



Teaching  
Regulation  
Agency

# **Mr Andrew Brook: Professional conduct panel 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 Andrew Brook

**Teacher ref number:** 8749211

**Teacher date of birth:** 3 August 1963

**TRA reference:** 20420

**Date of determination:** 5 June 2025

**Former employer:** Queen Elizabeth High School, Northumberland

### **Introduction**

A professional conduct panel (“the panel”) of the Teaching Regulation Agency (“the TRA”) convened on 2 to 5 June 2025 by way of a virtual hearing, to consider the case of Mr Andrew Brook.

The panel members were Mrs Shabana Robertson (lay panellist – in the chair), Ms Mona Sood (lay panellist) and Mrs Miranda Norris (teacher panellist).

The legal adviser to the panel was Mr Nicholas West of Birketts LLP solicitors.

The presenting officer for the TRA was Mr Howard Tobias of Capsticks LLP solicitors.

Mr Brook was not present and was not represented.

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

## Allegations

The panel considered the allegations set out in the notice of proceedings dated 17 March 2025.

It was alleged that Mr Brook was guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute in that, whilst employed as a Teacher at Queen Elizabeth High School, Whetstone Bridge Road, Hexham, Northumberland, NE46 3JB ('the School'):

1. Between in or around March 2019 and August 2020, he developed an inappropriate relationship with Pupil A while she was a student at the School, in that:
  - a) In around March/April 2019, he caused or allowed Pupil A to sit on his knee [REDACTED];
  - b) On one or more occasions, he allowed Pupil A to use his classroom as a revision space;
  - c) In around April 2019, he sent Pupil A a message via Facebook Messenger saying that he hoped her [REDACTED] exam had gone well, or words to this effect;
  - d) Between around July 2019 and August 2020, he exchanged messages of a personal nature with Pupil A via Facebook Messenger and/or WhatsApp;
  - e) Between in or around September and November 2019, he assisted Pupil A to buy a [REDACTED];
  - f) On one or more occasions between September 2019 and January 2020, he went out with Pupil A [REDACTED];
  - g) In around December 2019, he gave Pupil A a Christmas present;
  - h) In around January 2020, he assisted Pupil A to get [REDACTED] fixed after she had an accident;
  - i) In around January 2020, he told Pupil A that he had feelings for her, or words to this effect;
  - j) On one or more occasions between January 2020 and August 2020, he kissed Pupil A;
  - k) On one or more occasions between February 2020 and August 2020, he had sexual intercourse with Pupil A;
  - l) On one or more occasions between February 2020 and August 2020, he bought alcohol for Pupil A;

- m) On one or more occasions between February 2020 and August 2020, he told Pupil A that he loved her, or words to this effect.
2. On one or more occasions between around September 2020 and April 2021, after Pupil A had left the School, he:
- a) Visited Pupil A at University;
  - b) Smoked marijuana with Pupil A;
  - c) Drank alcohol with Pupil A;
  - d) Had sexual intercourse with Pupil A.
3. His conduct in paragraph 1 and/or 2 above was:
- a) A failure to maintain appropriate professional boundaries
  - b) Sexually motivated.
4. On the 22 April 2021 and the 5 July 2021 he was untruthful and or misled the investigation in regards to the nature and extent of his relationship with Pupil A.
5. His conduct as set out in allegation 4 was dishonest.

Mr Brook stated that he 'partly' admitted the allegations, but that he admitted his actions amounted to unacceptable professional conduct and/or conduct that may bring the profession into disrepute, as set out in his undated response to the notice of referral dated 8 September 2022.

## **Summary of evidence**

### **Documents**

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

Section 1: Chronology, anonymised person list and list of key people – pages 5 to 9

Section 2: Notice of proceedings and response – pages 10 to 42

Section 3: TRA witness statements – pages 43 to 66

Section 4: TRA documents – pages 67 to 229

Section 5: Teacher documents – pages 230 to 262

In addition, the panel agreed to accept the following:

A policy documents bundle consisting of 74 pages;

A proceeding in absence bundle consisting of 17 pages;

A redacted TRA referral form consisting of 19 pages;

A teacher's additional documents bundle consisting of 8 pages; and

A bundle of draft statements of agreed facts consisting of 23 pages.

The panel was satisfied that the additional documents had been provided to Mr Brook in advance of the hearing in accordance with the Procedures.

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

In the consideration of this case, the panel had regard to the Procedures.

## **Witnesses**

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

Pupil A

Person C – [REDACTED]

Witness B – [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 Brook commenced employment at Queen Elizabeth High School ('the School') on 1 September 1995.

A School trip [REDACTED] took place [REDACTED], and Pupil A allegedly sat on Mr Brook's knee [REDACTED].

Between April and June 2019, Pupil A often spent time in Mr Brook's classroom, to revise. Mr Brook allegedly sent Pupil A a message on Facebook saying that he hoped her exams had gone well.

In September 2019, Pupil A started her last year of School and spent a lot of time in Mr Brook's classroom. Mr Brook allegedly continued to exchange messages with Pupil A.

Between September and December 2019, Mr Brook assisted Pupil A to find a [REDACTED] to buy, and they went out [REDACTED] together. Mr Brook allegedly gave Pupil A a Christmas present.

Mr Brook allegedly told Pupil A he had feelings for her and kissed her. The relationship allegedly became sexual between February and August 2020, and during this period Mr Brook engaged in sexual intercourse with Pupil A, bought Pupil A alcohol, and told Pupil A he loved her.

The relationship allegedly continued whilst Pupil A started University, and Mr Brook is alleged to have visited Pupil A, to have smoked marijuana, drunk alcohol and engaged in sexual intercourse with her between September 2020 and April 2021.

The matter was referred to the TRA on 22 November 2021.

## Findings of fact

The findings of fact are as follows:

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

**1. Between in or around March 2019 and August 2020, you developed an inappropriate relationship with Pupil A while she was a student at the School, in that:**

**a) In around March/April 2019, you caused or allowed Pupil A to sit on your knee [REDACTED];**

The panel considered the oral evidence and written statement of Pupil A, who stated that in around March - April 2019, [REDACTED] Mr Brook was in the front with the driver, and she was in the back with two other girls. Pupil A explained that the driver told Mr Brook that there were police ahead and he was not supposed to carry a passenger in the front, and so Mr Brook asked Pupil A if she could “*sit on his lap for a few minutes*” whilst [REDACTED] went past the police. Pupil A stated that once they had gone past the police, Mr Brook returned to the front seat.

Pupil A's oral evidence at the hearing was consistent with her written statement and she confirmed that she sat “*sideways with my legs towards the other girls*”. Pupil A confirmed that her thighs were on top of Mr Brook's thighs with her legs down to the floor and she accepted she was sat on Mr Brook's knee and lap.

The panel considered the written evidence of Mr Brook where he accepted that this incident had taken place in his undated response to the notice of referral dated 8

September 2022, but he submitted that “*someone had to sit across the legs of three passengers not just on my knee*”.

The panel noted the documentary evidence provided relating to an investigation meeting on 12 July 2019 by Individual D, [REDACTED], into two reports by students involving Mr Brook’s actions during the [REDACTED] ride. The notes from this investigation meeting confirmed that Mr Brook stated Pupil A “*was sitting over 3 people, not just me*”.

The panel preferred the evidence provided by Pupil A that Mr Brook had directed her to sit on his lap and/or knee and, on the balance of probabilities, considered that allegation 1(a) was proven.

**b) On one or more occasions, you allowed Pupil A to use your classroom as a revision space;**

The panel considered the oral evidence and written statement of Pupil A, who stated that during her free periods and lunch breaks she would spend time in Mr Brook’s classroom as she “*just liked being in his room*” and “*it was a nice space to work*”.

Pupil A’s oral evidence was consistent with her written statement that she used Mr Brook’s classroom a lot as a study space as she did not have anyone to sit with and didn’t like sitting in the library as “*it was obvious I was alone*”.

Person C’s written statement and oral evidence corroborated Pupil A’s oral account that she was not able to concentrate when studying in the library [REDACTED]. Person C confirmed that Pupil A had told her that Mr Brook had allowed her access to his classroom on more than one occasion.

The panel noted Mr Brook’s written evidence stated, “*it was common to use free classrooms. Others used it too*”. This evidence was corroborated by Witness B’s oral evidence when he confirmed it was accepted “*custom and practice*” when he joined the School for pupils to use classrooms as revision spaces. Witness B also confirmed in oral evidence that there was no requirement on teachers to keep records of any unplanned activities such as revision sessions.

The panel found that there was sufficient evidence that Mr Brook allowed Pupil A to use his classroom as a revision space on more than one occasion and, on the balance of probabilities, found allegation 1(b) proven.

**c) In around April 2019, you sent Pupil A a message via Facebook Messenger saying that you hoped her [REDACTED] exam had gone well, or words to this effect;**

The panel considered the oral evidence and written statement of Pupil A, who stated that in May 2019, Mr Brook sent her a message on Facebook “*saying good luck to me for my*



*A Level exams*". Pupil A explained that she does not have a copy of this message as Mr Brook told her to delete her message history.

Pupil A confirmed in her oral evidence that Mr Brook sent her a message the night before her A Level [REDACTED] exam which would have been in mid-May 2019. [REDACTED].

The panel noted the written evidence of Mr Brook where he denied this allegation in his undated response to the notice of referral dated 8 September 2022. Mr Brook's later written response dated 20 March 2025 stated that he didn't "*actually remember that*".

The panel noted that Mr Brook's denial of this allegation was inconsistent with more contemporaneous documentary evidence when he was questioned by the School on 5 July 2021. When Mr Brook was asked "*Pupil A has alleged that during the summer 2019 you messaged her regarding her [REDACTED] exam. Do you recall that?*", Mr Brook responded, "Yes".

The panel accepted Pupil A's evidence that she had deleted this message but found, on the balance of probabilities, that Mr Brook did send Pupil A a message on Facebook Messenger saying he hoped her exam had gone well, or words to that effect.

The panel was satisfied that although the message was sent in May 2019, allegation (c) was proven.

**d) Between around July 2019 and August 2020, you exchange messages of a personal nature with Pupil A via Facebook Messenger and/or WhatsApp;**

The panel considered the oral evidence and written statement of Pupil A, who stated that she and Mr Brook began to message over the summer of 2019 and became friends. She stated that they used Facebook, WhatsApp, text messages and telephone calls to communicate. Pupil A stated that in September 2019, when she returned to sixth form, they began "*to message a lot more*".

The panel considered the documentary evidence which included screenshots of Facebook Messenger messages and WhatsApp messages between Pupil A and Mr Brook. The Facebook Messenger messages were undated but there was a screenshot provided by Pupil A of her mobile phone which included a notification confirming a "[REDACTED] *assembly tomorrow, Tuesday 12<sup>th</sup> November at 9.55am*". The panel found that this must have been Tuesday, 12 November 2019, and the screenshot also included a Facebook Messenger notification from 'Andrew Brook' stating "*the sassy confidence – get you*".

The panel found that, although not of a highly personal nature, "*the sassy confidence – get you*" comment from Mr Brook was informal and unlikely to relate to her schoolwork. Pupil A's oral evidence also confirmed that the messages were "*friendly, things about my*

*life and his life of a personal nature, not school related, as if friends were messaging each other”.*

The panel noted Mr Brook’s written evidence from his response dated February 2024 where he stated messages were exchanged *“from Dec 2019 I think”*. This is supported by the more contemporaneous documentary evidence when he was questioned by the School on 5 July 2021. Mr Brook was asked *“When did you start communicating informally with Pupil A?”* and he responded, *“Approximately November/December 2019”*.

The panel found there was sufficient evidence to find that Mr Brook exchanged messages of a personal nature with Pupil A on Facebook Messenger between July 2019 and August 2020, as alleged, and therefore allegation 1(d) was found proven.

**e) Between in or around September and November 2019, you assisted Pupil A to buy a [REDACTED];**

The panel considered the oral evidence and written statement of Pupil A, who stated that Mr Brook helped her [REDACTED], so he *“set up the meeting”* and she handed the money over to the seller. Pupil A stated that Mr Brook did not contribute [REDACTED] in any way financially. The panel noted that this was consistent with Pupil A’s more contemporaneous disclosure on 21 June 2021 that, she *“wanted to [REDACTED] and Andy agreed to help her with this”*.

Mr Brook’s written evidence from May 2021 accepted Pupil A asked for his advice about what [REDACTED] to buy and, *“I put her onto a friend’s son who was selling one”*.

The panel considered that there was sufficient evidence that Mr Brook had assisted Pupil A to buy [REDACTED] between September and November 2019 and therefore found allegation 1(e) proven.

**f) On one or more occasions between September 2019 and January 2020, you went out with Pupil A [REDACTED];**

The panel considered the written statement of Pupil A, which explained that in December 2019, she and Mr Brook started to meet up once a week [REDACTED]. Pupil A stated that she was *“still learning [REDACTED]”* so she *“needed the practice”*.

Pupil A’s oral evidence was consistent that she would meet Mr Brook at a meeting point just outside the town after School and they would [REDACTED] once a week. The panel accepted Pupil A’s oral evidence that when they stopped for a break, Mr Brook *“would hug me mostly to just warm me up but it became quite intimate and extended and he would invite me to put my hands under his shirt”*.

The panel noted Mr Brook's written evidence, and in his undated response to the notice of referral dated 8 September 2022, he accepted that he went out with Pupil A [REDACTED] in "*December*".

The panel found that, on the balance of probabilities, Mr Brook did go out with Pupil A [REDACTED], in December 2019 and therefore the panel found allegation 1(f) proven.

**g) In around December 2019, you gave Pupil A a Christmas present;**

The panel considered the written statement of Pupil A, which stated that Mr Brook bought her birthday and Christmas cards. In Pupil A's oral evidence, she confirmed that, on the last day of School, she went back to her house and Mr Brook messaged her to look in the box [REDACTED] and there was a card and a present [REDACTED].

The panel noted Mr Brook's written evidence, and in his response dated February 2024, he stated he gave Pupil A a "*Xmas card only. But the other [REDACTED] group members got one too*".

The panel considered the documentary evidence which included an undated Facebook Messenger screenshot from an exchange between Pupil A and 'Andrew Brook' stating, "*...go and check inside [REDACTED] in the red cloth bag now*".

The panel considered that, on the balance of probabilities, Mr Brook did give Pupil A a Christmas present in or around December 2019 and therefore the panel found allegation 1(g) proven.

**h) In around January 2020, you assisted Pupil A to get [REDACTED] fixed after she had an accident;**

The panel considered the written statement of Pupil A which confirmed "*It was on one of these trips in December 2019- January 2020 that I crashed [REDACTED] when I slipped on some ice*". Pupil A provided further detail in her oral evidence that [REDACTED] slipped on some ice in the middle of nowhere when it was pitch black around 5pm and Mr Brook didn't realise she had fallen. Pupil A stated that when Mr Brook realised, he "*turned around [REDACTED]*". Pupil A confirmed her [REDACTED] was "*scratched up a little bit*" but did not require fixing by a mechanic.

The panel considered the oral evidence of Person C, who recalled Pupil A having an accident as she received a call and collected Pupil A from a local street. Person C recalled that the accident caused "*scrapes*" to Pupil A's [REDACTED], but she did not recall that it needed to be taken to a mechanic.

Notwithstanding Mr Brook's admission in respect of this allegation, the panel considered that there was insufficient evidence, on the balance of probabilities, to find allegation 1(h) proven. The panel accepted that Mr Brook was with Pupil A when she slipped on some

ice and that he [REDACTED] but he did not assist her to get her [REDACTED] fixed as there was no evidence that it required fixing.

The panel found allegation 1(h) not proven.

**i) In around January 2020, you told Pupil A that you had feelings for her, or words to this effect;**

The panel considered the oral evidence and written statement of Pupil A, who stated that in January 2020, when she was revising for her mock exams in Mr Brook's classroom, he admitted he had feelings for her, and she said she would think about it and went home.

Pupil A stated that the next day Mr Brook picked her up from work in his van, and he drove them down country roads and pulled into a car park, and he told her that he really liked her and said that he had not had feelings that strong before.

Contemporaneous notes from Pupil A's disclosure dated 21 June 2021 confirm that in January 2020, *"Andy told her that he had feelings for her. She says that she knew this was weird but she felt flattered"*.

The panel noted the written evidence from Mr Brook in the notes from his investigation interview on 5 July 2021 where he was asked *"When did you start to have feelings towards her?"* and he responded, *"When she came into my room chatting. It's a weird thing when you've worked for 27 years. I felt a connection to her – probably Autumn, not last year, the year before"*. The panel found Mr Brook was referring to Autumn 2019.

The panel was satisfied that, on the balance of probabilities, Mr Brook had told Pupil A that he had feelings for her, or words to this effect, in or around January 2020.

The panel therefore found allegation 1(i) proven.

**j) On one or more occasions between January 2020 and August 2020, you kissed Pupil A;**

The panel considered the oral evidence and written statement of Pupil A, who stated that Mr Brook wanted to see her the day after he had told her that he had feelings for her and picked her up in his van. Pupil A stated that Mr Brook drove her to a car park and told her how much he liked her and kissed her. Pupil A stated that she pushed him off once and then he kissed her again and she let him.

Pupil A's oral evidence was consistent with her written statement when she explained that she was *"a bit conflicted and shocked. I didn't really like him but it was exciting and felt new so yeah I sort of let it happen"*. Pupil A confirmed in her oral evidence that Mr Brook first kissed her the day after he had told her that he had feelings for her.

The panel noted Mr Brook's written evidence, and in his undated response to the notice of referral dated 8 September 2022, he admitted that he kissed Pupil A from "*Feb onwards*".

On the balance of probabilities, the panel was satisfied that Mr Brook had kissed Pupil A in or around February 2020 and allegation 1(j) was therefore proven.

**k) On one or more occasions between February 2020 and August 2020, you had sexual intercourse with Pupil A;**

The panel considered the written statement of Pupil A, which stated "*our sexual relationship started in January 2020*". She stated that Mr Brook would pick her up in his van, they would drive out somewhere remote to a car park and he would put the seats down and close the curtains. In Pupil A's oral evidence, she confirmed they would "*park up, put the back seats down, pull the curtains round, then he would tell me to lie down and take my clothes off and we would have sex*".

The panel considered the statement of Mr Brook dated 28 June 2022, where he stated that he had a sexual relationship with Pupil A after she left the School. Mr Brook's written response dated February 2024 also confirmed he had a sexual relationship with Pupil A from the end of March 2020 when he considered Pupil A "*had left school*".

The panel considered the notes from Mr Brook's investigation interview on 5 July 2021 when he initially denied having a sexual relationship with Pupil A until after September 2020. Mr Brook later accepted the sexual relationship began in March 2020 when Pupil A was still a student at the School [REDACTED]. Mr Brook confirmed, "*Yes, she was [REDACTED]*".

The panel concluded, on the balance of probabilities, that Mr Brook had sexual intercourse with Pupil A from March 2020 and therefore allegation 1(k) was proven.

**l) On one or more occasions between February 2020 and August 2020, you bought alcohol for Pupil A;**

The panel considered the oral evidence of Pupil A, who stated that she recalled Mr Brook buying her alcohol "*when we were in [the] van when still in school during covid*". Pupil A provided an example of when Mr Brook "*bought me G&T in a can*" and she remembered he "*wiped the top with alcohol wipes and I remember drinking and it tasted like hand sanitiser*".

Pupil A didn't recall when during their meetings that alcohol was consumed in the van. Pupil A stated she thought it would have been "*at the beginning*" of their encounters as Mr Brook "*would sometimes have one, never more than one as he was driving and I can't imagine he would immediately have a drink and then drive away*".

The panel considered Mr Brook's written response dated February 2024 confirmed "*we both bought August 2020 onwards*" referring to alcohol.

The panel concluded, on the balance of probabilities, that Mr Brook had bought Pupil A alcohol between February 2020 and August 2020 and therefore allegation 1(l) was found proven.

**m) On one or more occasions between February 2020 and August 2020, you told Pupil A that you loved her, or words to this effect.**

The panel considered the oral evidence and written statement of Pupil A, who stated that between May to June 2020, Mr Brook told her he loved her.

The panel considered the statement of Mr Brook dated 28 June 2022, where he stated that he became very much in love with Pupil A especially after the lockdown in March 2020.

The panel considered Mr Brook's written response dated February 2024 confirmed he "*expressed love probably May/June*".

The panel concluded, on the balance of probabilities, that Mr Brook had told Pupil A he loved her between May and June 2020 and therefore allegation 1(m) was proven.

**2. On one or more occasions between around September 2020 and April 2021, after Pupil A had left the School, you:**

**a) Visited Pupil A at University;**

**c) Drank alcohol with Pupil A;**

**d) Had sexual intercourse with Pupil A.**

The panel considered the oral evidence and written statement of Pupil A, who stated that Mr Brook would come and visit her at university, for two to three days between September 2020 and January 2021. She stated that the "*relationship was sexual when he came to see me and he would bring wine, beer or gin and tonic in a can*".

The panel noted Mr Brook's written evidence, and in his undated response to the notice of referral dated 8 September 2022, he accepted that he visited Pupil A at university, drank alcohol with Pupil A and had sexual intercourse with Pupil A. The panel considered Mr Brook's written response dated February 2024 which confirmed he "*Visited uni – we had picnics, food, discussed politics, Tibet and human rights*".

The panel found that there was sufficient evidence to find that Mr Brook did visit Pupil A at university, they drank alcohol together and had sexual intercourse and therefore allegations 2(a), 2(c) and 2(d) were proven.



### **b) Smoked marijuana with Pupil A;**

The panel considered the oral evidence and written statement of Pupil A, who stated that Mr Brook came to visit her at university, *“we smoked marijuana together. I bought the marijuana for us to smoke together – this took place most times he came to see me”*.

The panel noted Mr Brook’s written evidence, and in his undated response to the notice of referral dated 8 September 2022, he denied smoking marijuana with Pupil A. This did not form part of the allegations put to Mr Brook during the School’s investigation in 2021 and the panel noted that there is no contemporaneous evidence from Mr Brook in respect of this allegation.

On the balance of probabilities, the panel considered that there was not sufficient evidence to find that Mr Brook smoked marijuana with Pupil A, and therefore found allegation 2(b) not proven.

### **3. Your conduct in paragraph 1 and/or 2 above was:**

#### **a) A failure to maintain appropriate professional boundaries**

The panel concluded that, due to the findings of fact that it had made in respect of allegations 1 and 2, it was clear that Mr Brook had failed to maintain appropriate professional boundaries.

The panel found that Mr Brook’s actions in allowing Pupil A to use his classroom as a revision space and assisting her to buy [REDACTED] did not amount to a failure to maintain appropriate professional boundaries. In isolation, the panel accepted that these actions may well have been well-intentioned and did not breach the School’s Code of Conduct or other policies or procedures.

However, the panel considered that the remaining findings of fact it made in respect of allegations 1 and 2 were failures by Mr Brook to maintain appropriate professional boundaries.

There was documentary evidence available to the panel regarding the School’s management advice to Mr Brook on multiple occasions. The panel considered notes from an investigation meeting on 12 July 2019 which stated *“The LADO suggested that we meet with you on an informal basis, but to issue you with verbal management advice with the intention to protect you from further reports of this nature. Kids love you Andy but you need to protect yourself from getting caught in a dodgy situation. I offer advice about clearly marking the line, to the whole staff body, between teacher and student so that any interactions are not mis-judged”*. This was followed by further written management advice on 22 November 2019 where Mr Brook was informed that his actions *“had fallen below the standards of those expected”* and he was told that this was the third occasion that

potential safeguarding concerns had been discussed with him over a relatively short period of time.

The School's Code of Conduct expressly stated what standards were expected of its teachers. The 2017 version stated, *"Implicit in your contract of employment is the requirement to act with honesty and integrity. If you behave in such a manner that you can no longer be trusted you risk losing your employment"*. The panel noted the School's Code of Conduct also provided guidance in respect of *'Relationships with spouses, partners and close personal friends in the workplace'* which stated, *"If a social relationship develops into a close personal relationship, this can often interfere with the normal working relationships within the work group and can cause others to doubt that they will be treated fairly"*. The context in no way sanctioned relationships with pupils or former pupils.

The School's Code of Conduct dated 9 March 2020 confirmed at paragraph 15.2, *"All employees working with children and young people have a responsibility to maintain public confidence in their ability to safeguard the welfare and best interests of children and young people. It is therefore expected that they will adopt high standards of personal conduct in order to maintain the confidence and respect of parents/carers, the public in general and all those with whom they work"*. At paragraph 15.3, it also stated, *"Employees in contact with children and young people should understand and be aware that safe practice also involves using judgement and integrity about behaviours in places other than the work setting"*.

The panel considered that the School's previous management advice, coupled with the School's Code of Conduct policies, demarcated a professional boundary regarding appropriate contact between teachers and students. The panel was satisfied that Mr Brook's actions, as found proven at allegations 1 and 2, failed to maintain that professional boundary that was expected by the School.

The panel determined that, even though Pupil A may have been over the age of 18 when the majority of the findings against Mr Brook took place, Pupil A was still considered to be a student at the School until 31 August 2020. This finding was supported by the oral evidence of Witness B at the hearing who confirmed [REDACTED] students remain on roll until it is updated on 1 September each year. The panel considered that Mr Brook's actions with respect to Pupil A clearly breached the School's Code of Conduct and safeguarding practices.

The panel accepted that teachers have a right to a private life, but noted that right is not absolute, particularly when working in a role of trust and responsibility, and because teachers' actions are judged against professional standards. The panel found that the relationship between Mr Brook and Pupil A had developed from messages of a personal nature in May 2019 into a sexual relationship by March 2020. The panel was satisfied that all aspects of the relationship between Pupil A and Mr Brook, whilst she remained a



student at the School, clearly amounted to a failure to maintain appropriate professional boundaries.

The findings of fact in allegation 2 may not have amounted to a failure to maintain appropriate professional boundaries in isolation, as Pupil A was no longer a student at the School during this time. However, the panel considered that Mr Brook's actions in respect of the findings at allegation 2 were a direct continuation of the relationship that had first started when Pupil A was a student at the School. At this time, Mr Brook was in a position of trust and authority as a teacher and the panel considered his actions amounted to a concerning pattern of behaviour. Mr Brook was aware that Pupil A was a vulnerable student based on her disclosure to him, but he failed in his duty to report this appropriately as a safeguarding concern.

The panel found that there was a clear power imbalance throughout the duration of Mr Brook's relationship with Pupil A and this continued when Pupil A moved to university. The panel accepted Pupil A's evidence that the relationship was consensual, however, despite expressing that Pupil A's departure from the School would bring the relationship to a "*natural stop*", it continued. In addition to this, the panel was made aware that Mr Brook spent several weekends with Pupil A in the Autumn/Winter term of 2020. The panel considered that Mr Brook had used his influence over Pupil A to persuade her to continue their relationship. Pupil A explained in her oral evidence that she had previously realised on at least two occasions that she was "*not comfortable*" and attempted to end the relationship, but Mr Brook had convinced her back within a week or two. The panel was mindful of Pupil A's vulnerability [REDACTED].

The panel also considered Mr Brook's initial denial of his relationship with Pupil A was because he thought his job would be at risk. The panel found that Mr Brook must have also considered his actions to be a failure to maintain appropriate professional boundaries if he was concerned that he may lose his job as a result of his actions.

The panel therefore found allegation 3 (a) proven.

#### **b) Sexually motivated.**

The panel noted that in *Basson v General Medical Council* [2018] EWHC 505 (Admin) it was stated that "*A sexual motive means that the conduct was done either in pursuit of sexual gratification or in pursuit of a sexual relationship*".

The panel further noted that in *General Medical Council v Haris* [2021] EWCA Civ 763, it was stated that, "*In the absence of a plausible innocent explanation for what he did, the facts spoke for themselves. A sexual motive was plainly more likely than not; I would go so far as to say that that inference was overwhelming.*"

The panel considered whether there was a plausible innocent explanation for the conduct which they had found proven at allegations 1 and 2.

The panel found that Mr Brook's conduct as found proven at allegations 1(a), 1(b), 1(c), 1(e) and 1(l) was not sexually motivated. However, Mr Brook's conduct found proven at allegations 1(d), 1(f), 1(g), 1(i) – (k), 1(m), 2(a) and 2(d) was clearly sexual.

The panel was satisfied that the messages Mr Brook had exchanged with Pupil A on Facebook Messenger were sexual. There were examples from documentary evidence as early as December 2019 when Mr Brook messaged Pupil A regarding his Christmas present to her when he referred to her as "*an even fucking cuter sapling peach*". The panel accepted Pupil A's evidence that [REDACTED] provided Mr Brook with an opportunity to cuddle her, and he directed her to place her hands inside his shirt to keep warm.

The panel considered there was no plausible innocent explanation for Mr Brook providing Pupil A with a Christmas gift in December 2019, and accompanied with the Facebook Messenger messages, the panel inferred that this was likely to be sexually motivated. The remaining allegations regarding Mr Brook telling Pupil A he had feelings for her, kissing her, having sexual intercourse with her and telling her that he loved her were found to be plainly sexual by the panel.

The panel accepted Pupil A's evidence that "*the relationship was sexual*" when Mr Brook visited her at university and that she "*felt like a large part of the relationship was about sex for him*".

The panel noted Person C's evidence that she had intentionally refrained from visiting Pupil A in her first term at university to adhere to the national lockdown guidance during the Covid-19 pandemic. The panel considered that, in visiting Pupil A, Mr Brook failed to follow national public health guidance, and this added further weight to its inference that his visits were more likely than not, to be sexually motivated.

The panel accepted Pupil A's evidence that her drinking alcohol with Mr Brook in his van in 2020 and later when she attended university was not sexually motivated and there was no evidence that she was ever under the influence of alcohol during the course of their relationship.

The panel did not consider that Mr Brook had provided a plausible innocent explanation for his conduct found proven at allegations 1(d), 1(f), 1(g), 1(i) – (k), 1(m), whilst Pupil A was still at School. In respect of allegations 2(a) and 2(d), the panel considered that the direct continuation of the relationship between Mr Brook and Pupil A whilst she was at university was sexually motivated. The panel therefore concluded that, on the balance of probabilities, Mr Brook's conduct was sexually motivated.

The panel therefore found allegation 3(b) proven.

**4. On the 22 April 2021 and the 5 July 2021 you were untruthful and or misled the investigation in regards to the nature and extent of your relationship with Pupil A.**

The panel considered the meeting notes from the School's informal meeting with Mr Brook dated 22 April 2021. When asked *"Can I just clarify that you deny any truth in this allegation, that you had a sexual relationship with A?"*, Mr Brook responded, *"Yes, that's right"*. In light of Mr Brook's later admissions, the panel was satisfied that Mr Brook's answer on 22 April 2021 was clearly untruthful and misleading.

The panel noted further examples of Mr Brook making false statements in the investigation notes from 22 April 2021. Mr Brook falsely denied using social media, he suggested that the last time he had contact with Pupil A was Christmas 2020, he suggested he *"bumped into"* Pupil A during lockdown and he claimed to have never used his mobile phone to contact Pupil A, stating that he only used his School email account.

The panel considered the meeting notes from Mr Brook's investigation interview dated 5 July 2021 and noted that when he was initially asked, *"Did that sexual relationship begin when Pupil A was a sixth form student here at QEHS?"*, he responded, *"No, it began in September 2020 when she had left"*. Mr Brook was then asked, *"Pupil A has alleged that the sexual relationship began in February 2020 until around February-April 2021?"* and he responded, *"That's not true. The relationship didn't start until September 2020" and "I only had feelings before September 2020, nothing happened of a sexual nature before then"*.

The panel noted that later on in the investigation interview on 5 July 2021, Mr Brook changed his response and admitted, *"We became involved in a sexual relationship late March 2020"*. Witness B sought to clarify Mr Brook's change of position, stating, *"For the notes, I would like to clarify that at first you said that you did not have a sexual relationship with Pupil A until after September 2020. You are now saying however, that the sexual relationship began in March 2020 when Pupil A was still a student at the school [REDACTED]?"*. Mr Brook responded *"Yes, she was [REDACTED]"*.

[REDACTED]

Further to the evidence set out above, the panel was satisfied that Mr Brook was untruthful and misled the investigation in regard to the nature and extent of his relationship with Pupil A on both 22 April 2021 and 5 July 2021 and therefore found allegation 4 proven.

**5. Your conduct as set out in allegation 4 was dishonest.**

The panel considered whether Mr Brook had acted dishonestly in relation to the conduct it found proven at allegation 4. In reaching its decision on dishonesty, the panel considered the case of *Ivey v Genting Casinos (UK) Ltd t/a Crockford*.

The panel firstly sought to ascertain the actual state of Mr Brook's knowledge or belief as to the facts. The panel considered that there was no doubt Mr Brook was aware that he was providing false statements to the School during the meetings on 22 April 2021 and 5 July 2021. Mr Brook admitted in the meeting on 5 July 2021 he had denied the allegations "*Because of the nature of the relationship, I feared I would lose my job*". The panel was satisfied that Mr Brook deliberately and knowingly provided false and misleading information regarding the nature and extent of his relationship with Pupil A at these two meetings.

Next, the panel considered whether Mr Brook's conduct was dishonest by the standards of ordinary decent people. The panel found that Mr Brook was objectively dishonest by providing false and misleading information to the School regarding the nature and extent of his relationship with Pupil A.

The panel found that Mr Brook was dishonest by deliberately providing false and misleading information regarding the nature and extent of his relationship with Pupil A and therefore 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 proven, 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 Brook, in relation to the facts found proved, involved breaches of the Teachers' Standards.

The panel considered that, by reference to Part 2, Mr Brook 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 not satisfied that the conduct of Mr Brook, in relation to the facts found proved, involved breaches of Keeping Children Safe In Education (“KCSIE”) or Working Together to Safeguard Children as the panel was not invited to consider any breaches of particular provisions of these guidance documents in the course of the hearing. The panel noted from its own knowledge and experience that for the purposes of KCSIE, the term ‘children’ includes everyone under the age of 18.

The panel also considered whether Mr Brook’s conduct displayed behaviours associated with any of the offences listed on pages 12 and 13 of the Advice.

The Advice indicates that where behaviours associated with such an offence exist, a panel is likely to conclude that an individual’s conduct would amount to unacceptable professional conduct.

The panel found that the offence types of sexual activity and serious dishonesty were relevant.

The panel was concerned that Mr Brook’s conduct had occurred following repeated management advice from the School regarding appropriate boundaries between teachers and students and this evidenced a worrying lack of change in Mr Brook’s behaviour.

The panel noted that allegations 1(a), 1(c) - (g), 1(i) – (m), 2(a), 2(c) and 2(d) all took place outside the education setting. The panel considered the weight of evidence demonstrated that Mr Brook had used his position of trust as a teacher to begin and maintain a sexual relationship with Pupil A whilst she was a student at the School, exposing her to extremely harmful behaviour.

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

In relation to whether Mr Brook’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 Brook's conduct displayed behaviours associated with any of the offence types in the list that begins on page 12 of the Advice.

As set out above in the panel's findings as to whether Mr Brook was guilty of unacceptable professional conduct, the Panel found that the offence types of sexual activity and serious dishonesty were relevant.

The panel was particularly concerned by Pupil A's evidence that Mr Brook had directed her to keep the relationship a secret. The panel noted Pupil A's evidence that Mr Brook's conduct had caused her to feel vulnerable and isolated and she stated, "*I was not close enough to anyone else and by this point he was my only friend*". The panel noted that Mr Brook told Pupil A in April 2021 to deny everything or tell the School that the relationship started after she left the School and directed Pupil A to delete all messages that they had sent to each other. In Pupil A's oral evidence, she stated how it had affected her relationships with friends and family as "*having to keep that many lies, I couldn't really be close to anyone. It was a huge part of my life I couldn't share with anyone*".

The findings of misconduct are serious, and the conduct displayed would be likely to have a negative impact on Mr Brook's status as a teacher. The panel considered that Mr Brook's conduct could potentially damage the public's perception of a teacher.

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

## **Panel's recommendation to the Secretary of State**

Given the panel's findings in respect of unacceptable professional conduct and conduct that may bring the profession into disrepute, it was necessary for the panel to go on to consider whether it would be appropriate to recommend the imposition of a prohibition order by the Secretary of State.

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

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

In light of the panel's findings against Mr Brook, which involved developing an inappropriate relationship with Pupil A while she was a student at the School (including exchanging messages of a personal nature on social media, giving her a gift, telling her that he had feelings for her, kissing her, having sexual intercourse with her, telling her that he loved her and buying her alcohol), visiting Pupil A at University, drinking alcohol with her and having sexual intercourse with her at University, and acting dishonestly by lying and misleading the School's investigation into his actions, there was a strong public interest consideration in the safeguarding and wellbeing of pupils and the protection of other members of the public.

The panel made very serious findings that Mr Brook's conduct failed to maintain appropriate professional boundaries and was sexually motivated in forming and maintaining an inappropriate sexual relationship with Pupil A.

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

In addition to the public interest considerations set out above, the panel went on to consider whether there was a public interest in retaining Mr Brook in the profession.

Whilst there was some character evidence provided by Mr Brook that confirmed he was “a very popular teacher” with “a passion for education” suggesting that he had ability as an educator, the panel considered that the adverse public interest considerations above outweighed any interest in retaining Mr Brook in the profession. The panel considered Mr Brook’s behaviour fundamentally breached the standard of conduct expected of a teacher, and he sought to exploit his position of trust. The panel considered that retaining Mr Brook in the profession would only lead to further risk to the safeguarding and wellbeing of pupils.

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 Brook.

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;
- failure to act on evidence that indicated a child’s welfare may have been at risk;
- a deep-seated attitude that leads to harmful behaviour;
- 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;

- collusion or concealment including:
  - concealing inappropriate actions;
  - encouraging others to break the rules;
  - lying to prevent the identification of wrongdoing.

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 Brook's actions were not deliberate.

There was no evidence that Mr Brook was acting under extreme duress.

The panel was not presented with any evidence that Mr Brook demonstrated exceptionally high standards in his personal and professional conduct or contributed significantly to the education sector beyond what would have been expected of a teacher with his years of experience. Having considered documentary evidence of the School's management advice in 2019 that his actions "*had fallen below the standards of those expected*" and that this was the third occasion that potential safeguarding concerns had been discussed with him over a relatively short period of time, the panel did not accept that his conduct towards Pupil A was out of character.

The panel considered that the School had an opportunity to take appropriate, formal action against Mr Brook regarding the repeated safeguarding concerns that it had identified in 2019. However, the panel considered such action may well have been futile as it found that Mr Brook had failed to learn from the informal management advice that he had been subjected to. During the course of the evidence, the panel learned of a number of [REDACTED] which, whilst deeply concerning, none of which offered any mitigation.

The panel concluded that there was no evidence available to the panel to suggest that Mr Brook's concerning and deep-seated attitude to personal relationships with pupils would, or could, change.

The panel noted that there was a complete lack of insight and remorse on the part of Mr Brook. The panel noted Mr Brook's written response dated 25 February 2024 where he stated "*I think by the time [Pupil A] has gone to university having been a [REDACTED] student it should fall outside of the remit of the TRA and in this case be personal to me and [Pupil A]. I feel very strongly about this kind of moral policing and will continue my concerns around rights in relation to this*". Mr Brook also stated that his conduct towards

Pupil A after she left School was a “*private matter governed by privacy laws between two consenting adults and should stay that way*”.

Mr Brook’s written evidence focused on the “*frustrating*” impact that these proceedings have had on his ability to follow his retirement plan of working with asylum seekers and refugees [REDACTED]. The panel considered that there was a complete failure by Mr Brook to recognise the devastating impact of his actions on Pupil A and her family. Mr Brook’s written evidence stated, “*I have moved on as have those involved*” and sought to describe Pupil A as “*an assertive character and a strong woman*” and “*mature and knew what she wanted*”.

The panel considered that Mr Brook’s written assessment of the impact on Pupil A was entirely contrary to her written statement, which was accepted by the panel, and stated, “*Looking back at the relationship, I believe there was a lot of manipulation by Mr Brook. He was older and in a position of authority. I felt as though I could not say no to him in the relationship because of the position he was in. He had a lot of influence over me – he could have probably told me to do anything and I would have done it*”.

The panel had sight of character statements to attest to Mr Brook’s character, but the panel noted the statements from Individual E, former pupil, and Individual F, former colleague, did not expressly confirm that they had knowledge of the allegations against Mr Brook before the panel and therefore could only be given limited weight.

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

The panel was of the view that, applying the standard of the ordinary intelligent citizen, it would not be a proportionate and appropriate response to recommend no prohibition order. Recommending that the publication of adverse findings to be sufficient would unacceptably compromise the public interest considerations present in this case, despite the severity of the consequences for Mr Brook of prohibition.

The panel was of the view that prohibition was both proportionate and wholly appropriate in this case. The panel decided that the public interest considerations outweighed the interests of Mr Brook. The findings relating to Mr Brook’s serious dishonesty and exploitation of his position of authority as a teacher were significant factors in forming that opinion. Accordingly, the panel made a recommendation to the Secretary of State that a prohibition order should be imposed with immediate effect.

The panel went on to consider whether or not it would be appropriate for it to decide to recommend a review period of the order. The panel was mindful that the Advice states that a prohibition order applies for life, but there may be circumstances, in any given

case, that may make it appropriate to allow a teacher to apply to have the prohibition order reviewed after a specified period of time that may not be less than 2 years.

The Advice indicates that there are certain types of case where, if relevant, the public interest will have greater relevance and weigh in favour of not offering a review period.

This includes 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.

The panel considered that the very serious nature of the findings of repeated sexual misconduct by Mr Brook against Pupil A, including forming and maintaining a secret, sexual relationship whilst she remained a student at the School, weighed in favour of not offering a review period. The panel noted that there was no evidence that a period of review would result in a different outcome to rebuild public confidence in Mr Brook returning to the teaching profession.

The Advice also indicates that there are certain other types of cases where it is likely that the public interest will have greater relevance and weigh in favour of a longer period before a review is considered appropriate.

This includes serious dishonesty.

The panel's findings that Mr Brook had deliberately lied and misled the School's investigation into his conduct towards Pupil A for his own self-interest, and his direction to Pupil A to keep their relationship secret and delete messages weighed in favour of suggesting a longer period before a review is considered to be appropriate.

The panel found that Mr Brook's failure to take responsibility for his actions, whilst attempting to minimise the impact of his behaviour on Pupil A, provides evidence of a real risk of repetition. The panel is not at all convinced that if Mr Brook were permitted to return to the teaching profession, that similar conduct would not happen to another pupil, particularly as Mr Brook has not shown any insight into his actions. The panel heard compelling evidence that Mr Brook emotionally manipulated Pupil A and this undermined any confidence in his ability to maintain safe and appropriate relationships with pupils in the future.

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 both sanction and review period.

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

In this case, the panel has found 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 and I have therefore put those matters entirely from my mind.

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

In particular, the panel has found that Mr Brook 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 finds that the conduct of Mr Brook fell significantly short of the standards expected of the profession.

The findings of misconduct are particularly serious as they include a finding of developing an inappropriate relationship and having sexual intercourse with a pupil.

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 Brook, 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 Brook, which involved developing an inappropriate relationship with Pupil A while she was a student at the School (including exchanging messages of a personal nature on social media, giving her a gift, telling her that he had feelings for her, kissing her, having sexual intercourse with her, telling her that he loved her and buying her alcohol), visiting Pupil A at University, drinking alcohol with her and having sexual intercourse with her at University, and acting dishonestly by lying and misleading the School’s investigation into his actions, there was a strong public interest consideration in the safeguarding and wellbeing of pupils and the protection of other members of the public.”

A prohibition order would therefore prevent such a risk from being present in the future.

I have also taken into account the panel’s comments on insight and remorse. The panel has said that “there was a complete lack of insight and remorse on the part of Mr Brook.” The panel has also noted that “there was a complete failure by Mr Brook to recognise the devastating impact of his actions on Pupil A and her family.” In my judgement, the lack of insight and remorse means that there is some risk of the repetition of this behaviour and this puts at risk the future wellbeing of pupils. I have therefore given this element considerable weight in reaching my decision.

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

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

I am particularly mindful of the finding that the teacher had a sexual relationship with a pupil in this case and the impact that such a finding has on the reputation of the profession.

I have had to consider that the public has a high expectation of professional standards of all teachers and that the public might regard a failure to impose a prohibition order as a failure to uphold those high standards. In weighing these considerations, I have had to

consider the matter from the point of view of an “ordinary intelligent and well-informed citizen.”

I have considered whether the publication of a finding of unacceptable professional conduct and conduct likely to bring the profession into disrepute, in the absence of a prohibition order, can itself be regarded by such a person as being a proportionate response to the misconduct that has been found proven in this case.

I have also considered the impact of a prohibition order on Mr Brook himself. The panel has commented:

“Whilst there was some character evidence provided by Mr Brook that confirmed he was “*a very popular teacher*” with “*a passion for education*” suggesting that he had ability as an educator, the panel considered that the adverse public interest considerations above outweighed any interest in retaining Mr Brook in the profession.”

I have also noted the panel’s comments:

“The panel was not presented with any evidence that Mr Brook demonstrated exceptionally high standards in his personal and professional conduct or contributed significantly to the education sector beyond what would have been expected of a teacher with his years of experience. Having considered documentary evidence of the School’s management advice in 2019 that his actions “*had fallen below the standards of those expected*” and that this was the third occasion that potential safeguarding concerns had been discussed with him over a relatively short period of time, the panel did not accept that his conduct towards Pupil A was out of character.”

A prohibition order would prevent Mr Brook 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 also placed considerable weight on the finding of the panel that “Mr Brook’s behaviour fundamentally breached the standard of conduct expected of a teacher, and he sought to exploit his position of trust. The panel considered that retaining Mr Brook in the profession would only lead to further risk to the safeguarding and wellbeing of pupils.”

I have placed considerable weight on the panel’s comments concerning the lack of insight or remorse. The panel has said that “there was no evidence available to the panel to suggest that Mr Brook’s concerning and deep-seated attitude to personal relationships with pupils would, or could, change.”

I have also taken account of the panel's comments that "The panel was of the view that prohibition was both proportionate and wholly appropriate in this case. The panel decided that the public interest considerations outweighed the interests of Mr Brook. The findings relating to Mr Brook's serious dishonesty and exploitation of his position of authority as a teacher were significant factors in forming that opinion."

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

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

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

I have considered the panel's comments:

"The panel considered that the very serious nature of the findings of repeated sexual misconduct by Mr Brook against Pupil A, including forming and maintaining a secret, sexual relationship whilst she remained a student at the School, weighed in favour of not offering a review period. The panel noted that there was no evidence that a period of review would result in a different outcome to rebuild public confidence in Mr Brook returning to the teaching profession."

"The panel found that Mr Brook's failure to take responsibility for his actions, whilst attempting to minimise the impact of his behaviour on Pupil A, provides evidence of a real risk of repetition. The panel is not at all convinced that if Mr Brook were permitted to return to the teaching profession, that similar conduct would not happen to another pupil, particularly as Mr Brook has not shown any insight into his actions. The panel heard compelling evidence that Mr Brook emotionally manipulated Pupil A and this undermined any confidence in his ability to maintain safe and appropriate relationships with pupils in the future."

I have considered whether a not allowing a review period reflects the seriousness of the findings and is a proportionate period to achieve the aim of maintaining public confidence in the profession. In this case, 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 serious nature of the misconduct found proven including a sexual relationship with a pupil and dishonesty, the lack of either 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 Andrew Brook 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 Brook 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 Andrew Brook has a right of appeal to the High Court within 28 days from the date he is given notice of this order.

A handwritten signature in black ink, appearing to read 'David Oatley', is positioned above the decision maker's name.

**Decision maker: David Oatley**

**Date: 9 June 2025**

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