



Teaching
Regulation
Agency

Mr James Middleditch: Professional conduct panel outcome

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

April 2025

Contents

Introduction	3
Allegations	4
Summary of evidence	4
Documents	4
Witnesses	5
Decision and reasons	5
Findings of fact	6
Panel's recommendation to the Secretary of State	10
Decision and reasons on behalf of the Secretary of State	13

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

Teacher: Mr James Middleditch

Teacher ref number: 1789776

Teacher date of birth: 14 November 1995

TRA reference: 23254

Date of determination: 15 April 2025

Former employer: Sir John Leman High School, Suffolk

Introduction

A professional conduct panel (“the panel”) of the Teaching Regulation Agency (“the TRA”) convened on 14 and 15 April 2025 by way of a virtual hearing, to consider the case of Mr James Middleditch.

The panel members were Ms Nicola Hartley (lay panellist – in the chair), Ms Joanna Hurren (teacher panellist) and Mr Francis Murphy (teacher panellist).

The legal adviser to the panel was Mr Graham Miles of Blake Morgan LLP solicitors.

The presenting officer for the TRA was Mr John Morrison of counsel instructed by Kingsley Napley LLP solicitors.

Mr Middleditch was not present and was not represented.

The hearing took place in public and was recorded.

Allegations

The panel considered the allegations set out in the notice of hearing dated 21 January 2025 by email and dated 28 March 2025 by post.

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

1. In November 2022, during the process of applying for employment as a Teacher of Music, at Sir John Leman High School (“the School”):
 - a) he did not include his previous history at Archbishop Sancroft High School;
 - b) he did not include the reason for leaving employment at Archbishop Sancroft High School;
 - c) on the ‘Criminal records self-declaration form’ he marked ‘No’ to the question ‘Do the police or children’s social care have your name and/or information on file for any reason when he knew that was not the case.’
2. His conduct at paragraph 1a and/or 1b and/or 1c:
 - a) demonstrated a lack of integrity, and/or
 - b) was dishonest.

No admissions were made as to the alleged facts.

Unacceptable professional conduct and/or conduct that may bring the profession into disrepute were not admitted.

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 3 to 4

Section 2: Notice of hearing and response – pages 5 to 12

Section 3: Teaching Regulation Agency witness statements – pages 13 to 20

Section 4: Teaching Regulation Agency documents – pages 21 to 181

Section 5: Teacher documents – pages 182 to 184

In addition, the panel agreed to accept the following:

- Skeleton argument on behalf of the TRA – pages 1 to 6
- Appendices A and B – pages 1 to 103
- Service bundle – pages 1 to 42
- Correspondence with teacher – pages 1 to 2
- Letter to teacher – page 1

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

In the consideration of this case, the panel had regard to the document Teacher misconduct: Disciplinary procedures for the teaching profession 2020, (the “Procedures”).

Witnesses

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

Witness A, [REDACTED] at Sir John Leman High School.

Decision and reasons

The panel announced its decision and reasons as follows:

The panel has carefully considered this case and reached a decision.

Mr James Middleditch was employed as a Teacher of Music at Sir John Leman High School from December 2022. It was alleged that his appointment followed the submission of a written application dated 17 November 2022. In around March 2023, a new member of staff was being shown around the School premises as part of an organised tour before she began her role at the School. During this tour, the new member of staff passed Mr Middleditch. When she saw him, she expressed surprise to the person escorting her that Mr Middleditch was working at the School as she was aware that he had previously been dismissed from Archbishop Sancroft High School, where she had previously worked. This matter subsequently came to the attention of Witness A. As a result of enquiries made by Witness A, it was established that Mr Middleditch had previously been employed at Archbishop Sancroft High School and dismissed from that employment. However, there was no reference in his application form to him having been employed at that school.

On 30 March 2023, Witness A held a suspension meeting with Mr Middleditch. During the course of this meeting, Mr Middleditch wrote a letter of resignation.

During the course of this hearing, reference has been made to a Local Authority Designated Officer (LADO) investigation that was conducted in 2020 in relation to Mr Middleditch at the time of his employment at Archbishop Sancroft High School. The TRA's case was that, in the context of the LADO investigation, there was involvement with the police and children's social services. There was no allegation before this panel concerning any alleged conduct of Mr Middleditch which was the subject of the LADO investigation. The allegations against Mr Middleditch were confined to information provided or not provided by him in his application for employment at the School.

Findings of fact

The findings of fact are as follows:

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

1. In November 2022, during the process of applying for employment as a Teacher of Music, at Sir John Leman High School ("the School"):

a) you did not include your previous history at Archbishop Sancroft High School;

The panel was provided with written evidence of Mr Middleditch's employment at Archbishop Sancroft High School as a Teacher of Music between 1 September 2021 and 24 February 2022.

The panel reviewed Mr Middleditch's application for employment at the School dated 17 November 2022. The panel noted that section 3 of the form stated, '*Please list a full and unbroken record of your employment and other activities, either paid or unpaid*'. The form completed by Mr Middleditch contained no reference to his employment at Archbishop Sancroft High School. Instead, Mr Middleditch stated on the form that between the dates '2021/2022 to present' he had worked as a freelance musician.

Mr Middleditch has asserted in email correspondence that he verbally informed the interviewing panel during his interview of his previous employment at Archbishop Sancroft High School. However, the panel questioned Witness A about this. Witness A said that she had reviewed the notes of Mr Middleditch's interview and found there was no such record. Additionally, Witness A referred to handwritten notes on the application form, which was included in the bundle, and noted a previous non-school employer (also omitted from the employment history), which Witness A said was required as a second referee. The panel was satisfied that had Mr Middleditch declared his previous employment at Archbishop Sancroft High School during his interview, it is more likely that

this would have been recorded and used as a second referee. Witness A also said during her evidence that she had spoken to a member of the interviewing panel, Individual B, and he had no recollection of Mr Middleditch making any reference to his employment at Archbishop Sancroft High School.

The panel found allegation 1(a) proved.

b) you did not include the reason for leaving employment at Archbishop Sancroft High School;

The panel noted that section 3 of the form required each applicant to provide the reason for leaving previous employment. As Mr Middleditch did not declare his previous employment at Archbishop Sancroft High School, it followed that he did not declare the reason for leaving that employment. The panel reviewed a letter dated 24 February 2022 from the Executive Headteacher of Archbishop Sancroft High School to Mr Middleditch. This letter confirmed the outcome of his final probationary review meeting on 22 February 2022. The letter referred to a number of specific issues and stated:

‘These issues surrounded your conduct and behaviour outside of school which raises concerns with regards to your professionalism and understanding of the Teachers Standards. As a Trust we have strict codes of conduct which we expect all staff to adhere to. We must also consider a transfer of risk of these behaviours occurring within school. As teaching professionals, we must ensure the best possible education and wellbeing for the children we teach.’

This was information concerning the termination of Mr Middleditch’s employment at Archbishop Sancroft High School which should have been included in his application for employment at the School.

The panel found allegation 1(b) proved.

c) on the ‘Criminal records self-declaration form’ you marked ‘No’ to the question ‘Do the police or children’s social care have your name and/or information on file for any reason?’, when you knew this was not the case.

The panel noted that the application for employment at the School had a section headed, ‘Criminal records self-declaration form’ which contained a number of questions about convictions, cautions and inclusion in the Children’s barred list. The final question in the section asked, ‘Do the police or children’s social care have your name and/or information on file for any reason?’ The panel noted that ‘no’ was written on the application form in response to this question and all of the other questions in this section.

In a written response to the allegation, Mr Middleditch denied that he had entered ‘no’ in response to this particular question. He said that he had left the form blank as it was his

intention to disclose the matter verbally to the headteacher in interview. Mr Middleditch went on to suggest that Witness A 'or one of her stooges' had entered the word 'no' on the form. When questioned during her evidence, Witness A denied that she had made any entry on the application form. She said that she had personally located the original application form and could confirm that that this included the answer 'no' to the question concerned.

The panel found Witness A to be a credible witness and concluded that it was more likely than not that Mr Middleditch had included the answer 'no' in response to the question concerned. The panel did not accept Mr Middleditch's assertion that he had left that part of the form blank with the intention of disclosing the information verbally to the headteacher. However, this assertion indicated that Mr Middleditch was aware of the need to provide information to the School about his earlier involvement with the police and/or children's social care.

The panel found allegation 1(c) proved.

2. Your conduct at paragraph 1a and/or 1b and/or 1c:

a) demonstrated a lack of integrity,

In determining whether the conduct found proved in allegations 1a, 1b and/or 1c demonstrated a lack of integrity, the panel recognised that integrity connotes adherence to the ethical standards of the profession. In making an assessment, the panel recognised that it must not set unrealistically high standards. The duty of integrity does not require professional people to be paragons of virtue. Nevertheless, the panel was satisfied that the public would expect Teachers to provide accurate information in their applications for employment.

The panel was satisfied that Mr Middleditch's conduct in failing to declare his previous employment at Archbishop Sancroft High School and the reasons for leaving that employment lacked integrity.

His conduct in answering 'no' to the relevant question on the Criminal records self-declaration form also lacked integrity.

The panel found allegation 2a proved in relation the conduct in allegations 1a, 1b and 1c.

b) was dishonest.

In determining whether the conduct found proved in allegations 1a, 1b and/or 1c was dishonest, the Committee first considered (subjectively) the actual state of Mr Middleditch's knowledge or belief as to the facts before applying the (objective) standards of ordinary decent people.

In relation to the conduct found proved in 1a and 1b, Mr Middleditch was clearly aware that he had been employed at Archbishop Sancroft High School and of the reasons for that employment coming to an end. The information was clearly relevant to his application for employment at the School. The panel was satisfied that Mr Middleditch had deliberately concealed that employment and the reasons for it ending. This conduct was dishonest by the standards of ordinary decent people.

In relation to the conduct in allegation 1(c), the panel has already found that Mr Middleditch answered 'no' to the question concerned when he knew that this was not correct. This conduct was clearly dishonest.

The panel found allegation 2b proved in relation the conduct in allegations 1a, 1b and 1c.

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

The panel considered that, by reference to Part 2, Mr Middleton 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...
- 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 Middleditch, in relation to the facts found proved, involved breaches of Keeping Children Safe In Education ("KCSIE"). In not declaring the information concerned, the School was unable to carry out safer recruitment checks.

The panel also considered whether the teacher's conduct displayed behaviours associated with any of the offences listed on pages 12 and 13 of the Advice. The Advice indicates that where behaviours associated with such an offence exist, a panel is likely to conclude that an individual's conduct would amount to unacceptable professional conduct. The panel found that the offence of serious dishonesty was relevant.

For these reasons, the panel was satisfied that the conduct of Mr Middleditch 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 Middleditch was guilty of unacceptable professional conduct.

In relation to whether Mr Middleditch'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.

The panel considered that Mr Middleditch's conduct could potentially damage the public's perception of a teacher.

For these reasons, the panel found that Mr Middleditch'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.

In the light of the panel's findings against Mr Middleditch, which involved findings of dishonesty and lack of integrity in seeking employment as a teacher, there was a strong public interest consideration in respect of 'safer recruitment' in accordance with Keeping Children Safe In Education ("KCSIE"). In not declaring the information concerned, the School was unable to carry out safer recruitment checks.

Similarly, the panel considered that public confidence in the profession could be seriously weakened if conduct such as that found against Mr Middleditch 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 Middleditch 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 Middleditch in the profession. The panel was not presented with any evidence to establish that there was a public interest in retaining him as 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 Middleditch.

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;
- dishonesty or a lack of integrity, including the deliberate concealment of their actions...

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

The panel found Mr Middleditch's actions to be deliberate.

There was no evidence to suggest that Mr Middleditch was acting under extreme duress, e.g. a physical threat or significant intimidation.

Mr Middleditch has not been the subject of any previous disciplinary finding by the TRA.

Mr Middleditch has failed to engage with these proceedings and not provided any evidence of good character or his contribution to the education sector.

The panel noted that in his written responses, Mr Middleditch demonstrated no insight or remorse.

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 Middleditch 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 Middleditch. His dishonesty and lack of integrity were significant factors in forming that opinion. 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.

Although the conduct found proved involved serious dishonesty, the panel took into account the isolated nature of the dishonesty and Mr Middleditch's relative inexperience within the teaching profession.

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 after a 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 James Middleditch should be the subject of a prohibition order, with a review period of 2 years.

In particular, the panel has found that Mr Middleditch 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...
- 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 Middleditch involved breaches of the responsibilities and duties set out in statutory guidance Keeping Children Safe in Education (KCSIE) as by not declaring the information concerned, the School was unable to carry out safer recruitment checks.

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

The findings of misconduct are serious as they include a finding of a lack of integrity and dishonesty.

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 Middleditch, 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 that “there was a strong public interest consideration in respect of ‘safer recruitment’ in accordance with Keeping Children Safe In Education (“KCSIE”). In not declaring the information concerned, the School was unable to carry out safer recruitment checks.” 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. The panel has noted that “in his written responses, Mr Middleditch demonstrated no insight or remorse.” In my judgement, the lack of evidence of insight and remorse means that there is some risk of the repetition of this behaviour and this puts at risk the future wellbeing of pupils. I have therefore given this element considerable weight in reaching my decision.

I have gone on to consider the extent to which a prohibition order would maintain public confidence in the profession. The panel has observed that “public confidence in the profession could be seriously weakened if conduct such as that found against Mr Middleditch were not treated with the utmost seriousness when regulating the conduct of the profession.” I am particularly mindful of the finding of 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 Middleditch himself. The panel has commented, “Mr Middleditch has failed to engage with these proceedings and not provided any evidence of good character or his contribution to the education sector.”

A prohibition order would prevent Mr Middleditch 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.

I have placed considerable weight on the finding of the panel that “prohibition was both proportionate and appropriate. The panel decided that the public interest considerations outweighed the interests of Mr Middleditch. His dishonesty and lack of integrity were significant factors in forming that opinion.” I have also placed considerable weight on the panel’s comment concerning the lack of evidence of insight and remorse.

I have given less weight in my consideration of sanction therefore to the contribution that Mr Middleditch has made to the profession. In my view, it is necessary to impose a prohibition order in order to maintain public confidence in the profession. A published decision, in light of the circumstances in this case, that is not backed up by evidence of insight and remorse, does not in my view satisfy the public interest requirement concerning public confidence in the profession.

For these reasons, I have concluded that a prohibition order is proportionate and in the public interest in order to achieve the intended aims of a prohibition order.

I have gone on to consider the matter of a review period. In this case, the panel has recommended a 2-year review period.

I have considered the panel’s comments, “Although the conduct found proved involved serious dishonesty, the panel took into account the isolated nature of the dishonesty and Mr Middleditch’s relative inexperience within the teaching profession.”

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, 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 provide time for Mr Middlewich to demonstrate insight and remorse and that there will be no repetition of the misconduct.

This means that Mr James Middleditch 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 23 April 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 James Middleditch remains prohibited from teaching indefinitely.

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

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

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

Decision maker: David Oatley

Date: 16 April 2025

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