



Teaching
Regulation
Agency

Mr Nicholas Smith: Professional conduct panel outcome

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

April 2025

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

Teacher: Mr Nicholas Smith

TRA reference: 21425

Date of determination: 29 April 2025

Former employer: Southwark Primary School (“the School”)

Introduction

A professional conduct panel (“the panel”) of the Teaching Regulation Agency (“the TRA”) convened by way of a virtual hearing on 28 and 29 April 2025 to consider the case of Mr Nicholas Smith.

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

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

The presenting officer for the TRA was Mr Lee Bridges of Kingsley Napley solicitors.

Mr Smith was present and was represented by Miss Jessica Edmonds of NASUWT.

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

Allegations

The panel considered the allegation set out in the notice of proceedings dated 24 January 2025

It was alleged that Mr Smith was guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute in that whilst working as assistant head teacher at Southwark Primary School:

1. Between August 2020 and October 2022, he used methamphetamine, a Class A illegal substance, on one or more occasions.

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

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 4 to 6

Section 2: Notice of proceedings and response form – pages 7 to 18

Section 3: Teaching Regulation Agency witness statements – pages 19 to 36

Section 4: Teaching Regulation Agency documents – pages 37 to 379

Section 5: Teacher documents – pages 380 to 399.

In addition, the panel agreed to accept a timeline prepared by the presenting officer. There was no objection by the teacher's representative to the provision of this timeline to the panel. It was not necessary for the panel to consider whether to admit this document as late evidence, since it did not contain evidence, and was a document akin to submissions. Similarly, the panel and the teacher's representative also received a written closing submission from the presenting officer.

The panel members confirmed that they had read all of the documents within the bundle, in advance of the hearing. The panel also read the timeline provided by the presenting officer and his written closing submission.

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

Witnesses

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

Witness A – [REDACTED]

Witness B – [REDACTED]

Mr Smith also gave oral evidence and called the following witness:

Witness C – [REDACTED]

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 Smith was employed at the School from 1 September 2016, originally as a class teacher, before being promoted to assistant headteacher on 30 August 2019. Following a disclosure by Mr Smith on 7 July 2021, during a period of sick leave, Mr Smith returned to work on 31 August 2021. Following a further disclosure on 31 January 2022, Mr Smith was suspended from work. Mr Smith returned to work on 23 May 2022. On 25 May 2022, a disciplinary hearing took place. Mr Smith remained in work until his resignation on 31 October 2022. Mr Smith has subsequently been employed by Globe Primary School from 5 June 2023.

Findings of fact

The findings of fact are as follows:

The panel found the following particulars of the allegation against you proved, for these reasons:

Whilst working as assistant head teacher at Southwark Primary School:

- 1. Between August 2020 and October 2022, you used methamphetamine, a Class A illegal substance, on one or more occasions.**

Mr Smith admitted this allegation.

Witness B gave evidence that on 7 July 2021, Mr Smith sent an email to him, Witness A, the [REDACTED].

A copy of that email was provided to the panel. [REDACTED].

I want to be clear that I have never used the substance on site. I have also never used the substance on a term time weeknight. This has been a weekend problem.
[REDACTED].

Witness B stated that he arranged to meet with Mr Smith, [REDACTED], at Mr Smith's home on 19 July 2021. Witness B provided a copy of the note of that meeting and confirmed the accuracy of it. Witness B stated that during the meeting Mr Smith disclosed that he had [REDACTED] that he was using the drug at weekends only, in a social group setting. The panel reviewed the meeting notes and noted that they referred to Mr Smith's drug use [REDACTED]. There was no specific reference to crystal methamphetamine within the notes. Witness B confirmed in oral evidence that during this meeting Mr Smith had informed him that he had been using crystal methamphetamine.

In Witness A's evidence, he stated that whilst Mr Smith's email of 7 July 2021 had not indicated which substance Mr Smith had been using, he later became aware, because Mr Smith told him, that it was crystal methamphetamine. Witness A stated that there had been nothing in relation to Mr Smith's appearance or professional behaviour that was indicative that Mr Smith may have been using any illegal substances.

Witness B stated that, following a number of risk assessments, and an action plan being formulated, it was agreed that Mr Smith could return to work, subject to regular monitoring and drug testing. Witness B confirmed that Mr Smith only provided negative drug tests during the time period that the drug tests were being completed.

Witness A stated that, on 31 January 2022, Mr Smith did not arrive at work. Witness A stated that he called Mr Smith who informed him that he was too unwell to attend work, and that he had relapsed over the weekend.

Witness B stated that, following this relapse, the School's disciplinary policy was invoked and an investigation carried out, resulting in a disciplinary hearing. Witness B stated that there had been no suggestion whatsoever that Mr Smith was taking illicit substances [REDACTED] prior to himself disclosing the issue to the School.

Witness A stated that it was determined that Mr Smith could return to work, as risk assessments were put in place, [REDACTED] and was completing regular drug tests. He stated that Mr Smith returned to work on 23 May 2022 and remained in work until his resignation on 31 October 2022.

Mr Smith confirmed in oral evidence that he had first used crystal methamphetamine towards the end of 2019 and that he had last used the drug in January 2022.

[REDACTED].

A letter from Mr Smith's current employer confirmed that Mr Smith had disclosed his previous use of "hard" drugs prior to applying for a position.

[REDACTED].

The panel was satisfied that methylamphetamine is listed as a Class A drug in Schedule 2 of the Misuse of Drugs Act 1971 having been inserted into the Schedule by the Misuse of Drugs Act 1971 (Amendment) Order 2006 and that this is commonly referred to as methamphetamine.

The panel considered that it had been proven that between August 2020 and October 2022, Mr Smith used methamphetamine, a Class A illegal substance, on one or more occasions, whilst a teacher at the School.

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

Having found the allegation proved, the panel went on to consider whether the facts of that proved allegation 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 Smith, in relation to the facts found proved, involved breaches of the Teachers’ Standards.

The panel considered that, by reference to Part 2, Mr Smith 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
 - not undermining fundamental British values, including ... the rule of law...
- 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...

The panel noted that the School’s Code of Conduct stated that “in certain situations the Trust may deem that a zero-tolerance approach is best suited. Examples include... illegal activity.” Mr Smith had signed a checklist to confirm that he had read and understood this Code of Conduct.

The panel also considered whether Mr Smith’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 possession (including for personal use) of class A drugs was relevant.

The panel noted that the allegation took place outside the education setting, and exercised caution here given that Witness A had given evidence that there was "absolutely nothing that I felt was indicated in relation to Nicholas Smith's appearance or professional behaviour that confirmed that he [REDACTED]. I can confirm that there were no issues in relation to his conduct prior to the email disclosure received on 7 July 2021." The panel also noted that Mr Smith has maintained throughout that he never used the substance on a term time weeknight, and there was no evidence to suggest that this was not the case. Nevertheless, the panel noted that when Mr Smith first declared [REDACTED], he had been absent from work from 28 June 2021, and whilst there may have been [REDACTED] contributing to that absence, his drug use must have played a part for Mr Smith to have declared it. Furthermore, Mr Smith did not arrive at work on 31 January 2022, and when contacted by Witness A, Mr Smith stated that he was too unwell to attend work, and that he had relapsed over the weekend. The panel therefore considered that Mr Smith's use of methamphetamine affected the way he fulfilled his teaching role since it had, at the very least, contributed to him being absent from work. [REDACTED]. In any event, the panel considered that Mr Smith's drug use may have led to pupils being exposed to, or influenced by, the behaviour in a harmful way, had they become aware of it. That remained a possibility regardless of any steps Mr Smith took to ensure his drug taking took place in private. Mr Smith's conduct was not compatible with acting as a positive role model.

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

In relation to whether Mr Smith'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 Smith conduct displayed behaviours associated with any of the offences in the list that begins on page 12 of the Advice.

As set out above in the panel's findings as to whether Mr Smith was guilty of unacceptable professional conduct, the Panel found that the offence of possession (for personal use) of class A drugs 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 Smith's conduct could potentially damage the public's perception of a teacher.

For these reasons, the panel found that Mr Smith'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, the maintenance of public confidence in the profession; and declaring and upholding proper standards of conduct .

The panel considered that public confidence in the profession could be weakened if conduct such as that found against Mr Smith were not treated with 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 Smith 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 Smith in the profession. The

panel decided that there was a public interest consideration in retaining the teacher in the profession, since the panel received positive testimony of Mr Smith's 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 Smith.

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; and
- the commission of a serious criminal offence, including those that resulted in a conviction or caution, paying particular attention to offences that are 'relevant matters' for the purposes of the Police Act 1997 and criminal record disclosures.

The panel was aware that possession of a class A drug was a serious criminal offence given the potential range of penalties available on conviction.

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

There was no evidence that Mr Smith's actions were not deliberate.

There was no evidence to suggest that Mr Smith was acting under extreme duress, e.g. a physical threat or significant intimidation. The panel noted that he has since moved to London to deliberately distance himself from his friendship group that he recognised was influencing his behaviour. [REDACTED].

Mr Smith did have a previously good history, having demonstrated exceptionally high standards in both his personal and professional conduct and having contributed significantly to the education sector.

The panel was provided with the reference that Witness B gave to the Globe Primary School when Mr Smith applied for employment there. The reference referred to the disciplinary proceedings Mr Smith had been through (i.e. those relating to the disclosure Mr Smith had made of his substance misuse) and stated that Mr Smith had "showed

great honesty and transparency throughout". With regard to Mr Smith's work performance, Witness B rated Mr Smith "excellent" in all categories save for reliability for which he rated Mr Smith as "good". The reference stated that Mr Smith was a "highly effective teacher and proven leader" that he was a "popular member of staff who has no issues motivating others" and that "whilst being friendly, Nick is still able to hold others to account with great effect." Witness B responded "yes" to the question of whether he was "completely satisfied that the candidate is suitable to work with children and/or young people" and also to the question as to whether he would recommend Mr Smith as suitable for the post for which he had applied. In oral evidence, Witness B confirmed that he remained satisfied that Mr Smith was suitable to work with children, although could not comment on the period of time that has lapsed since he has been into contact with Mr Smith. He explained that whilst he would not normally consider someone who used methamphetamine to be suitable to work with children, as a result of the safeguards and measures that the School had put in place, this had mitigated any risks of Mr Smith working with children. He also confirmed that it remained the case that he would re-employ Mr Smith.

In his witness statement, Witness B stated that upon receipt of Mr Smith's resignation letter, the Academy Trust had looked at providing an alternative role for Mr Smith, perhaps at a different school that did not centre around teaching. The panel considered that this was testament to Mr Smith's abilities, his potential as a teacher and his employer's wish to support him.

In oral evidence, Witness A confirmed that he considered that Mr Smith had been open, honest and transparent in his dealings with him. He referred to Mr Smith as being an "exceptional classroom practitioner" and an "exemplary leader". He stated that he was admired by teachers and parents and was a "shining example" of what he would have wanted from a member of staff in terms of acting professionally, and that his impact on the school community was "outstanding". The panel also considered it pertinent that Witness A confirmed that there had been no signs that Mr Smith's [REDACTED] had impacted his performance, and having disclosed it, Mr Smith fully engaged with the support mechanisms that the School put in place, and was proactive in seeking support.

Witness C provided a written reference and also attended to give oral evidence. She referred to the full disclosure Mr Smith had made before applying to the post of assistant head. She stated that although Mr Smith was not appointed to that post, they were struck by the quality of his teaching, his personality and what he could bring to the school in terms of teaching and his passion for music and performing, so decided to offer Mr Smith a class teacher post. Whilst he did not accept this immediately, she referred to them having stayed in touch. He came as a supply teacher to the school and then accepted the class teacher post with responsibility for music and after school clubs, since having reflected, he thought having fewer leadership responsibilities was a better choice for him.

She stated that she had been particularly watchful of any signs of unusual behaviour from Mr Smith and that there has been none, that Mr Smith always presents himself professionally and appropriately. She stated that Mr Smith is always early on site, that he is hardworking, completes all tasks within deadlines, but at the same time, if he is feeling overwhelmed, he will come and speak about it and is mindful of keeping his stress levels at bay. She confirmed that he has an excellent attendance record, that he attends social events and behaves with decorum. She stated that he is patient, calm and interacts with genuine politeness, kindness and professionalism, that he motivates others and is organised and efficient. She confirmed there have been no complaints from parents, staff or anyone outside of the school regarding Mr Smith. She stated that Mr Smith is an excellent teacher who has been totally committed to his role, and is a valued member of the school team. She stated that since being employed at the school, Mr Smith has been an exemplary employee, there have been no safeguarding concerns, and that the school has not been brought into disrepute, in any way, by him. She concluded that “it would be a massive loss to the teaching profession to lose Nick. He is an incredibly talented, able, passionate and caring teacher who has the potential for a great career, and I urge that the panel allow him to continue this career path.”

In oral evidence, Witness C stated that she had never had to question Mr Smith’s honesty or integrity. She referred to him as an “extremely talented teacher”, described his classroom abilities as “quite mesmerising”. She referred to the natural relationship he has with children, that he captures their attention and engages them. She stated that he is “always evaluating his own practice” and that the feedback she receives from anyone who observes him in the classroom is that they are “impressed”.

Witness C also gave examples of the contribution Mr Smith has made to the school. She stated that previously singing assemblies had been of variable quality, but Mr Smith’s improvements have made them “joyous”, “wonderful” and they are “loved by children and staff”. She described that the progress children have made is very apparent through pupil progress meetings. She also described that he had improved the music provision throughout the school and referred to him as a “great role model for a lot of other teachers in terms of willingness to participate in whole school life.”

The panel considered that Mr Smith had demonstrated significant insight and remorse. It was Mr Smith, himself, who brought his drug-use to the attention of the School. He engaged with the measures put in place by the School to mitigate any risks that posed, and has been honest throughout. He recognised that he should re-locate to move himself away from the friendship group that he recognised was a factor in his behaviour. Witness C referred to his self-awareness and reflection in recognising that those appointed to the assistant head role for which he had applied were a good match for the role, and that he was content with the role of class-room teacher. It was apparent that Mr Smith has recognised the triggers for his drug-use and has made decisions to extract himself from his previous life and approach his life differently. Mr Smith gave evidence of the balance

he has now achieved, appreciating the life that he has beyond his job as a teacher. Mr Smith stated that [REDACTED] to ensure his abstinence.

He expressed deep levels of shame and guilt, and stated that he wished he had had the strength to tell the School earlier.

[REDACTED].

The panel noted that Mr Smith has been employed in his current position since 5 June 2023, and that almost two years have now passed. Witness C confirmed that there have been no issues, even minor ones, that have given cause for concern about Mr Smith's conduct or professionalism. His resilience has been tested. Whilst undertaking supply at the school before his appointment, he stepped in at short notice to take over a class during an Ofsted inspection at a partner school. Since his employment, the school has been inspected by Ofsted, and Witness C described that he managed this very well. Witness C also referred to residential trips that Mr Smith has attended, and the extracurricular events that he volunteers for. Witness C also provided assurance that there have been occasions when Mr Smith has engaged in conversations when he has been finding the workload difficult, and has presented a possible solution. She stated that he has a high degree of self-awareness and of what is manageable. This gave the panel confidence that Mr Smith would continue to seek support to manage stress levels.

Mr Smith spoke passionately about teaching and the enjoyment he has shaping young minds. He referred to the impact of his work and the reward he gets from developing children, in terms of both their learning and as human beings. He referred to the connections he forms with colleagues and being part of a community. Significantly Witness C spoke at length about the loss that would be caused to the school and to the profession if Mr Smith was prohibited from teaching.

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. Having considered the mitigating factors that were present, the panel determined that a recommendation for a prohibition order would not be appropriate in this case. The panel considered that the publication of the adverse findings it had made was sufficient to send an appropriate message to the teacher as to the standards of behaviour that are not acceptable, and the publication would meet the public interest requirement of declaring proper standards of the profession.

Decision and reasons on behalf of the Secretary of State

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

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

In this case, the panel has found the allegation 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 Nicholas Smith 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 Smith 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
 - not undermining fundamental British values, including ... the rule of law...
- 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...

The panel finds that the conduct of Mr Smith 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 Smith, 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 “Mr Smith’s drug use may

have led to pupils being exposed to, or influenced by, the behaviour in a harmful way, had they become aware of it. That remained a possibility regardless of any steps Mr Smith took to ensure his drug taking took place in private. Mr Smith's conduct was not compatible with acting as a positive role model." A prohibition order would therefore prevent such a risk from being present in the future.

I have also taken into account the panel's comments on insight and remorse, which the panel has set out as follows:

"The panel considered that Mr Smith had demonstrated significant insight and remorse. It was Mr Smith, himself, who brought his drug-use to the attention of the School. He engaged with the measures put in place by the School to mitigate any risks that posed, and has been honest throughout. He recognised that he should re-locate to move himself away from the friendship group that he recognised was a factor in his behaviour. Witness C referred to his self-awareness and reflection in recognising that those appointed to the assistant head role for which he had applied were a good match for the role, and that he was content with the role of class-room teacher. It was apparent that Mr Smith has recognised the triggers for his drug-use and has made decisions to extract himself from his previous life and approach his life differently. Mr Smith gave evidence of the balance he has now achieved, appreciating the life that he has beyond his job as a teacher. Mr Smith stated that [REDACTED] to ensure his abstinence."

In my judgement, the insight and remorse demonstrated by Mr Smith and the steps he has taken 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 that "the conduct displayed would be likely to have a negative impact on the individual's status as a teacher." I am particularly mindful of the finding of using a Class A illegal substance 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 Smith himself. The panel has commented, “Mr Smith did have a previously good history, having demonstrated exceptionally high standards in both his personal and professional conduct and having contributed significantly to the education sector.”

The panel has noted that it was provided with written and oral evidence that attested to Mr Smith’s character and teaching ability. Among the positive comments noted by the panel are the following in relation to his current employment:

“She confirmed that he has an excellent attendance record, that he attends social events and behaves with decorum. She stated that he is patient, calm and interacts with genuine politeness, kindness and professionalism, that he motivates others and is organised and efficient. She confirmed there have been no complaints from parents, staff or anyone outside of the school regarding Mr Smith. She stated that Mr Smith is an excellent teacher who has been totally committed to his role, and is a valued member of the school team. She stated that since being employed at the school, Mr Smith has been an exemplary employee, there have been no safeguarding concerns, and that the school has not been brought into disrepute, in any way, by him.”

A prohibition order would prevent Mr Smith 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.

The allegation found proven in this case involves serious misconduct and I am mindful that possession of a Class A drug is a criminal offence. However, in this case, I have placed considerable weight on the panel’s findings concerning the significant insight and remorse demonstrated by Mr Smith, the steps he has taken to address his behaviour and the valuable contribution that he is making to the profession.

For these reasons, I have concluded that a prohibition order is not proportionate or in the public interest. I consider that the publication of the findings made would be sufficient to send an appropriate message to the teacher as to the standards of behaviour that were not acceptable and that the publication would meet the public interest requirement of declaring proper standards of the profession.

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

Decision maker: David Oatley

Date: 2 May 2025

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