



Teaching
Regulation
Agency

Mr Cheyne Phillips: Professional conduct panel hearing outcome

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

May 2025

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

Teacher: Mr Cheyne Phillips

Teacher ref number: 1554024

Teacher date of birth: 19 December 1990

TRA reference: 21571

Date of determination: 9 May 2025

Former employer: Healing Academy, Grimsby

Introduction

A professional conduct panel (“the panel”) of the Teaching Regulation Agency (“the TRA”) convened on 6 to 9 May 2025 by way of a virtual hearing, to consider the case of Mr Cheyne Phillips.

The panel members were Mr Peter Ward (lay panellist – in the chair), Dr Louise Wallace (lay panellist) and Miss Louisa Munton (teacher panellist).

The legal adviser to the panel was Mr James Corrish of Birketts LLP solicitors.

The presenting officer for the TRA was Ms Amalea Bourne of Browne Jacobson LLP solicitors.

Mr Phillips was not present and was not represented.

The hearing took place in public, save that small portion of the hearing that was heard in private, and was recorded.

Allegations

The panel considered the allegations set out in the notice of hearing dated 22 January 2025.

It was alleged that Mr Phillips was guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute, in that, whilst employed as a teacher of PE at the Healing Academy ('the Academy') between 6 July 2016 to 22 July 2022:

1. He failed to maintain appropriate professional boundaries and/or developed an inappropriate relationship with Pupil A, a former pupil, in that he
 - a) Followed Pupil A on Instagram;
 - b) Sent one or more messages to Pupil A in which he;
 - i) Sent one or more photographs of himself to Pupil A [see schedule of examples]
 - ii) Requested and/or received one or more photographs and/or videos of Pupil A [see schedule of examples]
 - iii) Made one or more comments of a sexual nature/innuendo and/or inappropriate nature towards Pupil A as set out in the attached schedule
 - iv) Told Pupil A, 'ur a secret'
 - c) Arranged and/or attempted to arrange to meet with Pupil A on one or more occasion [see schedule of examples]
2. He failed to maintain appropriate professional boundaries and/or engaged in and/or developed an inappropriate relationship with Pupil B, in that he
 - a) Obtained Pupil B's personal telephone number and/or gave his telephone number to Pupil B;
 - b) Communicated with Pupil B via email and/or Instagram and/or Snapchat;
 - c) Winked at Pupil B on one or more occasions;
 - d) Sent one or more photographs to Pupil B;
 - e) Received one or more explicit photographs of Pupil B;
 - f) Stated to Pupil B 'your bum in that suit' or words to that effect;

- g) Stated to Pupil B 'give me head' or words to that effect;
 - h) Asked Pupil B 'am I going to make the first move, or are you?' or words to that effect;
 - i) Meeting and/or attempting to meet and/or encouraging Pupil B to meet with him outside of the School premises on one or more occasions [see schedule of examples]
 - j) Engaged in inappropriate physical contact with Pupil B, in that he:
 - i) Kissed Pupil B on one or more occasions;
 - ii) Touched and/or rubbed Pupil B's back;
 - iii) Inserted his fingers into Pupil B's vagina on one or more occasions;
 - iv) Engaged in sexual intercourse with Pupil B on one or more occasions;
 - v) Allowed Pupil B to perform oral sex on him on one or more occasions
 - k) Made comments of a sexual nature/innuendo and/or inappropriate nature towards Pupil B on one or more occasion set out in the attached schedule
3. His conduct as may be found proven at allegation 1 and/or 2 above was conduct of a sexual nature and/or was sexually motivated;
4. He sought to conceal his communications with Pupil B by asking Pupil B to delete one or more messages;
5. His conduct as may be found proven at allegation 4 above was dishonest and/or lacked integrity

Mr Phillips denied allegations 1(a), 1(b), 1(c), 2(a), 2(b), 2(c), 2(d), 2(e), 2(f), 2(g), 2(h), 2(i), 2(j), 2(k), 3, 4 and 5, as set out in the response to the notice of hearing, signed by Mr Phillips on 16 February 2025.

Summary of evidence

Documents

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

Section 1: Notice of hearing and response – pages 8 to 18

Section 2: Schedule of allegations – pages 19 to 22

Section 3: Anonymised pupil list – pages 23 to 24

Section 4: TRA witness statements and exhibits – pages 25 to 132

Section 5: TRA documents – pages 133 to 519

Section 6: Teacher documents – pages 520 to 527

In addition, the panel agreed to accept the supplementary witness statement of Pupil B as described above.

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

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]

Pupil A – [REDACTED]

Pupil B – [REDACTED]

[REDACTED].

[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 Phillips was employed as a PE teacher at Healing Academy (‘the School’).

On 6 October 2021 Pupil A’s mother made a complaint to the School as she had seen messages from Mr Phillips to Pupil A which she considered were sexual in nature.

On 15 November 2021, Pupil B’s mother reported that she had become aware that Pupil B, who had recently left the School, had been engaging in sexual activity with Mr Phillips since July 2021. She reported that Pupil B had also received a number of messages from Mr Phillips that were sexual in nature.

The police, the School and the Local Authority Designated Officer (“LADO”) proceeded to investigate the allegations.

The matter was referred to the TRA on 25 October 2023.

Findings of fact

In respect of all the allegations the panel scrutinised the oral and written witness evidence and exhibits of all 3 witnesses who attended the hearing.

The panel scrutinised the entire bundle including the TRA’s documents concerning the investigations and the meetings of the School and of the various authorities, including LADO and the police, surrounding these allegations. The panel noted that the evidence within a lot of these documents was hearsay but considered that they were relevant and formed part of the official investigations. The panel therefore admitted them but noted that the evidence should be considered carefully and cautiously including in relation to the weight placed on it.

The panel carefully considered the documents, labelled witness statements of Mr Phillips in the bundle index, in their consideration of all allegations. Mr Phillips denied the allegations and a large amount of the factual assertions surrounding them and the panel proceeded in their consideration of the evidence on that understanding. The panel noted that these documents were hearsay, but as they represented the only evidence provided by Mr Phillips and the panel decided that it was in the interests of justice that they be considered. The panel placed limited weight on that evidence as it has not had the opportunity to test the evidence. The panel was also conscious that Mr Phillips would not be cross examined in relation to this evidence or in relation to the other evidence in the bundle.

The panel was also conscious that Mr Phillips had chosen to absent himself from proceedings and from the opportunity to put his evidence in response to the allegations.

The findings of fact are as follows:

- 1. You failed to maintain appropriate professional boundaries and/or developed an inappropriate relationship with Pupil A, a former pupil, in that you**
 - a) Followed Pupil A on Instagram;**
 - b) Sent one or more messages to Pupil A in which you;**
 - i) Sent one or more photographs of yourself to Pupil A [see schedule of examples]**

- ii) **Requested and/or received one or more photographs and/or videos of Pupil A [see schedule of examples]**
- iii) **Made one or more comments of a sexual nature/innuendo and/or inappropriate nature towards Pupil A as set out in the attached schedule**
- iv) **Told Pupil A, 'ur a secret'**

c) Arranged and/or attempted to arrange to meet with Pupil A on one or more occasion [see schedule of examples]

The panel carefully considered the oral evidence, written statement and exhibits of Pupil A.

Pupil A stated that her relationship with Mr Phillips changed towards the end of school, in that he started to laugh and joke with her more.

She stated that she left school when she was [REDACTED], and when she was [REDACTED] Mr Phillips followed her on Instagram and started messaging her. She stated that she knew it was wrong but that she was naïve.

Pupil A stated that Mr Phillips was very persistent in his messaging, and that he was always trying to meet up with her and see her, but that she knew he had a [REDACTED] so she declined.

Pupil A said that any conversation about meeting up was initiated by Mr Phillips. Pupil A stated that during the time they were messaging she tried to message [REDACTED].

Pupil A submitted that the messages started off as general conversation but that they became flirtatious, initially only on his part but that eventually she did flirt back a bit. Pupil A stated that Mr Phillips sent her images, including selfies with inappropriate captions on the photos. Pupil A stated that Mr Phillips tried to initiate exchanging inappropriate pictures a few times but that she never did this. Pupil A stated that there was one occasion where she was going out with a friend and sent him a picture dressed up in jeans and a top and he replied "am I gonna get lucky".

Pupil A stated that Mr Phillips made a comment and said words to the effect of "you're my little secret", and that one time he asked "how's your head game?" and said something along the lines of "you're a happy meal kind of girl".

The panel carefully considered the screenshots of the messages between Pupil A and Mr Phillips. These appeared to evidence that Mr Phillips had followed her on Instagram and had sent photographs to Pupil A and had been sent photographs of Pupil A by Pupil A. It also appeared to evidence that he had made the following comments to Pupil A:

- “is this the part where I get lucky and get a few pics and videos? [emojis]”
- “I was excited that I was getting a selfie/vid [emoji]”
- “Any pre-pics”
- “how’s the head game”
- Responding to a photograph of Pupil A with “Yesssss [finger emoji] [emoji]”
- “I thought I was getting lucky ha ha”
- “Hope you’ve done your make up. I’m coming for you haha”
- “stop flirting [winky face]”
- “Ur a secret hahaa”
- “You going to get a 99 from seafront Monday”
- “When is the rota out [winking emoji]”

The panel noted the frequent and repeated manner of Mr Phillips’ correspondence with Pupil A. The panel found a number of these messages to be of a sexual nature/innuendo and of an inappropriate nature and were satisfied from the evidence that Mr Phillips had attempted to meet with Pupil A on one or more occasions.

The panel found Pupil A to be a credible and clear witness and found her evidence to be reliably consistent with the documentary evidence, including her written statement. The panel was conscious that, in the absence of Mr Phillips, Pupil A’s evidence had not been subject to cross examination and sought to test her evidence in their questioning. The panel found her responses plausible and again consistent with the evidence before it.

The panel was satisfied on the balance of probabilities from the evidence outlined above that Mr Phillips had:

1. Followed Pupil A on Instagram;
2. Sent one or more messages to Pupil A in which he;
 - a. Sent one or more photographs of himself to Pupil A
 - b. Requested and/or received one or more photographs and/or videos of Pupil A
 - c. Made one or more comments of a sexual nature/innuendo and/or inappropriate nature towards Pupil A

- d. Told Pupil A, 'ur a secret' or words to that effect
- 3. Arranged and/or attempted to arrange to meet with Pupil A on one or more occasions

The panel was further satisfied that this conduct amounted to a failure to maintain appropriate professional boundaries and/or amounted to Mr Phillips engaging in/developing an inappropriate relationship with Pupil A.

On the above basis the panel therefore found allegations 1(a), 1(b) (i) (ii) (iii) and (iv) and 1(c) proven.

- 2. You failed to maintain appropriate professional boundaries and/or engaged in and/or developed an inappropriate relationship with Pupil B, in that you**
 - a) Obtained Pupil B's personal telephone number and/or gave your telephone number to Pupil B;**
 - b) Communicated with Pupil B via email and/or Instagram and/or Snapchat;**
 - c) Winked at Pupil B on one or more occasions;**
 - d) Sent one or more photographs to Pupil B;**
 - e) Received one or more explicit photographs of Pupil B;**
 - f) Stated to Pupil B 'your bum in that suit' or words to that effect;**
 - h) Asked Pupil B 'am I going to make the first move, or are you?' or words to that effect;**
 - i) Meeting and/or attempting to meet and/or encouraging Pupil B to meet with you outside of the School premises on one or more occasions [see schedule of examples]**

The panel carefully considered the oral evidence and written statement and exhibits of Pupil B. Pupil B stated that during school her relationship with Mr Phillips, [REDACTED], was normal, but that it changed towards the last few months at school. This included that he would wink at her in a subtle way in their revision sessions, which were just with her and one other pupil. [REDACTED].

Pupil B stated that on the [REDACTED] the class took pictures together, and after she had finished school, Mr Phillips had emailed her something flirty to comment on her outfit. She stated that there was one specific picture on the last day which she believed demonstrated the difference in their relationship. [REDACTED].

Pupil B described how, after school ended early [REDACTED], Mr Phillips e-mailed her and 2 other girls from his school e-mail account and that she responded to this e-mail and that they chatted by e-mail.

Pupil B submitted that on 3 July 2021, Mr Phillips added her on Instagram and Pupil B followed him back. Pupil B indicated that afterwards they continued messaging on Instagram and their messages moved to Snapchat from July [REDACTED].

Pupil B stated that when they had connected on Instagram Mr Phillips started to message her repeatedly, making contact at every opportunity and that he repeatedly tried to arrange to meet up. She stated that the first time Mr Phillips tried to meet up with her was when she was meeting her friend for a dog walk, as she had told him what she was doing that day, and he said to her that coincidentally he was driving through the village so he would come to see her. She stated that he pulled his car up next to her as she was walking to meet her friend and said that he liked her leggings. Pupil B said it was clear he was flirting.

Pupil B described how Mr Phillips later asked her to meet him at a [REDACTED] where he had been with other teachers. He asked her to meet in the car park and asked her to step away from the [REDACTED] and then he kissed her. He then asked her to depart from the [REDACTED] by an alternative route.

Pupil B stated that the first time they properly met up, Mr Phillips parked near her house and she went to meet him, and they drove to the [REDACTED] car park, and the first thing he said to her was "are you gonna make the first move or am I". Pupil B stated that she did not know what to do and would not have initiated anything as she was young and naïve. Mr Phillips was persistently trying to meet up and Pupil B confirmed that they met up, in total, on 5 or so occasions.

Pupil B stated that they would talk on Snapchat but also exchanged some explicit images. Pupil B explained that Mr Phillips would request explicit images. Pupil B recalled specifically that she sent to him 2 pictures of herself in the shower naked and a video of her in the shower naked and touching herself intimately. She recalled she also sent him two images where, respectively, the bottom of her breasts and her thong were shown. She also recalls that Mr Phillips sent her a couple of images of him topless and wearing boxer shorts.

The panel found Pupil B to be a credible and clear witness and found her evidence to be reliably consistent with the documentary evidence, including her written statement. The panel were conscious that, in the absence of Mr Phillips, Pupil B's evidence had not been subject to cross examination and sought to test her evidence in their questioning. The panel found her responses plausible and again consistent with the evidence before it.

The panel carefully considered the interview note dated 15 July 2022, signed by Pupil B, in which Pupil B was interviewed by the investigating officer, though they were conscious in their considerations that this evidence was hearsay, albeit that Pupil B also gave live evidence in which the panel had the opportunity to question her. The panel noted that this document supported a large number of the factual assertions within Pupil B's witness statement including in that it recorded her saying that Mr Phillips:

- 1) winked at her at school in a flirty manner.
- 2) messaged her by e-mail and Instagram and Snapchat
- 3) picked her up in his car and said "am I going to make the first move, or are you"
- 4) met her outside of school premises on more than one occasion

This interview note also recounts that Pupil B recalled that Mr Phillips messaged her "*your bum in that suit*" on the day when he put his arm around her whilst taking [REDACTED] photos on the [REDACTED].

The panel also considered the 2 photos taken, it was informed, on the [REDACTED] and noted that that Mr Phillips was extremely close to Pupil B in both photos and clearly has his arm around her shoulders in one.

The panel considered the exhibits to Pupil B's witness statement including the e-mails which had passed between her and Mr Phillips. The panel noted that there was evidence within these e-mails of Mr Phillips endeavouring to meet Pupil B at the [REDACTED] pub.

The panel also considered the text messages which passed between Mr Phillips and Pupil D, an ex-pupil of the School, which appeared to be concerned with Mr Phillips seeking to communicate with, and send photos to, Pupil B and that "when [she] is off roll [I'll] add her" which the panel took to be a reference to adding Pupil B on Instagram.

The panel noted Mr Phillips' comment in his e-mail of 21 June 2021 saying "I won't bite..haha" and his e-mail to Pupil B of 1 July 2021 *stating* "I know a nibble... I see you were fishing and tried to get a bite" which it considered to be inappropriate and flirtatious. The panel further considered that that line of correspondence was aimed at pursuing an inappropriate relationship with Pupil B and organising a meet up between them.

The panel considered the text messages which had passed between Witness A; [REDACTED], and Mr Phillips. In these messages Mr Phillips appeared to confirm that he met Pupil B at the [REDACTED] and gave Pupil B a lift on a separate occasion. He also suggested that Pupil B touched his penis.

The panel noted the extensive amount of correspondence between Mr Phillips and Pupil B and the persistent nature of it.

The panel considered the list of messages which Pupil B stated she had copied and pasted from Snapchat. Pupil B informed the panel that she could not screenshot them as that would have notified Mr Phillips. Pupil B informed the Panel that she was copying these messages and forwarding them to herself at a time when she was reflecting on what to do next, including potentially ending their relationship. The panel noted that her having done this was consistent with her explanation in the police records of 16 November 2021 which they considered. The panel were conscious that Mr Phillips in his written evidence questioned the legitimacy of these messages.

The panel decided that consideration of these documents was appropriate and in the interests of a fair hearing and that they were relevant to the issues they had to determine. It also noted that the content of these messages was consistent with the live evidence which it received and the pattern of behaviour which the other documents and witness evidence described. The panel noted that it had an opportunity to question Pupil B on them.

The panel noted that the contents of these alleged messages from Mr Phillips on Snapchat including, without limitation:

1. "Times ticking baby cakes [emoji] u either want ur eyes to water or you don't [emoji]"
2. "Being a baby ?... let me fuck u then. Stop being a pussy"
3. "Then I'll eat it [emoji] who da pussy now huh"
4. "Whatever u want. I thought we had something good. Good laughs etc. I'll just delete snap and see you around then x"
5. "You do realise u can still focus and study hardddd. Do that but still see me occasionally (do nothing if that what u mean?) Just feels like ... no need for me anymore. Little bit used. Especially when i thought we were good after prom. Always the same tho. But u wont give me an opportunity to see ya like before? U no we good"
6. "when i see ya. Its like 30mins of ur time. Speaking from experience, id give time to those who care about ya. ur call"
7. "Im not asking every week I understand it might be more difficult with time etc. But once in a while. But if i'm a convenience then do what u want."
8. "Just feels shitty cos im not in ur plans or like 'needed' cos school finished its like [emoji] like a filled gap"

The panel found that, on the balance of probabilities, these were messages from Mr Phillips to Pupil B and that they demonstrated that Mr Phillips had failed to maintain appropriate professional boundaries and developed an inappropriate relationship with Pupil B.

The panel noted and carefully considered that Mr Phillips had not had the opportunity to cross examine the witnesses or to test their evidence and also took account of the fact that he had chosen to absent himself from proceedings.

The panel could not find any direct evidence Mr Phillips obtained Pupil B's telephone number or gave her his telephone number and therefore found allegation 2 (a) unproven.

The panel was satisfied from the evidence outlined above that Mr Phillips had:

1. communicated with Pupil B via email and/or Instagram and/or Snapchat;
2. winked at Pupil B on one or more occasions;
3. sent one or more photographs to Pupil B;
4. received one or more explicit photographs of Pupil B;
5. stated to Pupil B 'your bum in that suit' or words to that effect;
6. asked Pupil B 'am I going to make the first move, or are you?' or words to that effect;
7. met and attempted to meet and encouraged Pupil B to meet with him outside of the school premises on one or more occasions

The panel was further satisfied that this conduct amounted to a failure to maintain appropriate professional boundaries and/or amounted to Mr Phillips engaging in/developing an inappropriate relationship with Pupil B.

The panel found allegations 2(b), 2(c), 2(d), 2(e), 2(f), 2(g), 2(h), 2(i) proven by the TRA on the balance of probabilities.

2 g) Stated to Pupil B 'give me head' or words to that effect;

j) Engaged in inappropriate physical contact with Pupil B, in that you:

- i) Kissed Pupil B on one or more occasions;**
- ii) Touched and/or rubbed Pupil B's back;**
- iii) Inserted your fingers into Pupil B's vagina on one or more occasions;**
- iv) Engaged in sexual intercourse with Pupil B on one or more occasions;**

v) Allowed Pupil B to perform oral sex on you on one or more occasions

The panel considered the oral evidence and the written statement of Pupil B, who stated that on 16 July 2021 Mr Phillips was at a [REDACTED] with all of the teachers and she was also in [REDACTED] at the same time. She stated that Mr Phillips asked her to meet him in the car park outside the [REDACTED], so she went and met him and he kissed her.

Pupil B stated that shortly after this on another day Mr Phillips had arranged to meet her and had collected her in his car. He had driven to the [REDACTED] car park and Mr Phillips started kissing her and put his hand on her leg and started to rub it. She stated that he then moved his hand up and started to touch her vagina over her leggings and said to her “next time you need to wear something looser”. Pupil B stated that he then said to her “suck me off”, so she did, and after this he dropped her back home.

Pupil B stated that she believed that she met up with Mr Phillips five times in total, and stated that she had sex with him on 2 of these occasions, and the first 3 times they met up they did “sexual things” but didn’t have sex. She stated that they kissed, she performed oral sex on him, and he put his fingers in her vagina.

Pupil B stated that she sought to end the relationship. She did see Mr Phillips at the prom where he appeared out of the woods and pulled her tight to him around the lower back for a picture.

The panel noted Pupil B’s oral evidence that she felt pressurised into continuing her relationship with Mr Phillips and that when she tried to pull back from it the correspondence from Mr Phillips became more frequent. The panel also noted Pupil B’s oral evidence that the relationship was a sexual one.

The panel again considered the interview note dated 15 July 2022, signed by Pupil B, in which Pupil B was interviewed by the investigating officer. The panel were again conscious in their considerations that this evidence was hearsay, albeit that Pupil B also gave live evidence in which the panel had the opportunity to question her. The panel noted that this document supported a number of the factual assertions within Pupil B’s witness statement including that Pupil B said:

1. “he [Mr Phillips] messaged me on snapchat whilst he was at bowling – he came outside the [REDACTED] and kissed me”
2. “he [Mr Phillips] picked me up in the car and we had sex”
3. that Mr Phillips had said “give me head” so “I went down on him”.
4. “another time he [Mr Phillips] picked me up and we had sex again”

5. in response to the question “Did he [Mr Phillips] ask you on a date or was the meetings always of a sexual nature” “No there wasn’t a date. It was always for that”

The panel again considered the list of messages appended to Pupil B’s witness statement which Pupil B stated she had copied and pasted from Snapchat. These were the messages between herself and Mr Phillips described above. The panel considered that the messages:

1. “Times ticking baby cakes [emoji] u either want ur eyes to water or you don’t [emoji]”
2. “Being a baby ?... let me fuck u then. Stop being a pussy”
3. “Then I’ll eat it [emoji] who da pussy now huh”

in particular illustrated that the relationship between Pupil B and Mr Phillips was a sexual and inappropriate one far beyond professional boundaries. The panel noted Pupil B’s evidence that the first comment was a reference to Mr Phillips having pushed on her head during oral sex and making her eyes water, and then that he repeated this action when she asked him not to.

The panel considered the picture of Mr Phillips and Pupil B at the prom in which clearly Mr Phillips’ arm was around Pupil B’s lower back and she was pulled in tightly close to him.

The panel was satisfied from the evidence outlined above that Mr Phillips had

1. stated to Pupil B ‘give me head’ or words to that effect;
2. engaged in inappropriate physical contact with Pupil B, in that he had:
 - a. kissed Pupil B on one or more occasions;
 - b. touched and/or rubbed Pupil B’s back;
 - c. inserted his fingers into Pupil B’s vagina on one or more occasions;
 - d. engaged in sexual intercourse with Pupil B on one or more occasions;
 - e. allowed Pupil B to perform oral sex on him on one or more occasions

The panel was further satisfied that this conduct amounted to a failure to maintain appropriate professional boundaries and/or amounted to Mr Phillips engaging in/developing an inappropriate relationship with Pupil B.

The panel found allegations 2(j) i, ii. iii. iv and v proven by the TRA on the balance of probabilities.

k) Made comments of a sexual nature/innuendo and/or inappropriate nature towards Pupil B on one or more occasion set out in the attached schedule

The panel considered the screenshots of messages allegedly between Pupil B and Mr Phillips, and noted the following comments made by Mr Phillips:

- “times ticking baby cakes [emoji] u either want ur eyes to water or u don’t”
- “being a baby?... let me fuck u then. Stop being a pussy. Then I’ll eat it [emoji]”

As previously stated the panel accepted Pupil B’s evidence that these messages were sent by Mr Phillips and that they were copied and pasted from Snapchat for her reference and to avoid Mr Phillips becoming aware that she was copying them.

The panel did not find the statement ‘I am a busy individual but I suppose I could make an exception on this occasion’ to be a sexual innuendo but did consider it inappropriate in that it appeared to be in reference to Mr Phillips meeting up with Pupil B.

Save for this the panel was satisfied from the evidence outlined above that Mr Phillips had made comments of a sexual nature/innuendo and/or inappropriate nature towards Pupil B on one or more occasion as set out in the schedule.

The panel was further satisfied that this conduct amounted to a failure to maintain appropriate professional boundaries and/or amounted to Mr Phillips engaging in/developing an inappropriate relationship with Pupil B.

The panel found allegation 2(k) proven.

3. Your conduct as may be found proven at allegation 1 and/or 2 above was conduct of a sexual nature and/or was sexually motivated;

The panel considered that the actions of Mr Phillips were inherently sexual and had a sexual motive, specifically the pursuance of a sexual relationship with Pupils A and B.

The panel noted in particular that Mr Phillips had sent flirty messages of a sexual nature to Pupil A and Pupil B and had engaged in persistent sexual correspondence and sexual activity with Pupil B.

The panel concluded that there was no innocent explanation for Mr Phillips’ conduct.

The panel found that, on the balance of probabilities, Mr Phillips’ conduct in relation to allegations 1 and 2 was sexually motivated. The panel also considered that there was sufficient evidence to find that Mr Phillips’ actions as set out in allegations 1 and 2 were sexual in nature.

The panel found allegation 3 proven by the TRA on the balance of probabilities.

4. You sought to conceal your communications with Pupil B by asking Pupil B to delete one or more messages;

The panel noted that Pupil B stated in oral evidence that Mr Phillips had asked her to delete messages especially after he became aware that her boyfriend was concerned about Mr Phillips and Pupil B corresponding.

The panel also considered the notes of the disciplinary investigation interview with Pupil B on 15 July 2022, where Pupil B stated that Mr Phillips asked her to delete the messages on Instagram and Snapchat.

The panel found allegation 4 proven by the TRA on the balance of probabilities.

5. Your conduct as may be found proven at allegation 4 above was dishonest and/or lacked integrity

The panel firstly considered whether Mr Phillips had acted dishonestly.

In reaching its decision on this, the panel considered the case of *Ivey v Genting Casinos (UK) Ltd t/a Crockfords*.

The panel first sought to ascertain the actual state of Mr Phillips' knowledge or belief as to the facts. Their ability to do this was hampered by the fact that Mr Phillips was not present. The panel anticipated that he would have known his actions were wrong but could not definitively conclude this.

The panel was satisfied that Mr Phillips' actions were dishonest in that at all times Mr Phillips' behaviour was motivated behaviour with an end (a sexual relationship with Pupil B) in mind. The panel was satisfied that his motivation in seeking the deletion of those messages was to cover up his inappropriate behaviour and that this motivation and actions were dishonest.

The panel then considered whether Mr Phillips had failed to act with integrity. The panel considered the case of *Wingate & Anor v The Solicitors Regulation Authority* [2018].

The panel considered that Mr Phillips had failed to act within the higher standards expected of a teacher by asking Pupil B to delete one or more messages. The panel considered the evidence and concluded that, on the balance of probabilities, Mr Phillips asked Pupil B to keep his behaviour a secret as he knew it was wrong and there would have been serious consequences had it been revealed.

The panel found allegation 5 proven.

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

Having found a number of the allegations proved, the panel went on to consider whether the facts of those proved allegations amounted to unacceptable professional conduct and/or conduct that may bring the profession into disrepute.

In doing so, the panel had regard to the document Teacher misconduct: The prohibition of teachers, which is referred to as “the Advice”.

The panel first considered whether the conduct of Mr Phillips, in relation to the facts found proved, involved breaches of the Teachers’ Standards.

The panel considered that, by reference to Part 2, Mr Phillips was in breach of the following standards:

- Teachers uphold public trust in the profession and maintain high standards of ethics and behaviour, within and outside school, by
 - treating pupils with dignity, building relationships rooted in mutual respect, and at all times observing proper boundaries appropriate to a teacher’s professional position
 - 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 Phillips, in relation to the facts found proved, involved breaches of the relevant version of Keeping Children Safe In Education (“KCSIE”).

The panel noted that KCSIE classified children as everyone under the age of 18 and considered that Mr Phillips was in breach and the following provisions were engaged:

- Part one, point 4 “Safeguarding and promoting the welfare of children is defined for the purposes of this guidance as: protecting children from maltreatment; [...] ensuring that children grow up in circumstances consistent with safe and effective care”
- Part one point 12 “The Teachers’ Standards 2012 state that teachers (which includes headteachers) should safeguard children’s wellbeing and maintain public trust in the teaching profession as part of their professional duties”

- Part one points 25 and 28 which respectively deal with forcing or enticing a young person to take part in sexual activities and child sexual exploitation

The panel also considered whether Mr Phillips' 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 offences of sexual activity, sexual communication with a child and any activity involving viewing and possessing any indecent photograph of a child, or permitting any such activity, and including one-off incidents, were engaged.

The panel noted that a number of the allegations took place outside the education setting. The panel were satisfied that the egregious nature of the allegations found proven and the fact that they concerned serious allegations of developing inappropriate relationships with two pupils and sexual activity with one pupil would certainly be conduct which affected the way the teacher fulfilled his teaching role. These actions may have led to and may lead to pupils being exposed to his behaviour or influenced by the behaviour in a harmful way. The panel considered that the proven allegations appeared to describe a pattern of behaviour of forming relationships with children which were clearly inappropriate and persistently endeavouring to facilitate a sexual relationship with them.

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

In relation to whether Mr Phillips' 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 Phillips' 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 Phillips' was guilty of unacceptable professional conduct, the panel found that the offences of sexual activity, sexual communication with a child and any activity involving viewing and possessing any

indecent photograph of a child, or permitting any such activity, and including one-off incidents, were engaged.

The findings of misconduct as described above are very serious ones, 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 Phillips' conduct could potentially damage the public's perception of a teacher.

For these reasons, the panel found that Mr Phillips' 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. The panel was conscious that 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 a punitive effect.

The panel had regard to the particular public interest considerations set out in the Advice and found a number of them to be relevant in this case, in particular: the safeguarding and wellbeing of pupils, the protection of other members of the public, the maintenance of public confidence in the profession and declaring and upholding proper standards of conduct.

The panel was also conscious of ensuring that any prohibition struck the right balance between the rights of the teacher and the public interest.

The panel recalled that their findings against Mr Phillips involved the continuance and advancement of highly inappropriate relationships and sexual misconduct with children, specifically Pupils A and B. The panel found this to be an exploitation of his position of trust and that he was sexual motivated in the actions he took. The panel had found that Mr Phillips had spoken to and repeatedly and persistently corresponded via e-mail, Instagram and Snapchat with the children in ways that were sexual and inappropriate and that this had ultimately led, in the case of Pupil B, to repeated and serious sexual misconduct.

There was a strong public interest consideration in respect of the safeguarding and wellbeing of pupils and the protection of other members of the public, given those serious findings of inappropriate relationships with children and the real risk that similar conduct could be repeated.

Similarly, the panel considered that public confidence in the profession could be seriously weakened if conduct such as that found against Mr Phillips 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 Phillips was outside that which could reasonably be tolerated and they had found multiple breaches of the Teachers Standards and of Part 1 of KCSIE.

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 Phillips in the profession. The panel considered that the adverse public interest considerations above outweighed any interest in retaining the teacher in the profession, including in that his behaviour fundamentally breached the standard of conduct expected of a teacher, and he sought to persistently exploit his position of trust.

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. The panel noted that a teacher's behaviour that seeks to exploit their position of trust should be viewed very seriously in terms of its potential influence on pupils and be seen as a possible threat to the public interest.

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 Phillips.

The panel took further account of the Advice, which suggests that a prohibition order may be appropriate if certain behaviours of a teacher have been proved. In the list of such behaviours, those that were relevant in this case were:

- serious departure from the personal and professional conduct elements of the Teachers' Standards;
- misconduct seriously affecting the education and/or safeguarding and well-being of pupils, and particularly where there is a continuing risk;
- abuse of position or trust (particularly involving pupils);

- an abuse of any trust, knowledge, or influence gained through their professional position in order to advance a romantic or sexual relationship with a pupil or former pupil;
- sexual misconduct, e.g. involving actions that were sexually motivated or of a sexual nature and/or that use or exploit the trust, knowledge or influence derived from the individual's professional position;
- any activity involving viewing, taking, making, possessing, distributing, or publishing any indecent photograph or image, or indecent pseudo photograph or image, of a child, or permitting such activity, including one-off incidents;
- failure in their duty of care towards a child, including exposing a child to risk or failing to promote the safety and welfare of the children (as set out in Part 1 of KCSIE); and
- dishonesty or a lack of integrity, including the deliberate concealment of their actions or purposeful destruction of evidence, especially where these behaviours have been repeated or had serious consequences, or involved the coercion of another person to act in a way contrary to their own interests.

The panel also took account of the statement in the Advice that panels should attach appropriate weight and seriousness to online behaviours including, but not limited to: online misconduct; facilitating online abuse; or facilitating inappropriate relationships (including both online only relationships and where online relationships move into contact relationships).

The panel found that use of e-mail, Snapchat and Instagram to seek to facilitate inappropriate relationships with Pupils A and B, and in furtherance of a sexual relationship with Pupil B, were key aspects of their findings and found that these behaviours constituted serious wrongdoing and merited significant weight being attached to them in their decision.

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 Phillips' actions were not deliberate.

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

The Panel, having carefully considered the limited information in the bundle, including his employment references on his commencement of his role at the School, found no

evidence that Mr Phillips demonstrated exceptionally high standards in his personal and professional conduct or that he had contributed significantly to the education sector.

The panel noted that there was no evidence of insight or remorse on the part of Mr Phillips.

The panel noted the written statement of Mr Phillips where he referenced [REDACTED] that has been caused by the situation. He stated that he did not feel he was in a position to properly respond to the allegations, and that regardless of the outcome he did not wish to or intend to return to teaching.

The panel 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 Phillips 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 Phillips.

In particular the panel noted its findings that Mr Phillips was sexually motivated in pursuing, in breach of trust and for the purposes of a sexual relationship, entirely inappropriate lines of communication with both Pupils A and B and that the correspondence was sexually motivated and of a sexual nature. The panel noted the very serious nature of some of the statements and correspondence by Mr Phillips towards Pupils A and B. The panel also was aware of their findings that Mr Phillips engaged in extensive, repeated and significant sexual activity with Pupil B, who was a child, and that he sought and received indecent images of Pupil B. The panel had established that he was able to do this because of his professional position and noted that some of the activity described was facilitated by, and occurred within, a school setting including through his lessons, revision sessions and the School's e-mail account. The panel found repeated breaches of trust owed towards Pupils A and B in their findings and had identified a number of serious departures from the personal and professional conduct elements of the Teachers' Standards.

The panel again noted the lack of any evidence of remorse or insight and were conscious that there was every risk of a repetition of the activities described in the findings, causing further harm, if Mr Phillips were not prohibited and that ongoing safeguarding of children was an absolute key concern.

The above were all 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.

These include:

- serious sexual misconduct e.g. where the act was sexually motivated and resulted in, or had the potential to result in, harm to a person or persons, particularly where the individual has used their professional position to influence or exploit a person or persons;
- any sexual misconduct involving a child;
- any activity involving viewing, taking, making, possessing, distributing or publishing any indecent photograph or image or indecent pseudo photograph or image of a child, including one off incidents;

The panel noted that these lists are not intended to be exhaustive and panels should consider each case on its individual merits taking into account all the circumstances involved.

The panel found the above bullet points were engaged on their findings including in that Mr Phillips' actions towards both pupils, and Pupil B in particular, demonstrated very clear sexual motivation and misconduct. The various sexual activity found to have occurred including sexual intercourse, permitting of oral sex and digital penetration by Mr Phillips were examples of serious sexual misconduct involving a child. The panel had found that Mr Phillips had been sent a number of indecent images by Pupil B and that Mr Phillips had repeatedly sought material of that nature. Pupil B made clear she felt shame for a long time about her relationship with Mr Phillips and it continued to impact and hurt her every day. The panel had no doubt from the evidence of Pupils A and B that they had been harmed and that Mr Phillips' actions were having a serious and continued effect on them.

As stated, the panel found no evidence of mitigating circumstances, insight or remorse by Mr Phillips and the panel had extremely strong concerns that what were clearly established patterns of behaviour by Mr Phillips would be repeated were he allowed to

continue in the teaching profession and that he would pose a substantial and ongoing risk to children. In their view there was no basis for any review period to be implemented.

The panel decided that the findings indicated a situation in which a review period would not be appropriate and, as such, decided that it would be proportionate, in all the circumstances, for the prohibition order to be recommended without provisions for a review period.

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 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 some of the allegations proven and found that those proven facts amount to unacceptable professional conduct and conduct that may bring the profession into disrepute. In this case, the panel has found some of the allegations not proven, including 2(a), I have therefore put those matters entirely from my mind.

The panel has made a recommendation to the Secretary of State that Mr Cheyne Phillips should be the subject of a prohibition order, with no provision for a review period.

In particular, the panel has found that Mr Phillips is in breach of the following standards:

- Teachers uphold public trust in the profession and maintain high standards of ethics and behaviour, within and outside school, by
 - treating pupils with dignity, building relationships rooted in mutual respect, and at all times observing proper boundaries appropriate to a teacher's professional position
 - 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 Phillips involved breaches of the responsibilities and duties set out in statutory guidance Keeping children safe in education (KCSIE).

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

The findings of misconduct are particularly serious as they include a finding of sexual activity, sexual communication with a child and activity involving viewing and possessing indecent photographs of a child.

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 Phillips, 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/safeguard pupils. The panel has observed, "There was a strong public interest consideration in respect of the safeguarding and wellbeing of pupils and the protection of other members of the public, given those serious findings of inappropriate relationships with children and the real risk that similar conduct could be repeated." 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 sets out as follows, "The panel noted that there was no evidence of insight or remorse on the part of Mr Phillips." The panel has also commented "The panel noted the written statement of Mr Phillips where he referenced [REDACTED] that has been caused by the situation. He stated that he did not feel he was in a position to properly respond to the allegations, and that regardless of the outcome he did not wish to or intend to return to teaching." In my judgement, the lack of insight or 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 observe, "the panel considered that public confidence in the profession could be seriously weakened if conduct such as that found against Mr Phillips were not treated with the utmost seriousness when regulating the conduct of the profession." I am particularly mindful of the finding of sexual activity with a child 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 or 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 Phillips himself and the panel comment “The Panel, having carefully considered the limited information in the bundle, including his employment references on his commencement of his role at the School, found no evidence that Mr Phillips demonstrated exceptionally high standards in his personal and professional conduct or that he had contributed significantly to the education sector.”

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

In this case, I have placed considerable weight on the panel's comments concerning breach of trust. The panel has said, “In particular the panel noted its findings that Mr Phillips was sexually motivated in pursuing, in breach of trust and for the purposes of a sexual relationship, entirely inappropriate lines of communication with both Pupils A and B and that the correspondence was sexually motivated and of a sexual nature. The panel noted the very serious nature of some of the statements and correspondence by Mr Phillips towards Pupils A and B. The panel also was aware of their findings that Mr Phillips engaged in extensive, repeated and significant sexual activity with Pupil B, who was a child, and that he sought and received indecent images of Pupil B. The panel had established that he was able to do this because of his professional position and noted that some of the activity described was facilitated by, and occurred within, a school setting including through his lessons, revision sessions and the School's e-mail account. The panel found repeated breaches of trust owed towards Pupils A and B in their findings and had identified a number of serious departures from the personal and professional conduct elements of the Teachers' Standards.”

I have also placed considerable weight on the finding of the panel that “The various sexual activity found to have occurred including sexual intercourse, permitting of oral sex and digital penetration by Mr Phillips were examples of serious sexual misconduct involving a child. The panel had found that Mr Phillips had been sent a number of indecent images by Pupil B and that Mr Phillips had repeatedly sought material of that nature. Pupil B made clear she felt shame for a long time about her relationship with Mr

Phillips and it continued to impact and hurt her every day. The panel had no doubt from the evidence of Pupils A and B that they had been harmed and that Mr Phillips' actions were having a serious and continued effect on them."

I have given less weight in my consideration of sanction therefore, to the contribution that Mr Phillips 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 remorse or insight, does not in my view satisfy the public interest requirement concerning public confidence in the profession.

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

I have gone on to consider the matter of a review period. In this case, the panel has recommended that no provision should be made for a review period.

I have considered the panel's comments "As stated, the panel found no evidence of mitigating circumstances, insight or remorse by Mr Phillips and the panel had extremely strong concerns that what were clearly established patterns of behaviour by Mr Phillips would be repeated were he allowed to continue in the teaching profession and that he would pose a substantial and ongoing risk to children. In their view there was no basis for any review period to be implemented."

In this case, factors mean that allowing a review period is not sufficient to achieve the aim of maintaining public confidence in the profession. These elements are the seriousness of the findings, the lack of insight or remorse and the risk of repetition.

I consider therefore that allowing for no review period is necessary to maintain public confidence and is proportionate and in the public interest.

This means that Mr Cheyne Phillips is prohibited from teaching indefinitely and cannot teach in any school, sixth form college, relevant youth accommodation or children's home in England. Furthermore, in view of the seriousness of the allegations found proved against him, I have decided that Mr Phillips shall not be entitled to apply for restoration of his eligibility to teach.

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

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



Decision maker: Sarah Buxcey

Date: 13 May 2025

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