



Teaching  
Regulation  
Agency

# **Mr Christopher Way: Professional conduct panel outcome**

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

**July 2025**

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

**Teacher:** Mr Christopher Way

**Teacher ref number:** 1048226

**Teacher date of birth:** 15/03/1977

**TRA reference:** 23264

**Date of determination:** 10 July 2025

**Former employer:** The Gateway Academy, Essex

### **Introduction**

A professional conduct panel (“the panel”) of the Teaching Regulation Agency (“the TRA”) convened on 8 to 10 July 2025 by way of a virtual hearing, to consider the case of Mr Way.

The panel members were Mrs Patricia Hunt (former teacher panellist – in the chair), Mrs Bernie Whittle (teacher panellist) and Mr Richard Young (lay panellist).

The legal adviser to the panel was Miss Elizabeth Gilbert of Eversheds Sutherland (International) LLP.

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

Mr Way was represented by Mrs Marelle Bernard of the [REDACTED]. However, neither Mr Way nor his representative were present at the hearing.

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 set out in the Notice of Hearing dated 28 February 2025.

It was alleged that Mr Way was guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute, in that whilst working as Head of Business at the Gateway Academy (the “Academy”):

1. Between 26 September 2022 and July 2023, Mr Way exchanged emails on his school account of an unprofessional and/or over-familiar nature with Person A;
2. On 4 August 2023, Mr Way invited Person A to email him her phone number.
3. On or around 24 August 2023, Mr Way called Person A from his personal mobile number;
4. Between July 2023 and 20 September 2023, Mr Way exchanged WhatsApp and/or email messages with Person A, that were:
  - a) from his personal rather than professional email address and/or phone; and/or
  - b) unprofessional and/or over-familiar in nature; and/or
  - c) sent outside of working hours and/or during Academy holidays; and/or
  - d) considerable in number;
5. On 18 September 2023 Mr Way sent Person A unprofessional WhatsApp messages, which:
  - a) referenced autism as a joke; and/or
  - b) attached a link to an ‘x.com’ site that contained words which were a play on the word ‘testicles’
6. In or after July 2023, Mr Way failed to notify his managers and/or other appropriate individual at the Academy that he:
  - a) had provided Person A with his personal email address and/or phone number; and/or
  - b) had communicated with Person A from his personal email address and/or personal phone number.
7. Mr Way’s conduct at paragraphs 1, and/or 2, and/or 3, and/or 4a and/or 4b and/or 4c and/or 4d, and/or 5a and/or 5b, was:

- a) A breach of professional boundaries, and/or
- b) Sexually motivated.

8. Mr Way's conduct at paragraphs 6a and/or 6b:

- a) Demonstrated a lack of integrity, and/or
- b) Was dishonest.

In correspondence, Mr Way admitted allegations 3, 4(a), 4(b) and 7(a). Mr Way partly admitted allegations 1, 2 and 5(b). Mr Way denied allegations 4(c), 4(d), 5(a), 6, 7(b), 8(a) and 8(b). On the basis that no admission was made by Mr Way regarding unacceptable professional conduct and/or conduct that may bring the profession into disrepute, the panel understood this to be denied. As Mr Way was not present at the hearing, to confirm his pleading to the allegations, the panel treated the allegations as disputed.

## Summary of evidence

### Documents

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

Section 1: Chronology and anonymised pupil list – pages 3 to 6

Section 2: Notice of Hearing and response – pages 7 to 14

Section 3: Teaching Regulation Agency witness statements – pages 15 to 27

Section 4: Teaching Regulation Agency documents – pages 28 to 419

The panel also received:

- A bundle of documents containing unredacted versions of those documents which were disputed by Mr Way's representative in the hearing bundle – 22 pages;
- The evidence before the previous case management hearing on 11 June 2025, including the case management hearing bundle, Mr Way's skeleton argument dated 6 June 2025 and the panel's decision; and
- Mr Way's application form and supporting evidence dated 7 July 2025 – 6 pages;
- Email correspondence between Mr Way's representative and the presenting officer's firm dated 25 June 2025, provided by the presenting officer in response to Mr Way's application – 6 pages.

In addition, the panel agreed to accept the following:

- Written statement of Mr Way and appendices provided as late evidence – 76 pages; and
- An unredacted version of the hearing bundle (as above – containing sections 1 to 4, 419 pages).

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

In the consideration of this case, the panel had regard to the 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:

- Person A - Former pupil at the Academy; and
- Person B ([REDACTED]) - Head of the Academy.

Mr Way did not provide oral evidence as he did not attend the hearing.

## 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 Way was employed at the Academy from 1 January 2019 as Head of Business.

Concerns were raised in respect of Mr Way’s conduct in relation to a former pupil, Person A, on 22 September 2023 and a referral was made to the TRA on 26 February 2024.

## 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 26 September 2022 and July 2023, you exchanged emails on your school account of an unprofessional and/or over-familiar nature with Person A;**

Mr Way partly admitted allegation 1.

The panel considered exchanges of emails between Mr Way and Person A between 26 September 2022 and July 2023 which were provided as approximately twelve pages of evidence. [REDACTED]. The panel noted the following messages in particular:

- Mr Way emailed Person A on 6 July 2023 at 14:42 stating “just checking in to say hi and to see if your luck has improved yet!”.
- Mr Way emailed Person A on 25 June 2023 at 22:03 stating “will miss you popping in at the end of each day as well”.
- Mr Way emailed Person A on 10 June at 8:32 stating “have a great weekend - mixture of both work and pleasure please! But, be careful with the sun bathing - especially after last time”.
- Mr Way emailed Person A on 4 June at 22:40 stating “Week has been good - feel quite relaxed actually. Went to see Wicked at the theatre”.

The panel noted that, whilst the email exchanges often discussed school work related topics, the above were examples of the personal conversations that Mr Way had with Person A.

Mr Way stated in his written statement that he did “exchange emails” with Person A between 26 September 2022 and July 2023 which can be seen in the evidence submitted by himself and by Person A. Mr Way further stated that the “content of the emails is predominantly focused on helping [Person A] push forward to the next step”, such as “keeping Person A motivated” and assisting with job hunting.

Mr Way further stated in his written statement that “this type of communication” was something he had “never done before and would never do again” as it was unprofessional and his “[REDACTED]” during this time. Mr Way also stated that he thought he was helping Person A as she asked for his support, but “realised this was not the case”.

Person A stated in her written statement that she communicated with Mr Way “at first” through their school email addresses and that they were conversational and nothing out of the ordinary.

The panel considered the Academy’s code of conduct which was included as an appendix to Person B’s written statement. The panel noted the following statements in particular:

- Adults should not share any personal information with a child or young person. They should not request, or respond to, any personal information from the child/young person, other than that which might be appropriate as part of their professional role.
- Communication between pupils and adults, by whatever method, should take place within clear and explicit professional boundaries.

The panel was satisfied that the emails Mr Way sent to Person A were unprofessional as their content was in breach of the code of conduct at the Academy to not share any personal information, including weekend plans, and breached the professional boundaries there ought to have been between them. The panel was also satisfied that the nature of communication went beyond what was reasonable within a teacher and student relationship, and became over-familiar, given the frequency and times at which the emails were sent discussing matters often unrelated to school work.

The panel therefore found allegation 1 proven.

## **2. On 4 August 2023, you invited Person A to email you her phone number.**

Mr Way partly admitted allegation 2.

The panel considered an email sent from Mr Way to Person A on 4 August, within which Mr Way stated, “just email your number and I will call you”.

Mr Way stated in his written statement that the context of what he wrote in an email to Person A needs to be taken into account. Mr Way stated he “did offer” that Person A could send him her phone number if she “[REDACTED]” from him in response to an email he received from Person A on 4 August 2023. Mr Way stated that the “content and tone” of Person A’s email meant he was aware that she was [REDACTED] and he did not “[REDACTED]”. Mr Way further stated that “it was not an outright request for a phone number” but was “offering to get help should it be needed”.

Person A stated in her written statement that Mr Way told her she could send him her personal mobile number if she wanted so that Mr Way could call her if she [REDACTED].

The panel considered the Academy’s code of conduct which was included as an appendix to Person B’s written statement. The panel noted the following statement in particular:

- Communication between pupils and adults, by whatever method, should take place within clear and explicit professional boundaries.

The panel was satisfied that Mr Way invited Person A to email her phone number on 4 August 2023, in light of the email exchange provided in evidence and the corroborating evidence from Mr Way and Person A.

The panel therefore found allegation 2 proven.

## **3. On or around 24 August 2023, you called Person A from your personal mobile number;**

Mr Way admitted allegation 3.



Mr Way stated in his written statement that he had been “given consent” to speak with Person A. Mr Way stated that Person A and her mother came to see him at the Academy on [REDACTED], and it was agreed that they could contact Mr Way if necessary to help due to Person A not achieving her grades. Subsequently, Mr Way stated he received an email from Person A stating that she needed to talk and was [REDACTED], so Mr Way made “the one and only call” to Person A to discuss her options.

Mr Way stated in his written statement that he should have advised Person A to speak with the head of the Academy who was also aware of [REDACTED], but he thought he was helping Person A.

Person A stated in her written statement that Mr Way called her from his personal mobile number on [REDACTED] at 13:17, because she was [REDACTED]. Person A further stated that Mr Way offered advice about colleges and told her which ones he thought she should apply for, [REDACTED].

The panel was satisfied that Mr Way called Person A from his personal mobile number on 24 August 2023, in light of the corroborating evidence from Mr Way and Person A.

The panel therefore found allegation 3 proven.

**4. Between July 2023 and 20 September 2023, you exchanged WhatsApp and/or email messages with Person A, that were:**

- a) from your personal rather than professional email address and/or phone; and/or**
- b) unprofessional and/or over-familiar in nature; and/or**
- c) sent outside of working hours and/or during Academy holidays; and/or**
- d) considerable in number;**

Mr Way admitted allegations 4(a) and 4(b), but denied allegations 4(c) and 4(d).

The panel considered WhatsApp and email messages sent between Mr Way and Person A between July 2023 and 20 September 2023. The panel noted the following messages in particular which were sent by Mr Way from his personal email address and phone number:

- Mr Way emailed Person A on 4 August 2023 at 3:05pm stating “If I were close by I’d come and give you a massive cuddle”.
- Mr Way emailed Person A on 23 August 2023 at 22:22 stating “good evening munchkin”.

- Mr Way emailed Person A on 4 August 2023 at 23:04 stating “Hi sweetheart. How is everything going?”.
- Mr Way emailed Person A on 17 August 2023 at 23:51 stating that he had “really bad paranoia” and a “bad sleep schedule”.
- Mr Way emailed Person A on 17 August 2023 at 23:17 that he was attending a “leaving lunch” in respect of a fellow teacher.
- Mr Way sent Person A a WhatsApp message on 24 August 2024 at 16:40 asking “How are you feeling now?”.
- Mr Way sent Person A a WhatsApp message on 20 September 2024 at 11:50 asking ““Feeling better now?”

The panel noted that there were 91 WhatsApp messages exchanged between Mr Way and Person A from 24 August to 20 September 2023.

The panel considered the Academy’s code of conduct and noted the following statements in particular:

- Adults should not share any personal information with a child or young person. They should not request, or respond to, any personal information from the child/young person, other than that which might be appropriate as part of their professional role. Adults should ensure that all communications are transparent and open to scrutiny.
- Communication between pupils and adults, by whatever method, should take place within clear and explicit professional boundaries.
- Adults should also be circumspect in their communications with children so as to avoid any possible misinterpretation of their motives or any behaviour which could be construed as grooming. They should not give their personal contact details to pupils including e-mail, home or mobile telephone numbers, unless the need to do so is agreed with senior management and parents/carers.

Mr Way stated that Person A asked if he could give her a reference for a job, so Mr Way “regrettably” provided his personal email address as he did not check his work email over the six week summer holiday. Mr Way stated that he “made a mistake” by providing his personal email address and “did not think whether [he] should have or not” due to his [REDACTED]. Mr Way also stated in his written statement that he and Person A had “frequent conversations about her trying to be a normal teenager”.

Person A stated in her written statement that Mr Way gave his personal email address to her towards the end of July 2023 because he said that he did not check his school emails as much during the summer holidays and this would be the best way to contact him. Person A further stated that their emails to each other “were conversational and nothing out of the ordinary”. Person A stated in her written statement that she communicated with

Mr Way only by email until 24 August 2023. From 24 August 2023 onwards, Person A stated that she communicated with Mr Way through WhatsApp messages. Person A did not find the WhatsApp messages concerning at first, but in September 2023 she felt uncomfortable.

The panel was satisfied that Mr Way exchanged WhatsApp and email messages with Person A that were from his personal email address and phone number, in light of the corroborating evidence from Mr Way and Person A and the documents showing the exchange of messages.

The panel was also satisfied that Mr Way's messages were sent to Person A outside of working hours and during the Academy holidays given the timestamps recorded on the messages. To that end, the panel acknowledged that teachers do not have set working hours and often worked late into the night, but it was not appropriate to be contacting a pupil at all times of the day as it blurs the professional boundaries between teacher and student and Mr Way sent messages particularly late at night.

The panel was further satisfied that Mr Way's messages were considerable in number given the context of him being a teacher and Person A being a pupil, as it was not necessary to correspond to the extent they did.

Finally, the panel was satisfied that Mr Way's messages were unprofessional and over-familiar in nature. Mr Way acted in breach of the Academy's code of conduct by contacting Person A using his personal contact details and discussing personal matters which was unprofessional. The level of direct discussion between Mr Way and Person A was also over-familiar given the context of the teacher and pupil relationship, and the content of the messages being mostly unrelated to school work.

The panel therefore found allegations 4(a), 4(b), 4(c) and 4(d) proven.

**5. On 18 September 2023 you sent Person A unprofessional WhatsApp messages, which:**

**b) attached a link to an 'x.com' site that contained words which were a play on the word 'testicles'**

Mr Way partly admitted allegation 5(b).

The panel considered a WhatsApp message sent by Mr Way on 18 September 2023 which contained a link to a video in which an individual was calling another employee and was referring to the person as "Tess Tickle" which was a play on words of the word "testicle". Following this, Mr Way messaged Person A to say, "apologies for the rudeness, but this cracked me up" and "Feeling better now?".

Person A stated in her written statement that the message containing the link made her feel uncomfortable and confirmed in her oral evidence that the video related to a play on the word testicle.

Mr Way stated in his written statement that his message needed to be put into context, as Person A had appeared unhappy. In an attempt to “cheer her up”, Mr Way stated that he sent the link as a “prank” and the intention was to “cheer Person A up and make her laugh”. Mr Way also stated that he “should not have had any communication, regardless if the intention was to cheer someone up”.

The panel was satisfied that Mr Way sent the message containing a link with a play on the word testicles to Person A on 18 September 2023, in light of the corroborating evidence of Person A, Mr Way and the messages. The panel was further satisfied that this message was unprofessional given it was unrelated to school work and an inappropriate joke for a teacher to send to a pupil.

The panel therefore found allegation 5(b) proved.

**6. In or after July 2023, you failed to notify your managers and/or other appropriate individual at the Academy that you:**

- a) had provided Person A with your personal email address and/or phone number; and/or**
- b) had communicated with Person A from your personal email address and/or personal phone number.**

Mr Way stated in his written statement that he was “unsure” as to the allegations, so the panel considered that allegations 6(a) and 6(b) were denied.

Mr Way stated in his written statement that Person A’s mother was aware that his personal number had been provided to Person A, and that she had a close relationship with the head of the Academy. As such, Mr Way stated that he believed the head of the Academy would have been made aware that Person A had his phone number through her relationship with Person A’s mother.

Mr Way stated in his written statement that he advised his line manager that he had given his personal email address to pupils to assist with job applications, but does not remember if this was put in writing. Mr Way further stated that this was due to there being issues with student emails. As the head of the Academy was aware of the email issue, Mr Way stated that he “can only assume that the mention of personal email being shared was also relayed” to the head of the Academy. Mr Way also stated that the head of the Academy was aware that he was supporting Person A and in contact with her.

Person B stated in her written statement that she became aware of Mr Way providing Person A with his personal email address and phone number and communicating using these details on 22 September 2023, when she received a phone call from the child protection chair at the council. Person B stated that she understood the concern had been raised following a disclosure by Person A [REDACTED]. Person B further stated in her written statement that Mr Way “at no point” notified his managers that he had provided Person A with his personal email address and phone number and communicated with her from his personal email address and personal phone number.

Person B stated in her oral evidence that she was aware that Mr Way informally mentored Person A, but that she was not aware of the communication between them using personal contact details as she would have advised Mr Way not to do this. When questioned by the panel in oral evidence, Person B confirmed that to her recollection, Mr Way had not reported his personal communication with Person A on CPOMS or by any other form of reporting.

Person A stated in her written statement that she informed [REDACTED] of messages she received from Mr Way that made her feel uncomfortable, and she understood this was then raised as a concern by them.

Whilst Mr Way stated that he believed he informed his line manager that he provided his personal email address to pupils for the purpose of a reference, the panel acknowledged that this notification did not specifically relate to providing his personal contact details to Person A and using these details to communicate for a purpose other than the provision of a reference. If Mr Way had informed his line manager that he had provided Person A with his personal contact details, the panel considered that there would have been a record of this disclosure, however there is no record at the Academy of this as outlined by Person B in her oral and written evidence.

The panel was not satisfied with Mr Way’s explanation that he assumed the head of the Academy would know that he shared his personal contact details with Person A, in light of Person A’s mother and the head of the Academy having a close relationship. The panel determined that it was Mr Way’s responsibility to notify the relevant individuals at the Academy, and was not a matter to be assumed.

In light of the corroborating evidence of Person B and Person A, the panel was satisfied that, on balance, the managers and relevant individuals at the Academy became aware that Mr Way had provided his personal email address and number to Person A, and communicated using these details, following a disclosure made by Person A to [REDACTED] rather than as a result of Mr Way notifying them of the same.

The panel therefore found allegations 6(a) and 6(b) proved.

**7. Your conduct at paragraphs 1, and/or 2, and/or 3, and/or 4a and/or 4b and/or 4c and/or 4d, and/or 5a and/or 5b, was:**

**a) A breach of professional boundaries, and/or**

Mr Way admitted allegation 7(a).

Mr Way stated in his written statement that he “should not have had the interaction” which he did with Person A. Mr Way further stated that his “intention was to provide support for Person A until she was settled into her next place of education” but he “breached professional boundaries”.

The panel again considered the Academy’s code of conduct relating to communication with a pupil. The panel noted that Mr Way’s conduct at allegations 3 and 4(a) breached the code of conduct stating that personal contact details should not be given to pupils. The panel also noted that Mr Way’s conduct at allegations 1 and 4(b) were in breach of the code of conduct stating that no personal information should be shared. Additionally, the panel considered that Mr Way’s conduct at allegations 1, 2, 3, 4 and 5(b) were in breach of the code of conduct stating that communication should be appropriate as part of a professional role.

The panel also considered Part 2 of the Teacher Standards, which provides that teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach. Additionally, Keeping Children Safe In Education (“KCSIE”) guidance states that adults working in or on behalf of the school or college are clear about professional boundaries and act within these boundaries, and in accordance with the ethos and values of the institution. As Mr Way’s conduct as found proven was in breach of the Academy’s code of conduct, Mr Way also failed to adhere to the Teacher Standards and KCSIE.

The panel was satisfied that the Academy’s code of conduct set out clearly the professional boundaries that Mr Way should have adhered to when communication with a pupil, however he failed to adhere to this. As such, Mr Way acted in breach of his professional boundaries.

The panel therefore found allegation 7(a) proven.

**8. Your conduct at paragraphs 6a and/or 6b:**

**a) Demonstrated a lack of integrity, and/or**

Mr Way denied allegation 8(a).

The panel considered whether Mr Way had failed to act with integrity by his conduct at allegation 6(a) and 6(b) The panel considered the case of *Wingate & Anor v The Solicitors Regulation Authority* [2018]. The panel was mindful of the legal advice it

received and that integrity is a more nebulous concept than honesty, for which it is not possible to formulate an all-purpose comprehensive definition but connotes adherence to the ethical standards of one's own profession.

In reaching a decision in respect of integrity, the panel noted that Mr Way ultimately failed to put the interests of the Academy first by not notifying the relevant people of his communication with Person A via his personal contact details which was not permitted by the Academy.

The panel again considered the Academy's code of conduct relating to communication with a pupil and noted that Mr Way would have been aware that his conduct was in breach of this and should have been reported to the relevant individuals at the Academy.

The panel considered that Mr Way's behaviour did not adhere to the ethical standards expected of a teacher and was contrary to the manner in which the profession professes to serve the public. This was especially the case as Mr Way was an experienced teacher and would be very aware of the standards expected of him and the importance of transparency.

For the reasons set out above, the panel determined that Mr Way's conduct lacked integrity and found allegation 8(a) proved.

The panel found the following particulars of the allegations against you not proved, for these reasons:

**5. On 18 September 2023 you sent Person A unprofessional WhatsApp messages, which:**

**a) referenced autism as a joke; and/or**

Mr Way denied allegation 5(a).

The panel considered a message sent from Mr Way to Person A on 18 September 2023 which stated "you know how autistic I am, sorry artistic". The panel noted that this message was sent with a laughing emoji and therefore was sent in a jovial manner.

Mr Way stated in his written statement that "autism is not a joke" and his reference to autism in a message to Person A "came about because of mishearing a word". Mr Way further stated that Person A had told him that his hats were artistic, but he thought she said autistic, hence his reference to the misunderstanding. Mr Way stated that he would "never mock any disability".

Person A stated in her written statement that the message from Mr Way made her feel "uncomfortable". However, in oral evidence, Person A corroborated Mr Way's account of the conversation that occurred on 13 September 2023, whereby she told Mr Way that he was artistic.

The panel was satisfied that Mr Way sent Person A an unprofessional WhatsApp message which referenced autism, however the panel was not satisfied that Mr Way referenced autism as a joke. The panel determined that, in light of the corroborating evidence of Mr Way and Person A regarding a conversation around the term artistic, that Mr Way referenced his misunderstanding of what Person A had said.

The panel therefore found allegation 5(a) not proved.

**7. Your conduct at paragraphs 1, and/or 2, and/or 3, and/or 4a and/or 4b and/or 4c and/or 4d, and/or 5a and/or 5b, was:**

**b) Sexually motivated.**

Mr Way denied allegation 7(b).

The panel was mindful of section 78 of the Sexual Offences Act 2003 and the cases of *Sait v The General Medical Council* [2018], *Basson v General Medical Council* [2018] and *The General Medical Council v Haris* [2020].

In particular, the panel noted guidance from *Basson v General Medical Council* [2018] 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 also considered the case of *The General Medical Council v Haris* [2020], in which it was held that, “in the absence of a plausible innocent explanation for what he did, the facts spoke for themselves”.

The panel considered whether the conduct found proven at allegations 1, 2, 3, 4 and 5(b) was sexually motivated.

Person A stated in her oral and written evidence that she saw Mr Way as a “father-figure” at first but later felt “uncomfortable” by messages that he sent to her.

Mr Way stated in his written statement that he cares about people, wants them to do well and there was “no ulterior motive” when communicating with Person A. Mr Way further stated that his contact with Person A was to get her “settled into the next step of her education journey”.

The panel noted that Mr Way’s messages to Person A were overfamiliar and built up in familiarity over time, sometimes referencing crossing a physical boundary, such as cuddling. Whilst some of Mr Way’s messages to Person A could be interpreted as being sexual in nature, the panel acknowledged that there were reasonable explanations provided for these statements. For instance, Mr Way referred to Person A as a “sweetheart” which is a term of endearment, however it was corroborated Person B in her oral evidence and by Mr Way’s written statement that this was a term Mr Way used commonly as part of his vocabulary. In relation to the term cuddling, the panel also noted



Mr Way's explanation was that this was a "compassionate response" to Person A's [REDACTED].

[REDACTED]

The panel noted that it saw no evidence of any messages from Mr Way to Person A, which were directly of a sexual nature. The panel was satisfied that Mr Way's interactions with Person A were based on providing support rather than any form of sexual relationship or sexual gratification. The panel did not see any evidence to justify that Mr Way intended to pursue a sexual relationship with Person A.

For the above reasons, the panel did not consider that it had been proven, on the balance of probabilities, that Mr Way had been sexually motivated in his conduct as found proven at allegations 1, 2, 3, 4 and 5(b).

## **8. Your conduct at paragraphs 6a and/or 6b:**

### **b) Was dishonest.**

Mr Way denied allegation 8(b).

The panel considered whether Mr Way was dishonest by his conduct in allegation 6(a) and 6(b). The panel considered the case of *Ivey v Genting Casinos (UK) Ltd t/a Crockford* [2017].

In reaching a decision in respect of dishonesty, the panel needed to first ascertain, subjectively, the actual state of Mr Way's knowledge or belief as to the facts. Secondly, the panel needed to determine whether Mr Way's state of mind was honest or dishonest by the application of the objective standards of the ordinary honest person.

The panel firstly turned its mind to the actual state of Mr Way's knowledge or belief as to the facts. The panel noted that Mr Way's position in his written statement was that he assumed individuals at the Academy knew that he provided his personal contact details and communicated with Person A. The panel also noted that Mr Way did not state that he made all the necessary notifications to the Academy regarding this communication, albeit he believed he informed his line manager that he provided pupils with his personal email address. The panel noted that, whilst Mr Way may have genuinely believed these individuals were aware of his personal communication with Person A, he similarly would have been aware, as an experienced teacher, of the requirement to report this communication formally to the Academy rather than relying on an assumption.

Notwithstanding the above, the panel noted that that Mr Way stated in his written statement that his judgement at the relevant time was impaired as he was "[REDACTED]".

The panel considered the character references which were appended to Mr Way's written statement and noted that each described Mr Way to be of previously good character and his reputation was recognised to be that of a good and honest teacher.

The panel then considered the objective standards of the ordinary honest person and was satisfied that an ordinary honest person would consider a failure to notify the Academy of his communication to be misguided, rather than dishonest. Whilst Mr Way was not forthcoming with this information, the panel saw no evidence that Mr Way attempted to conceal his correspondence with Person A. When questioned by the Academy, Mr Way was fully cooperative and honest regarding his conduct as outlined by Person B in her oral evidence. As such, the panel was satisfied that Mr Way's conduct could reasonably be described as misguided rather than dishonest.

The panel therefore found allegation 8(b) 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, 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 Way, in relation to the facts found proved, involved breaches of the Teachers' Standards.

The panel considered that, by reference to Part 2, Mr Way 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; and
  - 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, and maintain high standards in their own attendance and punctuality; and

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

The panel was satisfied that the conduct of Mr Way, in relation to the facts found proved, involved breaches of KCSIE. The panel considered that Mr Way was in breach of the following provision:

- Adults working in or on behalf of the school or college are clear about professional boundaries and act within these boundaries, and in accordance with the ethos and values of the institution.

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

The panel also considered whether Mr Way's conduct displayed behaviours associated with any of the offences listed on pages 12 and 13 of the Advice. The Advice indicates that where behaviours associated with such an offence exist, a panel is likely to conclude that an individual's conduct would amount to unacceptable professional conduct. The panel found that none of these offences was relevant.

The panel noted that allegations 2, 3, 4 and 5(b) took place outside the education setting. The panel was satisfied that Mr Way's conduct led Person A to being exposed to his behaviour in a harmful way, on the basis that Person A stated in oral evidence that she felt "uncomfortable" by the communication she received from Mr Way.

The panel noted that the nature and frequency of Mr Way's communication with Person A, via both school and personal contact details, was inappropriate and unprofessional. The vast majority of communication was not related to school work and was over-familiar in nature by the exchange of personal information and sent at various times of the day. The panel was satisfied that Mr Way's conduct in communicating with Person A in this way, and in his failure to report this level of communication to the Academy, was serious and fell significantly short of the standards expected of a teacher. It is expected that a teacher adheres to the policies of the school in which they teach, and Mr Way failed to adhere to the code of conduct at the Academy in relation to communication with a pupil.

For these reasons, the panel was satisfied that the conduct of Mr Way found proven at allegations 1, 2, 3, 4, 5(b), 6, 7(a) and 8(a) 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 Way was guilty of unacceptable professional conduct.

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

As set out above in the panel's findings as to whether Mr Way was guilty of unacceptable professional conduct, the Panel found that none of these offences were relevant.

The findings of misconduct are serious, and the conduct displayed would be likely to have a negative impact on the individual's status as a teacher.

The panel considered that Mr Way's conduct could potentially damage the public's perception of a teacher. The panel noted that a member of the public would view the nature and frequency of Mr Way's communications with Person A as concerning, going beyond the extent reasonable between a teacher and a pupil where there is a clear power dynamic. The panel also noted that the public would question the motivation of a teacher who communicated with a pupil in this manner and also failed to notify the Academy that this was occurring.

For these reasons, the panel found that Mr Way's actions found proven at allegations 1, 2, 3, 4, 5(b), 6, 7(a) and 8(a) 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 a 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;
- the maintenance of public confidence in the profession; and
- declaring and upholding proper standards of conduct.

In the light of the panel's findings against Mr Way, which involved unprofessional communication with a pupil, there was a strong public interest consideration in respect of the safeguarding and wellbeing of pupils.

Similarly, the panel considered that public confidence in the profession could be seriously weakened if conduct such as that found against Mr Way 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 Way 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 Way in the profession. The panel decided that there was a public interest consideration in retaining the teacher in the profession, since no doubt had been cast upon his abilities as an educator and he is able to make a valuable contribution to the profession.

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

The panel attached weight to the seriousness of online behaviour, including Mr Way's online misconduct.

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 Way.

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);
- failure to act on evidence that indicated a child's welfare may have been at risk e.g. failed to notify the designated safeguarding lead and/or make a referral to children's

social care, the police or other relevant agencies when abuse, neglect and/or harmful cultural practices were identified; and

- lack of integrity.

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.

Based on the evidence available, the panel found that Mr Way's actions were deliberate and there was no evidence to suggest that Mr Way was acting under extreme duress or significant intimidation.

The panel noted that Mr Way outlined in his written statement that his [REDACTED]. The panel noted that Mr Way's circumstances at the time of his conduct was a matter to be taken into consideration regarding his judgement. However, the panel saw no [REDACTED] evidence to support that Mr Way had been [REDACTED] at the time which may have mitigated his conduct. [REDACTED].

In the panel's view, [REDACTED] do not justify Mr Way's conduct which was serious and a significant breach of teaching standards and the Academy's policy.

The panel had regard to the seventeen character references provided regarding Mr Way's character; six from former pupils, two from individuals with a personal relationship to Mr Way, eight from former colleagues, and one from an individual in their professional capacity. The panel considered that a number of the character references were from individuals in a position of senior or middle leadership which gave weight to their opinions. However, The panel acknowledged that only one of the character references, from Mr Way's [REDACTED], clarified that it was prepared in the knowledge of the allegations against Mr Way.

The panel considered the following statements in particular in relation to Mr Way:

- "Mr Way's contribution to education goes far beyond curriculum delivery. He taught life skills, values, and personal development, preparing students for real life, not just exams."
- "Mr Way has always demonstrated a high level of professionalism in everything he does. He is respectful, well-prepared and takes his responsibilities very seriously."
- "Mr Way is one of the most genuine people I know. His integrity shines through in everything he does, he's honest, dependable, and always stays true to his word."
- "Mr Way is a pillar of support and positive energy. He enriches the school with more than just knowledge"

- “Mr Way played an integral role in the development and success of several students. He has always gone above and beyond to support students in their goals and aspirations and played an active role in supporting these.”
- “Mr Way contributed significantly to the school community, not only through his leadership in Business Studies but also through his involvement in wider school initiatives. He was a team player who supported whole-school goals and helped foster a positive culture exceptionally reliable and could always be counted on to support both pupils and colleagues, frequently having pupils visit for support before, after and during the school day.”

In light of the above references, and the corroborating evidence of Person B in her oral evidence, the panel was satisfied that Mr Way’s conduct was out of character. Mr Way did have a previously good history, although the panel saw no evidence other than his references to support that Mr Way demonstrated exceptionally high standards in both his personal and professional conduct or that he contributed significantly to the education sector.

The panel noted that Mr Way demonstrated some insight into the wrongfulness of his actions as he admitted a number of the allegations in full or in part and stated in his written statement that he “made mistakes” and “would do things very differently” if the situation occurred again.

The panel was not satisfied that Mr Way showed full insight into his conduct, as he attempted to justify the nature of his correspondence with Person A. The panel determined that Mr Way’s insight was limited to understanding his breach of the Academy’s code of conduct, by engaging with Person A using his personal contact details. However, Mr Way did not fully appreciate that the content of the messages themselves was unprofessional and over-familiar as he justified that he was offering Person A with support. Mr Way did not demonstrate that he appreciated the potential impact on Person A of his actions.

The panel noted that Mr Way outlined in his written statement that he had taken steps to minimise the chance of similar allegations occurring by “not placing [himself] in a vulnerable position again and reacquainting [himself] with the Professional Safeguarding guidelines relating to children and young people and the Teachers Standards”. However, the panel determined that there was a risk of Mr Way repeating his conduct as full insight had not been shown into his conduct.

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 would be sufficient would unacceptably compromise the public interest considerations present in this case, despite the severity of the consequences for Mr Way of prohibition.

The panel was of the view that prohibition was both proportionate and appropriate. The panel decided that the public interest considerations outweighed the interests of Mr Way. Mr Way's lack of full insight into the unprofessional nature of his correspondence with a pupil and there being a risk of repetition was a significant factor 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. None of the listed characteristics were engaged by the panel's findings.

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. None of the listed characteristics were engaged by the panel's findings.

The panel noted that Mr Way was attending sessions [REDACTED] and reviewing his professional standards, as outlined in his written statement, to ensure he adheres to the relevant guidelines within the teaching profession. The panel noted that Mr Way would be able to make progress in [REDACTED], learn from his previous misconduct, and the impact of it, and potentially make a future contribution to the teaching profession having considered multiple character references as to his teaching abilities and good character.

The panel decided that the findings indicated a situation in which a review period would be appropriate and, as such, decided that it would be proportionate, in all the circumstances, for the prohibition order to be recommended with provisions for a 2 year 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, including allegations 5(a), 7(b), 8(b). I have therefore put those matters entirely from my mind.

The panel has made a recommendation to the Secretary of State that Mr Christopher Way should be the subject of a prohibition order, with a review period of two years.

In particular, the panel has found that Mr Way 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; and
  - 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, and maintain high standards in their own attendance and punctuality; and
- Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities.

The panel was satisfied that the conduct of Mr Way, involved breaches of the responsibilities and duties set out in statutory guidance Keeping children safe in education (KCSIE).

I have noted that the panel was not satisfied that the conduct of Mr Way, involved breaches of Working Together to Safeguard Children.

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

The findings of misconduct are serious as they include unprofessional communication 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 Way, and the impact that will have on the teacher, is proportionate and in the public interest.

In this case, I have considered the extent to which a prohibition order would protect children/safeguard pupils. The panel has observed, "In the light of the panel's findings against Mr Way, which involved unprofessional communication with a pupil, there was a strong public interest consideration in respect of the safeguarding and wellbeing of 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 sets out as follows, "The panel noted that Mr Way demonstrated some insight into the wrongfulness of his actions as he admitted a number of the allegations in full or in part and stated in his written statement that he "made mistakes" and "would do things very differently" if the situation occurred again." The panel has also commented that "The panel was not satisfied that Mr Way showed full insight into his conduct, as he attempted to justify the nature of his correspondence with Person A. The panel determined that Mr Way's insight was limited to understanding his breach of the Academy's code of conduct, by engaging with Person A using his personal contact details. However, Mr Way did not fully appreciate that the content of the messages themselves was unprofessional and over-familiar as he justified that he was offering Person A with support. Mr Way did not demonstrate that he appreciated the potential impact on Person A of his actions". In my judgement, the lack of full insight means that there is some risk of the repetition of this behaviour and this puts at risk the future wellbeing of pupils. I have therefore given this element considerable weight in reaching my decision.

I have gone on to consider the extent to which a prohibition order would maintain public confidence in the profession. The panel observe, "the panel considered that public confidence in the profession could be seriously weakened if conduct such as that found against Mr Way was not treated with the utmost seriousness when regulating the conduct 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 Way himself and the panel comment “The panel decided that there was a public interest consideration in retaining the teacher in the profession, since no doubt had been cast upon his abilities as an educator and he is able to make a valuable contribution to the profession”. The panel also said “In light of the above references, and the corroborating evidence of Person B in her oral evidence, the panel was satisfied that Mr Way’s conduct was out of character. Mr Way did have a previously good history, although the panel saw no evidence other than his references to support that Mr Way demonstrated exceptionally high standards in both his personal and professional conduct or that he contributed significantly to the education sector.”

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

In this case, I have placed considerable weight on the panel’s comments concerning the lack of insight or remorse. The panel has said, “The panel noted that Mr Way outlined in his written statement that he had taken steps to minimise the chance of similar allegations occurring by “not placing [himself] in a vulnerable position again and reacquainting [himself] with the Professional Safeguarding guidelines relating to children and young people and the Teachers Standards”. However, the panel determined that there was a risk of Mr Way repeating his conduct as full insight had not been shown into his conduct.”

I have also placed considerable weight on the finding of the panel that “In the panel’s view, [REDACTED] do not justify Mr Way’s conduct which was serious and a significant breach of teaching standards and the Academy’s policy.” And that “The panel attached weight to the seriousness of online behaviour, including Mr Way’s online misconduct.”

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

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

I have gone on to consider the matter of a review period. In this case, the panel has recommended a 2 year review period.

I have considered the panel's comments "The panel noted that Mr Way was attending sessions [REDACTED] and reviewing his professional standards, as outlined in his written statement, to ensure he adheres to the relevant guidelines within the teaching profession. The panel noted that Mr Way would be able to make progress in [REDACTED], learn from his previous misconduct, and the impact of it, and potentially make a future contribution to the teaching profession having considered multiple character references as to his teaching abilities and good character."

I agree with the panel and have decided that a two year review period is proportionate and in the public interest for this case.

**This means that Mr Way is prohibited from teaching indefinitely and cannot teach in any school, sixth form college, relevant youth accommodation or children's home in England.** He may apply for the prohibition order to be set aside, but not until 14 July 2027, 2 years from the date of this order at the earliest. This is not an automatic right to have the prohibition order removed. If he does apply, a panel will meet to consider whether the prohibition order should be set aside. Without a successful application, Mr Way remains prohibited from teaching indefinitely.

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

Mr Christopher Way 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 'SABuxcey', with a stylized, cursive script.

**Decision maker: Sarah Buxcey**

**Date: 14 July 2025**

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