



Teaching
Regulation
Agency

Mr Gary Feldman: Professional conduct panel outcome

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

March 2025

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

Teacher: Mr Gary Feldman

Teacher ref number: 3949975

Teacher date of birth: 3 November 1956

TRA reference: 22263

Date of determination: 18 March 2025

Former employer: Petty Pool College, Northwich

Introduction

A professional conduct panel (“the panel”) of the Teaching Regulation Agency (“the TRA”) convened on 17 to 18 March 2025 by way of a virtual hearing, to consider the case of Mr Gary Feldman.

The panel members were Mr Paul Hawkins (lay panellist – in the chair), Mrs Joanne Arscott (teacher panellist) and Dr Louise Wallace (lay panellist).

The legal adviser to the panel was Mrs Luisa Gibbons of Eversheds Sutherland (International) LLP Solicitors.

The presenting officer for the TRA was Ms Cher Lyne Peh of Browne Jacobson LLP solicitors.

Mr Feldman was present and was not represented.

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 proceedings dated 15 January 2025.

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

1. On or around 30 June 2023, whilst applying for the role and/or following his employment as a teacher at Rudheath Senior Academy, he failed to disclose relevant information, namely that he was dismissed from The Oaks Academy.
2. Whilst applying for the role as a teacher at/ via Hunter Education in or around January 2024, he provided false and/or misleading information, namely that:
 - a. His last employment was at Whitby High School and/or Hilbre High School when he was in fact last employed and dismissed by Rudheath Senior Academy prior to his application;
 - b. He omitted his previous employment at The Oaks Academy when he was in fact previously employed and dismissed by The Oaks Academy.
3. Whilst applying for the role and/or employed as a teacher at Petty Pool College in or around February 2024. He provided false and/or misleading information, namely that he omitted that he was last employed and dismissed by Rudheath Senior Academy prior to his application.
4. His conduct as may be found proven at 1 and/or 2 and/or 3 above lacked integrity and/or was dishonest.

Mr Feldman admitted the alleged facts and admitted that he was guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute.

Preliminary applications

There were no preliminary applications.

Summary of evidence

Documents

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

Section 1: Chronology – pages 6 to 7

Section 2: Notice of proceedings, referral and response– pages 8 to 42

Section 3: Teaching Regulation Agency documents – pages 43 to 199

Section 5: Teacher documents – pages 200 to 218

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

No witnesses were called on behalf of the presenting officer.

Mr Feldman gave oral evidence.

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 Feldman was employed as a teacher at The Oaks Academy between 1 September 2022 and 31 January 2023 when he was dismissed. He was subsequently employed at Rudheath Senior Academy and his employment was terminated on 19 January 2024. He was thereafter employed at Petty Pool College from 8 February 2024 until 15 March 2024.

Mr Feldman signed a statement of agreed and disputed facts on 21 September 2024

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. On or around 30 June 2023, whilst applying for the role and/or following your employment as a teacher at Rudheath Senior Academy, you failed to disclose relevant information, namely that you were dismissed from The Oaks Academy.**

Mr Feldman admitted this allegation in his response to the notice of referral, his response to the notice of proceedings and in a statement of agreed facts.

The panel noted that information from the LADO indicated that Mr Feldman had been under investigation in relation to a complaint at a previous school where he had worked. The information confirmed that whilst the police concluded that it was taking no further action, Mr Feldman had been dismissed from his position for not informing his employer of the police investigation. The LADO did not expressly provide the name of the employer that had dismissed him but, from the evidence of Mr Feldman, it was clear that Mr Feldman had been employed at The Oaks Academy at the time the complaint was made, and whilst he had been under investigation by the police. Whilst the document was hearsay, the panel noted that given Mr Feldman's admission, it was not the sole or decisive evidence in support of any allegation. The panel noted that Mr Feldman did not challenge the information provided by the LADO.

The panel has seen Mr Feldman's application to Rudheath Senior Academy which made no reference to having worked for The Oaks Academy.

The panel considered that in light of the information provided by the LADO, the application form itself and Mr Feldman's admissions it was more likely than not that Mr Feldman had acted in the way alleged.

The panel therefore found allegation 1 proven.

2. Whilst applying for the role as a teacher at/ via Hunter Education in or around January 2024, you provided false and/or misleading information, namely that:

- a. Your last employment was at Whitby High School and/or Hilbre High School when you were in fact last employed and dismissed by Rudheath Senior Academy prior to your application;**
- b. You omitted your previous employment at The Oaks Academy when you were in fact previously employed and dismissed by The Oaks Academy.**

Mr Feldman admitted this allegation in his response to the notice of referral, his response to the notice of proceedings and in a statement of agreed facts.

The panel has seen an email from Mr Feldman dated 30 January 2024 providing his C.V. to Hunter Education. This stated that Mr Feldman's "current role" was as a maths teacher with Hilbre High School.

The panel has seen a letter dated 17 January 2024 confirming that Mr Feldman's employment with Rudheath Senior Academy was to be terminated as from 19 January 2024. At the time, Mr Feldman had been in his probationary period with Rudheath Senior Academy which decided not to confirm his appointment in the role of mathematics teacher. The letter referred to Mr Feldman having the right to appeal "the decision to dismiss [him]."

Mr Feldman therefore provided false and/or misleading information when he referred to his last employment having been at Hilbre High School since his last employment had been at Rudheath Senior Academy from which he had been dismissed.

The panel noted that no reference was made on the C.V. provided to Hunter Education regarding his previous employment at The Oaks Academy or that he had been dismissed from that position.

The panel considered that in light of the C.V. sent to Hunter Education, the letter terminating his employment from Rudheath Senior Academy, the information provided by the LADO referred to in allegation 1 above and Mr Feldman's admissions, Mr Feldman had more likely than not acted in the way alleged.

The panel therefore found this allegation proven.

3. Whilst applying for the role and/or employed as a teacher at Petty Pool College in or around February 2024 you provided false and/or misleading information, namely that you omitted that you were last employed and dismissed by Rudheath Senior Academy prior to your application.

Mr Feldman admitted this allegation in his response to the notice of referral, his response to the notice of proceedings and in a statement of agreed facts.

As referred to above, the panel has seen a letter dated 17 January 2024 confirming that Mr Feldman's employment with Rudheath Senior Academy was to be terminated as from 19 January 2024.

The panel paid no regard to a document purporting to be a C.V. as there was no evidence that it had been created by Mr Feldman, nor any evidence that it had ever been seen by Petty Pool College.

However, the panel had regard to minutes of a meeting between Mr Feldman and the vice principal of Petty Pool College. This stated that Mr Feldman was asked to explain why he would have left certain employers off his C.V. history. The panel noted that the minutes do not record that Mr Feldman had denied this, but instead Mr Feldman had sought to provide information regarding complaints that had been made against him.

In light of the minutes of the above meeting, the letter of termination from Rudheath Senior Academy and Mr Feldman's admissions, Mr Feldman had more likely than not acted in the way alleged.

The panel therefore found this allegation proven.

4. Your conduct as may be found proven at 1 and/or 2 and/or 3 above lacked integrity and/or was dishonest.

Mr Feldman admitted this allegation in his response to the notice of referral, his response to the notice of proceedings and in a statement of agreed facts.

Mr Feldman gave evidence that he had omitted details of his employment history and dismissals out of concern that he would not find employment. The panel considered that the ordinary honest person would have considered that omitting information when applying for a position to conceal the fact of dismissal from a previous post was dishonest.

The panel considered that Mr Feldman's conduct found proven at allegations 1, 2 and 3 above had been dishonest.

The panel also considered that Mr Feldman's conduct lacked integrity. Accuracy in applying for a position is important so as to allow a future employer to conduct checks to ensure that the welfare of children is properly safeguarded. Mr Feldman had been well informed of these requirements. Safer Recruitment is a fundamental part of Keeping Children Safe in Education which Mr Feldman was obliged to be familiar with and follow. The importance of this ought to have been readily apparent given the information from the LADO that Mr Feldman had been dismissed from The Oaks Academy since not informing the school of the police involvement effectively prevented them from implementing safeguarding measures whilst the police investigation was ongoing. Furthermore Rudheath Senior Academy's application form had provided an explanation that information as to whether he had ever been the subject of formal disciplinary proceedings was required in order to ensure safe recruitment and meet obligations to safeguard children. Despite this, Mr Feldman responded "no" stating that he had not been subject of formal disciplinary proceedings.

The panel considered that in acting as found proven at allegations 1, 2 and 3 above, Mr Feldman had failed to adhere to the ethical standards of the teaching profession and therefore lacked integrity.

The panel therefore found this allegation proven.

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 Feldman, in relation to the facts found proved, involved breaches of the Teachers' Standards.

The panel was satisfied that the conduct of Mr Feldman, in relation to the facts found proved, involved breaches of the Teachers' Standards. The panel considered that Mr Feldman had breached the obligation to act with honesty and integrity set out in the preamble to Teachers' Standards.

The panel considered that, by reference to Part 2, Mr Feldman 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
 - 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 and maintain high standards in their own attendance and punctuality.
- 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 Feldman, in relation to the facts found proved, involved breaches of Keeping Children Safe In Education ("KCSIE"). Mr Feldman had undermined the safer recruitment principles designed to safeguard children.

The panel did not consider that Mr Feldman's misconduct occurred outside the education setting, since it involved his applications to be employed as a teacher.

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

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

The panel found that the offence type of fraud or serious dishonesty was relevant.

The panel had regard to Mr Feldman's representations that at the time of making the applications he had been concerned that he would not be employed, following the accusation of sexual assault against him, and that even though no further action had been taken against him, he had been badly affected by the complaint. [REDACTED]

The panel did not therefore consider that Mr Feldman's persistent dishonest actions to three organisations were caused by the impact of the complaint against him, and that Mr Feldman was morally culpable for his dishonest acts.

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

In relation to whether Mr Feldman'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 Feldman's conduct displayed behaviours associated with any of the offence types in the list that begins on page 12 of the Advice.

The Advice indicates that where behaviours associated with such an offence type exist, a panel is likely to conclude that an individual's conduct would amount to conduct that may bring the profession into disrepute.

As above, the panel found that the offence type of fraud or serious dishonesty was relevant.

The findings of misconduct are serious, and the conduct displayed would be likely to have a negative impact on the individual's status as a teacher.

The panel considered that Mr Feldman's conduct could potentially damage the public's perception of a teacher, therefore bringing the teaching profession into disrepute.

For these reasons, the panel found that Mr Feldman'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; and declaring and upholding proper standards of conduct.

There was a strong public interest consideration in respect of the safeguarding and wellbeing of pupils, given the serious findings of undermining safer recruitment procedures.

Similarly, the panel considered that public confidence in the profession could be seriously weakened if conduct such as that found against Mr Feldman 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 Feldman 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 Feldman in the profession. Whilst there is evidence that Mr Feldman had contributed to the teaching profession over several decades, the panel considered that the adverse public interest considerations above outweigh any interest in retaining Mr Feldman in the profession, since his behaviour fundamentally breached the standard of conduct expected of a teacher.

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 Feldman.

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 ... safeguarding ... of pupils, and particularly where there is a continuing risk;
- dishonesty or a lack of integrity, including the deliberate concealment of their actions..., especially where these behaviours have been repeated or had serious consequences...;

- collusion or concealment including:
 - lying to prevent the identification of wrongdoing;

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.

Mr Feldman's actions were deliberate and repeated on a number of occasions.

There was no evidence to suggest that Mr Feldman was acting under extreme duress, e.g. a physical threat or significant intimidation. On 4 September 2024, Mr Feldman requested by email that the panel take into account the [REDACTED] he had been under since he was accused of sexual assault, stating "I cannot explain the trauma that it caused in my teaching career as well as my personal life." He stated that he did not let the schools mentioned know of his dismissals, as he was "honestly terrified that I would never be employed." He asked the panel to consider that he had "been through so much since the false sexual assault allegation including police interview and waiting and trying to prove [his] innocence – it's been terrible and really hard."

Mr Feldman asked that the panel consider his skills and ability to teach mathematics at all levels. In the email of 4 September 2024, Mr Feldman referred to his 32 years' teaching experience in South Africa and six years' experience in the UK. However, there was no evidence that Mr Feldman had demonstrated exceptionally high standards in his personal and professional conduct or that he has contributed significantly to the education sector other than having had a long teaching career.

The panel noted that Mr Feldman had been dismissed from his position at The Oaks Academy as a result of his failure to inform the school of the police investigation which effectively prevented them from implementing safeguarding measures whilst the police investigation was ongoing. Furthermore, the panel noted that Mr Feldman was dismissed from Rudheath Senior Academy due to concerns regarding Mr Feldman's failure to follow the school's behaviour policy, low level concerns regarding teaching standards and behaviour management in the classroom. The panel noted that, in oral evidence, Mr Feldman did not accept the reasons that Rudheath Senior Academy gave for his dismissal.

Mr Feldman referred to having been appointed to leadership roles, including as head of mathematics and head of year, but provided no evidence of this. Mr Feldman adduced no statements attesting to his character or to his abilities as a teacher.

The panel noted that the bundle included a reference from an employer who employed Mr Feldman as a teacher of mathematics over what appears to be a month long period. The panel noted that the referee ticked "excellent" in respect of all essential job skills and

in his knowledge and practice skills, save for Mr Feldman's IT skills which were referred to as "very good". There appeared to have been an error in the reference since it gave start and end dates of employment as June 2024 to July 2024 which was inconsistent with the date of the reference saying that it was produced on 13 February 2024.

Mr Feldman has admitted the allegations throughout these professional conduct proceedings. In the statement of agreed and disputed facts, Mr Feldman denied unacceptable professional conduct and conduct that may bring the profession into disrepute but has subsequently admitted this as well.

On 4 September 2024, Mr Feldman referred to the impact of the accusation of sexual assault on his [REDACTED] stating that it was not an excuse for not disclosing to the schools. He stated that he was "so deeply sorry to have done the wrong thing." [REDACTED] On 17 February 2025, Mr Feldman sent a letter stating that he acknowledged his mistakes and that he "deeply apologise[s] for [his] misinformation supplied". He went on to state that he had [REDACTED] and professionally because of [his] mistakes" and that he would "like to finally resolve the matter by remaining honest and been [sic] more aware of [his] actions going forward." He stated that "I aim to hopefully go back to teaching maths as soon as possible and re-establish myself as the outstanding teacher I know I am." His letter went on "I am very sorry for everything and I humbly come before you knowing my actions were wrong, and I ask for your forgiveness. I will not let my chosen profession of more than 40 years down again!"

In oral evidence, Mr Feldman did state that he recognised there had been an effect on the schools involved in having to go through disciplinary and termination of employment processes with him. However, the panel was of the view that Mr Feldman had demonstrated little insight. The panel noted that Mr Feldman had been willing to offer an apology but that he appeared to be more concerned with the personal consequences for him, than the impact his actions had had on the schools (and particularly that he had frustrated their safer recruitment processes) and on the profession of abusing the trust placed in him as a teacher.

The panel formed the view that Mr Feldman was so shocked and angry by the complaint made against him, which was investigated by the police, that it has clouded his ability to understand that it is his own failings and decisions that have led to the present proceedings. In oral evidence, Mr Feldman referred to this having "all began in 2022 because of these sexual allegations" that the police investigation had continued to affect him and that he feels that he is in the present situation because of that investigation. He referred to the financial impact having been harsh upon him and he continued to dispute the reasons for Rudheath Senior Academy dismissing him.

Mr Feldman referred to being committed to learning from this experience. He explained that he had completed online safeguarding training. He referred to undertaking tutoring to keep his mathematics knowledge up to date, and that he has become more active in the

community. Despite this Mr Feldman produced no evidence of the steps taken, to evidence his tutoring ability, to demonstrate any contribution made to the community, nor did he demonstrate what he has learned from recent safeguarding training.

Mr Feldman is clearly committed to teaching and appeared to be frustrated with the present proceedings, referring to “I just want to go ahead and teach”. Nevertheless, the panel remained concerned at Mr Feldman’s understanding of the importance of safeguarding duties which would be integral to any return to teaching. For example, when asked about his failure to disclose his previous dismissals to Petty Pool College, he contested not having allowed that school to satisfy its safer recruitment checks referring to them having obtained references and checked his Disclosure and Barring Service (“DBS”) status.

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 Feldman 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 Feldman. The repeated instances of dishonesty over a period of more than a year impacting on the schools’ ability to discharge their safeguarding obligations was a significant factor in forming that opinion. The panel did not consider that Mr Feldman had sufficiently demonstrated his regard for safeguarding obligations. 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 there are certain other types of cases where 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.

One of these include fraud or serious dishonesty.

Whilst the panel had found repeated acts of dishonesty over a significant period of time, the panel noted that this was confined to his applications for employment, and there was no suggestion that he had been, in any other ways, dishonest during the course of his teaching career. His acts of dishonesty appear to have stemmed from wanting to conceal that he had been investigated following an allegation of sexual assault. Whilst serious, the panel considered that this case was towards the lower end of the possible spectrum of cases that come before misconduct panels. Given the impact that his poor decisions have had on him, the panel did not consider that there was a significant risk of repetition but remained concerned about his level of insight.

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 provision for a review period of two 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 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 Gary Feldman should be the subject of a prohibition order, with a review period of 2 years.

In particular, the panel has found that Mr Feldman 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
 - 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 and maintain high standards in their own attendance and punctuality.
- 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 Feldman involved breaches of the responsibilities and duties set out in statutory guidance Keeping children safe in education (KCSIE) in that he had undermined the safer recruitment principles designed to safeguard children.

The panel finds that the conduct of Mr Feldman 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 Feldman, 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, "There was a strong public interest consideration in respect of the safeguarding and wellbeing of pupils, given the serious findings of undermining safer recruitment procedures." A prohibition order would therefore prevent such a risk from being present in the future.

I have also taken into account the panel's view that Mr Feldman had demonstrated little insight. The panel has commented:

"...The panel noted that Mr Feldman had been willing to offer an apology but that he appeared to be more concerned with the personal consequences for him, than the impact his actions had had on the schools (and particularly that he had frustrated their safer recruitment processes) and on the profession of abusing the trust placed in him as a teacher."

"The panel formed the view that Mr Feldman was so shocked and angry by the complaint made against him, which was investigated by the police, that it has clouded his ability to understand that it is his own failings and decisions that have

led to the present proceedings. In oral evidence, Mr Feldman referred to this having “all began in 2022 because of these sexual allegations” that the police investigation had continued to affect him and that he feels that he is in the present situation because of that investigation. He referred to the financial impact having been harsh upon him and he continued to dispute the reasons for Rudheath Senior Academy dismissing him.”

In my judgement, the lack of insight means that there is some 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 that “public confidence in the profession could be seriously weakened if conduct such as that found against Mr Feldman were not treated with the utmost seriousness when regulating the conduct of the profession.” I am particularly mindful of the finding of a lack of integrity and dishonesty 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 Feldman himself. The panel has commented:

“Mr Feldman asked that the panel consider his skills and ability to teach mathematics at all levels. In the email of 4 September 2024, Mr Feldman referred to his 32 years’ teaching experience in South Africa and six years’ experience in the UK. However, there was no evidence that Mr Feldman had demonstrated exceptionally high standards in his personal and professional conduct or that he has contributed significantly to the education sector other than having had a long teaching career.”

A prohibition order would prevent Mr Feldman 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 concerning Mr Feldman's lack of insight and lack of understanding of safeguarding obligations. In recommending a prohibition order, the panel has said that "The repeated instances of dishonesty over a period of more than a year impacting on the schools' ability to discharge their safeguarding obligations was a significant factor in forming that opinion." The panel has also commented:

"Mr Feldman is clearly committed to teaching and appeared to be frustrated with the present proceedings, referring to "I just want to go ahead and teach". Nevertheless, the panel remained concerned at Mr Feldman's understanding of the importance of safeguarding duties which would be integral to any return to teaching. For example, when asked about his failure to disclose his previous dismissals to Petty Pool College, he contested not having allowed that school to satisfy its safer recruitment checks referring to them having obtained references and checked his Disclosure and Barring Service ("DBS") status."

I have given less weight in my consideration of sanction therefore to the contribution that Mr Feldman 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 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:

"Whilst the panel had found repeated acts of dishonesty over a significant period of time, the panel noted that this was confined to his applications for employment, and there was no suggestion that he had been, in any other ways, dishonest during the course of his teaching career. His acts of dishonesty appear to have stemmed from wanting to conceal that he had been investigated following an allegation of sexual assault. Whilst serious, the panel considered that this case was towards the lower end of the possible spectrum of cases that come before misconduct panels. Given the impact that his poor decisions have had on him, the panel did not consider that there was a significant risk of repetition but remained concerned about his level of insight."

I have considered whether a 2-year review period reflects the seriousness of the findings and is a proportionate period to achieve the aim of maintaining public confidence in the

profession. In this case, factors mean that I agree with the panel that allowing a 2-year review period is sufficient to achieve the aim of maintaining public confidence in the profession. In my judgement a 2-year review period will allow Mr Feldman sufficient time to develop and demonstrate insight and understanding of safeguarding obligations.

This means that Mr Gary Feldman 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 27 March 2027, 2 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 Feldman remains prohibited from teaching indefinitely.

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

Mr Feldman 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 'D Oatley', with a large, sweeping loop at the end.

Decision maker: David Oatley

Date: 21 March 2025

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