



Teaching  
Regulation  
Agency

# **Mr Andrew Stephen Morris: Professional conduct panel meeting outcome**

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

**October 2024**

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

**Teacher:** Mr Andrew Stephen Morris

**Teacher ref number:** 3761127

**Teacher date of birth:** 03 July 1979

**TRA reference:** 20403

**Date of determination:** 04 October 2024

**Former employer:** Brambletye School, West Sussex

### **Introduction**

A professional conduct panel (“the panel”) of the Teaching Regulation Agency (“the TRA”) convened virtually on 4 October 2024, to consider the case of Mr Andrew Stephen Morris (“Mr Morris”).

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

The legal adviser to the panel was Mrs Carly Hagedorn of Eversheds Sutherland (International) LLP solicitors.

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

The meeting took place in private.

## **Allegations**

The panel considered the allegation set out in the notice of meeting dated 18 July 2024.

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

1. On 12 August 2021 at West Sussex Magistrates Court he was convicted of making indecent photographs or pseudo-photographs of children contrary to s.1 of the Protection of Children Act 1978.

Mr Morris admitted the facts of this allegation and that he has been convicted of a relevant offence.

## **Preliminary applications**

There were no preliminary applications.

## **Summary of evidence**

### **Documents**

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

Section 1: Chronology and List of Key People – pages 3 to 5

Section 2: Notice of Referral, response and Notice of Meeting – pages 6 to 9

Section 3: Statement of Agreed Facts and Presenting Officer Representations – pages 10 to 14

Section 4: Teaching Regulation Agency Documents – pages 15 to 58

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

### **Statement of agreed facts**

The panel considered a statement of agreed facts which was signed by Mr Morris on 3 April 2024.

## **Decision and reasons**

The panel announced its decision and reasons as follows:

The panel carefully considered the case and reached a decision.

In advance of the meeting, the TRA agreed to a request from Mr Morris for the allegation to be considered without a hearing. The panel had the ability to direct that the case be considered at a hearing if required in the interests of justice or in the public interest. The panel did not determine that such a direction was necessary or appropriate in this case.

Mr Morris was employed as the deputy head teacher of Brambletye School (the "School") between 1 September 2017 and 1 April 2021.

The police received information that on 17 July 2019, that a user of a website had uploaded a Category C indecent image of a child. The Police were able to identify Mr Morris as the user and he was arrested on 21 April 2020 on suspicion of possession of indecent images of children.

Mr Morris' computer and phone were seized by the police. He was released on bail and suspended by the School. Subsequently, Mr Morris ceased employment at the School.

Mr Morris appeared at West Sussex Magistrates Court on 12 August 2021, where he pleaded guilty to one offence under s.1 of the Protection of Children Act 1978.

On 20 October 2021, Mr Morris was sentenced at the Magistrates Court to an 18 month community order. He was required to be registered on the sex offenders' register for 5 years from 12 August 2021.

## **Findings of fact**

The findings of fact are as follows:

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

**1. On 12 August 2021 at West Sussex Magistrates Court you were convicted of making indecent photographs or pseudo-photographs of children contrary to s.1 of the Protection of Children Act 1978.**

The panel was provided with a Certificate of Conviction confirming that Mr Morris was convicted of the alleged offence on 12 August 2021, after pleading guilty to the offence. On 20 October 2021, Mr Morris was sentenced to an 18 month Community Order with requirements to complete 120 hours of unpaid work and up to 40 days of a Rehabilitation Activity Requirement. He was also required to sign the Sex Offender's Register for 5 years from 12 August 2021.

The panel accepted the Certificate of Conviction as conclusive proof of the conviction. The Police National Computer ("PNC") print contained in the bundle also confirmed Mr Morris' conviction of the above offence.

In a statement of agreed facts Mr Morris admitted that on 17 July 2019 at East Grinstead he made indecent photographs or pseudo-photographs of children contrary to s.1 of the Protection of Children Act 1978.

The panel found allegation 1 proved.

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

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

The panel was satisfied that the conduct of Mr Morris, in relation to the facts it found proved, involved breaches of the Teachers' Standards. The panel considered that by reference to Part 2, Mr Morris 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
  - showing tolerance of and respect for the rights of others
  - not undermining fundamental British values, including ..., the rule of law...
- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach...
- Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities.

The panel noted that Mr Morris' actions were relevant to teaching, working with children and working in an education setting because the conviction related to the making of indecent images of children which resulted in Mr Morris being on the Sex Offender's Register for five years.

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

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

This was a case concerning an offence involving viewing, taking, making, possessing, distributing or publishing any indecent photograph or image or indecent pseudo

photograph or image of a child, or permitting any such activity, including one-off incidents.

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

The panel noted that Mr Morris’s behaviour did not lead to a sentence of imprisonment, which was indicative that the offence was at the less serious end of the possible spectrum. However, the panel noted that Mr Morris was in a senior position at the School as deputy head. The panel noted that in the Certificate of Conviction it referred to the fact the offence was ‘*low level*’ and there was ‘*no further offending*’.

The panel considered the fact Mr Morris pleaded guilty and the photograph relevant to the conviction did not involve any pupils in his care. It also noted that during his police interview he made reference to [REDACTED] and that he would [REDACTED]. Furthermore, at the end of his police interview, Mr Morris referred to the ‘*excellent care and support*’ he has received from his [REDACTED]. The panel had no sight of any supportive [REDACTED] evidence.

The panel found that the seriousness of the offending behaviour that led to the conviction outweighed the mitigation referred to above and was relevant to Mr Morris’s suitability 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 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 Morris 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 a punitive effect.

The panel had regard to the particular public interest considerations set out in the Advice and, having done so, found a number of them to be relevant in this case, namely:

- the safeguarding and wellbeing of pupils;
- the protection of other members of the public;
- the maintenance of public confidence in the profession; and

- declaring and upholding proper standards of conduct.

There was a strong public interest consideration in respect of the safeguarding and wellbeing of pupils and the protection of other members of the public, given the serious findings involving a conviction for making indecent images of children.

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

There was no evidence before the panel of Mr Morris's ability as an educator and in any event, the panel considered that the adverse public interest considerations above outweighed any interest in retaining Mr Morris in the profession.

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 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 safeguarding and well-being of pupils, and particularly where there is a continuing risk;
- any activity involving viewing, taking, making, possessing, distributing or publishing any indecent photograph or image or indecent pseudo photograph or image of a child, or permitting such activity, including one-off incidents.

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 whether there were mitigating circumstances.



The panel determined that Mr Morris's actions were deliberate. There was no evidence that Mr Morris was acting under extreme duress, e.g. a physical threat or significant intimidation.

There was no evidence before the panel that Mr Morris had demonstrated exceptionally high standards in his professional conduct or of having contributed significantly to the education sector.

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 Morris 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 Morris. The conviction of making indecent photographs of children contrary to s.1 of the Protection of Children Act 1978, (which the panel found to be a conviction of a relevant offence) was a significant factor in forming that opinion. Accordingly, the panel made a recommendation to the Secretary of State that a prohibition order should be imposed with immediate effect.

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

The Advice indicates that there are cases involving certain conduct where it is likely that the public interest will have greater relevance and weigh in favour of not offering a review period. One of these cases includes any activity involving viewing, taking, making, possessing, distributing or publishing any indecent photograph or image or indecent pseudo photograph or image of a child, including one off incidents.

The panel found that Mr Morris was responsible for such conduct.

The panel was unable to independently assess Mr Morris' insight or remorse as he did not provide written representations. However, the panel did note that at the end of his police interview Mr Morris only referred to the '*devastating impact on [his] family*' and did not acknowledge the effect on the subject of the images in question or the impact on the School. Furthermore, Mr Morris will be on the Sex Offenders' Register for approximately the next 2 years. The panel noted the Mr Morris was a senior member of staff, with a

great deal of responsibility, being the deputy head teacher of the School. The panel was of the view that Mr Morris completely failed in his duty to protect public trust and confidence in the profession by his serious and illegal misconduct which was relevant to being a teacher.

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 provision 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 the allegations proven and found that those proven facts amount to a relevant conviction.

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

In particular, the panel has found that Mr Morris 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
  - showing tolerance of and respect for the rights of others
  - not undermining fundamental British values, including ..., the rule of law...
- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach...
- Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities.

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

The findings of misconduct are particularly serious as they include a finding of a relevant conviction for making indecent images of children.

I have to determine whether the imposition of a prohibition order is proportionate and in the public interest. In considering that for this case, I have considered the overall aim of a prohibition order which is to protect pupils and to maintain public confidence in the profession. I have considered the extent to which a prohibition order in this case would achieve that aim taking into account the impact that it will have on the individual teacher. I have also asked myself, whether a less intrusive measure, such as the published finding of a relevant conviction, would itself be sufficient to achieve the overall aim. I have to consider whether the consequences of such a publication are themselves sufficient. I have considered therefore whether or not prohibiting Mr Morris, and the impact that will have on the teacher, is proportionate and in the public interest.

In this case, I have considered the extent to which a prohibition order would protect children/safeguard pupils. The panel has observed, "There was a strong public interest consideration in respect of the safeguarding and wellbeing of pupils and the protection of other members of the public, given the serious findings involving a conviction for making indecent images of 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 was unable to independently assess Mr Morris' insight or remorse as he did not provide written representations. However, the panel did note that at the end of his police interview Mr Morris only referred to the '*devastating impact on [his] family*' and did not acknowledge the effect on the subject of the images in question or the impact on the School". In my judgement, the lack of full insight or 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 also took account of the way the teaching profession is viewed by others. The panel considered that Mr Morris's behaviour in committing the offence would be likely to affect public confidence in the teaching profession, if Mr Morris was allowed to continue teaching." I am particularly mindful of the finding of a conviction for making indecent images of children in this case and the impact that such a finding has on the reputation of the profession.

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

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

I have also considered the impact of a prohibition order on Mr Morris himself and the panel comment “There was no evidence before the panel that Mr Morris had demonstrated exceptionally high standards in his professional conduct or of having contributed significantly to the education sector.”

A prohibition order would prevent Mr Morris 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 decided that the public interest considerations outweighed the interests of Mr Morris. The conviction of making indecent photographs of children contrary to s.1 of the Protection of Children Act 1978, (which the panel found to be a conviction of a relevant offence) was a significant factor in forming that opinion.”

I have also placed considerable weight on the finding of the panel that “Mr Morris will be on the Sex Offenders’ Register for approximately the next 2 years. The panel noted the Mr Morris was a senior member of staff, with a great deal of responsibility, being the deputy head teacher of the School. The panel was of the view that Mr Morris completely failed in his duty to protect public trust and confidence in the profession by his serious and illegal misconduct which was relevant to being a teacher.”

I have given less weight in my consideration of sanction therefore, to the contribution that Mr Morris 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 full 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 includes any activity involving viewing, taking, making, possessing, distributing or publishing any indecent photograph or image or indecent pseudo photograph or image of a child, including one off incidents.” The panel has also said it decided the findings indicated a situation in which a review period would not be appropriate.

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 full 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 Andrew Stephen Morris 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 Morris 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 Morris 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 'SABuxcey', with a horizontal line underneath.

**Decision maker: Sarah Buxcey**

**Date: 7 October 2024**

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