



Teaching
Regulation
Agency

Mr Gregory Durston: Professional conduct panel hearing outcome

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

March 2025

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

Teacher: Mr Gregory Durston

TRA reference: 21539

Date of determination: 24 March 2025

Former employer: Wellington School, Somerset.

Introduction

A professional conduct panel (“the panel”) of the Teaching Regulation Agency (“the TRA”) convened on 19 to 24 March 2025 by way of a virtual hearing, to consider the case of Mr Gregory Durston.

The panel members were Mr Martyn Stephens (lay panellist – in the chair), Mrs Susan Siesage (teacher panellist) and Ms Susan Humble (lay panellist).

The legal adviser to the panel was Mr Nicholas West of Birketts LLP solicitors.

The presenting officer for the TRA was Ms Leah Redden of Browne Jacobson LLP solicitors.

Mr Gregory Durston was present and was represented by Mr Jonathan Storey of Cornwall Street Barristers, instructed by Mr Ronan Mulqueeney, Regional Solicitor for the National Education Union.

The hearing took place in public and was recorded.

Allegations

The panel considered the allegations set out in the notice of proceedings dated 29 October 2024.

It was alleged that Mr Durston was guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute, in that whilst employed as a Sport & Wellbeing Teacher at the Wellington School between September 2021 and January 2023:

1. He engaged in inappropriate behaviour and/or failed to maintain professional boundaries with one or more pupils whilst on a residential trip in Belgium in or around October 2022, by;
 - a. allowing one or more pupils and/or pupils aged under 16 years of age to consume alcohol;
 - b. allowing one or more pupils and/or pupils aged under 16 years of age to order and/or purchase alcohol;
 - c. consuming alcohol in the presence of one or more pupils;
 - d. stating to one or more pupils “what goes on tour, stays on tour” or used words to that effect.
2. He placed one or more pupils at risk of harm whilst on a residential trip in Belgium on or around 16 October 2022, by leaving two members of staff responsible for approximately 40 pupils and not ensuring that those two members of staff were aware that they had been left responsible for the care of the pupils.

Mr Durston admitted allegations 1(a), 1(b), 1(c), 1(d) and 2, and further admitted that his conduct amounted to unacceptable professional conduct and/or conduct that may bring the profession into disrepute, as set out in the statement of agreed facts, signed by Mr Durston on 17 February 2025.

Preliminary applications

The panel considered an application from Mr Durston to admit additional documents, a character reference and letter confirming a period of work experience. The application was not opposed by the TRA. The panel decided that the documents were relevant and should therefore be admitted in the interests of a fair hearing.

Summary of evidence

Documents

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

- Section 1: Anonymised pupil list – page 8
- Section 2: Notice of proceedings and response – pages 10 to 24
- Section 3: Statement of agreed facts – pages 26 to 30
- Section 4: TRA witness statements – pages 32 to 61
- Section 5: TRA documents – pages 63 to 425
- Section 6: Teacher documents – pages 428 to 582

In addition, the panel agreed to accept the following:

A letter from Individual A, [REDACTED] dated 13 March 2025 and a letter from Individual B (undated) – pages 583 to 586.

The panel members confirmed that they had read all of the documents within the bundle, in advance of the hearing and the additional documents that the panel decided to admit.

In 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]

Witness B – [REDACTED]

The panel heard oral evidence from the following witnesses called by Mr Durston:

Witness C

Witness D

Witness E

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 Durston was employed as a Sport & Wellbeing teacher at Wellington School ('the School') between September 2021 and January 2023.

Mr Durston was the leader of a hockey trip to Belgium that took place on 14 to 19 October 2022. There were five other members of staff and around 40 pupils, from 15 to 18 years of age.

An initial disclosure was made highlighting concerns about the running of the trip.

It was alleged that Mr Durston had allowed one or more pupils under the age of 16 to consume alcohol on the trip and had allowed one or more pupils aged 15 and 16 to order and purchase alcoholic drinks whilst on the trip.

Mr Durston also allegedly placed one or more pupils at risk of harm whilst on the trip, as on or around 16 October 2022 he left two members of staff responsible for approximately 40 pupils, and did not ensure that those two members of staff were aware that they had been left responsible for the care of the pupils.

The matter was referred to the TRA on 20 February 2023 by the School.

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:

- 1. You engaged in inappropriate behaviour and/or failed to maintain professional boundaries with one or more pupils whilst on a residential trip in Belgium in or around October 2022, by;**
 - a. allowing one or more pupils and/or pupils aged under 16 years of age to consume alcohol;**
 - b. allowing one or more pupils and/or pupils aged under 16 years of age to order and/or purchase alcohol;**

The panel noted that Mr Durston admitted allegations 1(a) and 1(b).

The panel considered the oral evidence and written statement of Witness A, who stated that Mr Durston informed her that pupils could legally drink alcohol from the age of 16 in

Belgium and he also told her that the parents were aware of this. Witness A's statement noted, *"I was shocked with how much alcohol was being consumed by students...The pupils had drank on quite a few occasions"*.

The panel considered the oral evidence and written statement of Witness B, who stated that there was *"a school policy that pupils of the age 16 and over in the sixth form were permitted to have no more than two glasses of wine or beer/cider with a meal at a formal staff supervised event, for example, at the sixth form dinner, and the drinking would be entirely controlled by the staff in charge to ensure that no more than 2 glasses of wine/beer were consumed, and that there was no excessive alcohol or anyone under the age of 16 was consuming alcohol"*.

The panel considered the written statement of Pupil B, who stated that when they attended the residential trip in October 2022, they were 16 years old. Pupil B stated that during the trip they remembered pupils *"having up to four alcoholic drinks"*. Pupil B stated that they were told during mealtimes that they could order a drink with the meal. Pupil B stated that on the second night of the trip they remembered Mr Durston *"coming round to all the pupils in the clubhouse"* saying that they *"could go up to the bar and order alcoholic drinks"*. Pupil B stated that everyone was *"going up regularly to the bar"* and that around 45 minutes later, Mr Durston came round again and said there was a limit on how much they could order and they could only have two drinks but *"by that time people had already drank so much more, around 4 and 5 drinks total"*.

The panel considered the written statement of Pupil C, who stated that at the time of the incident in October 2022, they were 15 years old. Pupil C stated that on the first night of the trip to Belgium they and a few pupils *"did have alcohol but it wasn't too much"*. Pupil C stated that the following evening *"a few of us pupils bought our own alcohol at the bar in the hockey place/clubhouse"*. Pupil C stated that they took it in turns to buy a round of beers and ciders, and that *"Staff were aware of this"*. Pupil C stated that on the first night everyone had the same amount, around one pint each of beer, and on the second night *"several had too much to drink"*.

The panel considered the written statement of Pupil D, who stated that they were 15 years old at the time of the School trip to Belgium. Pupil D stated that on the first night they went to a restaurant and were told that *"it was a maximum two drinks per meal"*. Pupil D stated that they also had dinner at the hockey club and were initially told no to getting a drink but *"eventually Mr Durston and other members of staff said we could go up and buy drinks"*. Pupil D stated that *"Everyone was buying a round each and having 2 or 3 ciders each"*.

The panel was mindful that the written evidence of Pupil B, Pupil C and Pupil D was hearsay evidence, and it would need to be treated with caution before determining what weight it should be given. The panel noted that Pupil B, Pupil C and Pupil D were not called to provide oral evidence at the hearing as their evidence was agreed by Mr

Durston in the statement of agreed facts. The panel was therefore satisfied that full weight could be given to this evidence, notwithstanding the fact that it had not been tested through questioning at the hearing.

Considering all of the evidence available and the admissions from Mr Durston, the panel concluded on the balance of probabilities that pupils, including those aged under 16 years of age, were allowed to consume, order and purchase alcohol.

The panel further concluded that Mr Durston's actions in allowing pupils under 16 years of age to consume, order and purchase alcohol breached the School's policy, as well as the law in England and Belgium, and therefore clearly amounted to inappropriate behaviour. The panel found it more difficult to determine whether Mr Durston's actions amounted to a failure to maintain professional boundaries but concluded that allowing pupils under 16 years of age to consume, order and purchase alcohol did meet this threshold.

The panel accepted Mr Durston's evidence that he approached the trip and pupils' access to alcohol in line with his values of inclusivity and mutual respect, however, the panel considered that this was not sufficient to maintain a professional boundary. In the judgment of the panel, in 'turning a blind eye' to pupils under 16 years of age drinking alcohol, he therefore exposed them to risk and failed to maintain a professional boundary. The relationship between teacher and pupil required him to intervene and protect the wellbeing of pupils.

The panel noted Mr Durston's written statement referred to a previous School trip where a pupil had to have their stomach pumped due to consuming alcohol unsupervised and a [REDACTED] who was also a [REDACTED] stating, "*how are you going to play the alcohol situation with this bunch as they like a drink*". The panel considered that Mr Durston's misjudgement was more serious in the wider context of his knowledge of an unhealthy drinking culture at the School.

The panel therefore found allegations 1(a) and 1(b) proven.

c. Consuming alcohol in the presence of one or more pupils;

The panel noted that Mr Durston admitted allegation 1(c).

The panel considered the oral evidence and written statement of Witness A who stated, "*I saw Mr Durston drinking on many occasions*" and "*when we got to the Ferry a few members of staff including Mr Durston sat down to drink pints of beer. On one particular day I remember one of the pupils mentioned to me that if the staff can drink alcohol, then why couldn't they*". Witness A also stated that "*Mr Durston was drinking every day on the trip*", however, during questioning Witness A accepted that she couldn't remember if Mr Durston had a drink on the final day of the trip when they were travelling home.

The panel considered the written statement of Pupil B, who stated they noticed *“that members of staff would keep getting drinks”*, on the second night of the trip *“Everyone else including staff were going up regularly to the bar”* and *“There was a lot of drinking going on with staff”*.

The panel considered the written statement of Student F who was interviewed as part of the School’s investigation and stated *“Individual F and Mr Durston were going to the bar a lot. They were also acting quite merry at times. They were drinking at lunch and in the evenings”*.

The panel considered the written statement of Individual D who was interviewed as part of the School’s investigation and stated when they were at ISCA hockey club *“GD, Individual E, Individual F and Individual G had a beer”* and he *“didn’t understand why they had a beer after the first game as they had a second match to do”*. Individual D further noted that Mr Durston *“umpired bits of games.”*

The panel considered the written statement of Individual F who was interviewed as part of the School’s investigation and stated that at the ISCA hockey club he had spent most of his time with the hosts as, together with Mr Durston, they *“were the faces of Wellington School”* and they *“had accepted a beer from the hosts as they had said it was the best beer in Belgium.”*

The panel was mindful that the witness evidence of Student F, Individual D and Individual F was not accepted by Mr Durston in the statement of agreed facts. The panel also did not have the opportunity to question this hearsay evidence at the hearing and concluded therefore that only limited weight could be given to this evidence.

In light of Mr Durston’s admission and other witness evidence, the panel found that Mr Durston did consume alcohol in the presence of pupils. The panel considered that consumption of alcohol in the presence of pupils in the evenings with a meal did not amount to inappropriate behaviour or a failure to maintain professional boundaries. However, Mr Durston’s consumption of alcohol in the presence of pupils, on the ferry and at a hockey game, was unnecessary and did amount to inappropriate behaviour and a failure to maintain professional boundaries.

Travelling to Belgium to play hockey was the primary purpose of the School trip and the panel considered Mr Durston’s priority should have always been the pupils during these parts of the trip. The panel was concerned that Mr Durston was role modelling inappropriate behaviour to pupils, particularly when drinking at a hockey game when he was involved with umpiring.

The panel therefore found allegation 1(c) proven.

d. Stating to one or more pupils “what goes on tour, stays on tour” or used words to that effect.

The panel noted that Mr Durston admitted allegation 1(d).

The panel considered the oral evidence and written statement of Witness A, who stated *“Throughout the trip Mr Durston kept repeating ‘what goes on tour stays on tour’. This must have been said about 10 times. He did a nice speech towards the end of the trip, but he finished with that comment again”*.

The panel considered Witness A’s oral evidence regarding this allegation to be truthful. When asked about the context of the comment at the hearing, Witness A replied that it was *“controlling others in an unfair way – manipulating others – stuff on tour went wrong so the pupils shouldn’t tell their parents.”*

The panel considered the written statement of Pupil C, who stated *“I do remember Mr Durston saying what goes on at tour stays on tour throughout the trip.”*

The panel considered the written statement of Pupil D who stated that they remembered *“Mr Durston saying throughout the trip “what happens on tour stays on tour”*. Pupil D recalled an occasion when *“Mr Durston told me off after I had got off the phone to my parents because I told them I had been drinking alcohol. When I was on the phone, I could feel his eyes on me and after I had got off the phone, he pulled me aside and asked me why I told my parents about the drinking because what happens on tour stays on tour.”*

The panel noted the oral evidence and written statement of Mr Durston who accepted that he had used the phrase three to four times in total. Mr Durston accepted in his oral evidence that in hindsight, his use of this phrase was inappropriate and when used in conversation with Pupil D it could have been interpreted as *“asking her not to have freedom of speech to talk about her own experiences.”*

The panel considered that Mr Durston’s use of this phrase did cause pupils to feel restricted in candour with their parents, regardless of whether this was his intention or not. The panel found that Mr Durston’s use of the phrase at the end of the trip showed a lack of self-awareness as it happened after incidents had occurred on the trip and could impact on pupils’ willingness to discuss important issues openly. On this basis, the panel found that Mr Durston’s use of this phrase did amount to inappropriate behaviour and a failure to maintain professional boundaries.

The panel therefore found allegation 1(d) proven.

- 2. You placed one or more pupils at risk of harm whilst on a residential trip in Belgium on or around 16 October 2022, by leaving two members of staff responsible for approximately 40 pupils and not ensuring that those two members of staff were aware that they had been left responsible for the care of the pupils.**

The panel noted that Mr Durston admitted allegation 2. Mr Durston's written statement confirmed *"After the students and two members of staff had gone to bed, myself and three other members of staff walked into the local town for a period of time (approximately 2 ½ hours). The two members of staff who remained at the hotel were unaware that we had left the hotel."*

The panel considered the oral evidence and written statement of Witness A, who submitted that around 40 pupils attended the trip. Witness A stated that on the night Mr Durston and the other teachers had left the hotel, she was *"not aware"* that she had been left with responsibility for the pupils. Witness A stated that she thought *"Mr Durston and other members of staff were downstairs by the main door in the communal space"* as this is where she last left them. Witness A stated she went to sleep not much later than 10pm, and the next morning she had a text from Individual D informing her that *"Mr Durston and the other teachers had left the hotel and gone on a night out in Belgium"* but had failed to tell her.

The panel accepted Witness A's evidence in respect of this allegation and, when taken into consideration with Mr Durston's admission, the panel found that Mr Durston did leave two members of staff responsible for approximately 40 pupils without ensuring that those two members of staff were aware that they had been left responsible for the care of those pupils.

The panel went on to consider whether Mr Durston's actions had placed one or more pupils at risk of harm. In doing so, the panel noted the oral evidence of Witness B who provided an analogy where he stated it was the norm for two members of staff to be responsible for a boarding house at the School overnight. The panel noted that there were additional factors to be taken into consideration as the pupils were in a hotel in a foreign country, not in a boarding house at the School. However, the panel was not convinced that these additional factors placed one or more pupils at risk of harm.

The panel noted that Witness A was responsible for Student Liaison for the trip and all pupils were aware of where she was sleeping if needed in an emergency. The panel further noted that the hotel was secure from 9pm and pupils were expected to stay in their rooms from 9.30pm.

The panel found that Mr Durston's actions in leaving two members of staff responsible for 40 pupils without ensuring that they were aware of such responsibility was inconsiderate and unprofessional. However, on the balance of probabilities, the panel could not be satisfied that such actions had placed one or more students at risk of harm. Despite Mr Durston's admission in respect of this allegation, the panel therefore found this allegation not proven.

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

Having found allegations 1(a), 1(b), 1(c) and 1(d) 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 Durston, in relation to the facts found proved, involved breaches of the Teachers’ Standards.

The panel considered that, by reference to Part 2, Mr Durston 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
- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach...

In particular, the panel found Mr Durston had failed to follow the School’s written policy by allowing pupils aged under 16 years of age to consume, order and purchase alcohol.

The panel was not satisfied that the conduct of Mr Durston, in relation to the facts found proved, involved breaches of Keeping Children Safe in Education (“KCSIE”) or Working Together to Safeguard Children as the panel was not invited to consider any breaches of particular provisions of these guidance documents in the course of the hearing.

The panel also considered whether Mr Durston’s conduct displayed behaviours associated with any of the offences listed on pages 12 and 13 of the Advice. The panel found that none of these offences was relevant.

The panel was satisfied that Mr Durston allowing pupils under 16 years of age to consume, order and purchase alcohol was clearly misconduct of a serious nature which fell significantly short of the standards expected of the profession. Similarly, Mr Durston’s consumption of alcohol at a hockey game in the presence of pupils was inconsistent with the purpose of the trip and potentially undermined the purpose of the tour.

The panel considered Mr Durston’s use of the phrase “*what goes on tour stays on tour*”. Further to Mr Durston’s oral evidence and drawing on its own knowledge and experience, the panel accepted that this was a phrase in common usage. However, the evidence

demonstrated that Mr Durston's use of the phrase was perceived by some pupils as suggesting that they shouldn't be open with their parents. His repeated use of the phrase in circumstances where a concern had been raised was serious misconduct falling significantly short of the standards expected of the profession.

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

In relation to whether Mr Durston's 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 Durston's conduct displayed behaviours associated with any of the offences in the list that begins on page 12 of the Advice and the panel found that none of these offences were relevant.

By allowing pupils under 16 years of age to consume, order and purchase alcohol (an illegal act), being seen to be drinking at a hockey match while responsible for pupils and umpiring for short periods, and making pupils feel that they couldn't be open with their parents, the panel considered that Mr Durston's conduct could potentially damage the public's perception of a teacher.

For these reasons, the panel found that Mr Durston'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; and that prohibition strikes the right balance between the rights of the teacher and the public interest, if they are in conflict.

In light of the panel's findings against Mr Durston, which involved allowing pupils under 16 years of age to consume, order and purchase alcohol, consuming alcohol in the presence of pupils and stating to pupils "what goes on tour stays on tour", there was a public interest consideration in the safeguarding and wellbeing of pupils.

Similarly, the panel considered that public confidence in the profession could be weakened if conduct such as that found against Mr Durston was not treated with the utmost seriousness when regulating the conduct of the profession.

The panel was of the view that a public interest consideration in declaring proper standards of conduct in the profession was also present as the conduct found against Mr Durston 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 Durston in the profession. The panel decided that there was a public interest consideration in retaining Mr Durston 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 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 Durston.

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...

The panel considered whether the behaviour of collusion or concealment was relevant in light of the finding that Mr Durston's use of the phrase "what goes on tour stays on tour" made pupils feel that they couldn't be open with their parents. However, in the broader context of this case, the panel considered that this behaviour was not a relevant consideration.

Even though some of the behaviour found proved in this case indicated that a prohibition order could 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 Durston's actions were deliberate. The panel considered that Mr Durston's use of the phrase "what goes on tour stays on tour" was deliberate and repeated but accepted that his intention was to foster some spirit of camaraderie, rather than make pupils feel that they couldn't be open with their parents.

There was no suggestion that Mr Durston was acting under extreme duress.

There was significant evidence that Mr Durston demonstrated exceptionally high standards in his personal and professional conduct and contributed significantly to the education sector. The panel considered that Mr Durston's conduct on the trip was out of character, and aside from this narrow and isolated incident, Mr Durston previously had an unblemished record.

The panel accepted the character evidence from a significant number of individuals, submitted on behalf of Mr Durston, including:

- Individual H, [REDACTED]: *"He was a positive role model and I know my children respected him for the way he guided, challenged and treated them."*
- Individual I, [REDACTED]: *"I have known Greg for approximately 6 years and in that time he has never shown himself to be anything other than totally committed to teaching, with a diligent, caring and thoughtful manner that truly resonates with the students. He sees pupils as individuals, and his approach is always to put the child first...As a House Master, he made every activity fun and ensured everyone felt engaged. As a coach on the hockey pitch, he radiated a calm confidence that extended to his players who in turn wanted to try their best and give their all. Should the situation ever arise, I would have absolutely no hesitation in recommending Greg as a most capable, compassionate and considerate teacher, and also as an exceptional sports coach across all age groups".*
- Individual J, senior leadership team [REDACTED]: *"In conclusion, I believe that Mr. Durston is a highly professional, trustworthy, and committed individual who has consistently demonstrated integrity, thoroughness, and dedication in his work, especially within the context of his coaching and teaching roles. His contributions to [REDACTED] and the wider community have been nothing short of exemplary, and I have every confidence in his abilities as both a coach and educator."*
- Individual K, [REDACTED]: *"I have known Mr Durston for approx. 6 years...I always found Mr Durston to be fair and have known him to go above and beyond for certain kids who are struggling with day-to-day life at school."*

- Individual L, teacher, former colleague for six years: *“Greg also fulfilled pastoral support in his role and was promoted more than once in recognition of his work in this area. It was no surprise to me that Greg be given further responsibility to safeguard the welfare and wellbeing of pupils in school. He is an outstanding individual who in all my time working alongside him fulfilled his responsibilities with pupils at the heart of his dedicated and professional coaching.”*
- Witness E, teacher and former colleague of Mr Durston provided a written statement confirming he, *“never had cause to question the judgement”* of Mr Durston. In oral evidence, Witness E expanded on this, providing an example on two different school trips he had attended with Mr Durston where he had demonstrated excellent conduct to protect the wellbeing of pupils. Once at Oman airport where Mr Durston kept pupils together and safe and once in a London hotel where he confiscated television remote controls to prevent pupils from accessing inappropriate content.
- Individual M, teacher, former colleague: *“During my time working with Mr Durston I never questioned or was given any reason to question his professional judgement. I always found that he made very good decisions, especially around the pupil’s safety and wellbeing.”*
- Individual N, teacher, former colleague: *“In my opinion, Greg is an excellent role model and impressive person and I always found him to be an outstanding coach. I do not recognise Greg in any of the above allegations.”*
- Individual O, teacher [REDACTED]: *“I feel that Mr Durston has the potential to offer a great deal to the teaching profession in the future. He has proven to me as a [REDACTED] and colleague that he has integrity, respect and empathy; he is a highly skilled teacher who enables his pupils to thrive and develop both personally and academically.”*

The panel considered the exceptionally broad base of character evidence provided was consistent in referring to Mr Durston as an excellent sports coach and teacher and the misconduct found against him was clearly out of character. This conclusion is supported by the School’s decision to designate Mr Durston as the trip leader, despite the fact that he was an Early Career Teacher with less teaching experience than others on the trip.

The panel noted Mr Durston’s evidence that he lacked clear guidance and support from the School. The panel considered that the public would expect the School to provide very clear guidance regarding the management of alcohol consumption for all participants in any School trip, but this was lacking. The panel considered the written and oral evidence of Witness E who stated, *“I do now wonder whether had Mr Durston perhaps been a little more selfish, a little more demanding (of training and support) and perhaps a little more protective of himself, he would not be in this very unfortunate position”*.

In respect of the specific misconduct found proven, the panel noted that there were a number of mitigating factors. There were measures in place throughout the trip to protect the wellbeing of pupils including making sure there was always a member of staff who did not drink any alcohol, in accordance with the School's written policy. More senior members of staff were not only present on the trip but were involved in decision making and were capable of stepping in where they considered the wellbeing of pupils to be at risk. The panel was also conscious that what it read and what it was told about the School's drinking culture would have made it more difficult for Mr Durston to implement a zero tolerance policy on alcohol.

A number of pupils considered the trip to be successful and Mr Durston received high praise from parents, including *"Thanks so much for giving up your half term to take the tour. It won't surprise you that [] hasn't stopped talking since she came home, memories to last a lifetime"*, *"Thank you so much for taking [] on hockey tour. He has talked about how awesome it was all the way home"*, *"[] had a brilliant time, thank you to all concerned in making it a memorable trip for them"* and *"[] said it was an excellent tour and he had a fab time"*.

Although the panel found Mr Durston's behaviour to have been inappropriate, it was limited to a very short space of time, over a few days on the trip. The panel was conscious that the wider context could not be underestimated, and it was highly unlikely that such conduct would ever be repeated by Mr Durston.

Mr Durston had admitted all of the allegations, and the panel considered there was a high level of frankness, integrity and truthfulness throughout his evidence. The panel noted that there was significant insight and regret on the part of Mr Durston. The panel accepted that Mr Durston was remorseful and reflective of his actions when he spoke about the impact his behaviour could have had.

In particular, the panel accepted the written statement and oral evidence of Witness C, a teacher and former colleague of Mr Durston. Witness C explained, *"When Greg came to visit me after tour it was one of the saddest days of my teaching career...poor Greg was in tears and very upset as he knew he had been very silly and he knew the impact it would have on his young family and he was deeply remorseful. He is very aware of what he did and I am certain he has learned his lesson. I hope he is allowed a chance to contribute to the future of the profession as I think he would be wonderful PE and pastoral teacher."*

The panel also accepted the written statement and oral evidence of Witness D, teacher and former colleague of Mr Durston. Witness D stated in her oral evidence, *"he agreed with the allegations, but he is obviously extremely remorseful – I have known him for eight years and he has taken accountability for actions and learned a lot from this period – a huge amount – it has ultimately changed him. I think and believe he still has a lot to*

give to the profession and students and he will take learning from this to continue to do his best for students within his care.”

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 significant 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 Mr Durston 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 some of the allegations proven and found 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 one of the allegations not proven (allegation 2) and I have therefore put that matter entirely from my mind.

The panel has made a recommendation to the Secretary of State that Mr Gregory Durston 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 Durston 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
- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach...

The panel finds that the conduct of Mr Durston 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 Durston, 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 light of the panel's findings against Mr Durston, which involved allowing pupils under 16 years of age to consume, order and purchase alcohol, consuming alcohol in the presence of pupils and stating to pupils “what goes on tour stays on tour”, there was a public interest consideration in the safeguarding and wellbeing of pupils.”

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 Durston had admitted all of the allegations, and the panel considered there was a high level of frankness, integrity and truthfulness throughout his evidence. The panel noted that there was significant insight and regret on the part of Mr Durston. The panel accepted that Mr Durston was remorseful and reflective of his actions when he spoke about the impact his behaviour could have had.”

In my judgement, the insight and remorse demonstrated by Mr Durston means that there is a low risk of the repetition of this behaviour. 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:

“By allowing pupils under 16 years of age to consume, order and purchase alcohol (an illegal act), being seen to be drinking at a hockey match while responsible for pupils and umpiring for short periods, and making pupils feel that they couldn’t be open with their parents, the panel considered that Mr Durston’s conduct could potentially damage the public’s perception of a teacher.”

I am particularly mindful of the finding of allowing pupils under 16 years of age to consume, order and purchase alcohol 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 Durston himself. The panel has commented:

“There was significant evidence that Mr Durston demonstrated exceptionally high standards in his personal and professional conduct and contributed significantly to the education sector. The panel considered that Mr Durston’s conduct on the trip was out of character, and aside from this narrow and isolated incident, Mr Durston previously had an unblemished record.”

The panel also noted character evidence from a significant number of individuals and concluded that “the exceptionally broad base of character evidence provided was consistent in referring to Mr Durston as an excellent sports coach and teacher and the misconduct found against him was clearly out of character.”

A prohibition order would prevent Mr Durston 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 finding concerning the significant insight or remorse shown by Mr Durston. I have also placed considerable weight on the panel’s comments on the mitigating factors. The panel has said:

“In respect of the specific misconduct found proven, the panel noted that there were a number of mitigating factors. There were measures in place throughout the trip to protect the wellbeing of pupils including making sure there was always a member of staff who did not drink any alcohol, in accordance with the School’s written policy. More senior members of staff were not only present on the trip but were involved in decision making and were capable of stepping in where they considered the wellbeing of pupils to be at risk. The panel was also conscious that what it read and what it was told about the School’s drinking culture would have made it more difficult for Mr Durston to implement a zero tolerance policy on alcohol.”

I have also taken account of the panel’s finding that:

“Although the panel found Mr Durston’s behaviour to have been inappropriate, it was limited to a very short space of time, over a few days on the trip. The panel was conscious that the wider context could not be underestimated, and it was highly unlikely that such conduct would ever be repeated by Mr Durston.”

For these reasons, I agree with the panel that the nature and severity of the behaviour were at the less serious end of the possible spectrum, and 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.

A handwritten signature in black ink, appearing to read 'D Oatley', with a large, sweeping loop at the end.

Decision maker: David Oatley

Date: 26 March 2025

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