



Teaching
Regulation
Agency

Mr Elliott Smith: Professional conduct panel meeting outcome

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

20 October 2025

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

Teacher:	Mr Elliott Smith
Teacher ref number:	0246949
Teacher date of birth:	14 March 1975
TRA reference:	22364
Date of determination:	20 October 2025
Former employer:	Belper School, Derbyshire

Introduction

A professional conduct panel (“the panel”) of the Teaching Regulation Agency (“the TRA”) convened on 20 October 2025 by way of a virtual meeting, to consider the case of Mr Elliott Smith.

The panel members were Terry Hyde (teacher panellist – in the chair), Monique Clark (teacher panellist) and Andrew Hearn (lay panellist).

The legal adviser to the panel was Mr John Lucarotti of Blake Morgan LLP Solicitors.

In advance of the meeting, after taking into consideration the public interest and the interests of justice, the TRA agreed to a request from Mr Smith that the allegations be considered without a hearing. Mr Smith provided a signed statement of agreed facts and admitted unacceptable professional conduct and conduct that may bring the profession into disrepute.

The meeting took place in private.

Allegations

The panel considered the allegations set out in the Notice of Meeting dated 5 September 2025.

It was alleged that Mr Smith was guilty of unacceptable professional conduct and / or conduct that may bring the profession into disrepute, in that:

While employed as a teacher at Belper School:

1. You failed to maintain professional boundaries in regards to student A by:
 - a. Sending inappropriate emails on;
 - i. 11 June 2022; and
 - ii. 13 July 2022
 - b. Gifting books to Student A;
 - c. Attempting to make arrangements to see Student A in a social capacity.
2. Your actions at paragraph 1a and/or 1b and/or 1c were sexually motivated.

Mr Smith admitted all of the allegations.

Mr Smith further admitted that this actions, in relation to each of the allegations amounted to unacceptable professional conduct and conduct that may bring the profession into disrepute.

Summary of evidence

Documents

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

Section 1: Chronology, Anonymised Pupil List and List of Key People – pages 4 to 7

Section 2: Notice of Proceedings and Response – pages 8 to 34

Section 3: Statement of Agreed Facts – pages 35 to 40

Section 4: Teaching Regulation Agency Witness Statements – pages 41 to 78

Section 5: Teaching Regulation Agency Documents – pages 79 to 386

Section 6: Teacher Documents – pages 387 to 407

Statement of Agreed Facts

The panel considered a statement of agreed facts which was signed by Mr Smith on 16 August 2025.

Decision and reasons

The panel announced its decision and reasons as follows:

In advance of the meeting the TRA agreed to a request from Mr Smith for the allegation to be considered without a hearing.

The panel reminded itself 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.

The panel proceeded to consider the case carefully, having read all of the documents, and reached a decision. It accepted the legal advice provided.

Mr Smith was previously employed as an English Teacher at Belper School ('the School'). He worked there from 2006 until May 2023, when he was dismissed.

Student A was a pupil at the School. She was in [REDACTED] at the time of the concerns.

Mr Smith was Student A's English Teacher from 2019, when she was in [REDACTED], until she left the School in [REDACTED] at the end of [REDACTED].

Whilst working at the School the Teacher had an email address: [REDACTED]. Whilst Student A was a pupil at the School, she had an email address: [REDACTED].

In July 2022, Individual A, at the School, was approached by a friend of Student A who advised that Student A had confided in them that Mr Smith had been sending Student A inappropriate emails.

The School conducted an investigation and reviewed Mr Smith's email account. It was found that, between May 2022 and July 2022, the Teacher had sent four emails directly to Student A and there was one email, unsent, in his drafts. The first two emails, sent on 14 and 24 May 2022, related to reading lists and revision sessions and no allegations are made in respect of those emails.

The two emails sent on 11 June 2022 and 13 July 2022, and the draft email drafted on 5 July 2022, were personal, inappropriate and demonstrated that the Teacher was seeking to build a relationship with Student A and thought of them in a romantic manner.

The investigation concluded that the matter should be referred to a Disciplinary Hearing. The Disciplinary Hearing went ahead on the 4 May 2023 and Mr Smith was dismissed.

Findings of fact

The findings of fact are as follows:

You are guilty of unacceptable professional conduct and/ or conduct that may bring the profession into disrepute in that, while employed as a teacher at Belper School ("the School"):

1. You failed to maintain professional boundaries in regards to student A by:

a. Sending inappropriate emails on;

i. 11 June 2022; and

ii. 13 July 2022

The panel considered the content of the emails sent by Mr Smith to Student A on 11 June 2022 and 13 July 2022.

In respect of the 11 June 2022 email, it noted that Mr Smith had written the following:

- *Only you could do this* [when referring to a card [REDACTED] had made for the Teacher];
- *This is inside information, a recent change that's not widely known, so I'd appreciate it if you don't mention it to others at this time, and not in any way*

intended to sway you [when referring to a change in who would be teaching Year 12 and 13 Literature the following year];

- *If you choose to stay, then I guess I'll see you around. If you choose to go, then I guess that I won't;*
- *If my body holds together then maybe we'll play some tennis sometime and talk about books;*
- *I was kind of expecting you to turn up on your own yesterday, and in the event was perhaps slightly inhibited in what I would otherwise have said to you;*
- *It's been a real and constant pleasure since the beginning of year 9; wherever you end up next year it's very much my loss.*

The panel concluded that this email was clearly inappropriate in that it was overly familiar and shared confidential information about teaching patterns at the School. The panel found that this amounted to a breach of professional boundaries.

In respect of the 13 July 2022 email, the panel noted that Mr Smith had written the following:

- *I did some informal research the next day on A level Geography with some Y12s, and the outcome was as you had inferred and intimated: [Teacher X] – good, [Teacher Y] – less so. And I've had a few conversations about the school and sixth form since then culminating today, that left me feeling I owe you some honesty, and while I won't / can't bore you with the details, and it pains me badly to say it, I've come round to the view that your interests may be better served by getting the bus to Bilborough.*
- *It was always the case that I said I couldn't, shouldn't sway you on your choice of A level destination, and that was true... But you may remember that I did allow myself one day to say, by way of confessing my own bias, that it was my preference on a purely selfish and personal level that you stay.*
- *I really didn't know any of this until that day in the portacabin when you first told me you were leaving for Bilborough, and I experienced what could be described as a sort of emotional stroke.*
- *I asked myself some serious questions. One of them being: 'Why have you put [Student A] in a seat, front and centre, that you reserve in every other lesson for a student with educational or behavioural needs?' I did have an answer, but I didn't believe me...the whole truth is that I put you there because I liked you being there.*

- *And the larger and whole truth is that, over however long it's been, and by the time things came to an end, I had allowed myself to fall perhaps a little bit in love with you.*
- *If you were to stay, I would not exist for you. Unless you wanted me to.*
- *And these lines from Tolstoy's Anna Karenina would be going like ticker-tape through the bottom of my mind: 'He stepped down, trying not to look long at her, as if she were the sun. Yet he saw her, like the sun, even without looking.'...You are the sun.*

The panel concluded that this email was clearly inappropriate in that it was flirtatious, expressly stated that Mr Smith had romantic feelings towards Student A, was emotionally manipulative, and made inappropriate remarks about fellow teachers. The panel found that this amounted to a breach of professional boundaries.

The panel found allegation 1(a)(i) and 1(a)(ii) proved.

b. Gifting books to Student A;

c. Attempting to make arrangements to see Student A in a social capacity.

The panel considered these two sub-allegations together and noted that these were evidenced by admissions from Mr Smith and the evidence of Student A:

'There was also an occasion when Mr Smith gifted me books, I do not recall the date but it was around exam time in 2022. I received an email from Mr Smith saying that his bookshelf was overflowing and that he has some books if I wanted to go to his class and take some.'

'...we were talking about a book shop and Mr Smith was making recommendations of where I should go and he offered to take me there.'

'He also knew that I played tennis and I had mentioned a club that he could go to if he wanted to start. He said that if I do leave maybe we would bump into each other at the tennis club which I thought was strange.'

The panel found allegations 1(b) and 1(c) proved. The panel found that these amounted to a breach of professional boundaries. In relation to 1(b), the panel noted that, in isolation, gifting a book to a student may not necessarily amount to a breach of boundaries. However, given the context in which it occurred and bearing in mind the nature of the emails that were being sent to Student A at approximately the same time, the panel was clear that this was a breach of professional boundaries.

2. Your actions at paragraph 1a and/or 1b and/or 1c were sexually motivated.

In considering whether Mr Smith's actions were sexually motivated, the panel had regard to the definition of sexual motive provided in the case of *Basson v General Medical Council*, namely whether 'the conduct was done either in pursuit of sexual gratification or in pursuit of a future sexual relationship.' The panel concluded that Mr Smith's actions in sending flirtatious and indiscreet emails, giving presents to Student A, seeking to see her on her own, and suggesting ways of meeting her outside of school, were all carried out by Mr Smith in pursuit of a sexual relationship with Student A. It noted that this was accepted by Mr Smith and that Student A herself later considered that she was being 'groomed' by Mr Smith.

The panel found allegation 2 proved.

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

Having found all of the allegations proved, the panel went on to consider whether the facts of those proved allegations amounted to unacceptable professional conduct and/or conduct that may bring the profession into disrepute.

Mr Smith admitted both aspects. Whilst the panel took these admissions into account, it made its own judgment as to whether the threshold was crossed in the circumstances of this case.

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 Smith in relation to the facts found proved involved breaches of the Teachers' Standards. The panel considered that, by reference to Part 2, Mr Smith was in breach of the following standards:

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

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

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

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

The panel found that the teacher's conduct was indicative of preparatory steps towards the commission of the offence of sexual communication with a child, insofar as Mr Smith had engaged in sexually motivated behaviour towards Student A. However, the panel did have in mind that Mr Smith had not committed a criminal offence, albeit that this may have been curtailed by swift safeguarding procedures being instigated by the School upon discovery of the inappropriate emails.

Having carefully considered all of the evidence and having regard to the fact that Mr Smith had acted contrary to the Teachers' Standards, the panel was satisfied that his conduct fell significantly short of the standards expected of the profession.

His actions, in relation to each of the allegations, particularly considered together, was a matter of grave concern. The panel considered this to be an egregious breach of professional boundaries and his failings were deliberate, persistent and very serious. Not least, Mr Smith engaged in sexually motivated behaviour towards a pupil. By definition, his actions occurred within the education setting as well as extending, in certain respects, to his behaviour outside of school. There was also clear evidence as to the impact of Mr Smith's behaviour upon Student A, who had clearly been affected by his actions. In all the circumstances, Mr Smith had shown a reckless disregard for Student A's wellbeing and his own duties and responsibilities as a professional and role model in relation to his conduct concerning Student A.

Accordingly, the panel was satisfied that Mr Smith was guilty of unacceptable professional conduct.

In considering whether Mr Smith's conduct was such that it may bring the profession into disrepute, the panel took into account the way the teaching profession is viewed by others and 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 they behave.

For the reasons set out above, the findings of misconduct were serious and the conduct displayed would be likely to have a negative impact on Mr Smith's status as a teacher,

potentially damaging the public perception. The panel considered that a member of the public would be extremely troubled to learn that any teacher had behaved in this manner towards pupils.

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

In summary, having found the facts of allegations 1 and 2 proved, the panel further found that Mr Smith's conduct amounted to both unacceptable professional conduct and 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 protection of pupils;
- the maintenance of public confidence in the profession; and
- declaring and upholding proper standards of conduct.

In the light of the panel's findings against Mr Smith, which involved sexually motivated behaviour towards a pupil, there was an extremely strong public interest consideration in respect of the protection of pupils.

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

The panel also decided that a strong public interest consideration in declaring proper standards of conduct in the profession was present as the conduct found against Mr Smith was outside that which could reasonably be tolerated.

The panel did not consider that there was a particularly strong public interest consideration in retaining Mr Smith in the profession. There were no references or testimonials submitted for the specific purpose of these proceedings from any individuals with knowledge of his admitted conduct. Furthermore, Mr Smith had indicated he had no intention to return to education.

Nonetheless, the panel did take account of the evidence available about Mr Smith's background and career in education.

Notwithstanding 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 Smith.

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 Smith.

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 are relevant in this case are:

- serious departure from the personal and professional conduct elements of the
 - Teachers' Standards;
- misconduct seriously affecting the education and/or well-being of pupils, and particularly where there is a continuing risk;
- abuse of position or trust (particularly involving pupils);
- an abuse of any trust, knowledge, or influence gained through their professional position in order to advance a romantic or sexual relationship with a pupil or former pupil;
- sexual misconduct, e.g. involving actions that were sexually motivated or of a sexual nature and/or that use or exploit the trust, knowledge or influence derived from the individual's professional position;
- failure 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);
- violation of the rights of pupils; and
- deliberate behaviour that undermines pupils, the profession, the school or colleague.

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 following mitigating factors were present in this case:

- Mr Smith had an otherwise good record. He had not been subject to any previous regulatory or disciplinary proceedings.
- Mr Smith had engaged with the TRA and, ultimately, made full admissions.
- Mr Smith had expressed some remorse for his actions. Within his statement presented for these proceedings, Mr Smith fully accepted, for instance, that he had made serious mistakes.

Weighed against this, the aggravating features in this case were that:

- Mr Smith's actions were deliberate and premeditated. He was not acting under duress.
- Mr Smith ought to have known what was required of him in terms of his duties and responsibilities.
- Mr Smith was in a position of responsibility and had an obligation to act as a role model. He failed in his duties in that regard.
- Mr Smith's actions amounted to a clear breach of the Teachers' Standards.
- Mr Smith's behaviour was sexually motivated.
- There was limited evidence of insight on the part of Mr Smith
- His conduct had a clear impact upon Student A

The panel noted the medical evidence that had been submitted by Mr Smith earlier in the proceedings which covered some background information in respect of Mr Smith at the time of the allegations. However, in light of the findings made in respect of the allegations it did not consider that this information had any bearing on its decision in respect of the prohibition order.

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 was sufficient would unacceptably compromise the public interest considerations present in this case, despite the severity of the consequences for Mr Smith 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 Smith. The fact that Mr Smith had engaged in sexually motivated behaviour towards a pupil was a significant factor in forming that opinion. This was an egregious instance of professional boundaries being breached, on numerous occasions and in distinct respects over a prolonged period.

Mr Smith's actions were deliberate and had had clearly impacted upon Student A. The panel had concluded that several behaviours found proved in this case indicated that a prohibition order would be appropriate. In particular, the panel felt that public confidence in the profession would be weakened if conduct of this nature was not treated with the utmost seriousness.

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 to recommend that a review period of the order should be considered.

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 behaviours that, if proved, would militate against the recommendation of a review period.

These behaviours 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; and
- any sexual misconduct involving a child.

Given the panel's findings, these behaviours were directly applicable in this case.

Having regard to the seriousness of the panel's findings and the protracted nature of Mr Smith's conduct in relation to a student, in circumstances where there was minimal mitigation present, the panel decided that its findings indicated a situation in which a

review period would not be appropriate. It was not satisfied, from the evidence presented, that it could be said that Mr Smith had remediated, or attempted to remediate, his conduct to an extent that he presented no future risk.

As such, the panel decided that it would be proportionate, in the circumstances, for the prohibition order to be recommended without provision for a review period. The public interest considerations that Mr Smith's actions give rise to were such that this was necessary, appropriate and proportionate. The panel concluded that Mr Smith had abused his position of trust and his actions are fundamentally incompatible with his being a teacher.

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 Elliot Smith should be the subject of a prohibition order, with no provision for a review period.

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

- Teachers uphold public trust in the profession and maintain high standards of ethics and behaviour, within and outside school, by
 - treating pupils with dignity, building relationships rooted in mutual respect, and at all times observing proper boundaries appropriate to a teacher's professional position
 - having regard for the need to safeguard pupils' well-being, in accordance with statutory provisions
 - showing tolerance of and respect for the rights of others
- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach, and maintain high standards in their own attendance and punctuality.
- Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities.

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

The findings of misconduct are particularly serious as they include a finding which involved sexually motivated behaviour towards a pupil.

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

In this case, I have considered the extent to which a prohibition order would protect children/safeguard pupils. The panel has observed, "In the light of the panel's findings against Mr Smith, which involved sexually motivated behaviour towards a pupil, there was an extremely strong public interest consideration in respect of the protection of pupils." A prohibition order would therefore prevent such a risk from being present in the future.

I have also taken into account the panel's comments on insight and remorse, which the panel sets out as follows, "Mr Smith had expressed some remorse for his actions. Within his statement presented for these proceedings, Mr Smith fully accepted, for instance, that he had made serious mistakes." The panel has also commented that "There was limited evidence of insight on the part of Mr Smith". In my judgement, the lack of full insight means that there is some risk of the repetition of this behaviour and this puts at risk the future wellbeing of pupils. I have therefore given this element considerable weight in reaching my decision.

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

"The findings of misconduct were serious and the conduct displayed would be likely to have a negative impact on Mr Smith's status as a teacher, potentially damaging the public perception. The panel considered that a member of the public would be extremely troubled to learn that any teacher had behaved in this manner towards pupils."

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

I am particularly mindful of the finding of sexual motivated behaviour involving a pupil in this case and the impact that such a finding has on the reputation of the profession.

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

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

I have also considered the impact of a prohibition order on Mr Smith himself and the panel comment “Mr Smith had an otherwise good record. He had not been subject to any previous regulatory or disciplinary proceedings.”

A prohibition order would prevent Mr Smith 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 “His actions, in relation to each of the allegations, particularly considered together, was a matter of grave concern. The panel considered this to be an egregious breach of professional boundaries and his failings were deliberate, persistent and very serious. Not least, Mr Smith engaged in sexually motivated behaviour towards a pupil. By definition, his actions occurred within the education setting as well as extending, in certain respects, to his behaviour outside of school. There was also clear evidence as to the impact of Mr Smith's behaviour upon Student A, who had clearly been affected by his actions. In all the circumstances, Mr Smith had shown a reckless disregard for Student A's wellbeing and his own duties and responsibilities as a professional and role model in relation to his conduct concerning Student A.”

I have also placed considerable weight on the finding that:

“The panel did not consider that there was a particularly strong public interest consideration in retaining Mr Smith in the profession. There were no references or testimonials submitted for the specific purpose of these proceedings from any

individuals with knowledge of his admitted conduct. Furthermore, Mr Smith had indicated he had no intention to return to education.”

“Nonetheless, the panel did take account of the evidence available about Mr Smith's background and career in education.”

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

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

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

I have considered the panel's comments:

“The Advice indicates that there are behaviours that, if proved, would militate against the recommendation of a review period.

These behaviours 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; and
- any sexual misconduct involving a child.

Given the panel's findings, these behaviours were directly applicable in this case.”

The panel has also said that “Having regard to the seriousness of the panel's findings and the protracted nature of Mr Smith's conduct in relation to a student, in circumstances where there was minimal mitigation present, the panel decided that its findings indicated a situation in which a review period would not be appropriate. It was not satisfied, from the evidence presented, that it could be said that Mr Smith had remediated, or attempted to remediate, his conduct to an extent that he presented no future risk.”

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 seriousness of the findings, the lack of full insight and future 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 Elliot Smith 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 Smith 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 Smith 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 'S Buxcey', with a horizontal line underneath.

Decision maker: Sarah Buxcey

Date: 23 October 2025

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