



Teaching
Regulation
Agency

Mr Jack Broughton: Professional conduct panel hearing outcome

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

June 2025

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

Teacher: Mr Jack Broughton

TRA reference: 3970615

Date of determination: 30 May 2025

Former employer: Birmingham Ormiston Academy, Birmingham

Introduction

A professional conduct panel (“the panel”) of the Teaching Regulation Agency (“the TRA”) convened on 27 May to 30 May 2025 by way of a virtual hearing, to consider the case of Mr Jack Broughton.

The panel members were Mrs Melissa West (Teacher Panellist – in the chair), Ms Amanda Godfrey (Former Teacher Panellist) and Mr Paul Millett (Lay Panellist).

The Legal Adviser to the panel was Mrs Samantha Cass of Birketts LLP solicitors.

The Presenting Officer for the TRA was Ms Sherelle Appleby of Browne Jacobson solicitors.

Mr Broughton was present and was not represented.

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

Allegations

The panel considered the allegations as amended by the panel during the hearing.

It was alleged that Mr Broughton was guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute, in that, whilst employed at Birmingham Ormiston Academy, he:

1. Failed to maintain appropriate professional boundaries with one or more pupils, including by;
 - a) Telling Pupil M to kiss Pupil X;
 - b) Offering money to Pupil M;
 - c) Telling Pupil M “it’s funny how everyone at this school is obsessed with you” or using words to that effect;
 - d) Asking to see under Pupil M’s hoodie when he was wearing tight clothing;
 - e) Encouraging Pupil M on one or more occasions to speak to and/or approach Pupil X;
 - f) Asking pupils about Pupil M’s sexuality...
 - g) to j) removed
 - k) Adding sexual and/or rude remarks in scripts.
 - l) removed.

Mr Broughton admitted allegations 1(a), 1(b), 1(c), 1(d), 1(e), 1(f) and 1(k). In respect of the allegations admitted, Mr Broughton accepted that they amount to 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: Notice of Hearing, Response & Anonymised Pupil List – pages 5 to 15

Section 2: Statement of Agreed Facts – pages 17 to 21

Section 3: TRA witness statements – pages 23 to 36

Section 4: TRA documents – pages 38 to 227

Section 5: Teacher documents – pages 229 to 231

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

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

Witnesses

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

Witness A- [REDACTED] at the School;

Witness B- [REDACTED]; and

Pupil M, student at Birmingham Ormiston Academy (“the School”).

Mr Broughton 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 Broughton was employed at Birmingham Ormiston Academy (‘the School’) between 1 September 2019 and June 2023 as a Teacher of Acting.

On 9 February 2023, Pupil M’s parents raised concerns to the School by email about Mr Broughton’s behaviour.

The School held interviews with affected pupils who each provided statements.

A referral was made to the TRA in June 2023.

Findings of fact

The findings of fact for the allegations, which were amended during the hearing, are as follows:

- 1. Whilst employed at Birmingham Ormiston Academy, you failed to maintain appropriate professional boundaries with one or more pupils, including by;**

a. Telling Pupil M to kiss Pupil X;

b. Offering money to Pupil M;

The panel took allegations 1(a) and 1(b) together as they occurred in the same incident. The panel noted that Mr Broughton admitted allegations 1(a) and 1(b).

The panel also considered the notes from Mr Broughton's interview with the School as part of the School's investigations, and noted the comment made by Mr Broughton which was that he had said *"get [Pupil X] a card and I'll give you a fiver if you give him a kiss on the cheek...I can't remember offering him...more money."*

The panel considered the oral evidence and written statement of Pupil M, where he stated that Mr Broughton told Pupil M that Pupil X fancied him. Pupil M stated that Mr Broughton tried to get him to kiss Pupil X, and that he offered him money to do so. Pupil M stated that Mr Broughton would *"make comments like 'he fancies you it's so cute, it's so funny, he's in love with you'... He said to me 'I'll give you a tenner if you kiss him' to which I responded no. He then responded with 'no seriously, I'll give you twenty.' I knew that he was just having a joke and it was a bit of banter, but I found it weird. I can't remember exactly how much money he offered me, but he offered me money."*

In Pupil M's oral evidence, he stated that, although he was not completely clear as to the motive for Mr Broughton mentioning this to him, he felt that the offer of money was made very much in a joking context. Pupil M stated that he found this a bit weird but that he did not feel that Mr Broughton was insisting that he did this. Pupil M said that the comment was made more as banter than anything else although he said that he did not find this funny and did not laugh. However, Pupil M made it clear in his oral evidence that he did not feel threatened in any way by Mr Broughton's comments to kiss Pupil X or by the offer of money and that he did not believe Mr Broughton had any malicious intent. Pupil M also said that he did not think Mr Broughton actually had any intention of giving him any money and that this was nothing more than an inappropriate joke.

The panel considered Mr Broughton's oral evidence and noted that this corroborated the oral evidence from Pupil M in terms of the jokey nature of the comments. The panel also noted that Mr Broughton had recognised that the comments should not have been made although he made it clear in his evidence that he did not mean to cause any harm or offence in making the comments. The panel also noted that Mr Broughton stated in his oral evidence that he realised in the moment that what he had joked about was wrong and therefore did not suggest offering money more than once or demand or instruct that Pupil M seriously do this. The panel considered the wording of the allegation and the meaning of the word *"telling."* The panel found Mr Broughton to be a credible witness and believed that any *"telling"* was done as a flippant comment rather than as a serious instruction for Pupil M to follow.

The panel noted that Mr Broughton accepted in his oral evidence that he was seeking to play matchmaker in making the comments to Pupil M and that although this was an immature joke there was no further malicious intent in making these comments.

The panel found that Mr Broughton did tell Pupil M to kiss Pupil X and did offer money to him to do so. The panel further found that the comments amounted to Mr Broughton's failure to maintain appropriate professional boundaries with one or more pupils.

The panel therefore found allegations 1(a) and 1(b) proven.

c. Telling Pupil M “it’s funny how everyone at this school is obsessed with you’ or using words to that effect;

The panel noted that Mr Broughton admitted allegation 1(c).

The panel considered the notes from Mr Broughton's interview with the School as part of the School's investigations, and noted the comment made by Mr Broughton which was that he had said to Pupil M *“It’s funny how everyone at this school is obsessed with you...”*

The panel considered the oral evidence and written statement of Pupil M within which he stated that Mr Broughton had made comments about people being obsessed with him, particularly pupils in lower years.

The panel noted from Pupil M's oral evidence that Pupil M was not sure what the motive or intent was behind making this comment but that he felt this was a comment which was particularly directed at him.

The panel considered the oral evidence of Mr Broughton and that Mr Broughton had noted that Pupil M was incredibly talented as a performer and that people would talk about him when he walked into a room because of his exceptional dancing, acting and singing ability. The panel noted that Mr Broughton was clear that he did not have any motive in making this comment or intend to cause any harm or offence and that he was merely making an observation about the admiration felt by other pupils towards Pupil M. The panel found Mr Broughton to be a credible witness and noted that Mr Broughton was not being suggestive or sexually motivated in making this comment and it was nothing more than an inappropriate jokey comment.

The panel is satisfied that Mr Broughton did tell Pupil M *“it’s funny how everyone at this School is obsessed with you.”* The panel further found that the comment regarding people being obsessed with Pupil M amounted to Mr Broughton's failure to maintain appropriate professional boundaries with one or more pupils.

The panel therefore found allegation 1(c) proven.

d. Asking to see under Pupil M's hoodie when he was wearing tight clothing;

The panel noted that Mr Broughton admitted allegation 1(d) albeit the panel noted that Mr Broughton was clear that there was some relevant context to him having made this comment.

The panel also considered the notes from Mr Broughton's interview with the School as part of the School's investigations, and noted that he said to Pupil M, *"Do you want me to see if you look alright? I wanted to make sure he was comfortable."*

The panel referred to Pupil M's interview within which he stated *"Back in November we had a dance photoshoot. I was walking around in tight shorts and I had a hoody in front of me. [Mr Broughton] said 'come on show me, I'll tell you if it's bad.'"*

The panel noted that the written statement and oral evidence of Pupil M corroborated what was stated in his interview. The panel noted that in evidence Pupil M stated that there was an occasion where a professional photographer came into School to take some dance pictures, and Pupil M was wearing tight clothing but with a hoodie over the top to cover up his groin area. Pupil M stated that Mr Broughton came over to him and said *"is it bad let me see"*.

The panel considered Mr Broughton's oral evidence within which he stated that an external company had come to the School to take photographs for pupils' portfolios. The panel noted that there were differing accounts as to who was present when this comment was made and as to the circumstances surrounding this comment. In particular, the panel noted that Mr Broughton had believed that Pupil M was being mocked by his friends for what he was wearing and that he had therefore sought to ensure that Pupil M felt comfortable as he had seemed embarrassed. Although, Pupil M did not believe that he was being mocked at the time, the panel did note that Mr Broughton and Pupil M both agreed that Mr Broughton was not being suggestive or sexually motivated in any way in making this comment. The panel noted that in Mr Broughton's oral evidence he acknowledged that Pupil M may in fact have been complicit in the joking with his friends but Mr Broughton may not have recognised this at the time which was why he intervened and tried to make Pupil M feel comfortable. The panel recognised that this may have been a misjudged intervention.

The panel noted that Mr Broughton was clear that he did not have any motive in making this comment or intend to cause any harm or offence and that he was merely seeking to make sure that Pupil M felt comfortable in his attire for the photoshoot. The panel found Mr Broughton to be a credible witness and noted that Mr Broughton was not being suggestive or sexually motivated in making this comment and it was nothing more than an inappropriate and misplaced jokey comment. The panel noted that Mr Broughton and

Pupil M had both agreed that Mr Broughton was not being predatory or malicious in making this comment.

The panel found that Mr Broughton did make a comment about looking under Pupil M's hoodie. The panel found this to be an inappropriate comment between a teacher and pupil and amounted to Mr Broughton's failure to maintain appropriate professional boundaries with one or more pupils.

The panel therefore found allegation 1(d) proven.

e. Encouraging Pupil M on one or more occasions to speak to and/or approach Pupil X;

The panel noted that in his oral evidence Mr Broughton accepted admitted 1(e) albeit Mr Broughton only recalled one occasion which was in relation to him suggesting to Pupil M that he speaks to Pupil X. This was around the time of the School's [REDACTED] production rehearsals.

The panel also considered the notes from Mr Broughton's interview with the School as part of the School's investigation. The panel noted that Mr Broughton referred to one occasion where he asked Pupil M to approach Pupil X: *"I asked Pupil M if he could go down and see the Year 11s and Pupil [X] to say that he really enjoyed the show."* The panel also noted that Mr Broughton referred to a second occasion which was two weeks later when he said to Pupil M *"It's Valentines Day next week, get him a card and I'll give you a fiver if you give him a kiss on the cheek."*

The panel considered the written statement and oral evidence of Pupil M. The panel noted that Pupil M and Mr Broughton both agreed that Mr Broughton had sought to encourage Pupil M and Pupil X to speak and/or be in the same place at the same time. In oral evidence Mr Broughton accepted that he was attempting to *"matchmake"*.

The panel considered Mr Broughton's oral evidence which was that doing this was careless and immature thinking on his part and that this was not sexually motivated in any way.

The panel found that Mr Broughton did encourage Pupil M on one or more occasions to speak to and/or approach Pupil X. The panel further found that Mr Broughton's actions in encouraging Pupil M to speak to and/or approach Pupil X in this way amounted to Mr Broughton's failure to maintain appropriate professional boundaries with one or more pupils.

The panel therefore found allegation 1(e) proven.

f. Asking pupils about Pupil M's sexuality;

The panel noted that Mr Broughton admitted allegation 1(f).

The panel referred to Pupil M's interview with the School as part of the School's investigation within which Pupil M said that *"Mr Broughton pulled his friend Pupil A aside to discuss his sexuality on more than one occasion, asking questions such as 'Has Pupil M [REDACTED]?' and made comments to other students who later told Pupil M..."*

The panel considered the written statement of Pupil M within which he stated that *"The main thing that I found quite unprofessional was the fact that Mr Broughton was so adamant [REDACTED] and that he would speak to other classes about it. At the time, other pupils came up to me and told me that Mr Broughton would tell them that I was [REDACTED] and that he had told their class that. I found it weird that a teacher would do this, and it annoyed me a lot that he was talking to other people about my sexuality."* The panel noted that Pupil M repeated this in his oral evidence.

In his oral evidence Mr Broughton said that he had spoken to Pupil A about Pupil M's sexuality but said that this conversation was the only conversation that he had with a pupil regarding Pupil M's sexuality. The panel noted that, although Mr Broughton had admitted to asking about Pupil M's sexuality, this had been done from a place of care and without any predatory or sexual motivation. Further, the panel found Mr Broughton to be credible in his evidence that he was trying to see if he could support Pupil M, whether or not Pupil M was open to such support from Mr Broughton. The panel noted that Mr Broughton had not intended to cause any harm or offend anyone and that he had viewed his role as being an [REDACTED]. The panel noted Mr Broughton's acceptance that this comment was misplaced and inappropriate.

The panel considered the School environment and the comments made by Witness A which was that the culture of the performing arts School could be gossipy and the relationship between teachers and pupils was very open.

The panel noted that there is a conflict between the evidence of Pupil M and Mr Broughton as to the number of pupils Mr Broughton asked about Pupil M's sexuality. The panel decided, on the balance of probabilities, that Mr Broughton did ask pupils other than Pupil A about Pupil M's sexuality.

The panel found that Mr Broughton did ask pupils about Pupil M's sexuality. The panel further found that Mr Broughton's actions in asking pupils about Pupil M's sexuality amounted to Mr Broughton's failure to maintain appropriate professional boundaries with one or more pupils.

The panel therefore found allegation 1(f) proven.

In light of the evidence presented, the panel found allegations 1(a) to 1(f) proven.

k. Adding sexual and/or rude remarks in scripts;

The panel noted that Mr Broughton admitted allegation 1(k).

The panel referred to Pupil J's interview with the School as part of the School's investigation where they stated "*He has tried to add sexual things into the script before that isn't necessary and are of a sexual nature*".

The panel considered the oral evidence of Witness A and that Witness A had not seen any rude or sexual remarks on any scripts made by Mr Broughton. The panel noted from the consistent evidence of both Witness A and Mr Broughton that the scripts were borrowed and could not therefore be annotated as they were handed back once they had been used. The panel heard that the pupils are required to be creative and would have an element of autonomy in terms of how to interpret the characterisation and the scripts. The panel heard from Witness A that pupils would often need to be told to tone down their interpretations and performances but that the scripts themselves would not be physically edited in the manner alleged.

The panel noted that it did not have sufficient evidence as to Mr Broughton's contribution towards directing the scenes and/or adding sexual and/or rude remarks to scripts.

The panel therefore found allegation 1(k) not 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 (allegations 1(a) to 1(f)), 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 Broughton, in relation to the facts found proved, involved breaches of the Teachers' Standards.

The panel considered that, by reference to Part 2, Mr Broughton 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
 - showing tolerance of and respect for the rights of others

- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach, and maintain high standards...
- Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities.

The panel was not satisfied that the conduct of Mr Broughton, in relation to the facts found proved, involved breaches of Keeping Children Safe In Education (“KCSIE”).

The panel was not satisfied that the conduct of Mr Broughton, in relation to the facts found proved, involved breaches of Working Together to Safeguard Children.

The panel also considered whether Mr Broughton’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.

Although the panel considered the allegations found proven and the conduct of Mr Broughton as inappropriate behaviour from a teacher, the panel was not satisfied that the conduct of Mr Broughton amounted to misconduct of a serious nature which fell significantly short of the standards expected of the profession. The panel viewed Mr Broughton’s actions as immature and misguided but noted the environment within which Mr Broughton was teaching and the fact that he did not have any malicious intent with his actions.

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

In relation to whether Mr Broughton’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 Broughton’s conduct displayed behaviours associated with any of the offences in the list that begins on page 12 of the Advice. The panel found that none of these offences were relevant.

The panel noted that the advice is not intended to be exhaustive and there may be other behaviours that panels consider to be “conduct that may bring the profession into disrepute”.

As above, the panel considered Mr Broughton's actions and intentions and the environment within which Mr Broughton was teaching along with his inexperience as a teacher at the time. Whilst the panel did not find the actions of Mr Broughton to be sufficiently serious to amount to unacceptable professional conduct, the panel did consider that Mr Broughton's conduct could potentially damage the public's perception of a teacher. Although the panel considered that Mr Broughton's comments amounted to inappropriate jokes rather than being malicious or sexually motivated, the panel did find that they demonstrated a pattern of comments which breached the professional boundaries between him and pupils.

For these reasons, the panel found that Mr Broughton's actions constituted conduct that may bring the profession into disrepute.

In summary, the panel did not find Mr Broughton's actions amounted to unacceptable professional conduct, but it did find that his actions constituted conduct that may bring the teaching 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 the following to be relevant in this case:

- the safeguarding and wellbeing of pupils and protection of other members of the public;
- the maintenance of public confidence in the profession - assessed by reference to the standard of the ordinary intelligent and well-informed citizen who both appreciates the seriousness of the proposed 'sanction' and recognises the high standards expected of all teachers, as well as other issues involved in the case;
- declaring and upholding proper standards of conduct; and
- that prohibition strikes the right balance between the rights of the teacher and the public interest, if they are in conflict.

In light of the panel's findings against Mr Broughton, which involved allegations of a failure to maintain appropriate professional boundaries, there was a public interest consideration in the safeguarding and wellbeing of pupils, given the findings of inappropriate comments to pupils.

Similarly, the panel considered that public confidence in the profession could be seriously weakened if conduct such as that found against Mr Broughton 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 Broughton was outside that which could reasonably be expected.

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 Broughton in the profession.

The panel considered carefully the seriousness of the behaviour, noting that the Advice states that the expectation of both the public and pupils, is that members of the teaching profession maintain an exemplary level of integrity and ethical standards at all times.

In view of the clear public interest considerations that were present, the panel considered carefully whether or not it would be proportionate to impose a prohibition order, taking into account the effect that this would have on Mr Broughton.

The panel took further account of the Advice, which suggests at paragraph 39 that a prohibition order may be appropriate if certain behaviours of a teacher have been proved. The panel found that none of the behaviours were relevant in this case.

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 Broughton's actions were not deliberate. However, the panel noted that Mr Broughton did not intend to cause harm and did not have any malicious intent, nor did the panel find his conduct to be sexually motivated.

There was no evidence to suggest that Mr Broughton was acting under extreme duress although the panel did acknowledge that Mr Broughton gave oral evidence as to his challenging personal circumstances at the time.

Mr Broughton did have a previously good history. The panel noted the comments from Witness B's oral evidence which were that Mr Broughton had contributed voluntarily to out of hours support with productions and that this work relied on the goodwill of staff.

The panel saw evidence of two good character references from [REDACTED], Individual A and Individual B. Individual A was also a parent to a child at the school. Both references spoke to Mr Broughton's commitment, enthusiasm, and ability as a teacher. The reference from the parent reflected on the positive impact which Mr Broughton had on her daughter.

The panel noted the following comments in particular:

- *"Jack was undoubtedly my daughter's favourite teacher during her time at BOA. She always felt safe and well cared for in his classroom, which fostered a nurturing environment for her to grow and thrive."*
- *"As a colleague, I have observed Jack's unwavering commitment to his work and the positive impact he has on both students and fellow staff members. His ethical and moral standards are exemplary, and I have complete confidence in his ability to inspire and uplift young people. It is clear to me that he embodies the qualities of a teacher who genuinely cares about the well-being and development of his students."*

Individual A

- *"I believe Jack brought not only professionalism and diligence to his role, but also a vibrant enthusiasm that made him stand out as a colleague and team member. His passion for musical theatre was often a source of inspiration within the team—he approaches work much like a well-rehearsed performance: with preparation, creativity, and a strong sense of collaboration."*

Individual B

Mr Broughton expressed genuine insight and remorse when reflecting on his behaviour, including the impact that this had had on pupils and the School community. The panel considered Mr Broughton's oral evidence in which he accepted full responsibility for his actions and had clearly spent the time engaging in different types of personal growth work.

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 possible 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 noted that Mr Broughton had acknowledged a need to change his behaviour and that he was open to receiving training to address the concerns raised. Accordingly, the panel therefore acknowledged that there was a very limited risk that Mr Broughton's behaviour might recur in the future.

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, and I have therefore put those matters entirely from my mind.

The panel has made a recommendation to the Secretary of State that Mr Jack Broughton 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 Broughton 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
 - showing tolerance of and respect for the rights of others
- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach, and maintain high standards...

- Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities.

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

I have to determine whether the imposition of a prohibition order is proportionate and in the public interest. In considering that for this case, I have considered the overall aim of a prohibition order which is to protect pupils and to maintain public confidence in the profession. I have considered the extent to which a prohibition order in this case would achieve that aim taking into account the impact that it will have on the individual teacher. I have also asked myself whether a less intrusive measure, such as the published finding of 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 Broughton, 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:

“In light of the panel’s findings against Mr Broughton, which involved allegations of a failure to maintain appropriate professional boundaries, there was a public interest consideration in the safeguarding and wellbeing of pupils, given the findings of inappropriate comments to pupils.”

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:

“Mr Broughton expressed genuine insight and remorse when reflecting on his behaviour, including the impact that this had had on pupils and the School community. The panel considered Mr Broughton’s oral evidence in which he accepted full responsibility for his actions and had clearly spent the time engaging in different types of personal growth work.”

In my judgement, the insight and remorse shown by Mr Broughton means that there is a low risk to the future wellbeing of pupils. I have therefore given this element considerable weight in reaching my decision.

I have gone on to consider the extent to which a prohibition order would maintain public confidence in the profession. The panel has observed that:

“Whilst the panel did not find the actions of Mr Broughton to be sufficiently serious to amount to unacceptable professional conduct, the panel did consider that Mr Broughton’s conduct could potentially damage the public’s perception of a teacher. Although the panel considered that Mr Broughton’s comments amounted to inappropriate jokes rather than being malicious or sexually motivated, the panel did find that they demonstrated a pattern of comments which breached the professional boundaries between him and pupils.”

I am particularly mindful of the finding of failing to maintain appropriate professional boundaries and making inappropriate comments to pupils 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 Broughton himself. The panel has commented:

“Mr Broughton did have a previously good history. The panel noted the comments from Witness B’s oral evidence which were that Mr Broughton had contributed voluntarily to out of hours support with productions and that this work relied on the goodwill of staff.

“The panel saw evidence of two good character references from [REDACTED], Individual A and Individual B. Individual A was also a parent to a child at the school. Both references spoke to Mr Broughton’s commitment, enthusiasm, and ability as a teacher. The reference from the parent reflected on the positive impact which Mr Broughton had on her daughter.”

A prohibition order would prevent Mr Broughton 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 findings that the nature and severity of Mr Broughton’s behaviour were at the less serious end of the possible spectrum, and that he had expressed genuine insight and remorse.

I have taken account of the panel's comment that it "viewed Mr Broughton's actions as immature and misguided but noted the environment within which Mr Broughton was teaching and the fact that he did not have any malicious intent with his actions."

I have also placed considerable weight on the panel's comment that "Mr Broughton had acknowledged a need to change his behaviour and that he was open to receiving training to address the concerns raised. Accordingly, the panel therefore acknowledged that there was a very limited risk that Mr Broughton's behaviour might recur in the future."

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

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

Decision maker: David Oatley

Date: 2 June 2025

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