



Teaching
Regulation
Agency

Mr Trevor Hodge: 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	11
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 Trevor Hodge

TRA reference: 22917

Date of determination: 23 April 2025

Former employer: Featherstone High School, Southall

Introduction

A professional conduct panel (“the panel”) of the Teaching Regulation Agency (“the TRA”) convened on 22 to 23 April 2025 at Cheylesmore House, 5 Quinton Road, Coventry, CV1 2WT to consider the case of Mr Trevor Hodge.

The panel members were Ms Amanda Godfrey (teacher panellist – in the chair), Mrs Anila Rai (lay panellist) and Mr Paul Hawkins (lay panellist).

The legal adviser to the panel was Mr Jermel Anderson of Blake Morgan LLP solicitors.

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

Mr Trevor Hodge and was represented by Mr Andrew Faux of The Reflective Practice.

The hearing took place in public and was recorded.

Allegations

The panel considered the allegations set out in the notice of hearing dated 8 January 2025.

It was alleged that Mr Trevor Hodge was guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute, in that whilst working as a Teacher of Physical Education and Health and Social Care at Featherstone High School ('The School'):

1. On or around 24 September 2015, he used inappropriate and/or sexualised language on Facebook/Meta in that he:
 - a. Posted a comment regarding undertaking a sexual act (masturbation in public) with reference to a 13-year-old girl.
2. On or around March 2023, he was in possession of inappropriate images and/or videos on an iPad meant for School business and/or issued to him by the School.
3. His conduct at paragraphs 1 and/or 2 was sexually motivated and/or of a sexual nature.

Mr Hodge admitted Allegation 2. He also admitted Allegation 3 but solely with regard to the conduct as admitted within Allegation 2 and only in relation to whether that conduct was sexual in nature.

Mr Hodge denied Allegation 1. He also denied Allegation 3 insofar as it pertained to Allegation 1 entirely and also with regard to the question of sexual motivation in relation to Allegation 2.

Mr Hodge made no admissions in respect 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 5

Section 2: Notice of hearing and response – pages 6 to 13

Section 3: Teaching Regulation Agency witness statements – pages 14 to 21

Section 4: Teaching Regulation Agency documents – pages 22 to 204

Section 5: Teacher documents – pages 205 to 222

In addition, the panel accepted an additional document in the form of the character reference which is added to the Teacher documents section and paginated at pages 223 and 224.

The panel members confirmed that they had read all of the documents within the bundle, and the additional document, 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 2022, (the “Procedures”).

Witnesses

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

Witness A

Witness B

Mr Hodge also 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 Hodge was employed at The School as a Teacher of Physical Education and Health and Social Care on 01 September 2018.

An investigative meeting took place on 21 July 2023, following a concern that had been raised concerning a social media post that Mr Hodge was alleged to have made on 24 September 2015, whereby sexually inappropriate language was used in relation to a 13-year-old girl. The investigative process also identified the concern that Mr Hodge had uploaded inappropriate sexual images to a school-issued iPad.

The school referred the matter to the TRA on 2 December 2023, following the conclusion of its internal investigation.

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:

Allegation 2, Allegation 3 in respect of the question of “sexual in nature” only.

1. On or around 24 September 2015, you used inappropriate and/or sexualised language on Facebook/Meta in that you:

a. Posted a comment regarding undertaking a sexual act (masturbation in public) with reference to a 13-year-old girl.

The panel had sight of what appeared to be a Facebook/Meta post, dated 24 September 2015, authored by an account named “Trevor Hodge”. Through evidence, the exact source of the post, that the panel had been presented with, became slightly unclear. In her live evidence, Witness A suggested that the image that had been provided was a photograph of a phone screen. Displayed on the phone screen was, what was characterised as a “screenshot” of the post which was embedded within a message on Snapchat. There was a lack of clarity as to exactly how this image had been put together, though Witness A advised that a pupil had taken the photograph and sent it to her head of year via email. The post read: *“Just been driving and saw this lovely 13 looking year-old girl. You know I had to just park the car by the side and have a wank to her whilst she was waiting for the bus at the stop”*. The post also had 3 visible comments on it from people who were not engaged by the School or TRA investigation. It was also noted that these comments all displayed the phrase “6Y” next to them, meaning that the post was ostensibly screenshotted in 2021.

The panel was of the view that the post that it had seen was regarding undertaking a sexual act, and did make reference to a 13-year-old girl. The panel was also clear that this material was substantively inappropriate and/or sexualised. However, the panel then considered what evidence it had been presented with that could demonstrate that the post had been made by Mr Hodge.

The panel was concerned that the source image had not been obtained by the School or the TRA through its investigation. It noted that the School had advised that “some searching” had been done, but at the time when the initial referral was made, insufficient efforts appeared to have been made to secure the evidence of the original post. The panel also weighed these concerns alongside the evidence of Mr Hodge who asserted that he did not write it and was unaware as to the origins of the post.

Mr Hodge presented the panel with a mocked-up version of a Facebook post through his evidence, to demonstrate how plausible it is to create a fake post. However, the panel were not particularly convinced that this directly undermined the authenticity of the material that it had been presented with by the TRA. It was noted that the mocked-up post appeared to duplicate the comments from the original post and was not presented as a digital version.

Given the absence of proper steps taken to secure the source material, and in the absence of any direct evidence of attribution to Mr Hodge, the panel considered that it could not determine that it was more likely than not that Mr Hodge had made the post.

The panel was of the view that the TRA had not discharged its burden of proof, on the balance of probabilities and therefore it found the allegation not proved.

2. On or around March 2023, you were in possession of inappropriate images and/or videos on an iPad meant for School business and/or issued to you by the School.

Mr Hodge made a full admission to this allegation. The panel also saw evidence in relation to this matter and also heard directly from Witness B whose account directly accorded with the admission made by Mr Hodge. Witness B had advised that he had been given a School iPad by Mr Hodge which he had initially thought was Mr Hodge's personal device. The reason he was given the device was to record students for coursework, however upon accessing the device, Witness B had noted that three intimate images of a personal nature were present on the device, these had been uploaded by Mr Hodge along with other personal images and applications. The panel was therefore satisfied that there was sufficient evidence in relation to this matter.

The panel therefore found Allegation 2 proved.

3. Your conduct at paragraphs 1 and/or 2 was sexually motivated and/or of a sexual nature.

The panel considered that the images in question as addressed at Allegation 2 were of an intimate nature and noted that Mr Hodge had made an admission to the allegation, insofar as it amounted to question as to whether the images were sexual in nature. The panel, having considered the evidence before it, was satisfied that the images in question met the definition of sexual as defined within the Sexual Offences Act 2003 as:

"... penetration, touching or any other activity is sexual if a reasonable person would consider that (a) whatever its circumstances or any person's purpose in relation to it, it is because of its nature sexual, or (b) because of its nature it may be sexual and because of its circumstances or the purpose of any person in relation to it (or both) it is sexual."

The panel therefore found that Allegation 3 was proved in relation to Allegation 2 regarding the question of whether the conduct was sexual in nature.

The panel then went on to consider the question of sexual motivation. It was advised that the relevant test for this consideration, in accordance with *Basson v General Medical Council* [2018] EWHC 505 (Admin) was:

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

The panel carefully considered the basis on which it could make such a determination. It was cognisant of the fact that the wording of Allegation 2 concerned itself solely with the possession of the images on the School iPad in March 2023.

In considering the allegation, the panel considered that throughout his written and oral evidence, Mr Hodge had stated that he had inadvertently transferred over the images when syncing the School iPad with his personal phone. He asserted that the images had transferred over with other non-intimate images, when he had synced the device. Witness B, the person who discovered the images had notably corroborated this point during his evidence whereby he confirmed that other personal and non-sexual images were present on the School iPad.

The panel determined that Mr Hodge's explanation, that this was an accidental transfer of images was more likely than not to be plausible. It considered that his account, that he was unaware that the images had been placed on the device was a credible explanation in the context.

The panel determined that whilst Mr Hodge had been in possession of images that were of a sexual nature, there was no evidence that it could draw upon to conclude that his actions in possessing the images on the School iPad was either for sexual gratification or done in pursuit of a future sexual relationship.

Accordingly, the panel did not find that Mr Hodge's actions in respect of Allegation 2 were sexually motivated.

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

Having found Allegation 2 proved and also, having found Allegation 3 proved in respect of the conduct within Allegation 2 being sexual in nature, 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 Hodge, in relation to the facts found proved, involved breaches of the Teachers’ Standards.

The panel considered that, by reference to Part 2, Mr Hodge 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 Hodge in relation to the facts found proved, involved breaches of Keeping Children Safe In Education (“KCSIE”).

The panel considered that Mr Hodge was in breach of the following provision:

- All staff have a responsibility to provide a safe environment in which children can learn.

The panel also considered whether Mr Hodge’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 none of these offences was relevant.

The panel noted that the taking of the images took place outside the education setting. However, the possession of the images on the School iPad was within the education setting. It considered that whilst there was a risk of pupils being exposed to harmful content, it was unclear through the evidence, what access that pupils had to the School iPad. Mr Hodge had asserted that he had never given the iPad to pupils. Witness A had suggested that the devices did not have any security features, however in contrast, Mr Hodge and Witness B asserted that they had used a PIN code for access to the School iPad.

The panel was concerned by the conduct of Mr Hodge. It noted that he had synced his

personal account with a School device leading to the transfer of inappropriate material. It considered that in the context, this amounted to a professional failing on his part. However, it did not determine that this conduct was of a serious enough nature to be considered unacceptable professional conduct, given the fact that it amounted to a lapse in judgment. The explanation provided by Mr Hodge, that the transfer of the inappropriate images was inadvertent was deemed to be plausible in the circumstances.

For these reasons, the panel was not satisfied that the conduct of Mr Hodge amounted to misconduct of a serious nature which fell significantly short of the standards expected of the profession.

Accordingly, the panel was not satisfied that Mr Hodge was guilty of unacceptable professional conduct.

In relation to whether Mr Hodge'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 Hodge's 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 Hodge was guilty of unacceptable professional conduct, the Panel found that none of these offences were relevant.

The panel considered that Mr Hodge's conduct could potentially damage the public's perception of a teacher. He had been careless and had failed to follow School guidance, which had led to inappropriate images being present on the School device and within the school environment. He therefore failed in terms of his responsibilities and his duty to provide a safe environment in which children can learn. The panel determined that this conduct could directly impact the way that the profession is viewed, given the high standards that are expected of teachers.

For these reasons, the panel found that Mr Hodge'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 conduct that may bring the profession into disrepute, it was necessary for the panel to go on to consider whether it would be appropriate to recommend the imposition of a prohibition order by the Secretary of State.

In considering whether to recommend to the Secretary of State that a prohibition order should be made, the panel had to consider whether it would be an appropriate and proportionate measure, and whether it would be in the public interest to do so. Prohibition orders should not be given in order to be punitive, or to show that blame has been apportioned, although they are likely to have punitive effect.

The panel had regard to the particular public interest considerations set out in the Advice and, having done so, found a number of them to be relevant in this case, namely,

- the safeguarding and wellbeing of pupils and the protection of other members of the public
- the maintenance of public confidence in the profession
- declaring and upholding proper standards of conduct

In the light of the panel's findings against Mr Hodge which involved the possession of inappropriate, sexual images on a School iPad, there was a public interest consideration in relation to all of the above matters.

The panel considered that there was a public interest consideration in respect of the safeguarding and wellbeing of pupils, given the fact that the possession took place within the School environment, even if no pupil was directly exposed to the inappropriate material.

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

The panel was of the view that a public interest consideration in declaring proper standards of conduct in the profession was also present as the conduct found against Mr Hodge 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 Hodge in the profession. It noted that it had seen a character reference from, Individual A, who stated that he had witnessed "some great practice and teaching" in relation to Mr Hodge. It also had seen a character reference from, Individual B, who described Mr Hodge as a "professional and hard-working colleague" and noted that he had "always believed that he had the potential

be a Head of Year". Having considered, this the panel decided that there was a public interest consideration in retaining Mr Hodge in the profession, noting that no doubt had been cast upon his abilities as an educator and that 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 a high 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 Hodge.

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, the panel determined that there were none that were present. However, the panel remained concerned that Mr Hodge had shown a cavalier attitude with regard to his usage of the School iPad.

Even though some of the behaviour found proved in this case indicated that a prohibition order may 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 accepted Mr Hodge's evidence that his conduct in relation to the possession of the inappropriate images on the School iPad was not deliberate, though it considered that this was weighed against the reality that he had made an intentional decision to sync his personal account with the device. The panel did not consider that Mr Hodge was acting under any duress.

The panel acknowledged that Mr Hodge did have a previously good history, having no previous regulatory or disciplinary findings made against him. Additionally, the panel heard evidence from Mr Hodge which indicated a degree of contrition in relation to his actions. He advised that he has undergone training and had reflected significantly, stating that in his current role he manages his work devices "carefully and consciously", indicating that he has taken steps to remediate his conduct. It was also noted that Mr Hodge has been remorseful in relation to the conduct and showed a level of insight. It was determined that the risk of repetition in relation to Mr Hodge's conduct was low. Mr Hodge's conduct ultimately amounted to an error in judgment that he was unlikely to repeat.

The panel first considered whether it would be proportionate to conclude this case with no recommendation of prohibition, considering whether the publication of the findings made by the panel would be sufficient.

The panel was of the view that, applying the standard of the ordinary intelligent citizen, the recommendation of no prohibition order would be both a proportionate and an appropriate response. Given that the nature and severity of the behaviour were at the less serious end of the spectrum and, 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.

The panel accordingly made no recommendation to the Secretary of State as to prohibition.

Decision and reasons on behalf of the Secretary of State

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

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

In this case, the panel has found some of the allegations proven and found that those proven facts amount to conduct that may bring the profession into disrepute. In this case, the panel has found some of the allegations not proven (including allegation 1), and that some allegations do not amount to unacceptable professional conduct. I have therefore put those matters entirely from my mind.

The panel has made a recommendation to the Secretary of State that Mr Trevor Hodge should not be the subject of a prohibition order. The panel has recommended that the findings of 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 Hodge 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 Hodge involved breaches of the responsibilities and duties set out in statutory guidance Keeping children safe in education (KCSIE).

The panel finds that the actions of Mr Hodge constituted conduct that may bring the profession into disrepute.

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 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 Hodge, 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:

“The panel considered that there was a public interest consideration in respect of the safeguarding and wellbeing of pupils, given the fact that the possession took place within the School environment, even if no pupil was directly exposed to the inappropriate material.”

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:

“It was also noted that Mr Hodge has been remorseful in relation to the conduct and showed a level of insight. It was determined that the risk of repetition in relation to Mr Hodge’s conduct was low. Mr Hodge’s conduct ultimately amounted to an error in judgment that he was unlikely to repeat.”

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:

“He had been careless and had failed to follow School guidance, which had led to inappropriate images being present on the School device and within the school environment. He therefore failed in terms of his responsibilities and his duty to provide a safe environment in which children can learn. The panel determined that

this conduct could directly impact the way that the profession is viewed, given the high standards that are expected of teachers.”

I am particularly mindful of the finding of possessing inappropriate, sexual images on a school iPad 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 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 Hodge himself. The panel has commented:

“...there was a public interest consideration in retaining Mr Hodge in the profession, noting that no doubt had been cast upon his abilities as an educator and that he is able to make a valuable contribution to the profession.”

In reaching this conclusion, the panel noted character references that attested to Mr Hodge’s teaching ability and potential. The panel also noted:

“...Mr Hodge did have a previously good history, having no previous regulatory or disciplinary findings made against him.”

A prohibition order would prevent Mr Hodge from teaching. A prohibition order would also clearly deprive the public of his contribution to the profession for the period that it is in force.

In this case, I have placed considerable weight on the panel’s comments:

“The panel accepted Mr Hodge’s evidence that his conduct in relation to the possession of the inappropriate images on the School iPad was not deliberate, though it considered that this was weighed against the reality that he had made an intentional decision to sync his personal account with the device.”

“Given that the nature and severity of the behaviour were at the less serious end of the spectrum and, 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.”

I have also placed considerable weight on the panel's finding that Mr Hodge had demonstrated remorse and a level of insight, and that the risk of repetition was low.

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: 25 April 2025

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