



Teaching  
Regulation  
Agency

# **Mr Daniel Roberts: Professional conduct panel outcome**

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

**December 2024**

## Contents

Introduction	3
Allegations	4
Preliminary applications	5
Summary of evidence	6
Documents	6
Witnesses	7
Decision and reasons	7
Findings of fact	8
Panel's recommendation to the Secretary of State	14
Decision and reasons on behalf of the Secretary of State	17

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

**Teacher:** Mr Daniel Roberts  
**Teacher ref number:** 1646814  
**Teacher date of birth:** 15 July 1992  
**TRA reference:** 21563  
**Date of determination:** 20 December 2024  
**Former employer:** [REDACTED], Penrith

### Introduction

A professional conduct panel (“the panel”) of the Teaching Regulation Agency (“the TRA”) convened between 16 and 20 December 2024 by way of a virtual hearing, to consider the case of Mr Daniel Roberts.

The panel members were Mr Aidan Jenkins (teacher panellist – in the chair), Ms Charlotte Kelly (lay panellist) and Ms Laura Mullin (lay panellist).

The legal adviser to the panel was Miss Sarah Price of Blake Morgan LLP solicitors.

The presenting officer for the TRA was Mr Mark Millin of Kingsley Napley solicitors.

Mr Roberts was present and was represented by Mr Jonathan Storey of Counsel instructed by the NEU.

The hearing took place in public and was recorded.

## Allegations

The panel considered the allegations set out in the notice of proceedings dated 26 June 2024.

It was alleged that Mr Roberts was guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute, in that:

1. Between September 2019 and April 2021, he had exchanged emails of an inappropriate and/or personal nature with Pupil A, which were:

a) of considerable volume;

b) in the evenings and/or at weekends and/or during school holidays.

2. Between September 2019 and April 2021, on one or more occasion(s) he offered and/or gave Pupil A a lift.

3. Between September 2019 and April 2021, on one or more occasion(s) he arranged to meet and/or met Pupil A outside of school.

4. In or around June 2022, he commenced a sexual relationship with Pupil A after she left the School.

5. His actions at paragraph 1 and/or 2 and/or 3 and/or 4 were sexually motivated.

Mr Roberts admitted the facts at allegations 1, 2, 3 and 4. In regards to allegation 5 he admitted this insofar as it applied to allegation 4. He denied allegation 5 in regards to allegations 1, 2 and 3.

## **Preliminary applications**

### **Application to admit hearsay evidence**

An application was made on behalf of Mr Roberts to admit two witness statements as hearsay evidence. These were the statements of Pupil A and Pupil A's mother.

The TRA opposed the application.

The panel carefully considered all of the evidence and the parties' submissions. It accepted the legal advice provided.

The panel was satisfied that both witness statements were relevant.

In relation to fairness, the panel was concerned that Pupil A appeared to have made a decision not to attend the hearing much earlier than had been conveyed to the TRA and that as a result of this, the TRA had not been afforded time to review its position prior to the hearing. Despite this, the panel had been provided with copies of recent communication from Pupil A and Pupil A's mother which confirmed the reasons for their non-attendance.

The panel was mindful of its overarching duty to ensure a fair hearing, and that extended to both Mr Roberts and the TRA. In the specific facts of this case, the panel felt that the balance of fairness weighed in Mr Roberts' favour and the panel concluded that it was fair and appropriate to admit the witness evidence that Mr Roberts sought to rely upon.

The panel was satisfied that any prejudice to the TRA could be adequately addressed by assessing the weight to be attached to the hearsay evidence.

For the reasons above, the application was allowed and the statements of Pupil A and Pupil A's mother were admitted as hearsay evidence.

### **Application for part of the hearing to be heard in private**

The panel considered an application made on behalf of Mr Roberts, for part of the hearing to be heard in private. The application was not opposed by the TRA.

The panel carefully considered all of the evidence and the parties' submissions. It accepted the legal advice provided.

The panel determined that for the reasons given, the hearing itself would take place in public, but it would go into private session when any matters relating to Mr Roberts' [REDACTED] were raised during the proceedings.

## **Anonymisation**

The panel agreed that any references to information that could identify either pupil named in the evidence should be redacted to prevent jigsaw identification. The parties were directed to take appropriate steps throughout the hearing and the panel took this into account when preparing its written decision.

## **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 5 to 6

Section 2: Notice of Hearing and Response – pages 7 to 15

Section 3: Teaching Regulation Agency witness statements – pages 16 to 34

Section 4: Teaching Regulation Agency documents – pages 35 to 619

Section 5: Teacher documents – pages 620 to 712

In addition, the panel was provided with the following documents in advance of the hearing:

- Bundle of emails between Mr Roberts and Pupil A
- Email from Pupil A's mother
- Email from Pupil A
- Correspondence bundle
- Skeleton argument from the Presenting Officer.

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:

- Witness C [REDACTED]
- Witness D [REDACTED]
- Pupil B (Pupil)
- Pupil B's [REDACTED]

Mr Roberts gave evidence and also called the following witnesses:

- Witness E
- Witness F

The panel was referred to hearsay evidence from individuals who were not present to give evidence. In the absence of hearing direct evidence and being able to test these accounts, this evidence was treated with caution by the panel. Where such evidence was relied upon, it is addressed in the panel's reasons.

The panel confirms that it has not relied upon any findings made, or opinions expressed, during the earlier investigation or subsequently. It formed its own, independent view of the allegations based on the evidence presented.

## 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 Roberts had been employed at [REDACTED] ("the School") since 1 September 2017 as a teacher and Head of Music. On 24 June 2022, Mr Roberts disclosed to Individual G, the School's [REDACTED] that he was in a romantic relationship with a former pupil ("Pupil A"). An investigation into an alleged inappropriate relationship commenced on 27 June 2022.

Mr Roberts was suspended by the School on 5 July 2022.

The School's investigation concluded on 23 January 2023. A disciplinary hearing took place on 8 February 2023.

The matter had been referred to the police, but no further action was taken.

A referral was made to the TRA on 2 March 2023.

## Findings of fact

The findings of fact are as follows:

**1. Between September 2019 and April 2021, you had exchanged emails of an inappropriate and/or personal nature with Pupil A, which were:**

**a) of considerable volume;**

**b) in the evenings and/or at weekends and/or during school holidays.**

This allegation was admitted by Mr Roberts and was supported by evidence provided to the panel.

The panel considered that Mr Roberts had been consistent in his accounts provided at various stages. The panel noted that he had accepted early on, during the School's investigation, that the emails had been inappropriate.

In addition to Mr Roberts' admission, the panel was provided with a bundle of emails between Mr Roberts and Pupil A, consisting in excess of 3000 pages. The panel also saw photographs that had been produced by the School which showed, that when printed, the emails amounted to 10 lever arch files. The panel was satisfied that the emails were of considerable volume.

The panel also saw evidence that emails were exchanged in evenings, weekends and during school holidays. For example:

- the panel saw an email exchange that took place on 25 October 2020, on a Sunday evening. The exchange contained discussion around Italian food and visiting Italy. Mr Roberts wrote, "*Italian food is so good. We take an Italian one day. I show you bread, oil and vinegar. Olives and cheese.*" Pupil A responded, "*Arrr! I'd like that! Where we go Italian? In Italy?*". Mr Roberts then responded "*I don't think we go Italy first. We go Italy here.*"
- the panel also saw an email exchange that took place on 4 November 2020, which was a Wednesday evening, at around 10pm. That exchange contained a discussion around Pupil A having a bath. Mr Roberts asked "*How was splashing in splashing?*", in a response Pupil A wrote "*It was nice! Had candles. Only just got out...*"

The panel also saw examples of emails sent by both Mr Roberts and Pupil A over holiday periods, including at Christmas, and also when Mr Roberts was away on holiday at an airport.



Having found that Mr Roberts had exchanged emails with Pupil A that were of considerable volume and in the evening, weekends and during school holidays, it went on to consider whether those emails were inappropriate and/ or of a personal nature. In doing so, the panel noted the evidence of Witness C. He stated that *“It seems that the relationship between Pupil A and Daniel Roberts was changing and developing over time. Initially, the correspondence between [them] reads as quite formal and professional. The correspondence then develops where it becomes more casual in around the first lockdown...”*.

The emails referenced above give an indication of the personal and inappropriate nature of the email correspondence.

The panel noted the School’s Staff Code of Conduct. The panel considered that Mr Roberts did not follow this policy in sending emails to Pupil A. In particular the panel considered that Mr Roberts did not report the emails to his line manager or the headteacher.

The panel was satisfied that given the volume of emails and the content of them, the emails exchanged were both inappropriate and of a personal nature.

For the reasons set out above, allegation 1a and 1b is found proved.

## **2. Between September 2019 and April 2021, on one or more occasion(s) you offered and/or gave Pupil A a lift.**

This allegation was admitted by Mr Roberts and was supported by evidence provided to the panel. In his evidence, Mr Roberts stated *“I admit that between September 2019 and April 2021, on one or more occasions offered and gave Pupil A a lift.”*

The panel considered that the evidence provided was consistent with Mr Roberts’ admission that he had provided Pupil A with lifts on more than one occasion. The panel noted Pupil A’s written evidence, in which she states *“Daniel did offer me lifts, always with the consent of my parents...”*. Pupil A’s mother wrote in her statement, *“When Daniel and [REDACTED] attended choir practice at a local teacher’s house and at [REDACTED], they would sometimes invite Pupil A to join them and both of them collected her and both of them dropped her off again. Either myself or my husband were present and witness to this...We would never have allowed Pupil A to go in his car without his [REDACTED].”*

The panel was not provided with evidence that Mr Roberts had given Pupil A a lift when they were alone.

In his written statement, Mr Roberts also stated *“ I believe my [REDACTED] and I offered Pupil A one or two more lifts to these particular choir rehearsals. The School and [REDACTED] were aware of this. In several cases, at least one member of SLT was*

*present at the choir rehearsals, as were other members of staff, as were other parents of other pupils. When I mentioned this to the [REDACTED] she said ‘sometimes it’s part of your job as an extra-curricular teacher’.*

The panel was unclear whether the School did, in fact, know that Mr Roberts was providing Pupil A with lifts on more than one occasion. The panel noted there is a distinction between providing a pupil with a lift on one occasion because they had been stuck, and regularly arranging or offering to provide lifts to a pupil. The panel had seen evidence that Mr Roberts had offered Pupil A lifts via email and considered that this had blurred the boundaries of the teacher and pupil relationship.

The panel noted the School’s Staff Code of Conduct which gives guidance about safeguarding pupils and teachers that need to spend time together on a one-to-one basis. This does not explicitly address providing lifts to pupils, but the panel considered that safeguarding was an important aspect of this, and Mr Roberts had not followed safeguarding practices.

For the reasons set out above, allegation 2 is found proved.

### **3. Between September 2019 and April 2021, on one or more occasion(s) you arranged to meet and/or met Pupil A outside of school.**

This allegation was admitted by Mr Roberts and was supported by evidence provided to the panel.

In his statement, Mr Roberts said *“Arranging to meet a pupil outside of school was not an uncommon thing for me to do.”* Mr Roberts provided examples of when this might be done, including attending concerts or rehearsals. Mr Roberts told the panel that he attended events with Pupil A’s family. Mr Roberts accepted that he was invited to their home for social calls.

The panel saw evidence that suggested Mr Roberts attended Pupil A’s home to meet with Pupil A only. An example of this is found in an email sent by Mr Roberts to Pupil A on Friday 5 June 2020. He writes *“Let me know if I can pop round at about 1...Coffee at the outhouse?”*. Pupil A’s email response includes the comment *“We’d probably have to sit out the back where the table is, or put chairs out on the back lawn, as opposed to the outhouse unless it’s pouring down, just for safeguarding reasons, apparently...”*

In his written statement, Mr Roberts said *“I can see that what started as Pupil A’s parents arranging to meet me, became Pupil A and I arranging to meet each other.”*

The panel considered that Mr Roberts’ actions in meeting Pupil A outside of School was in breach of the School’s Code of Conduct.

For the reasons set out above, allegation 3 is found proved.

**4. In or around June 2022, you commenced a sexual relationship with Pupil A after she left the School.**

This allegation was admitted by Mr Roberts and was supported by evidence provided to the panel. Mr Roberts stated "*I admit that in June 2022, I commenced a sexual relationship with Pupil A.*"

The panel was not provided with evidence that the sexual relationship began prior to June 2022.

For the reasons set out above, allegation 4 is found proved.

**5. Your actions at paragraph 1 and/or 2 and/or 3 and/or 4 were sexually motivated.**

Having found the facts of allegations 1-4 proved, the panel went on to consider whether Mr Roberts' conduct, in relation to those allegations, was sexually motivated.

The panel noted that:

*"A sexual motive means that the conduct was done either in pursuit of sexual gratification or in pursuit of a future sexual relationship."*

Mr Roberts had admitted this allegation in regards to his conduct at allegation 4 only. He denied that his conduct at allegations 1-3 were sexually motivated. In his evidence to the panel, Mr Roberts stated that it would have "*repulsed*" him to either see or be a teacher who wanted to engage in a romantic or sexual relationship with a pupil.

Whilst the panel considered that, on balance, Mr Roberts may have been contemplating some sort of future relationship with Pupil A, it could not be satisfied that this was a sexual relationship.

In regards to allegations 1, 2 and 3, the panel was not satisfied that the TRA had proved, to the requisite standard, that Mr Roberts' actions were sexually motivated.

Mr Roberts fully accepted that he began a sexual relationship with Pupil A in June 2022. He accepted that his conduct was sexually motivated. The panel was satisfied that his conduct in relation to allegation 4 was sexually motivated.

In summary, allegation 5 is proved in relation to allegation 4 only.

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

Having found allegations 1, 2, 3, 4 and 5 (in respect of allegation 4) 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 was satisfied that the conduct of Mr Roberts, in relation to the facts found proved at allegations 1-3, involved breaches of the Teachers’ Standards. The panel considered that, by reference to Part 2, Mr Roberts was in breach of the following standards:

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

The panel also considered whether Mr Roberts’ 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 was relevant.

The proven conduct was serious. The panel had found that Mr Roberts had engaged in inappropriate emails of a personal nature with Pupil A, had given her lifts and met with her for social activities, all whilst she was a pupil of the School. In doing so, Mr Roberts had crossed professional boundaries and had a disregard for safeguarding policies and practices over a protracted period of time.

The panel was satisfied that the conduct of Mr Roberts as proven at allegations 1-3 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 Roberts was guilty of unacceptable professional conduct in regards to allegation 1-3 individually.

In regards to allegation 4 and allegation 5, the panel was not satisfied that this amounted to unacceptable professional conduct. The panel was not satisfied that there had been a breach of the Teachers' Standards. The panel considered that there was no clear guidance on when it may be considered appropriate for a teacher to engage in a sexual relationship with a former pupil.

In relation to whether Mr Roberts' actions amounted to conduct that may bring the profession into disrepute, the panel took into account the way the teaching profession is viewed by others. It considered the influence that teachers may have on pupils, parents and others in the community. The panel also took account of the uniquely influential role that teachers can hold in pupils' lives and the fact that pupils must be able to view teachers as role models in the way that they behave. The findings of misconduct at allegations 1-3 are serious, and the conduct displayed would be likely to have a negative impact on the individual's status as a teacher, potentially damaging the public perception. The panel therefore found that Mr Roberts' actions constituted conduct that may bring the profession into disrepute in regards to allegations 1-3.

Again, the panel did not consider that Mr Roberts' conduct at allegations 4 and 5 amounted to bringing the profession into disrepute, for the same reasons that they did not amount to unacceptable professional conduct.

In summary, having found the facts of particulars 1, 2, 3, 4 and 5 (in respect of allegation 4 only) proved, the panel further found that Mr Roberts' conduct amounted to both unacceptable professional conduct and conduct that may bring the profession into disrepute in regards to allegations 1-3 only.

## 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 and the protection of 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 panel's findings against Mr Roberts, there was a strong public interest consideration in respect of the safeguarding and wellbeing of pupils, given the serious findings of an inappropriate relationship with a child.

Similarly, the panel considered that public confidence in the profession could be seriously weakened if conduct such as that found against Mr Roberts 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 Roberts 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 Roberts in the profession.

The panel decided that there was a public interest consideration in retaining the teacher 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.

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 Roberts.

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 Roberts. The panel took further account of the Advice, which suggests that a prohibition

order may be appropriate if certain behaviours of a teacher have been proved. In the list of such behaviours, those that were relevant in this case were:

- serious departure from the personal and professional conduct elements of the Teachers' Standards;
- misconduct seriously affecting the education and/or safeguarding and well-being of pupils, and particularly where there is a continuing risk;
- abuse of position or trust (particularly involving pupils);
- 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, the panel went on to consider the mitigating factors. Mitigating factors may indicate that a prohibition order would not be appropriate or proportionate.

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

There was no evidence to suggest that Mr Roberts was acting under duress.

Mr Roberts did have a previous good history and the panel accepted that the conduct was out of character.

The panel was provided with testimonials that demonstrated Mr Roberts was of good character. The panel took these into account when considering Mr Roberts qualities as a teacher. During the hearing, Pupil B's [REDACTED] also spoke positively about Mr Roberts' contribution to the School. The panel accepted that Mr Roberts was a dedicated and enthusiastic teacher, who achieved good results. The panel noted that Mr Roberts made a real contribution to the school and the profession. The panel felt Mr Roberts was a passionate teacher and engaged well with pupils.

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 Roberts 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 Roberts.

In making this decision, the panel took account of various factors, including:

- There were multiple failures by Mr Roberts to address the safeguarding risk, and Mr Roberts actively encouraged and engaged in inappropriate communication with Pupil A.
- Whilst the panel took account of all the information it had about context, including the nature of the one-to-one teaching and the fact the event took place during the covid pandemic, the panel concluded that these were not factors that explained or mitigated Mr Roberts' conduct.
- The panel was not satisfied that Mr Roberts had demonstrated full insight into his actions. The panel considered that in future, Mr Roberts may be required to work on a one-to-one basis with a pupil, and the panel considered that there may be a risk of repetition.

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

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

The Advice indicates that there are certain types of case where, if relevant, the public interest will have greater relevance and weigh in favour of not offering a review period. None of the listed characteristics were engaged by the panel's findings.

The Advice also indicates that where a case involves certain other characteristics, it is likely that the public interest will have greater relevance and weigh in favour of a longer period before a review is considered appropriate. None of the listed characteristics were engaged by the panel's findings.

The panel did not find that Mr Roberts had demonstrated complete insight. The panel was not provided with evidence that Mr Roberts had taken tangible steps to demonstrate his improved knowledge of safeguarding and how his conduct will not be repeated. The panel would have found such evidence helpful.

The panel decided that the findings indicated a situation in which a review period would be appropriate and, as such, decided that it would be proportionate, in all the



circumstances, for the prohibition order to be recommended with provisions for a review period. The panel suggested that this should be for a period of 2 years.

## **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 in regard to allegations 1-3 that those proven facts amount to unacceptable professional conduct and conduct that may bring the profession into disrepute. In this case, the panel has found some allegations do not amount to unacceptable professional conduct or conduct likely to bring the profession into disrepute. I have therefore put those matters entirely from my mind.

The panel has made a recommendation to the Secretary of State that Mr Roberts should be the subject of a prohibition order, with a review period of two years.

In particular, the panel has found that Mr Roberts 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 Roberts, 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 Roberts 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 or conduct likely to bring the profession into disrepute, would itself be sufficient to achieve the overall aim. I have to consider whether the consequences of such a publication are themselves sufficient. I have considered therefore whether or not prohibiting Mr Roberts, 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, "In the light of the panel's findings against Mr Roberts, there was a strong public interest consideration in respect of the safeguarding and wellbeing of pupils, given the serious findings of an inappropriate relationship with a child." The panel also said "There were multiple failures by Mr Roberts to address the safeguarding risk, and Mr Roberts actively encouraged and engaged in inappropriate communication with Pupil A."

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, which the panel sets out as follows, "The panel was not satisfied that Mr Roberts had demonstrated full insight into his actions. The panel considered that in future, Mr Roberts may be required to work on a one-to-one basis with a pupil, and the panel considered that there may be a risk of repetition." In my judgement, the lack of full insight 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 Roberts were not treated with the utmost seriousness when regulating the conduct of the profession." I am particularly mindful of the finding of an inappropriate relationship 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, 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 Roberts himself and the panel comment “The panel was provided with testimonials that demonstrated Mr Roberts was of good character. The panel took these into account when considering Mr Roberts qualities as a teacher. During the hearing, Pupil B’s [REDACTED] also spoke positively about Mr Roberts’ contribution to the School. The panel accepted that Mr Roberts was a dedicated and enthusiastic teacher, who achieved good results. The panel noted that Mr Roberts made a real contribution to the school and the profession. The panel felt Mr Roberts was a passionate teacher and engaged well with pupils.”

A prohibition order would prevent Mr Roberts 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 proven conduct was serious. The panel had found that Mr Roberts had engaged in inappropriate emails of a personal nature with Pupil A, had given her lifts and met with her for social activities, all whilst she was a pupil of the School. In doing so, Mr Roberts had crossed professional boundaries and had a disregard for safeguarding policies and practices over a protracted period of time.”

I have also placed considerable weight on the finding of the panel that “Whilst the panel took account of all the information it had about context, including the nature of the one-to-one teaching and the fact the event took place during the covid pandemic, the panel concluded that these were not factors that explained or mitigated Mr Roberts’ conduct.”

I have given less weight in my consideration of sanction therefore, to the contribution that Mr Roberts 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 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 a 2 year review period.

I have considered the panel’s comments “The Advice also indicates that where a case involves certain other characteristics, it is likely that the public interest will have greater

relevance and weigh in favour of a longer period before a review is considered appropriate. None of the listed characteristics were engaged by the panel's findings."

The panel has also said that "The panel did not find that Mr Roberts had demonstrated complete insight. The panel was not provided with evidence that Mr Roberts had taken tangible steps to demonstrate his improved knowledge of safeguarding and how his conduct will not be repeated. The panel would have found such evidence helpful."

In this case, factors mean that allowing a two-year 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.

I disagree with the panel on review period, in my view they have not given sufficient weight to the seriousness of the findings and the lack of full insight. I consider therefore that a five year review period will give Mr Roberts sufficient time to develop full insight and is required to satisfy the maintenance of public confidence in the profession.

**This means that Mr Daniel Roberts is prohibited from teaching indefinitely and cannot teach in any school, sixth form college, relevant youth accommodation or children's home in England.** He may apply for the prohibition order to be set aside, but not until 6 January 2030, 5 years from the date of this order at the earliest. This is not an automatic right to have the prohibition order removed. If he does apply, a panel will meet to consider whether the prohibition order should be set aside. Without a successful application, Mr Roberts remains prohibited from teaching indefinitely.

This order takes effect from the date on which it is served on the teacher.

Mr Daniel Roberts has a right of appeal to the High Court within 28 days from the date he is given notice of this order.

A handwritten signature in black ink, appearing to read 'S Buxcey', with a stylized flourish at the end.

**Decision maker: Sarah Buxcey**

**Date: 24 December 2024**

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