



Teaching
Regulation
Agency

Mr Benjamin Hiscox: Professional conduct panel virtual hearing outcome

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

September 2025

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

Teacher: Mr Benjamin Steven Hiscox

Teacher ref number: 1982014

Teacher date of birth: 21 June 1991

TRA reference: 21780

Date of determination: 30 September 2025

Former employer: South Nottinghamshire Academy

Introduction

A professional conduct panel (“the panel”) of the Teaching Regulation Agency (“the TRA”) convened on 8 January 2025 and 29 to 30 September 2025 by way of a virtual hearing, to consider the case of Mr Hiscox.

The panel members were Mr Peter Ward (lay panellist – in the chair), Ms Susan Humble (lay panellist), Ms Victoria Jackson (teacher panellist) on 8 January and Mr Sam Jones (teacher panellist) on 29 to 30 September 2025 on 29 to 30 September.

The legal adviser to the panel was Mr Ben Schofield of Blake Morgan LLP.

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

Mr Hiscox was not present and was not represented.

The hearing took place in public and was recorded.

Allegations

The panel considered the allegations set out in the notice of proceedings dated 21 October 2024 (and as amended following an application at this hearing).

It was alleged that Mr Hiscox was guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute, in that whilst working as a Maths Teacher at South Nottinghamshire Academy:

1. Between October 2022 and February 2023, he acted in an inappropriate manner towards Pupil A, in that he:

- a) Exchanged messages of a sexual nature with Pupil A;
- b) Exchanged photos and/or videos of a sexual nature with Pupil A;
- c) Arranged to meet up with Pupil A on one or more occasions;
- d) Gave Pupil A money to buy and/or asked Pupil A to buy and/or choose a sex toy;
- e) Asked Pupil A to bring and/or wear her school uniform and/or school clothes when he arranged to meet up;
- f) Had sexual intercourse with Pupil A on one or more occasions;
- g) Gave Pupil A alcohol;
- h) Kissed Pupil A.

2. His conduct at paragraph 1a) – 1h) above was sexually motivated.

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 3 to 5

Section 2: Notice of proceedings and response – pages 6 to 15

Section 3: Teaching Regulation Agency witness statements – pages 16 to 18

Section 4: Teaching Regulation Agency documents – pages 19 to 109

Section 5: Teacher documents – pages 110 to 111

Also before the panel was a two-page statement by Mr Hiscox consisting of nine paragraphs and was dated December 2024.

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

In the consideration of this case, the panel had regard to the document Teacher Misconduct: Disciplinary Procedures for the Teaching Profession 2020.

Witnesses

The panel heard oral evidence from Witness 1 – [REDACTED], who was called by the TRA.

No witnesses were called on Mr Hiscox's behalf.

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 Hiscox was appointed as a Teacher of Maths at South Nottingham Academy in January 2020. This was Mr Hiscox first teaching post following his training year which took place at Madras College, in St Andrews, Scotland.

Pupil A was a [REDACTED] pupil at Madras College whilst Mr Hiscox was in his training year at the College but later moved to a different school to complete her secondary education.

At the beginning of October 2022, Pupil A followed Mr Hiscox's Instagram profile and the two of them started to engage with each other over the platform. By this time, Pupil A was [REDACTED]. The conversations moved quickly into a sexual nature and resulted in them meeting up at a hotel on one occasion on 28 October 2022. A further arrangement to meet at a hotel in January 2023 did not take place, following Pupil B's parents becoming aware of the contact between them.

After Scottish educational authorities were alerted to this relationship by Pupil A's parents, they informed Police Scotland. As Pupil A was [REDACTED] and Mr Hiscox was not her present teacher, the police took the view that no criminal offences had taken place, but they referred the case to the TRA on 3 April 2023. The police took a statement from Pupil A, but they did not interview Mr Hiscox as part of their enquiries.

On 4 May 2023, the TRA wrote to Mr Hiscox to advise him of the referral and that an investigation by the TRA had commenced. After receiving this letter, Mr Hiscox emailed Witness 1 ([REDACTED] at South Nottingham Academy), on 7 May 2023 to disclose the TRA investigation to his current employer.

The Academy initiated a disciplinary investigation and Mr Hiscox's employment at the Academy ended on 28 May 2023. As part of their investigation, the Academy interviewed Mr Hiscox about the circumstances involving Pupil A.

Although not present at this TRA hearing, Mr Hiscox provided a signed statement of agreed facts (jointly signed by the TRA) and provided a further statement setting out his account. The TRA did not seek to obtain any further evidence directly from Pupil A or call her as a witness in these proceedings.

In the statement of agreed facts, Mr Hiscox admitted all of the allegations. However, in email communication with the TRA's representatives, Mr Hiscox stated that:

"Although I disagree with some of the statements made, ultimately it is my word against the statement of the pupil.

I cannot provide any evidence on the contrary of what is in her statement. I don't believe I ever did physically have her in a class I taught. I don't have registers for classes I took. Nor do I still have any messages that were sent between us, so cannot show that I was unaware of her age.

Ultimately, I have agreed to all of the allegations, as I cannot refute them and I would like to put this ordeal behind me."

The email did not further set out exactly what Mr Hiscox took issue within regard to the facts asserted in Pupil A's police statement.

In Mr Hiscox's further December 2024 statement to the TRA, he set out a position which appeared at odds with some of the admitted facts. For example, in the statement of agreed facts, Mr Hiscox admits that "[he] asked Pupil A to bring her school uniform" and that "[he] asked Pupil A to wear her school uniform during sexual intercourse". However, in his December statement, Mr Hiscox states:

"Pupil A said she was interested in wearing something similar to a uniform and pretending I was her teacher as she found the fact that I was a teacher attractive."

The panel therefore considered that some of Mr Hiscox's admissions were of an equivocal nature. The panel followed the legal adviser's guidance that equivocal admissions should not be accepted. Accordingly, the panel considered those parts of the allegation as disputed and which would need to be resolved taking into account the usual burden and standard of proof that applies in these proceedings.

Findings of fact

The findings of fact are as follows:

1. Between October 2022 and February 2023, you acted in an inappropriate manner towards Pupil A, in that you:

The panel firstly considered the factual particulars of the sub-allegation, as set out below and then considered those proven sub-allegations against the main stem of the allegation.

a) Exchanged messages of a sexual nature with Pupil A;

b) Exchanged photos and/or videos of a sexual nature with Pupil A;

In her police statement, Pupil A stated:

“The conversations between us were sexual at times. It was very clear from the beginning that he likes me in that way. I have kept the conversation between me and him on Instagram. He has sent me all sorts of videos [including sexually explicit images]. I sent him back videos of myself [of a similar sexual nature].”

In his December 2024 TRA statement, Mr Hiscox stated:

“Things turned flirty and sexual... The conversation continued and became more sexual in nature with pictures and videos being shared.”

The panel was satisfied there was no evidential dispute between the parties and accepted Mr Hiscox’s admission to the facts of this sub-allegation.

c) Arranged to meet up with Pupil A on one or more occasions;

In her police statement, Pupil A stated that she first started talking with Mr Hiscox on 1 October 2022 and that they had agreed to meet at a hotel [REDACTED] on 28 October 2022, which Mr Hiscox had arranged and paid for. Pupil A stated that after the October trip, they had arranged to meet again in January 2023, but this did not go ahead as she later disclosed to her parents that she was meeting up with a teacher.

In his December 2024 statement to the TRA, Mr Hiscox’s account was materially identical in regard to the hotel events and chronology in this sub-allegation.

The panel was satisfied there was no evidential dispute between the parties and accepted Mr Hiscox’s admission to the facts of this sub-allegation.

d) Gave Pupil A money to buy and/or asked Pupil A to buy and/or choose a sex toy;

In her police statement, Pupil A stated that Mr Hiscox *“asked me to pick a vibrator from Love Honey and he bought it.”*

In his December 2024 statement to the TRA, Mr Hiscox accepted buying a sex toy for Pupil A.

The panel was satisfied there was no evidential dispute between the parties and accepted Mr Hiscox’s admission to the facts of this sub-allegation.

e) Asked Pupil A to bring and/or wear her school uniform and/or school clothes when you arranged to meet up;

In her police statement, Pupil A stated that in making the arrangements for the October 2022 hotel stay, “[Mr Hiscox] *asked me to bring my school clothes to the hotel*”. Whilst in the hotel room, Pupil A stated, “[Mr Hiscox] *asked me to put on my school uniform. My [uniform] is a short black skirt, white [shirt] and tie.*”

In his December 2024 TRA statement, Mr Hiscox stated:

“Pupil A said she was interested in wearing something similar to a uniform and pretending I was her teacher as she found the fact that I was a teacher attractive.

She put on her “uniform” which was a skirt and a white shirt and a tie at one point however it was plain and did not indicate a specific school. She worked part time as a waitress and she had sent me pictures of her in this “uniform” before. We pretended I was her teacher when she wore it. I didn’t see anything wrong with this as at this point I was not aware of her real age.

There was no indication that it was her school uniform with no identifying features on it.”

In the Academy’s disciplinary hearing on 26 May 2023, Mr Hiscox’s union representative is noted as stating: “[Mr Hiscox] *didn’t ask her to wear her school uniform. [Pupil A] suggested to him that she wears her old school uniform.*” When directly asked about the uniform by the disciplinary panel, Mr Hiscox is noted as replying that he did not remember if the uniform had a badge on it or if it was plain. However, in further questions on the topic of the uniform, Mr Hiscox said that he didn’t recognise the ‘badge’.

Mr Hiscox’s admission was at odds with the accounts he had given to the Academy and the TRA. On that basis, the panel considered the admission was of an equivocal nature. In essence, Mr Hiscox appeared to be saying that the wearing of the uniform was advanced by Pupil A and not him.

The panel considered Pupil A's police statement appeared reliable in the round. The panel considered it appeared measured and in most aspects was not disputed by Mr Hiscox. The panel noted that Mr Hiscox had arranged the hotel room and arranged the purchase of the sex toy. Accordingly, the panel also considered there was an inherent likelihood that Mr Hiscox would have made the arrangements for Pupil A to wear her uniform as well. Furthermore, the panel noted there was a degree of inconsistency in the accounts advanced by Mr Hiscox on this topic. Along with the discrepancy in his account regarding any badge on the uniform in the School meeting, Mr Hiscox appeared to attempt to distance himself from any suggestion it was a real school uniform at all in his TRA account.

Taking into account those factors, the panel considered that Pupil A's account appeared more reliable on this point. Accordingly, the panel was satisfied that it was more likely than not that Mr Hiscox asked Pupil A to bring her school uniform and asked her to put it on in the hotel room.

f) Had sexual intercourse with Pupil A on one or more occasions;

In her police statement, Pupil A stated that during the hotel stay on 28 October 2022, she and Mr Hiscox had sex on a number of occasions.

In his December 2024 statement to the TRA, Mr Hiscox's account was materially the same on this point.

The panel was satisfied there was no evidential dispute between the parties and accepted Mr Hiscox's admission to the facts of this sub-allegation.

g) Gave Pupil A alcohol;

In her police statement, Pupil A stated:

"We had some wine together. I had a small cup of red wine. I didn't have much, [Mr Hiscox] had more... I think he had the remainder of the bottle. It was only a small bottle not a big one."

In his December 2024 statement to the TRA, Mr Hiscox stated:

"I had b[r]ought some wine to the hotel room, I poured myself some, but Pupil A was reluctant to have any as she didn't enjoy the taste and only had a sip of mine and didn't have any more."

The panel was satisfied there was no evidential dispute between the parties and accepted Mr Hiscox's admission to the facts of this sub-allegation.

h) Kissed Pupil A.

In her police statement, Pupil A described that she and Mr Hiscox started kissing soon after she arrived at the hotel on 28 October 2022.

Mr Hiscox admitted this sub-allegation in his response to the notice but did not otherwise make reference to any kissing in his accounts.

The panel was satisfied that in light of the other undisputed events that took place during the hotel stay on 28 October 2022, it was inherently more likely than not that Mr Hiscox kissed Pupil A.

Having considered the factual basis of the sub-allegations and having found all of them proved on the admission of Mr Hiscox or on the balance of probabilities, the panel then went on to consider those facts against the main stem of the allegation.

There was no dispute as to the dates and the identity of Pupil A between the parties. Mr Hiscox's main contention in these proceedings (and also in the Academy's investigation) was that he did not know Pupil A was [REDACTED] at the time or that she was a former pupil at a school he formerly taught at. Mr Hiscox's account was that he was only made aware by Pupil A of her age around a week before they planned to meet for a second time in January 2023.

Pupil A's account to the police was that she had told Mr Hiscox her age and that she was still at school earlier on in their conversations and that his response to this was "*well it makes it even naughtier then*". In his account to the TRA, Mr Hiscox said this phrase was used, but not in response to Pupil A disclosing her age, but in a discussion about the fact he was otherwise in a relationship at the time.

The panel was satisfied that on the balance of probabilities, Mr Hiscox had been told by Pupil A her true age earlier in the month of October during their initial conversations on social media. The panel could not identify any material issue with the reliability of Pupil A's account on this point and in light of other proven facts in this case, such as Mr Hiscox asking Pupil A to bring her school uniform, the panel was satisfied it was more likely than not that he knew her age early on in their conversations.

The panel was satisfied that any teacher engaging in a sexual relationship with a [REDACTED] would be considered inappropriate.

Accordingly, the panel found this allegation proved in full.

2. Your conduct at paragraph 1a) – 1h) above was sexually motivated.

Taking into account the factual findings above, the only reasonable finding open to the panel on this allegation was that Mr Hiscox was sexually motivated.

The panel therefore found this allegation proved.

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

Having found 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 was satisfied that the conduct of Mr Hiscox, in relation to the facts found proved, involved breaches of the Teachers’ Standards. The panel considered that, by reference to Part 2, Mr Hiscox 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 an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities.

It is clear to all members of the profession that the provisions of ‘Keeping Children Safe in Education’ apply to any pupil under the age of 18. Mr Hiscox’s actions in engaging in sexual activity with a child, whilst not a criminal offence, plainly sat far outside the expected behaviour of teachers towards children.

The panel also considered whether Mr Hiscox’s conduct displayed behaviours associated with any of the offences listed on pages 10 and 11 of the Advice. The Advice indicates that where behaviours associated with such an offence exist, a panel is likely to conclude that an individual’s conduct would amount to unacceptable professional conduct. The panel found that the following offences were relevant to this consideration:

- sexual activity,
- sexual communication with a child,
- any activity involving viewing, taking, making, possessing, distributing or publishing any indecent photograph or image or pseudo photograph or image of a child, or permitting any such activity, including one-off incidents.

Whilst the panel noted that Mr Hiscox was not investigated by the police in regards to any indecent images, it was a proven fact in this case that Mr Hiscox knowingly incited a child into sending indecent images of herself to him. Accordingly, the panel was satisfied that indecent images were a relevant consideration in this case.

The panel noted that the allegations took place outside the education setting. The panel was satisfied that a child being subject to the sexual advances of a teacher, even where consensual, would amount to that child being exposed to behaviour of that teacher in a harmful way.

The panel was satisfied that the conduct of Mr Hiscox 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 Hiscox was guilty of unacceptable professional conduct.

In relation to whether Mr Hiscox'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. 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, potentially damaging the public perception. The public places significant trust in the profession to safeguard children. That trust is significantly eroded when a teacher engages in sexual activity with a child and the panel had no doubt that the public would expect regulatory action to be taken in such circumstances. The panel also noted that the Academy had to prepare a public statement, should the allegations be publicised during their disciplinary process, which was also indicative of the damage such behaviour might have on the profession.

The panel therefore found that Mr Hiscox's actions constituted conduct that may bring the profession into disrepute.

Panel's recommendation to the Secretary of State

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

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

The panel had regard to the particular public interest considerations set out in the Advice and, having done so, found a number of them to be relevant in this case, namely:

- the safeguarding and wellbeing of pupils;
- the maintenance of public confidence in the profession;
- declaring and upholding proper standards of conduct.

In the light of the panel's findings against Mr Hiscox, there was a strong public interest consideration in respect of the safeguarding and wellbeing of pupils, given the serious findings of an inappropriate sexual relationship with a child. Similarly, the panel considered that public confidence in the profession could be seriously weakened if conduct such as that found against Mr Hiscox were not treated with the utmost seriousness when regulating the conduct of the profession. The panel was of the view that a strong public interest consideration in declaring proper standards of conduct in the profession was also present as the conduct found against Mr Hiscox was outside that which could reasonably be tolerated.

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 Hiscox.

In carrying out the balancing exercise, the panel had regard to the public interest considerations both in favour of, and against, prohibition as well as the interests of Mr Hiscox. 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... safeguarding and well-being of pupils, and particularly where there is a continuing risk;
- abuse of position or trust (particularly involving pupils);
- an abuse of any trust, knowledge, or influence gained through their professional position in order to advance a romantic or sexual relationship with a pupil or former pupil;

- sexual misconduct, e.g. involving actions that were sexually motivated or of a sexual nature and/or that use or exploit the trust, knowledge or influence derived from the individual's professional position;
- any activity involving viewing, taking, making, possessing, distributing, or publishing any indecent photograph or image, or indecent pseudo photograph or image, of a child, or permitting such activity, including one-off incidents;
- failure in their duty of care towards a child, including exposing a child to risk or failing to promote the safety and welfare of the children (as set out in Part 1 of KCSIE);

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. The panel considered the list of factors at paragraph 43 of the Advice. The panel's view was that none of those listed factors applied in this case. Mr Hiscox's actions were deliberate. He was not acting under extreme duress and there was no evidence of his contribution to the profession before the panel.

The panel noted that Mr Hiscox did not have any previous regulatory findings against him, although not present at this hearing, Mr Hiscox had otherwise engaged in the regulatory process and made a number of admissions.

In the closing paragraph of his statement to the TRA, Mr Hiscox discussed taking up counselling as a result of the circumstances with Pupil A. In the final sentence of that paragraph Mr Hiscox remarked *"therapy was needed as when I found out Pupil A's real age, I struggled to come to terms with what I had actually done."* This brief line, along with the admissions made by Mr Hiscox in this case, might have suggested a degree of remorse and understanding of the impact of his earlier actions. However, when considering Mr Hiscox's actions and reflections more closely, the panel was not able to reach such a conclusion.

Of note in Mr Hiscox's actions was the speed with which his behaviour progressed with Pupil A. It was less than a month between his initial contact with her and the events which took place at the [REDACTED] hotel. The panel noted that the evidence suggested that Mr Hiscox was quick to move any online conversation into a sexual direction. There was a significant degree of planning on Mr Hiscox's part and this would have provided a number of occasions for Mr Hiscox to pause and reflect on his actions, yet his behaviour continued to escalate. This included after the October hotel stay where Mr Hiscox was seeking to encourage Pupil A to engage in further and higher risk sexual activities.

Looking at Mr Hiscox's behaviour as a whole, the panel took account of paragraph 41 of the Advice and noted it was a sustained course of conduct on his part using online behaviour with the sole intention of that behaviour moving into physically inappropriate

contact for the purposes of his sexual gratification – it was akin to grooming behaviours often seen before TRA panels. On that basis, the panel viewed the entirety of Mr Hiscox's actions as being at the higher end of the spectrum of serious misconduct.

Mr Hiscox's reflections on these circumstances only arose when his actions were subject to intervention and challenge. On these occasions the panel noted that Mr Hiscox's explanations were restricted to exploring the negative impact the allegations had on his own personal circumstances. There was a noticeable gap between any consideration in those reflections on the potential risks of harm to children and the wider public impact arising from his actions. The panel also noted the inconsistency in which Mr Hiscox sought to explain his reasoning for his engagement with counselling services. In the Academy's disciplinary process, Mr Hiscox stated his reason for engaging a counsellor was "*because I don't want infidelity in my life*". As noted above, at this hearing Mr Hiscox said it was in relation to Pupil A's age.

This evidence did little to satisfy the panel that there was any evidence before it of developed insight and effective remedial steps being undertaken by Mr Hiscox into preventing similar misconduct reoccurring in the future. On that basis, the panel considered the 'risk of repetition' at this time was at a heightened level.

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 Hiscox 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 Hiscox. The current risk to children posed by Mr Hiscox and the likely damage to confidence in the profession were restrictive regulatory action not taken in these circumstances 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 prohibition 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 two years.

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

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

The panel saw no reason to depart from the Advice in the circumstances of this case.

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

Decision and reasons on behalf of the Secretary of State

I have given very careful consideration to this case and to the recommendation of the panel in respect of both sanction and review period.

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

In this case, the panel has found all of the allegations proven and found that those proven facts amount to unacceptable professional conduct and conduct that may bring the profession into disrepute.

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

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

The findings of misconduct are particularly serious as they include a finding that the teacher had sexual intercourse with a child.

I have to determine whether the imposition of a prohibition order is proportionate and in the public interest. In considering that for this case, I have considered the overall aim of a prohibition order which is to protect pupils and to maintain public confidence in the profession. I have considered the extent to which a prohibition order in this case would achieve that aim taking into account the impact that it will have on the individual teacher. I have also asked myself whether a less intrusive measure, such as the published finding of unacceptable professional conduct and conduct likely to bring the profession into disrepute, would itself be sufficient to achieve the overall aim. I have to consider whether the consequences of such a publication are themselves sufficient. I have considered therefore whether or not prohibiting Mr Hiscox, and the impact that will have on the teacher, is proportionate and in the public interest.

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

“In the light of the panel’s findings against Mr Hiscox, there was a strong public interest consideration in respect of the safeguarding and wellbeing of pupils, given the serious findings of an inappropriate sexual relationship with a child.”

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:

“This evidence did little to satisfy the panel that there was any evidence before it of developed insight and effective remedial steps being undertaken by Mr Hiscox into preventing similar misconduct reoccurring in the future. On that basis, the panel considered the ‘risk of repetition’ at this time was at a heightened level.”

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 public places significant trust in the profession to safeguard children. That trust is significantly eroded when a teacher engages in sexual activity with a child and the panel had no doubt that the public would expect regulatory action to be taken in such circumstances.”

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

I have had to consider that the public has a high expectation of professional standards of all teachers and that the public might regard a failure to impose a prohibition order as a failure to uphold those high standards. In weighing these considerations, I have had to consider the matter from the point of view of an “ordinary intelligent and well-informed citizen.”

I have considered whether the publication of a finding of unacceptable professional conduct 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 Hiscox himself. The panel has commented:

“The panel noted that Mr Hiscox did not have any previous regulatory findings against him, although not present at this hearing, Mr Hiscox had otherwise engaged in the regulatory process and made a number of admissions.”

A prohibition order would prevent Mr Hiscox 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 comments of the panel about the serious nature of the misconduct, the risk to children and the likely damage to confidence in the teaching profession if a prohibition were not imposed. The panel has said:

“Looking at Mr Hiscox’s behaviour as a whole, the panel took account of paragraph 41 of the Advice and noted it was a sustained course of conduct on his part using online behaviour with the sole intention of that behaviour moving into

physically inappropriate contact for the purposes of his sexual gratification – it was akin to grooming behaviours often seen before TRA panels. On that basis, the panel viewed the entirety of Mr Hiscox's actions as being at the higher end of the spectrum of serious misconduct."

I have also placed considerable weight on the panel's comments concerning the lack of insight and remorse.

I have given less weight in my consideration of sanction therefore to the contribution that Mr Hiscox has made to the profession. In my view, it is necessary to impose a prohibition order in order to maintain public confidence in the profession. A published decision, in light of the circumstances in this case, that is not backed up by insight and remorse, does not in my view satisfy the public interest requirement concerning public confidence in the profession.

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

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

I have considered the panel's comments:

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

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

The panel saw no reason to depart from the Advice in the circumstances of this case."

I have considered whether not allowing a review period reflects the seriousness of the findings and is a proportionate period to achieve the aim of maintaining public confidence in the profession. In this case, factors mean that allowing a review period is not sufficient to achieve the aim of maintaining public confidence in the profession. These elements are the serious nature of the misconduct which included sexual intercourse with a child, the lack of either insight or remorse, and the risk of repetition.

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

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

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

Mr Hiscox 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: 3 October 2025

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