



Teaching  
Regulation  
Agency

# **Grant Nightingale: Professional conduct panel meeting 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**

<b>Teacher:</b>	Mr Grant Nightingale
<b>Teacher ref number:</b>	1639309
<b>Teacher date of birth:</b>	20 May 1990
<b>TRA reference:</b>	19634
<b>Date of determination:</b>	21 July 2025
<b>Former employer:</b>	Brunts Academy-Evolve Trust

### **Introduction**

A professional conduct panel (“the panel”) of the Teaching Regulation Agency (“the TRA”) convened on 21 July 2025 by way of a virtual meeting, to consider the case of Mr Grant Nightingale.

The panel members were Mrs Kate Charles (lay panellist – in the chair), Mrs Christine McLintock (teacher panellist) and Mr Paul Hawkins (lay panellist).

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

In advance of the meeting, after considering the public interest and the interests of justice, the TRA agreed to a request from Mr Nightingale that the allegations be considered without a hearing. Mr Nightingale provided a signed statement of agreed facts in which he admitted unacceptable professional conduct and conduct that may bring the profession into disrepute. The panel considered the case at a meeting without the attendance of the presenting officer; Louisa Atkin, Mr Nightingale or his representative; Mr Ed Brown of NASUWT.

The meeting took place in private.

## Allegations

The panel considered the allegations set out in the notice of meeting dated 26 March 2025.

It was alleged that Mr Nightingale was guilty of unacceptable professional conduct and conduct that may bring the profession into disrepute, in that while employed at The Brunts Academy ("the School") in Mansfield:

1. Between around March 2020 and October 2020, he:
  - a) exchanged inappropriate messages with Pupil 1 and/or Pupil 2 via the school's email system, which contained one or more of the comments set out in Schedule A;
  - b) did not take any, or any appropriate action, following Pupil 1 and/or Pupil 2 informing him that they were struggling with Covid-19 regulations and/or their mental health, despite being aware of those safeguarding concerns;
2. Between around March 2020 and October 2020, he failed to maintain appropriate professional boundaries with Pupil 1 and/or Pupil 2, including by:
  - a) Discussing his own health/wellbeing with Pupil 1 and/or Pupil 2;
  - b) Discussing his personal and/or home life with Pupil 1 and/or Pupil 2;
  - c) Meeting with Pupil 1 and/or Pupil 2 at lunchtime and/or break times outside of his professional role;
  - d) Meeting with Pupil 1 and/or Pupil 2 alone;
  - e) Engaging in communication with Pupil 1 and/or Pupil 2 outside of normal school working hours;
  - f) Failing to take any, or any appropriate action, when Pupil 1 and/or Pupil 2 messaged him they "miss" and/or "love" him.
3. He made inappropriate comments to or in front of one or more pupils, namely by:
  - a) Making comments about Pupil 5 and/or her friends' sex lives, saying he would be "disappointed if they made the wrong choices" or words to that effect;
  - b) Referring to Pupil 5's former girlfriend as a "smackhead" and/or to Pupil 3's former boyfriend as a "nonce" or words to that effect;
  - c) Saying to Pupil 5 "I would cuddle you if I could cuddle you" or words to that effect;

- d) Informing a class of [REDACTED] students how many times he had had sex at their age and/or when he lost his virginity;
  - e) Telling a group of pupils who was his “top 5 shag list of teachers” or words to that effect;
4. By his conduct set out at any or all paragraphs 1, 2, and/or 3, he had failed to maintain professional boundaries with pupils.

#### **Schedule A**

*“I’m always here to listen and help in any way that I can”*

Pupil 2 23 March 2020 at 12:41

*“Much love”*

Pupil 2 5 May 2020 at 19:39

*“Much love”*

Pupil 1 & Pupil 2 13 August 2020

*“as long as you are okay than I’m okay :)”*

Pupil 1 8 September 2020 at 16:47

*“I can assure you that people care”*

Pupil 2 11 September 2020 at 19:25

*“...you know I’m here”*

Pupil 2 15 September 2020 at 17:11

*“I’m always here | That’s not going to change”*

Pupil 2 15 September 2020 at 15:53

*“I think you’re fab”*

Pupil 2 15 September 2020 at 17:11

*“I’m still here”*

Pupil 2 18 September 2020 at 18:42

*“Wish I had my 11s in the class though”*

Pupil 1 24 September 2020 at 09:17

*“I’m really not that scary”*

Pupil 1 & Pupil 2 29 September 2020 at 04:41

*“My classroom isn’t free but I can be free outside”*

Pupil 1 5 October 2020 at 09:41

Mr Nightingale admitted the facts of allegations 1 to 4, and he further admitted that those facts amounted to unacceptable professional conduct and/or conduct that may bring the teaching profession into disrepute as set out in the statement of agreed facts signed by Mr Nightingale on 23 January 2025.

Although Schedule A was not contained within the Notice of Hearing of 26 March 2025 the panel noted that it was accepted that it was part of the allegations, including as responded to in the statement of agreed facts, and the panel had sight of correspondence from Mr Nightingale's representative agreeing that the PCPM should proceed as scheduled.

## **Preliminary applications**

There were no preliminary applications.

## **Summary of evidence**

### **Documents**

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

Section 1: Chronology and anonymised pupil list – pages 4 to 6

Section 2: Notice of referral and response – pages 7 to 16

Section 3: Statement of agreed facts and presenting officer representations – pages 17 to 28

Section 4: Teaching Regulation Agency documents – pages 29 to 357

Section 5: Teacher documents – pages 358 to 359

The panel members confirmed that they had read all of the documents within the bundle, in advance of the hearing. The panel had also had sight of and read the Notice of Meeting of 26 March 2025.

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

### **Statement of agreed facts**

The panel considered a statement of agreed facts which was signed by Mr Nightingale on 23 January 2025.

## **Decision and reasons**

The panel announced its decision and reasons as follows:

The panel carefully considered the case before it and reached a decision.

In advance of the meeting, the TRA agreed to a request from Mr Nightingale for the allegations to be considered without a hearing. The panel was aware that it had the ability to direct that the case be considered at a hearing if required in the interests of justice or in the public interest. The panel did not determine that such a direction was necessary or appropriate in this case.

Mr Nightingale commenced employment at the School on 23 April 2019 as a history teacher.

During the 2019/20 academic year Mr Nightingale began teaching Pupil 2, and got to know Pupil 1 through Pupil 2. Mr Nightingale also taught pupils in Pupil 3's class, including Pupils 4 and 5.

In around March 2020, Mr Nightingale allegedly began exchanging emails with Pupil 1 and Pupil 2.

Between March 2020 and October 2020 Mr Nightingale allegedly engaged in discussions with Pupils 1 and 2 about their mental health, including over email, via video call (following online lessons) and in person at the School. Mr Nightingale also allegedly discussed his own mental health and personal/home life with the pupils on occasion.

In October 2020 Person A discovered email communications between Pupil 1, Pupil 2 and Mr Nightingale on Pupil 1's phone, and raised concerns with the School.

On 16 October 2020 Person D made an entry into 'CPOMS', which noted that pupils, including Pupils 3 and 5, had previously discussed inappropriate comments being made by Mr Nightingale in lessons.

On 22 October 2020 Mr Nightingale was dismissed by the School.

On 10 November 2020 Pupil 5 raised concerns about comments made by Mr Nightingale.

A referral was made to the TRA on 16 November 2020.

## **Findings of fact**

The findings of fact are as follows:

In respect of all the allegations the panel scrutinised the written witness evidence and exhibits of Pupil 1, Pupil 2, Pupil 3 and Person C.

The panel scrutinised the entire bundle including the TRA's documents concerning the investigations and meetings of social workers surrounding these allegations. The panel noted that the evidence within a lot of these documents was hearsay but considered that they were relevant and formed part of the official investigations. The panel therefore

admitted them but noted that the evidence should be considered carefully and cautiously including in relation to the weight placed on it.

Conscious that they had very little direct evidence from Mr Nightingale, the panel carefully considered the e-mail of Mr Nightingale of 14 June 2022. The panel noted that this document was hearsay but the panel decided that it was in the interests of justice that it be considered, with careful consideration of its weight.

The panel noted that Mr Nightingale admitted the facts of all allegations including allegation 1 (a) and (b), 2 (a), (b), (c), (d), (e) and (f), and 3 (a), (b), (c), (d) and (e) and 4 in the statement of agreed facts signed by him on 23 January 2025.

Notwithstanding this, the panel considered the evidence in the bundle and made its own determination based on the evidence before it.

**1. Between around March 2020 and October 2020, you:**

- a) Exchanged inappropriate messages with Pupil 1 and/or Pupil 2 via the school's email system, which contained one or more of the comments set out in Schedule A;**
- b) Did not take any, or any appropriate action, following Pupil 1 and/or Pupil 2 informing you that they were struggling with Covid-19 regulations and/or their mental health, despite being aware of those safeguarding concerns;**

The panel considered the screenshots of the email messages between Mr Nightingale and Pupils 1 and 2. The panel noted the following comments in messages, in particular as set out in Schedule A:

- *"I'm always here to listen and help in any way that I can"*
- *"Much love"*
- *"Much love"*
- *"as long as you are okay than I'm okay"*
- *"I can assure you that people care"*
- *"...you know I'm here"*
- *"I'm always here [] That's not going to change"*
- *"I think you're fab"*
- *"I'm still here"*



- *“Wish I had my 11s in the class though”*
- *“I’m really not that scary”*
- *“My classroom isn’t free, but I can be free outside”*

The panel also noted that, within the e-mail screenshots, there was extensive evidence of discussions concerning mental health between Pupil 1 and Pupil 2 and Mr Nightingale.

The panel also noted that, within Mr Nightingale’s correspondence with Pupil 2, Pupil 2 made reference to Person B speaking to [REDACTED].

The panel carefully considered the written statement of Pupil 1.

Pupil 1 stated that on 20 May 2020 she went into School and whilst there, saw Mr Nightingale and he gave her his school email address and told her to contact him whenever she needed anything.

Pupil 1 stated that when she got home, she emailed Mr Nightingale, and from then on contacted him quite frequently. She stated that if she did not contact Mr Nightingale for around a week, he would reach out to her and ask how she has been and [REDACTED].

[REDACTED].

Pupil 1 stated that she and Mr Nightingale spoke for around five months.

The panel carefully considered the written statement of Pupil 2, who stated that she originally reached out to Mr Nightingale as [REDACTED], and this turned into frequent communication via email.

The panel noted [REDACTED] which Pupil 2 had set out in her witness statement which had been contained in her correspondence with Mr Nightingale.

The panel also noted Pupil 2’s understanding that by speaking to Mr Nightingale she had believed he would go to the [REDACTED] and tell them [REDACTED] so that she did not have to do it for herself.

The panel also carefully considered the written statement of Person C, who stated that Person A found a number of emails on Pupil 1’s school email account between Pupil 1, Pupil 2 and Mr Nightingale and reported these emails to the School.

Person C stated that Person A had quoted language such as *“you’re fab”*, *“lots of love”* and *“miss you”*.

The panel found that, between March 2020 and October 2020, Mr Nightingale had exchanged inappropriate messages with Pupil 1 and Pupil 2 via the School's email system and that these messages contained the comments set out in Schedule A.

The panel found limited evidence that some action had been taken by Mr Nightingale in escalating elements of his correspondence with these pupils, including in Person C's statement where he confirmed that the LADO was accurate in recording that "*Mr Nightingale is said to have shared some e-mails with [Designated Safeguarding Leads] at the School but not the entirety of the communication and has been very selective*".

The panel noted Person C's submissions with regard to the processes which he would have expected Mr Nightingale to have followed and the manner in which he should be wording correspondence and that he had failed to meet these standards.

The panel found that, between March 2020 and October 2020 Mr Nightingale did not take sufficient appropriate action after Pupil 1 and Pupil 2 informed him that they were struggling with Covid-19 regulations [REDACTED], despite being aware of those safeguarding concerns.

The panel noted that Mr Nightingale accepted that, whilst he "*at times*" shared some of the concerns raised by Pupil 1 and Pupil 2 with the Designated Safeguarding Lead, he did not do so consistently, and did not make the Designated Safeguarding Lead aware that Pupil 1 and Pupil 2 were regularly sharing information with him in relation to such concerns. The panel noted that Mr Nightingale accepted that his failure to share the full extent of the concerns raised by Pupil 1 and Pupil 2 constituted a failure to take appropriate action with respect to these safeguarding concerns.

The panel therefore found allegation 1 (a) proven and 1 (b) partially proven (in that the evidence was that Mr Nightingale took some limited action but had, as he admitted, failed to take appropriate action in connection with a substantial amount of the safeguarding concerns).

**2. Between around March 2020 and October 2020, you failed to maintain appropriate professional boundaries with Pupil 1 and/or Pupil 2, including by:**

**a) Discussing you own health/ wellbeing with Pupil 1 and/or Pupil 2**

**b) Discussing your personal and/or home life with Pupil 1 and/or Pupil 2;**

The panel considered the statement of agreed facts in which Mr Nightingale had expressly admitted that, in the period between March 2020 and October 2020, he would, on occasion, discuss his own mental health and wellbeing with both Pupil 1 and Pupil 2 and that this included communications via the School's email system, discussions over MS Teams when Pupil 1 and/or Pupil 2 stayed behind after lessons, and discussions in person at the School.

The panel also noted Mr Nightingale's acceptance that, on one occasion he told Pupil 1 and Pupil 2 that he [REDACTED] during lockdown, [REDACTED] and his acceptance that in discussing his own mental health and wellbeing with Pupil 1 and Pupil 2, he failed to maintain appropriate professional boundaries with them.

The panel again considered the written statement of Pupil 1. Pupil 1 stated that Mr Nightingale was '*very open about* [REDACTED].

Pupil 1 stated that sometimes Mr Nightingale came into the School looking really sad and told her he had had [REDACTED]. Pupil 1 stated that Mr Nightingale also showed them [REDACTED] and expressly told her and Pupil 2 that he did [REDACTED].

Pupil 1 stated that Mr Nightingale expressly told her that he [REDACTED].

The panel again considered the written statement of Pupil 2, who stated that, during online lessons after March 2020, Mr Nightingale would often [REDACTED].

Pupil 2 stated that sometimes Pupil 1 would be there as well, and they would discuss personal things to do with [REDACTED]. She stated that Mr Nightingale was very open about [REDACTED] and [REDACTED] and that they discussed that almost as much as they discussed the [REDACTED].

Pupil 2 also recalled Mr Nightingale discussing the [REDACTED].

The panel was satisfied that these items of correspondence and these discussions went way beyond appropriate professional boundaries.

The panel was satisfied on the evidence that between around March 2020 and October 2020 Mr Nightingale discussed his own health/wellbeing with Pupil 1 and/or Pupil 2 and discussed his personal and/or home life with Pupil 1 and/or Pupil 2.

The panel therefore found allegations 2 (a) and 2 (b) proved.

**c) Meeting with Pupil 1 and/or Pupil 2 at lunchtime and/or break times outside of your professional role**

**d) Meeting with Pupil 1 and/or Pupil 2 alone;**

The panel noted Mr Nightingale's express admission that in the period between March 2020 and October 2020, he would make himself available to meet with both Pupil 1 and Pupil 2 at lunchtimes and break times. The panel noted Mr Nightingale's express admission that he would, on occasion, end online sessions with Pupil 2 and/or Pupil 1's classes, and re-start a video call with Pupil 1 and/or Pupil 2 alone in order to talk with them. Mr Nightingale admitted that these meetings were outside his professional role.

Mr Nightingale admitted that these meetings arose because of the close relationship he had developed with Pupil 1 and Pupil 2 as a friend/confidant, and that they were not related to his professional role as a history teacher and that in doing this he failed to maintain appropriate professional boundaries with these pupils.

The panel again considered the written statement of Pupil 1. Pupil 1 stated that on an unspecified date Mr Nightingale was leading the video call with all pupils and asked Pupil 1 and Pupil 2 [REDACTED] and that, after this first instance of this, it occurred quite regularly. Pupil 1 stated that sometimes they would arrange video calls when they did not have any lessons just to chat. She stated that on some occasions [REDACTED] to speak to him.

The panel again considered the written statement of Pupil 2 in which she said that Mr Nightingale would often [REDACTED] and that sometimes it was just her and sometimes Pupil 1 as well.

The panel was satisfied that it had been proven that Mr Nightingale had met with Pupil 1 and/or Pupil 2 at lunchtime and/or break times outside of his professional role and had met with Pupil 1 and/or Pupil 2 alone.

The panel was satisfied that these were serious breaches of appropriate professional boundaries.

The panel found allegations 2 (c) and 2 (d) proven.

**e) Engaging in communication with Pupil 1 and/or Pupil 2 outside of normal School working hours;**

The panel noted that Mr Nightingale admitted that, in the period between March 2020 and October 2020, he engaged in communication outside of normal School working hours, with both Pupil 1 and Pupil 2 via the School's email system, and accepted that in doing so, he failed to maintain appropriate professional boundaries with Pupil 1 and Pupil 2.

The panel considered the screenshots of the email exchanges between Mr Nightingale and Pupil 1 and Mr Nightingale and Pupil 2. The panel noted that these emails varied in time sent but that Mr Nightingale had sent emails to Pupil 1 and/or 2 early in the morning and into the evening.

The panel again considered the written statement of Pupil 1 dated 27 October 2024. Pupil 1 stated that Mr Nightingale gave Pupil 1 and Pupil 2 his email address and told them to contact him '*whenever [they] need anything*'.

Pupil 1 stated that from then on they contacted each other '*multiple times per week and sometimes multiple times a day*', and that Mr Nightingale would reach out if they did not

contact him every week with words to the effect of “*how have you been?*”, “*what have you been getting up to?*”, and “*how are you sleeping at night?*” over School email.

The panel was satisfied that it had been proven that Mr Nightingale had engaged in communication with Pupil 1 and/or Pupil 2 outside of normal School working hours.

The panel was satisfied that this was a serious breach of appropriate professional boundaries.

The panel found allegation 2 (e) proven.

**f) Failing to take any, or any appropriate action, when Pupil 1 and/or Pupil 2 messaged you they “miss” and/or “love” you.**

The panel noted that Mr Nightingale admitted that, in the period between March 2020 and October 2020, he received messages from Pupil 1 and Pupil 2 on a number of occasions which stated that they missed, or loved him and that he should have reported such messages to his Line Manager or the Headteacher, but did not do so.

The panel noted that Mr Nightingale further accepted that he did not make any attempt to dissuade Pupil 1 and Pupil 2 from sending such messages and that he should have taken action to address such messages from the pupils, but failed to do so and that, in failing to do so, he failed to maintain appropriate professional boundaries with them.

The panel noted the facts they had found proven at Allegation 1.

The panel considered the screenshots of the emails between Mr Nightingale and Pupil 1, and noted that Pupil 1 had said to Mr Nightingale in an email “*hi it’s me again jus wanna remind that me, [REDACTED] all love and miss u*”

The panel considered the social worker’s report of the interview with Mr Nightingale of 29 December 2020 in which he had been questioned as to why he did not discourage comments such as that the pupils loved him and missed him and Mr Nightingale said that it didn’t cross his mind to do so.

The panel found that the evidence was that Mr Nightingale failing to take any action, when Pupil 1 and/or Pupil 2 messaged him that they “*miss[ed]*” and/or “*love[ed]*” him.

The panel were satisfied that his actions in failing to seek to take any appropriate action constituted a failure to maintain professional boundaries.

The panel found allegation 2 (f) proven.

**3. You made inappropriate comments to or in front of one or more pupils, namely by:**

**a) Making comments about Pupil 5 and/or her friends' sex lives, saying you would be “disappointed if they made the wrong choices” or words to that effect;**

The panel noted that Mr Nightingale admitted that, on one occasion, he became involved in a discussion with pupils about their relationships and sex lives and expressed that he would be “*disappointed if they made the wrong choices*”. Mr Nightingale accepts that he should not have involved himself in discussions of this nature, and that his comments in the circumstances were inappropriate.

The panel considered the social worker's report from the meeting on 23 November 2020, which set out that on 10 November 2020, it was reported that Pupil 5 had disclosed that Mr Nightingale had, in the past, held conversations about her and her friends' sex lives, saying he would be “*disappointed if they made the wrong choices*”. The panel noted other inappropriate comments made by Mr Nightingale including within Pupil 1's statement where she quotes him as having said something along the lines of “*everything doesn't have to be about sleeping with boys and to go and get dick*”.

The panel was satisfied that, on the balance of probabilities Mr Nightingale had made comments about Pupil 5 and/or her friends' sex lives, including, for example, saying he would be “*disappointed if they made the wrong choices*” or words to that effect and that these comments were inappropriate.

The panel found allegation 3 (a) proven.

**b) Referring to Pupil 5's former girlfriend as a “smackhead” and/or to Pupil 3's former boyfriend as a “nonce” or words to that effect;**

The panel noted that Mr Nightingale admitted that he engaged in one or more discussions with Pupil 3 and Pupil 5 about their former partners and that he referred to Pupil 5's former girlfriend as a “smackhead”, and to Pupil 3's former boyfriend as a “nonce” or “paedophile” (owing to the fact that Pupil 3's former boyfriend was older than her). Mr Nightingale agreed that that he should not have involved himself in discussions of this nature, and that his comments in the circumstances were inappropriate.

The panel carefully considered the witness statement of Pupil 3 and noted that she said that Mr Nightingale, on finding out that her boyfriend was [REDACTED] older than her, preceded to make jokes in almost every lesson about this and joke about her boyfriend being a paedophile.

The panel considered the social worker's report from the meeting of 23 November 2020, which set out that on 10 November 2020, it was reported that Pupil 5 had disclosed that Mr Nightingale had referred to Pupil 5's former girlfriend as a “smackhead”.

The panel also carefully considered a document on CPOMS uploaded by Person D in which he recorded that Pupil 3 had alleged that Mr Nightingale had made inappropriate remarks about her older boyfriend insinuating that he was a paedophile owing to the age gap.

The panel also considered the social worker's report to the meeting of 29 December 2020 where Mr Nightingale appeared to admit that he referred to a student as a "*smackhead*" and another as a "*nonce*".

The panel was satisfied that, on the balance of probabilities, Mr Nightingale had referred to Pupil 5's former girlfriend as a "*smackhead*" and/or to Pupil 3's former boyfriend as a "*nonce*" or words to that effect and that these comments were inappropriate.

The panel found allegation 3 (b) proven.

**c) Saying to Pupil 5 "*I would cuddle you if I could cuddle you*" or words to that effect.**

The panel noted that Mr Nightingale admitted that, on one occasion when Pupil 5 was upset about her relationship with her partner or former partner, he told her "*I would cuddle you if I could cuddle you*". Mr Nightingale accepts that he should not have involved himself in discussions of this nature, and that his comments in the circumstances were inappropriate.

The panel considered the social worker's report from the meeting on 29 December 2020, where it was reported that Pupil 5 had disclosed that Mr Nightingale had said to her "*I would cuddle you if I could*".

The panel was satisfied that, on the balance of probabilities, Mr Nightingale had said to Pupil 5 "*I would cuddle you if I could cuddle you*" or words to that effect and that these comments were inappropriate.

The panel found allegation 3 (c) proven.

**d) Informing a class of [REDACTED] students how many times you had had sex at their age and/or when you lost your virginity;**

The panel noted Mr Nightingale's admission that, on one occasion in the 2019/20 academic year during a sexual education class, he engaged in a discussion with pupils including Pupil 5 and that during the course of the discussion, he was asked about virginity and told the class when he lost his virginity and how many times he had had sex at their age. Mr Nightingale accepted that he should not have involved himself in discussions of this nature, and that his comments in the circumstances were inappropriate.

The panel considered the social worker's report from the meeting on 23 November 2020, which set out that on 10 November 2020, it was reported that Pupil 5 had disclosed that Mr Nightingale had informed a class of [REDACTED] students how many times he had had sex at their age and possibly said the age at which he had lost his virginity.

The panel was satisfied that, on the balance of probabilities, Mr Nightingale had informed a class of [REDACTED] students how many times he had had sex at their age and/or when he had lost his virginity and that these comments were inappropriate.

The panel found allegation 3 (d) proven.

**e) Telling a group of pupils who was your “top 5 shag list of teachers” or words to that effect;**

The panel noted that Mr Nightingale admitted that, on one occasion he engaged in a discussion with pupils in which he referred to who was on his “*top 5 shag list of teachers*” at the Academy. Mr Nightingale accepts that he should not have involved himself in discussions of this nature, and that his comments in the circumstances were inappropriate.

The panel considered the social worker's report from the meeting on 23 November 2020, which set out that on 10 November 2020, it was reported that Pupil 5 had disclosed that Mr Nightingale had told a group, including Pupil 5 who was in his “*top 5 shag list of teachers*”.

The panel was satisfied that, on the balance of probabilities Mr Nightingale had told a group of pupils who was his “*top 5 shag list of teachers*” or words to that effect and that these comments were inappropriate.

The panel found allegation 3 (e) proven.

**4. By your conduct set out at any or all paragraphs 1,2, and/or 3, you have failed to maintain professional boundaries with pupils.**

The panel noted that they had already found that the conduct as proved in paragraph 2 constituted a failure to maintain professional boundaries.

The panel further found that the conduct as found proved in paragraphs 1 and 3 constituted a failure to maintain professional boundaries. The panel noted Person C's statement regarding his requirements of teachers with regard to conduct and escalating safeguarding concerns, including in respect to the Teachers' Standards, and it was clear



that Mr Nightingale was in serious breach of such requirements in connection with the allegations found proven.

The panel noted that Mr Nightingale accepted that his admitted conduct in relation to allegations 1, 2 and 3 amounted to a failure to maintain appropriate professional boundaries with pupils.

The panel had found that Mr Nightingale had repeatedly failed to report safeguarding and other concerns including with regard to Pupil 1 and Pupil 2. The panel noted that the correspondence between Mr Nightingale and the pupils had continued over a prolonged period of time and was repeatedly overly familiar and inappropriately informal. The panel had found that the proven behaviour and conduct of Mr Nightingale concerning Pupil 1, Pupil 2 and Pupil 5 both in and outside lessons, simply had no place in an appropriate and professional relationship between a teacher and a pupil.

The panel found allegation 4 proven

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

Having found almost all of the allegations proven, the panel went on to consider whether the facts of those proved allegations amounted to unacceptable professional conduct and 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 Nightingale, in relation to the facts found proved, involved breaches of the Teachers’ Standards.

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

- Teachers uphold public trust in the profession and maintain high standards of ethics and behaviour, within and outside school, by
  - treating pupils with dignity, building relationships rooted in mutual respect, and at all times observing proper boundaries appropriate to a teacher’s professional position
  - having regard for the need to safeguard pupils’ well-being, in accordance with statutory provisions
- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach [...].

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

The panel was satisfied that the conduct of Mr Nightingale, in relation to the facts found proved, involved breaches of Keeping Children Safe In Education (“KCSIE”).

Whilst the panel noted that the relevant version of Part 1 of KCSIE did not address professional boundaries the panel considered that Mr Nightingale was in breach of KCSIE Part 1 including provisions 9, 36, 37, 40 and 48.

The panel also considered whether Mr Nightingale’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 were relevant.

The Panel considered that maintaining appropriate professional boundaries was at the core of that which was required of a teacher and that the allegations as found proven had demonstrated that Mr Nightingale had breached those professional boundaries repeatedly, with at least three pupils, over a prolonged period of time. The panel noted that Mr Nightingale did not have a specific pastoral role with either Pupil 1 or Pupil 2 and that, even if he had done, his actions went a long way beyond what would have been appropriate in that context. The panel noted that Mr Nightingale would have been aware that Pupil 1 and Pupil 2 were [REDACTED] and that it was his continuing obligation to report any safeguarding concern which he had concerning them and that, to a large degree, he had failed to do so.

The panel noted that Mr Nightingale had singled out Pupil 1 and Pupil 2 for repeated one to one conversations, sometimes alone, and there was no professional reason for him to have done this. The panel noted that the wording used both by Mr Nightingale and by the pupils in correspondence was entirely inappropriate.

The panel considered that the allegations as found proven displayed a pattern of Mr Nightingale involving himself in the personal aspects of pupils’ lives and that that also was entirely inappropriate and repeatedly breached professional boundaries.

The panel noted that in sharing personal information about his private life, including highly personal, potentially distressing, information, Mr Nightingale had seemingly had no regard for the appropriateness of this nor the impact this may have had on pupils. Indeed Mr Nightingale clearly gave insufficient consideration as to how his interactions with pupils could potentially affect pupils generally. The panel considered that exposure to Mr Nightingale’s behaviour could have potentially influenced and harmed the pupils including by impacting their relations with trusted adults moving forward.

The panel did not accept that Mr Nightingale would not have been aware that his actions were inappropriate. The panel noted that Mr Nightingale had received a formal warning at a previous employer for breaching professional boundaries with pupils.

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

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

Using their knowledge, skills and experience the panel considered that others in the community would consider Mr Nightingale's close relationship and correspondence with Pupil 1 and Pupil 2 and his various statements and activities within and outside the classroom to be completely inappropriate and wholly outside what would reasonably be required of a teacher. The panel noted that the immediate, concerned, reaction of Person A was to escalate this matter to the School upon becoming aware of the email correspondence.

The panel considered that the public would certainly not expect or tolerate teachers endeavouring to have a long-term pseudo-friendship with pupils including to the extent of exploring the most intimate aspects of their mental health and relationships. The panel also considered that the public would also be highly concerned about a teacher divulging intimate information about himself to pupils.

The panel noted that both Pupil 1 and Pupil 2 had, on reflection, concluded that Mr Nightingale's actions in the correspondence were inappropriate with Pupil 1 considering that it was an abuse of power. Pupil 2 commented that she only [REDACTED] after speaking to Mr Nightingale and suffered [REDACTED] after his suspension and when these matters came to light.

The panel considered that Mr Nightingale's conduct was of a serious nature which could potentially damage the public's perception of a teacher and likely have a negative impact on the public's perception of the individual as a teacher.

For these reasons, the panel found that Mr Nightingale'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/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 protection of other members of the public, the maintenance of public confidence in the profession declaring and upholding proper standards of conduct.

The panel's findings against Mr Nightingale involved serious and repeated breaches of safeguarding requirements, repeated failures to escalate safeguarding concerns and repeated breaches of professional boundaries. They also involved correspondence and interactions with pupils, in particular Pupil 1 and Pupil 2, which any objective observer could plainly perceive were entirely inappropriate.

There was a strong public interest consideration in respect of the safeguarding and wellbeing of pupils, given the serious findings of inappropriate interactions with children.

Similarly, the panel considered that public confidence in the profession could be seriously weakened if conduct such as that found against Mr Nightingale 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 Nightingale 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 Nightingale in the profession.

The panel considered that the adverse public interest considerations above outweigh any interest in retaining Mr Nightingale in the profession, since his behaviour fundamentally breached the standards of conduct expected of a teacher.

The panel considered carefully the seriousness of the behaviour.

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 Nightingale.

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
- failure in their duty of care towards a child, including exposing a child to risk or failing to promote the safety and welfare of the children (as set out in Part 1 of KCSIE).

Even though 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 Nightingale's actions were not deliberate.

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

There was no evidence in front of the panel to suggest that Mr Nightingale had demonstrated exceptionally high standards in his personal and professional conduct or had contributed significantly to the education sector. The panel had no evidence to

conclude that the incident was out of character and noted Mr Nightingale's previous formal warning for breaching professional boundaries with pupils.

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 Nightingale 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 Nightingale.

The allegations which they had found proven (which had been admitted by Mr Nightingale) included repeated and wholly inappropriate engagement with two [REDACTED] children over a prolonged period of time, as well as serious breaches of safeguarding with seemingly no objective consideration for the interests of the children and these 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.

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 did not consider that there were any material mitigating circumstances or that Mr Nightingale had demonstrated any insight into his behaviour or demonstrated any remorse for the manner in which his actions could potentially have harmed pupils.

The panel was of the view that Mr Nightingale represented a significant continuing risk to children and noted that his breaches of professional boundaries over a prolonged period, including in a previous school, appeared to demonstrate a pattern of behaviour. He has worked in schools since 2013 in a variety of classroom roles including teaching since 2015.

Mr Nightingale appears to have a grossly insufficient awareness of, or alternative care for, the fact that he was employed to be a teacher of pupils rather than their friend and that lack of recognition has not, seemingly, been remedied.

On balance 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 review period of 5 years.

## **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 almost all of the allegations proven and found that those proven facts amount to unacceptable professional conduct and/or conduct that may bring the profession into disrepute. The panel found allegation 1 (b) partially proven.

The panel has made a recommendation to the Secretary of State that Mr Grant Nightingale should be the subject of a prohibition order, with a review period of 5 years.

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

- Teachers uphold public trust in the profession and maintain high standards of ethics and behaviour, within and outside school, by
  - treating pupils with dignity, building relationships rooted in mutual respect, and at all times observing proper boundaries appropriate to a teacher's professional position
  - having regard for the need to safeguard pupils' well-being, in accordance with statutory provisions
- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach [...].

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

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

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

The findings of misconduct are particularly serious as they include findings of failing to maintain appropriate professional boundaries with pupils and repeated breaches of safeguarding obligations.

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 Nightingale, and the impact that will have on the teacher, is proportionate and in the public interest.

In this case, I have considered the extent to which a prohibition order would protect children and safeguard pupils. The panel has observed:

“The panel’s findings against Mr Nightingale involved serious and repeated breaches of safeguarding requirements, repeated failures to escalate safeguarding concerns and repeated breaches of professional boundaries. They also involved correspondence and interactions with pupils, in particular Pupil 1 and Pupil 2, which any objective observer could plainly perceive were entirely inappropriate.”

“There was a strong public interest consideration in respect of the safeguarding and wellbeing of pupils, given the serious findings of inappropriate interactions with children.”

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

I have also taken into account the panel’s comments on insight and remorse, which the panel has set out as follows:



“The panel did not consider that there were any material mitigating circumstances or that Mr Nightingale had demonstrated any insight into his behaviour or demonstrated any remorse for the manner in which his actions could potentially have harmed pupils.”

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:

“The panel considered that Mr Nightingale’s conduct was of a serious nature which could potentially damage the public’s perception of a teacher and likely have a negative impact on the public’s perception of the individual as a teacher.”

I am particularly mindful of the finding that the teacher discussed intimate matters with pupils who were [REDACTED] 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 Nightingale himself. The panel has commented:

“There was no evidence in front of the panel to suggest that Mr Nightingale had demonstrated exceptionally high standards in his personal and professional conduct or had contributed significantly to the education sector.”

A prohibition order would prevent Mr Nightingale 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 on the serious and repeated nature of the misconduct found proven. The panel has said:

“The allegations which they had found proven (which had been admitted by Mr Nightingale) included repeated and wholly inappropriate engagement with two [REDACTED] children over a prolonged period of time, as well as serious breaches of safeguarding with seemingly no objective consideration for the interests of the children and these 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.”

I have also placed considerable weight on the panel’s finding concerning the lack of insight and remorse and its comment:

“The panel had no evidence to conclude that the incident was out of character and noted Mr Nightingale’s previous formal warning for breaching professional boundaries with pupils.”

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 5-year review period.

I have considered the panel’s comments:

“The panel was of the view that Mr Nightingale represented a significant continuing risk to children and noted that his breaches of professional boundaries over a prolonged period, including in a previous school, appeared to demonstrate a pattern of behaviour. He has worked in schools since 2013 in a variety of classroom roles including teaching since 2015.”

“Mr Nightingale appears to have a grossly insufficient awareness of, or alternative care for, the fact that he was employed to be a teacher of pupils rather than their friend and that lack of recognition has not, seemingly, been remedied.”

I have considered whether a 5-year 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 2-year 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 failing to maintain appropriate professional boundaries with pupils and multiple breaches of safeguarding obligations, the lack of either insight or remorse, and the risk of repetition.

I consider therefore that a 5-year review period is required to satisfy the maintenance of public confidence in the profession.

**This means that Mr Grant Nightingale 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 1 August 2030, 5 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 Nightingale remains prohibited from teaching indefinitely.

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

Mr Nightingale 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 'D Oatley', with a large, sweeping loop at the end.

**Decision maker: David Oatley**

**Date: 23 July 2025**

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