



Teaching  
Regulation  
Agency

# **Mr Sean Rainforth: Professional conduct panel meeting outcome**

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

**November 2024**

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

<b>Teacher:</b>	Mr Sean Rainforth
<b>Teacher ref number:</b>	08/54318
<b>Teacher date of birth:</b>	09 June 1987
<b>TRA reference:</b>	20532
<b>Date of determination:</b>	8 November 2024
<b>Former employer:</b>	Priory School, Hertfordshire

### **Introduction**

A professional conduct panel (“the panel”) of the Teaching Regulation Agency (“the TRA”) convened virtually via Microsoft Teams on 8 November 2024 to consider the case of Mr Sean Rainforth.

The panel members were Mr Neil Hillman (teacher panellist – in the chair), Ms Janette McCormick (lay panellist) and Ms Aruna Sharma (teacher panellist).

The legal adviser to the panel was Mr Delme Griffiths of Blake Morgan 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 Rainforth that the allegations be considered without a hearing.

Mr Rainforth provided a signed statement of agreed facts and admitted that he had received a conviction of a relevant offence.

The panel considered the case at a meeting without the attendance of a presenting officer, Mr Rainforth or any representative.

The meeting took place in private.

## **Allegations**

The panel considered the allegations set out in the notice of meeting dated 16 August 2024.

It was alleged that Mr Rainforth was guilty of having been convicted of a relevant offence, namely for:

1. *3 convictions of making indecent photographs or pseudo-photographs of children contrary of the protection of children act 1978; and*
2. *1 conviction of possession of extreme pornographic images – of intercourse/oral sex with dead/alive animal contrary to the criminal justice and immigration act 2008.*

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

## **Preliminary applications**

There were no preliminary applications.

## **Summary of evidence**

### **Documents**

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

Section 1: Chronology and list of key people – pages 3 to 4

Section 2: Notice of referral, response and notice of meeting – pages 5 to 21a

Section 3: Statement of agreed facts – pages 22 to 24

Section 4: Teaching Regulation Agency documents – pages 25 to 115

Section 5: Teacher documents – page 116

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 Rainforth on 10 July 2024.

## Decision and reasons

The panel carefully considered the case and reached a decision.

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

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

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

Mr Rainforth was previously employed as a lead practitioner in teaching and learning at the Priory School (“the School”). He commenced work at the School in August 2017.

In September 2019, was seconded into the School’s Senior Leadership Team as an associate assistant headteacher.

On 1 July 2020, the police attended Mr Rainforth’s home to execute a warrant for his arrest following the receipt of evidence that indicated a Category A image had been uploaded to an account from an IP address identified as belonging to him.

Mr Rainforth reported the matter to the School that same date and a LADO referral was made.

On 20 August 2020, Mr Rainforth was formally suspended from duties.

The police investigation continued into August 2021. On 9 August 2021, Mr Rainforth was notified by the police at a voluntary interview that it had found 43 Category A, B and C images on one or more devices belonging to him.

On 16 August 2021, Mr Rainforth tendered his resignation to the School. He was referred to the TRA on 26 January 2022.

On 11 March 2022, Mr Rainforth was convicted of the offences specified in the notice of meeting in the West and Central Magistrates’ Court.

## Findings of fact

The findings of fact are as follows:

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

**You have been convicted of a relevant offence being:**

1. **3 convictions of making indecent photographs or pseudo-photographs of children contrary of the protection of children act 1978; and**
2. **1 conviction of possession of extreme pornographic images – of intercourse/oral sex with dead/alive animal contrary to the criminal justice and immigration act 2008**

The panel considered allegations 1 and 2 together.

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

The panel was also presented with a certificate of conviction from St Albans Crown Court and his PNC record, confirming that Mr Rainforth was convicted, on 11 April 2022, of each of the offences particularised in allegations 1 and 2, contrary to section 1(a) of the Protection of Children Act 1978 and section 63(1)(7)(d) of the Criminal Justice and Immigration Act 2008 respectively.

He was sentenced to:

- a. A community order for 2 years;
- b. A forfeiture and destruction order in relation to a laptop computer;
- c. A sexual harm prevention order for 5 years; and
- d. Be placed on the Barring List and Sex Offenders register for 5 years.

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

In light of this and Mr Rainforth's admissions, it found allegations 1 and 2 proved.

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

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

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 Rainforth in relation to the facts it found proved involved breaches of the Teachers' Standards. The panel considered that by reference to Part 2, Mr Rainforth 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 ...
- 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.

This was also a case involving an offence of any activity involving viewing, making or possessing any indecent photograph or image or pseudo photograph or image of a child, which would include one off incidents, which the Advice states is likely to be considered a relevant offence.

Over and above these matters, the panel determined that Mr Rainforth's actions were clearly relevant to working with children and working in an education setting. Each of these offences was serious in nature and three related to children, although it is important to record that there was no link with Mr Rainforth's former employer.

The panel also took account of the way the teaching profession is viewed by others. Mr Rainforth was in a position of trust and responsibility and in a senior position at the School. He was also a role model. The panel considered that Mr Rainforth's behaviour in committing these offences would undoubtedly affect public confidence in the teaching profession, particularly given the influence that teachers may have on pupils, parents and others in the community.

Mr Rainforth's behaviour ultimately led to a sentence that included a sexual harm prevention order and his inclusion on the sex offenders register, which demonstrated the public and child protection issues engaged by his actions.

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

In conclusion and for all these reasons, the panel found that the seriousness of the offending behaviour that led to the conviction was directly relevant to Mr Rainforth's ongoing suitability to teach. The panel considered that a finding that this conviction was for relevant offences was necessary to reaffirm clear standards of conduct so as to maintain public confidence in the teaching profession.

## **Panel's recommendation to the Secretary of State**

Given the panel's findings in respect of a conviction of relevant offences, it was necessary for the panel to go on to consider whether it would be appropriate to recommend the imposition of a prohibition order by the Secretary of State.

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

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

- the safeguarding and wellbeing of pupils and other members of the public;
- the maintenance of public confidence in the profession; and
- declaring and upholding proper standards of conduct.

In the light of the nature of the offences for which Mr Rainforth was convicted, there was a strong public interest consideration in respect of the safeguarding and wellbeing of pupils and other members of the public.

The panel also considered that public confidence in the profession would be seriously weakened if conduct such as that found against Mr Rainforth was not treated with the utmost seriousness when regulating the profession. This was conduct that was extremely serious.

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

Whilst no doubt had been cast upon Mr Rainforth's abilities as an educator, and he had reached a senior position at the School, given the nature of the allegations in this case the panel concluded there was not a strong public interest consideration in retaining him in the profession. Mr Rainforth had expressly confirmed that he had no desire to return to teaching.

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

In carrying out the balancing exercise, the panel had regard to the public interest considerations both in favour of, and against, prohibition as well as the interests of Mr Rainforth. The panel took further account of the Advice, which suggests that a prohibition order may be appropriate if certain behaviours of a teacher have been proved.

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

- serious departure from the personal and professional conduct elements of the Teachers' Standards;



- the commission of a serious criminal offence, including those that resulted in a conviction or caution, paying particular attention to offences that are ‘relevant matters’ for the purposes of the Police Act 1997 and criminal record disclosures;
- 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, the panel went on to consider the mitigating factors. Mitigating factors may indicate that a prohibition order would not be appropriate or proportionate.

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

- Mr Rainforth appeared to have had an otherwise unblemished record. There was evidence of good character prior to his conviction.
- Although the panel was not presented with positive references or testimonials regarding his practice as a teacher, Mr Rainforth’s abilities as an educator had not been challenged and there was positive reference to his career in teaching. He had reached a senior position at the School.
- Mr Rainforth had engaged with the TRA and made full admissions.
- Mr Rainforth had provided information regarding the behaviours that he asserts led him to acting as he did and asserted that he had sought to address these “*unhealthy lifestyle habits*” and had sought advice and support.
- There was some, albeit limited evidence of regret and remorse and he had acknowledged his behaviours.

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

- Mr Rainforth’s actions were deliberate and he was not acting under duress. There was evidence of pre-planning and deceit in relation to the creation of false accounts.
- This was not a one-off incident, whereby Mr Rainforth had been convicted of multiple offences.
- Mr Rainforth’s actions amounted to a clear breach of the Teachers’ Standards and raised public, child protection and safeguarding concerns.

- Mr Rainforth has been convicted of and sentenced for serious offences involving children, for which he was subject to a sexual harm prevention order and is on the Barring List and registered under section 92 of the Sexual Offences Act 2003.
- Mr Rainforth was an experienced teacher and leader who was in a position of trust and responsibility and was a role model. He had received safeguarding training and, in his role, ought to have put safeguarding and child protection at the core of his practice.

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

The panel was of the view that, applying the standard of the ordinary intelligent citizen, it would not be a proportionate and appropriate response to recommend no prohibition order. Recommending that the publication of adverse findings was sufficient would unacceptably compromise the public interest considerations present in this case, despite the severity of the consequences for Mr Rainforth of prohibition.

Mr Rainforth's actions were fundamentally incompatible with his being a teacher. This was conduct at the serious end of the spectrum. The nature and gravity of these offences was a matter of significant concern.

There were, accordingly, particularly strong public interest considerations in this case in terms of the safeguarding and wellbeing of pupils and other members of the public, public confidence in the teaching profession and the declaring of proper standards of conduct in this case.

Mr Rainforth's behaviour led to him receiving a sentence which was indicative of the seriousness of the offences.

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

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

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

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

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

These behaviours include 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, which was directly applicable in this case.

In light of this and the panel's comments, above, regarding the seriousness of these offences, the panel decided its findings indicated a situation in which a review period would not be appropriate.

The public interest considerations that Mr Rainforth's conviction give rise to were such that this was necessary, appropriate and proportionate. This was deliberate, repeat behaviour involving multiple, serious offences involving indecent images of children.

The panel repeats that having regard to the nature of the offences and the sentence he received, Mr Rainforth's actions are fundamentally incompatible with his being a teacher.

## **Decision and reasons on behalf of the Secretary of State**

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

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

In this case, the panel has found all of the allegations proven and found that those proven facts amount to a relevant conviction.

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

In particular, the panel has found that Mr Rainforth 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 ...
- 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 Rainforth 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 for the relevant offence of making indecent photographs or pseudo-photographs of children and possessing extreme pornographic images.

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 Rainforth, and the impact that will have on the teacher, is proportionate and in the public interest.

In this case, I have considered the extent to which a prohibition order would protect children and safeguard pupils. The panel has observed:

“In the light of the nature of the offences for which Mr Rainforth was convicted, there was a strong public interest consideration in respect of the safeguarding and wellbeing of pupils and other members of the public.”

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 has set out as follows:

“Mr Rainforth had engaged with the TRA and made full admissions.”

“Mr Rainforth had provided information regarding the behaviours that he asserts led him to acting as he did and asserted that he had sought to address these “*unhealthy lifestyle habits*” and had sought advice and support.”

“There was some, albeit limited evidence of regret and remorse and he had acknowledged his behaviors.”

In my judgement, the lack of evidence of full 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 has observed:

“The panel also considered that public confidence in the profession would be seriously weakened if conduct such as that found against Mr Rainforth was not treated with the utmost seriousness when regulating the profession. This was conduct that was extremely serious.”

I am particularly mindful of the finding of a relevant conviction for making indecent images of children 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 Rainforth himself. The panel has commented:

“Although the panel was not presented with positive references or testimonials regarding his practice as a teacher, Mr Rainforth’s abilities as an educator had not been challenged and there was positive reference to his career in teaching. He had reached a senior position at the School.”

A prohibition order would prevent Mr Rainforth 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 comments of the panel concerning the seriousness of the multiple offences of which Mr Rainforth was convicted. The panel has said:

“Mr Rainforth’s actions were fundamentally incompatible with his being a teacher. This was conduct at the serious end of the spectrum. The nature and gravity of these offences was a matter of significant concern.”

I have also placed considerable weight on the panel’s comments that there was only limited evidence of regret and remorse on the part of Mr Rainforth.

I have given less weight in my consideration of sanction, therefore, to the contribution that Mr Rainforth 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 evidence of full remorse, 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.

The panel has noted that the Advice indicates that the behaviours that would militate against a review period include viewing, taking, making, possessing, distributing or publishing any indecent photograph or image or indecent pseudo photograph or image of a child. The panel has commented that this was directly applicable in this case and that there was "...deliberate, repeat behaviour involving multiple, serious offences involving indecent images of children."

I have considered whether not allowing a review period reflects the seriousness of the findings and is a proportionate period to achieve the aim of maintaining public confidence in the profession. In this case, factors mean that allowing a review period is not sufficient to achieve the aim of maintaining public confidence in the profession. These elements are the serious nature of the offences of which Mr Rainforth was convicted and the lack of evidence of full 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 Sean Rainforth 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 Rainforth 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 Rainforth 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 'D Oatley', with a large, sweeping flourish at the end.

**Decision maker: David Oatley**

**Date: 12 November 2024**

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