Children Safe in Education (2018) (“KCSIE”), in respect of the conduct found proven at allegation 1.

The panel was satisfied that the conduct of Mr Hammond fell significantly short of the standard of behaviour expected of a teacher.

The panel also considered whether Mr Hammond’s conduct displayed behaviours associated with any of the offences in the list that begins on page 12 of the Advice.

The panel found that the offence of sexual communication with a child was relevant.

The Advice indicates that were 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 noted that the advice is not intended to be exhaustive and there may be other behaviours that panels consider to be "unacceptable professional conduct". In this case the panel consider, in relation to allegations 1, 2(b), 3 and 6 that Mr Hammond's behaviour was a:

- serious departure from the personal and professional conduct elements of the Teachers' Standards;
- the commission of a serious criminal offence (in respect of allegation 1 and the respective element of allegation 6 only);
- abuse of position or trust (in respect of allegation 3 and the respective element of allegation 6 only);
- sexual misconduct to the extent that the panel found that the respective conduct was sexually motivated;
- 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).

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

The panel went on to consider whether Mr Hammond was guilty of bringing the profession into disrepute.

The panel took into account the way the teaching profession is viewed by others, the responsibilities and duties of teachers in relation to the safeguarding and welfare of pupils and 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.

In considering the issue of disrepute, the panel also considered whether Mr Hammond's conduct displayed behaviours associated with any of the offences in the list that begins on page 12 of the Advice.

The panel found that the offence of sexual communication with a child was relevant.

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 conduct that may bring the profession into disrepute.

The panel noted that the advice is not intended to be exhaustive and there may be other behaviours that panels consider to be “conduct that may bring the profession into disrepute”. In this case the panel consider, in relation to allegations 1, 2(b), 3 and 6 that Mr Hammond’s behaviour was a:

- serious departure from the personal and professional conduct elements of the Teachers’ Standards;
- the commission of a serious criminal offence (in respect of allegation 1 and the respective element of allegation 6 only);
- abuse of position or trust (in respect of allegation 3 and the respective element of allegation 6 only);
- sexual misconduct to the extent that the panel found that the respective conduct was sexually motivated;
- 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).

The panel considered that Mr Hammond’s conduct could potentially damage the public’s perception of a teacher.

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

Having found the facts of particulars 1, 2(b), 3 and 6 proved, the panel further found that Mr Hammond’s conduct amounted to a conviction of a relevant offence, unacceptable professional conduct and conduct that may bring the profession into disrepute.

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

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

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

The panel noted that Mr Hammond's actions were relevant to teaching, working with children and/or working in an education setting. In relation to allegation 1, as set out above, in his message to Child 1, Mr Hammond said "I would so get done for fucking you at school", clearly in reference to him being a teacher. Additionally, in relation to allegation 3, in the panel's view Mr Hammond abused his working relationship with an [REDACTED], working in the School at the material time.

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

This was a case concerning a conviction involving sexual communication with a child.

The Advice indicates that a conviction for any offence that relates to or involves such offences is likely to be considered "a relevant offence".

The panel also found that the seriousness of the offending behaviour that led to the conviction was relevant to Mr Hammond's fitness to be a teacher. The panel considered that a finding that this conviction was for a relevant offence was necessary to reaffirm clear standards of conduct so as to maintain public confidence in the teaching profession.

Panel's recommendation to the Secretary of State

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

In considering whether to recommend to the Secretary of State that a prohibition order is appropriate, the panel had to consider the public interest, the seriousness of the behaviour and any mitigation offered by Mr Hammond and whether a prohibition order is necessary and proportionate. Prohibition orders should not be given in order to be punitive, or to show that blame has been apportioned, although they are likely to have punitive effect.

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

The panel found that there was a strong public interest consideration in respect of the safeguarding and wellbeing of pupils, given the serious findings of inappropriate relationships with children.

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

The panel was not provided with any evidence to illustrate Mr Hammond's ability as an educator and, in any event, the panel considered that the adverse public interest considerations above outweigh any interest in retaining Mr Hammond in the profession, since his behaviour fundamentally breached the standard of conduct expected of a teacher, and he sought to exploit his position of trust.

The panel considered carefully the seriousness of the behaviour, noting that the Advice states that the expectation of both the public and pupils, is that members of the teaching profession maintain an exemplary level of integrity and ethical standards at all times. The panel noted that a teacher's behaviour that seeks to exploit their position of trust should be viewed very seriously in terms of its potential influence on pupils and be seen as a possible threat to the public interest.

The panel took further account of the Advice, which suggests that a panel will likely consider a teacher's behaviour to be incompatible with being a teacher if there is evidence of one or more of the factors that begin on page 15. In the list of such factors, those that were relevant in this case were:

- serious departure from the personal and professional conduct elements of the Teachers' Standards;
- the commission of a serious criminal offence, including those that resulted in a conviction or caution, paying particular attention to offences that are "relevant matters" for the purposes of the Police Act 1997 and criminal record disclosure;
- misconduct seriously affecting the education and/or safeguarding and well-being of pupils, and particularly where there is a continuing risk;
- abuse of position or trust (particularly involving vulnerable pupils)
- sexual misconduct, for example, involving actions that were sexually motivated or of a sexual nature and/or that use or exploit the trust, knowledge or influence derived from the individual's professional position;
- failure in their duty of care towards a child, including exposing a child to risk or failing to promote the safety and welfare of the children (as set out in Part 1 of KCSIE).

Even though some of the behaviour found proved in this case indicated that a prohibition order would be appropriate, taking account of the public interest and the seriousness of the behaviour and the likely harm to the public interest were the teacher be allowed to continue to teach, the panel went on to consider the mitigation offered by the teacher.

There was evidence that Mr Hammond's actions were deliberate.

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

There were no character statements in the hearing bundle for the panel to consider and the panel has seen no evidence demonstrating Mr Hammond's previously good history or that he contributed significantly to the education sector. The panel was therefore unable to determine whether the incidents were out of character but the panel did acknowledge the presenting officer's submissions that the founded allegations demonstrated a pattern of misjudged behaviour, albeit during a difficult period in Mr Hammond's life.

The panel also noted that Mr Hammond referred to having difficult personal circumstances at the time of the allegations, particularly in respect of the incident which led to him being convicted. However, the panel was not persuaded that this was sufficient mitigation for Mr Hammond's actions. The panel's view was supported by there being no evidence to show any level of insight, remorse or understanding of the harm that had been caused by his actions. [REDACTED]. He was also aware that the person he was speaking to was a child at the material time.

Proportionality

The panel first considered whether it would be proportionate to conclude this case with no recommendation of prohibition, considering whether the publication of the findings made by the panel would be sufficient.

The panel was of the view that, applying the standard of the ordinary intelligent citizen, it would not be a proportionate and appropriate response to recommend no prohibition order. Recommending that the publication of adverse findings would be sufficient would unacceptably compromise the public interest considerations present in this case, despite the severity of the consequences for Mr Hammond 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 Hammond. The graphic and explicit messages that Mr Hammond had sent to Child 1, which led to him being convicted of a relevant offence, were significant factors in forming that opinion. Accordingly, the panel made a recommendation to the Secretary of State that a prohibition order should be imposed with immediate effect.

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

The Advice indicates that there are cases involving certain conduct where it is likely that the public interest will have greater relevance and weigh in favour of not offering a review period. One of these cases include any sexual misconduct involving a child. Mr Hammond was convicted for engaging in sexual communications with a child, notably including particularly explicit messages. The other allegations that the panel found proven demonstrated repeated misjudgements of a cognate kind, which further support the likelihood that the public interest has greater relevance here and weighs in favour of not offering a review period.

As set out above, the panel did not find that Mr Hammond has demonstrated any degree of remorse, nor a high level of insight into his actions and the consequences they had or could have had on other persons. There was also no evidence to reassure the panel that Mr Hammond would not repeat this behaviour, or behaviour similar to that displayed in the incidents found proven.

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

Decision and reasons on behalf of the Secretary of State

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

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

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

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

In particular, the panel has found that Mr Hammond 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
 - o treating pupils with dignity, building relationships rooted in mutual respect, and at all times observing proper boundaries appropriate to a teacher's professional position;
 - o having regard for the need to safeguard pupils' well-being, in accordance with statutory provisions;
 - o showing tolerance of and respect for the rights of others.
- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach, and maintain high standards in their own attendance and punctuality.
- Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities.

The panel was satisfied that the conduct of Mr Hammond, involved breaches of the responsibilities and duties set out in statutory guidance Keeping children safe in education (KCSIE) and/or involved breaches of Working Together to Safeguard Children.

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

The findings of misconduct are particularly serious as they include a finding of a conviction of engaging in sexual communication with a child.

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, or a relevant conviction, would itself be sufficient to achieve the overall aim. I have to consider whether the consequences of such a publication are themselves sufficient. I have considered therefore whether or not prohibiting Mr Hammond, 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 "that there was a strong public interest consideration in respect of the safeguarding and wellbeing of pupils, given the serious

findings of inappropriate relationships with children.” 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, “The panel also noted that Mr Hammond referred to having difficult personal circumstances at the time of the allegations, particularly in respect of the incident which led to him being convicted. However, the panel was not persuaded that this was sufficient mitigation for Mr Hammond’s actions. The panel’s view was supported by there being no evidence to show any level of insight, remorse or understanding of the harm that had been caused by his actions.” In my judgement, the lack of insight and remorse means that there is some risk of the repetition of this behaviour and this puts at risk the future wellbeing of pupils. I have therefore given this element considerable weight in reaching my decision.

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

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

I have considered whether the publication of a finding of unacceptable professional conduct or conduct likely to bring the profession into disrepute, or a relevant conviction, in the absence of a prohibition order, can itself be regarded by such a person as being a proportionate response to the misconduct that has been found proven in this case.

I have also considered the impact of a prohibition order on Mr Hammond himself and the panel comment “There were no character statements in the hearing bundle for the panel to consider and the panel has seen no evidence demonstrating Mr Hammond’s previously good history or that he contributed significantly to the education sector. The panel was therefore unable to determine whether the incidents were out of character but the panel did acknowledge the presenting officer’s submissions that the founded allegations demonstrated a pattern of misjudged behaviour, albeit during a difficult period in Mr Hammond’s life.”

A prohibition order would prevent Mr Hammond 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 panel was not provided with any evidence to illustrate Mr Hammond's ability as an educator and, in any event, the panel considered that the adverse public interest considerations above outweigh any interest in retaining Mr Hammond in the profession, since his behaviour fundamentally breached the standard of conduct expected of a teacher, and he sought to exploit his position of trust."

I have also placed considerable weight on the following "The panel decided that the public interest considerations outweighed the interests of Mr Hammond. The graphic and explicit messages that Mr Hammond had sent to Child 1, which led to him being convicted of a relevant offence, were significant factors in forming that opinion."

I have given less weight in my consideration of sanction therefore, to the contribution that Mr Hammond has made to the profession. In my view, it is necessary to impose a prohibition order in order to maintain public confidence in the profession. A published decision, in light of the circumstances in this case, that is not backed up by remorse or insight, does not in my view satisfy the public interest requirement concerning public confidence in the profession.

For these reasons, I have concluded that a prohibition order is proportionate and in the public interest in order to achieve the intended aims of a prohibition order.

I have gone on to consider the matter of a review period. In this case, the panel has recommended that no provision should be made for a review period.

I have considered the panel's comments "The Advice indicates that there are cases involving certain conduct where it is likely that the public interest will have greater relevance and weigh in favour of not offering a review period. One of these cases include any sexual misconduct involving a child. Mr Hammond was convicted for engaging in sexual communications with a child, notably including particularly explicit messages. The other allegations that the panel found proven demonstrated repeated misjudgements of a cognate kind, which further support the likelihood that the public interest has greater relevance here and weighs in favour of not offering 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 the lack of either insight or remorse.

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

This means that Mr Daniel Hammond 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 Hammond 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 Hammond has a right of appeal to the King's Bench Division of the High Court within 28 days from the date he is given notice of this order.

A handwritten signature in black ink, appearing to read 'S Buxcey', with a horizontal line underneath.

Decision maker: Sarah Buxcey

Date: 14 August 2024

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