



Teaching  
Regulation  
Agency

# **Mr Antony Hutchinson: Professional conduct panel outcome**

**Panel decision and reasons**

**March 2025**

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## Professional conduct panel decision and recommendations

<b>Teacher:</b>	Mr Antony Hutchinson
<b>TRA reference:</b>	22819
<b>Date of determination:</b>	12 March 2025
<b>Former employer:</b>	Holy Trinity Church of England Primary and Nursery School, Weymouth

## Introduction

A professional conduct panel (“the panel”) of the Teaching Regulation Agency (“the TRA”) convened on 10 to 12 March 2025 by way of a virtual hearing, to consider the case of Mr Antony Hutchinson.

The panel members were Dr Martin Coles (former teacher panellist – in the chair), Mrs Shabana Robertson (lay panellist) and Ms Louisa Munton (teacher panellist).

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

The presenting officer for the TRA was Mr Callum Heywood of Browne Jacobson LLP solicitors.

Mr Hutchinson was present and was not represented. He however was supported by Mr Martin Jones of Hugh James LLP who was appointed to act on his behalf for the purposes of cross examination of Witness A.

The hearing took place in public save that portions of the hearing were heard in private and was recorded.

## Allegations

The panel considered the allegations set out in the notice of hearing dated 6 December 2024.

It was alleged that Mr Antony Hutchinson was guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute in that whilst employed as a Teacher at the Holy Trinity Church of England Primary and Nursery School;

1. On 20 June 2023 he engaged in inappropriate physical contact with Pupil A, by;
  - a. Lifting Pupil A by the arm and/or pulling Pupil A from a chair
  - b. Dragging Pupil A by the arm
  - c. Lifting Pupil A and/or carrying Pupil A out of the classroom
2. His conduct, as may be found proven at allegation 1, was despite having been in receipt of management advice and/or guidance in respect of his conduct with pupils on or around:
  - a. 7 February 2022
  - b. 19 July 2022:

Mr Hutchinson made admissions to Allegations 1a, 1c, and 2a. Allegations 1b and 2b were not admitted.

Mr Hutchinson made an admission to unacceptable professional conduct and conduct that may bring the profession into disrepute.

## Preliminary applications

### Case Management Hearing Directions

Following a Case Management Hearing on 7 March 2025, it was directed that:

- Mr Hutchinson is to turn off his camera for the duration of Witness A's evidence.
- Mr Hutchinson is not to cross examine Witness A.
- An independent advocate, appointed by the TRA, is to conduct cross-examination on behalf of Mr Hutchinson in respect of Witness A.

The panel ensured that these directions were complied with. Mr Hutchinson turned his

camera off for the duration of Witness A's evidence and an appointee, Mr Martin Jones of Hugh James LLP, conducted cross examination of Witness A on his behalf.

### **Application to amend allegation 1**

The panel heard an application from the TRA to amend Allegation 1 to include the date "20 June 2023". The application was not opposed by Mr Hutchinson. The panel also heard and accepted legal advice in respect of this. The panel were advised that in accordance with 5.83 of the disciplinary procedures, "At any stage before making its decision as to whether the facts of the case have been proved the panel may, if it is in the interests of justice to do so, amend an allegation".

The TRA's presenting officer advised that the lack of a date in the application was a technical defect and therefore invited the panel to exercise its discretion and to allow for the amendment to ensure the case was properly put.

The panel was of the view that the amendment would mitigate against any potential prejudice to Mr Hutchinson by removing the ambiguity in terms of what the TRA were advancing. The panel determined that without the amendment, it may have been unclear to Mr Hutchinson, exactly what incident the TRA were referring to. Additionally, it would assist the TRA by allowing for full clarification in terms of the case that they sought to present.

Accordingly, the panel determined that it would be appropriate in the circumstances to allow for the amendment.

The stem of Allegation 1 was therefore amended to read: "On 20 June 2023 you engaged in inappropriate physical contact with Pupil A, by;".

## **Summary of evidence**

### **Documents**

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

Section 1: Chronology and anonymised pupil list – pages 5 to 6

Section 2: Notice of Hearing – pages 8 to 19

Section 3: Teaching Regulation Agency witness statements – pages 21 to 188

Section 4: Teaching Regulation Agency documents – pages 190 to 240

## Section 5: Teacher documents – pages 243 to 278

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

In the consideration of this case, the panel had regard to the document Teacher Misconduct: Disciplinary Procedures for the Teaching Profession 2020, (the “Procedures”).

### **Witnesses**

The panel heard oral evidence from the following witnesses called by the presenting officer:

Witness A – [REDACTED]

In accordance with the directions of the Case Management Hearing that held on 7 March 2025, Mr Hutchinson’s camera was turned off throughout Witness A’s evidence. Additionally, Mr Martin Jones cross examined Witness A on Mr Hutchinson’s behalf.

Witness B – [REDACTED]

Witness C – [REDACTED]

Witness D – [REDACTED]

Mr Hutchinson also gave oral evidence before the panel.

### **Decision and reasons**

The panel announced its decision and reasons as follows:

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

Mr Hutchinson was employed by the School as a Teacher in 2017.

Complaints were made in February and July 2022 with respect to Mr Hutchinson’s classroom conduct, leading to discussions with the School and formal management advice and guidance issued.

On 20 June 2023, an incident occurred between Mr Hutchinson and Pupil A where Mr Hutchinson was alleged to have made physical contact with the pupil. Following an initial discussion with Mr Hutchinson, the School referred the matter to the LADO on 23 June 2023.

The matter was subsequently referred to the TRA.

## Evidence

The panel was presented with the live evidence of Witness A, Witness B, Witness C and Witness D who were all called by the TRA. The panel also heard from Mr Hutchinson who gave live evidence. In addition, it was presented with evidential material directly pertaining to the investigation undertaken by the School.

[REDACTED]

In considering the allegations, the panel formed its own, independent view based on the evidence presented to it.

The panel was mindful of the need to exercise its own independent judgement and not rely upon any opinions recorded. It was for the panel, not anyone else, to draw inferences and conclusions from proven facts in this case.

The panel was also mindful that it had seen some hearsay evidence within this case. In the absence of hearing from these individuals, and being able to test their accounts, this evidence was treated with caution by the panel.

In assessing what weight to attach to this hearsay evidence, the panel considered all of the circumstances, including the extent to which it was supported or contradicted by other oral and documentary evidence in this case.

## Findings of fact

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

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

The findings of fact are as follows:

**You are guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute, in that whilst employed as a Teacher at the Holy Trinity Church of England Primary and Nursery School;**

- 1. On 20 June 2023 you engaged in inappropriate physical contact with Pupil A, by;**
  - a. Lifting Pupil A by the arm and/or pulling Pupil A from a chair**
  - b. Dragging Pupil A by the arm**
  - c. Lifting Pupil A and/or carrying Pupil A out of the classroom**

The panel first considered the issue of appropriateness. The panel acknowledged that in this context, “inappropriate” would mean that the behaviour was not suitable in the circumstances. It considered that Mr Hutchinson had admitted during his oral evidence that any physical intervention would have been inappropriate in the context of the incident. Additionally, it had sight of the relevant school policy which made no reference to approved instances of physical intervention. The panel also heard directly from Witness C who made clear that there was no approved school policy on physical intervention that would meet these circumstances. Accordingly the panel was satisfied that the actions referred to, if found proved, would be inappropriate in the circumstances.

### **Allegation 1a and Allegation 1c**

Mr Hutchinson made admissions to allegations 1a and 1c at the outset of the hearing. The panel considered that in relation to allegation 1a, there were contemporaneous notes which directly accorded with the allegation from all parties. The panel also noted that there was direct consistency on the part of Witness A and Witness B who were clear that Mr Hutchinson had lifted Pupil A from the chair by her arm. Accordingly, it found allegation 1a proved.

In relation to allegation 1c, Mr Hutchinson admitted that he had lifted Pupil A into his arms and carried her. The panel was also satisfied that it had heard from Witness A, Witness B, and Witness D who directly observed Mr Hutchinson carrying Pupil A in his arms and all parties were consistent in their comment that he had one arm under her legs and the other under her back. It therefore found allegation 1c proved.

### **Allegation 1b**

Mr Hutchinson denied allegation 1b. The panel were mindful that the allegation required it to determine that it was satisfied on the balance of probabilities that “dragging” had been done to Pupil A by Mr Hutchinson. The panel consulted the Oxford English Dictionary definition which determined that dragging would require “pulling forcefully or roughly”. The panel also consulted the Cambridge Dictionary definition of “forcing or compelling someone or physically pulling them along” which it considered to be directly relevant to its determination.

The panel noted that Mr Hutchinson’s position was that he had lifted Pupil A into his arms, but that he had denied dragging or pulling her any distance through his oral and written evidence.

The panel was of the view that there were notable inconsistencies between Witness A and Witness B in terms of the mechanics of the dragging, with a degree of dispute as to which parts of Pupil A’s body made contact with the floor. Witness A had asserted that only Pupil A’s feet had made contact with the floor; whilst Witness B’s evidence was that of Pupil A had sat on the floor. The panel however felt that these inconsistencies were at



least in part explained by the different positions and therefore lines of sight of the witnesses during the incident which all parties accepted was very brief. The panel took particular note of the consistency between Witness A and Witness B in relation to a diagram of the classroom, and noted that both parties considered that Mr Hutchinson had lifted Pupil A at the same approximate point. The panel also noted that said “arm” when asked what part of the body Pupil A was “dragged” by.

The panel did note that Witness A used the term “pulled”, but never made reference to the term “dragged” during her live evidence. However, given the appropriate definitions, it determined that this was a semantic issue.

The panel was also cognisant of the fact that witnesses to the incident in the classroom had commented that during the incident Mr Hutchinson’s demeanour had been described as “determined” and “frustrated”. Whilst not relying wholesale on these opinions, the panel also noted that during Mr Hutchinson’s live evidence he had preferred the term “desperate”. The panel considered that any of these descriptors may fit directly with a “rough” approach.

During Mr Hutchinson’s live evidence he commented that there may have been some motion when he got Pupil A into the position where he lifted her, however he could not explain to the panel what that motion was. He also appeared to concur with Witness A and Witness B, that there was “resistance” from Pupil A, and also that she was either on the floor or close to the floor at the point where he lifted her.

The panel considered that whilst it may not have been Mr Hutchinson’s intention to drag Pupil A. It noted that a “frustrated”, or “desperate” Mr Hutchinson, faced with some resistance from Pupil A, would more likely than not have been pulling her with some degree of force before picking her up in his arms. It also considered the corroborating accounts of Witness A and Witness B, who were both seen as credible witnesses, and therefore were seen to be compelling in terms of the distance between where Pupil A was sitting and where she was eventually lifted by Mr Hutchinson. The panel accordingly determined that the dictionary definitions of dragging were met.

The panel therefore found allegation 1b proved.

**Your conduct as may be found proven at allegation 1 was despite having been in receipt of management advice and/or guidance in respect of your conduct with pupils on or around:**

**a. 7 February 2022**

Mr Hutchinson made an admission to Allegation 2a. Additionally, the panel had sight of the letter dated 7 February 2022. It considered that it had heard from his live evidence that Mr Hutchinson had read the letter and it noted that he had been advised in the letter

to adopt a "...calm and measured approach to behaviour management of a pupils" and to not "display any behaviours that could be interpreted as intimidating".

The panel considered that in addition to Mr Hutchinson's admission, the facts found proved at allegation 1 were in breach of the given on 7 February 2022. Mr Hutchinson accepted that his behaviour was not "calm" and could be perceived as intimidating. Mr Hutchinson asserted that his behaviour was contrary to the advice that he had been given.

The panel accordingly found allegation 2a proved.

#### **b. 19 July 2022**

Mr Hutchinson accepted receiving the letter dated 19 July 2022, however he denied the conduct belying the letter. The panel did not form the view that it needed to ascertain whether the conduct complained of in relation to the letter on 19 July 2022 had taken place or had been adequately investigated.

The panel noted that the letter advised that Mr Hutchinson had been advised to "take measures to safeguard both the children and yourself" and also to "nurture and support" pupils. The panel determined that Mr Hutchinson's actions were not supportive or nurturing and noted that by his own account, there was no reason for him to physically intervene with Pupil A.

The panel also noted that during his live evidence Mr Hutchinson advised that he had put in place some behaviours and safeguards related to other issues following receipt of the letter. However it was noted that through his live evidence he had asserted that his behaviour was "contrary to the advice" that he had received on 19 July 2022.

Accordingly, the panel found Allegation 2b proved.

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

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

In doing so, the panel had regard to the document Teacher misconduct: The prohibition of teachers, which is referred to as "the Advice".

The panel first considered whether the conduct of Mr Hutchinson in relation to the facts found proved, involved breaches of the Teachers' Standards.

The panel considered that, by reference to Part 2, Mr Hutchinson was in breach of the following standards:

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

The panel was satisfied that the conduct of Mr Hutchinson, in relation to the facts found proved, involved breaches of Keeping Children Safe In Education ("KCSIE").

The panel considered that Mr Hutchinson was in breach of the following provisions:

- A child centred and coordinated approach to safeguarding
- Protecting children from maltreatment
- All staff have a responsibility to provide a safe environment in which children can learn

The panel was not satisfied that the conduct of Mr Hutchinson in relation to the facts found proved, involved breaches of Working Together to Safeguard Children.

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

The Advice indicates that where behaviours associated with such an offence exist, a panel is likely to conclude that an individual's conduct would amount to unacceptable professional conduct.

The panel found that none of these offences were relevant.

For these reasons, the panel was satisfied that the conduct of Mr Hutchinson amounted to misconduct of a serious nature which fell significantly short of the standards expected of the profession.

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

In relation to whether Mr Hutchinson actions amounted to conduct that may bring the profession into disrepute, the panel took into account the way the teaching profession is viewed by others. It considered the influence that teachers may have on pupils, parents and others in the community. The panel also took account of the uniquely influential role that teachers can hold in pupils' lives and the fact that pupils must be able to view teachers as role models in the way that they behave.

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

As set out above in the panel's findings as to whether Mr Hutchinson was guilty of unacceptable professional conduct, the Panel found that none of these offences were relevant.

The panel determined that there was no justification for the physical intervention, and it noted that Pupil A was a primary school age child [REDACTED]. It considered that given the status that Teachers hold within the community, Mr Hutchinson's actions could have a significant impact on the perception of the teaching profession.

For these reasons, the panel found that Mr Hutchinson's actions constituted conduct that may bring the profession into disrepute.

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

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

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

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

- the safeguarding and wellbeing of pupils

- the maintenance of public confidence in the profession
- declaring and upholding proper standards of conduct within the teaching profession

In the light of the panel's findings against Mr Hutchinson which involved use of inappropriate physical intervention with a primary school aged pupil, there was a strong public interest consideration in relation to all of these considerations.

There was a strong public interest consideration in respect of the safeguarding and wellbeing of pupils, given the serious findings in respect of the use of physical intervention.

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

In addition to the public interest considerations set out above, the panel went on to consider whether there was a public interest in retaining Mr Hutchinson in the profession. The panel decided that there was a public interest consideration in retaining Mr Hutchinson in the profession, since no doubt had been cast upon his abilities as an educator and he is able to make a valuable contribution to the profession.

The panel noted that Mr Hutchinson had 20 years of teaching experience and that prior to this incident his record had been unblemished. It also noted that the management advice letter that he had received on 7 February 2022 referred to him as a "hardworking" teacher who placed high importance upon "nurturing and wellbeing". The panel noted that it had sight of the data showing Pupil A's progress whilst in Mr Hutchinson's class and considered that this accorded with the idea that he had made positive contributions to the classroom environment. It was also acknowledged that during his live evidence, Mr Hutchinson had explained that at his previous school, he was the head of Design and Technology and had worked on projects that were taken up by other schools in the area.

The panel had sight of a reference from Person A, which notably referred to Mr Hutchinson as having a "passion for education" and commended his "innovative teaching methods". Person B, a former professional colleague of Mr Hutchinson also gave a reference where she stated that Mr Hutchinson had been very capable at "managing challenging children". The panel also felt it relevant that within her reference, Person B stated that "support wasn't consistent" within the school environment during the time of the incident. The panel also noted that Person B's remark that a vast number

of staff would “go to him to ask his thoughts” was indicative of Mr Hutchinson being capable of making a significant positive impact upon the teaching profession.

The panel also considered it relevant that Mr Hutchinson’s references came from colleagues who had seen him in a professional environment, and therefore could directly comment upon his abilities as a teacher and his overall behaviour. The panel noted that during her oral evidence, Witness A had commented that she had previously seen Mr Hutchinson as a “role model” and that she had “gone to seek advice from him”. It also noted that Person A had referred to Mr Hutchinson as both a “respected colleague” and also a “person of integrity, kindness and genuine character”. Person B’s assertion that Mr Hutchinson was one of the most “helpful, dedicated” people that “she had the pleasure of working with” and that he had played a role in “guiding and advising other members of staff” was also deemed to be directly relevant by the panel’s determination.

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.

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

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

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

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

In the light of the panel’s finding, the panel determined that Mr Hutchinson’s actions were deliberate. It also was of the view that he had not acted under duress.

The panel however did note that Mr Hutchinson did have a previously good history, having demonstrated high standards in both his personal and professional conduct and having contributed positively to the education sector. The panel accepted that the incident was out of character.

The panel additionally considered that Mr Hutchinson's account, [REDACTED] was a mitigating factor. The panel additionally felt that Mr Hutchinson had shown a significant level of insight. It considered that he recognised the wrongdoing in his behaviour, and through his live evidence, he was reflective and having heard from the TRA's witnesses, acknowledged that his presentation during the incident may have appeared more aggressive than he had initially acknowledged. The panel also considered that Mr Hutchinson had made genuine expressions of regret and remorse throughout his live evidence.

The panel also considered that no direct physical or lasting harm had been done to Pupil A, noting that Witness A, Witness B and Witness D all commented that there had been no observable impact to Pupil A beyond her behaviour on the day of the incident. The panel also considered that there was no intention to cause harm to Pupil A by Mr Hutchinson and it accepted his explanation, that he was motivated by the intention to assist with her learning. The panel acknowledged that there were previous concerns for which Mr Hutchinson received management advice, as found proved, prior to the incident concerning Pupil A. However it did not consider that these incidents were relevant, having been of a different nature, which further supported the position that this was an isolated and out of character lapse of judgment by Mr Hutchinson. The panel accordingly determined that there were no lasting safeguarding risks, or risk of repetition in relation to Mr Hutchinson.

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

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

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

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

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

In this case, the panel has found all of the allegations proven and found that those proven facts amount to unacceptable professional conduct and conduct that may bring the profession into disrepute.

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

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

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

The panel was satisfied that the conduct of Mr Hutchinson involved breaches of the responsibilities and duties set out in statutory guidance Keeping children safe in education (KCSIE).

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

I have to determine whether the imposition of a prohibition order is proportionate and in the public interest. In considering that for this case, I have considered the overall aim of a prohibition order which is to protect pupils and to maintain public confidence in the profession. I have considered the extent to which a prohibition order in this case would achieve that aim taking into account the impact that it will have on the individual teacher. I have also asked myself whether a less intrusive measure, such as the published finding of unacceptable professional conduct and conduct likely to bring the profession into disrepute, would itself be sufficient to achieve the overall aim. I have to consider whether



the consequences of such a publication are themselves sufficient. I have considered therefore whether or not prohibiting Mr Hutchinson, 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 panel's findings against Mr Hutchinson which involved use of inappropriate physical intervention with a primary school aged pupil, there was a strong public interest consideration in relation to all of these considerations." 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, "The panel additionally felt that Mr Hutchinson had shown a significant level of insight. It considered that he recognised the wrongdoing in his behaviour, and through his live evidence, he was reflective and having heard from the TRA's witnesses, acknowledged that his presentation during the incident may have appeared more aggressive than he had initially acknowledged. The panel also considered that Mr Hutchinson had made genuine expressions of regret and remorse throughout his live evidence." 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 that "given the status that Teachers hold within the community, Mr Hutchinson's actions could have a significant impact on the perception of the teaching profession." I am particularly mindful of the finding of inappropriate physical contact with a primary school pupil 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 and conduct likely to bring the profession into disrepute, in the absence of a prohibition order, can itself be regarded by such a person as being a proportionate response to the misconduct that has been found proven in this case.

I have also considered the impact of a prohibition order on Mr Hutchinson himself. The panel has commented that "Mr Hutchinson did have a previously good history, having demonstrated high standards in both his personal and professional conduct and having contributed positively to the education sector. The panel accepted that the incident was

out of character.” The panel has also noted references from professional colleagues, which attested to Mr Hutchinson’s ability as a teacher and his behaviour.

A prohibition order would prevent Mr Hutchinson 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 findings that “no direct physical or lasting harm had been done to Pupil A” and that “there was no intention to cause harm to Pupil A by Mr Hutchinson and it accepted his explanation, that he was motivated by the intention to assist with her learning”. I have also placed considerable weight on the panel’s comments that “this was an isolated and out of character lapse of judgment by Mr Hutchinson. The panel accordingly determined that there were no lasting safeguarding risks, or risk of repetition in relation to Mr Hutchinson.”

I agree with the panel’s assessment of the risks and its finding that “the nature and severity of the behaviour were at the less serious end of the possible spectrum”. For these reasons, I have concluded that a prohibition order is not proportionate or in the public interest. I consider that the publication of the findings made would be sufficient to send an appropriate message to the teacher as to the standards of behaviour that were not acceptable and that the publication would meet the public interest requirement of declaring proper standards of the profession.



**Decision maker: David Oatley**

**Date: 14 March 2025**

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