



Teaching
Regulation
Agency

Mr Christopher Small: Professional conduct panel outcome

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

November 2025

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

Teacher:	Mr Christopher Small
Teacher ref number:	1244996
Teacher date of birth:	7 January 1990
TRA reference:	22721
Date of determination:	6 November 2025
Former employers:	Charnwood College, Loughborough Nicholas Chamberlaine School, Bedworth

Introduction

A professional conduct panel (“the panel”) of the Teaching Regulation Agency (“the TRA”) convened on 3 to 6 November 2025 at Cheylesmore House, 5 Quinton Road, Coventry, CV1 2WT to consider the case of Mr Christopher Small.

The panel members were Mr Gamel Byles (teacher panellist – in the chair), Ms Rachel Kruger (teacher panellist) and Mr Stephen Chappell (lay panellist).

The legal adviser to the panel was Mr Jermel Anderson of Blake Morgan LLP solicitors.

The presenting officer for the TRA was Mr Ian Perkins of Browne Jacobson LLP solicitors.

Mr Christopher Small was not present and was not represented.

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

Allegations

The panel considered the allegations set out in the notice of proceedings dated 30 May 2025.

It was alleged that Mr Small is guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute in that;

1. Whilst applying for the role of Teacher at Charnwood College and/or following his appointment, he provided false and/or misleading information in that he declared a drink driving offence but said that this did not lead to a conviction when in fact he was convicted.
2. Whilst employed as a Teacher at Charnwood College between August 2023 and September 2023, he;
 - a. was under the influence of alcohol on the school's premises on or around 5 September 2023;
 - b. was vaping in the classroom on or around 5 September 2023;
 - c. was under the influence of alcohol on the school's premises on or around 6 September 2023;
 - d. was in possession of a flask containing alcohol whilst on the college premises on or around 6 September 2023.
3. His conduct as may be found proven at;
 - a. 1 and/or 2d above lacked integrity and/or was dishonest;
 - b. 2 above demonstrated a lack of insight into previous concerns regarding his behaviour at the Nicholas Chamberlaine School in or around 2023.
4. Whilst employed as a Teacher at the Nicholas Chamberlaine School between September 2014 and August 2023, he was under the influence of alcohol during a school trip on or around 12 July 2023.

He had been convicted, at any time, of a relevant offence in that;

5. He was convicted in the Leicester Magistrates' Court on or around 7 March 2019 for the offence of driving a motor vehicle after consuming so much alcohol that the proportion of it in his breath exceeded the prescribed limit.

6. He was convicted in the Leicester Magistrates' Court on or around 23 September 2023 for the offence of driving a motor vehicle after consuming so much alcohol that the proportion of it in his breath exceeded the prescribed limit.

Mr Small did not attend the hearing. No admissions were made in respect of the allegations or the question of unacceptable professional conduct, conduct that may bring the profession into disrepute or conviction of a relevant offence.

Summary of evidence

Documents

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

Section 1: Chronology - page 7

Section 2: Notice of proceedings and response – pages 9 to 16

Section 3: Teaching Regulation Agency witness statements – pages 19 to 64

Section 4: Teaching Regulation Agency documents – pages 66 to 196

Section 5: Teacher documents – pages 199 to 244

In addition, the panel agreed to accept the following:

Section 6: Additional documents – pages 245 to 265

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

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

Witnesses

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

- Witness A – [REDACTED]
- Witness B – [REDACTED]
- Witness C – [REDACTED]
- Witness D – [REDACTED]

- Witness E – [REDACTED]
- Witness F – [REDACTED]

Decision and reasons

The panel announced its decision and reasons as follows:

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

Mr Small was convicted on 7 March 2019 at Leicester Magistrates' Court for driving a vehicle after consuming so much alcohol that the proportion of it in his breath exceeded the prescribed limit.

Mr Small was employed as a Teacher at Nicholas Chamberlaine School in September 2014. On 12 to 14 July 2023, he attended a residential trip to Gresham's Boarding School.

Mr Small was responsible for the welfare of 8 pupils in his capacity as a teacher during the residential trip. An incident arose on the first night of the trip, where concerns were raised about his behaviour and demeanour, which resulted in a colleague being sent to collect him and take him home. There was a suspicion raised that his behaviour on the day in question was due to alcohol consumption.

His employment at the School ceased on 31 August 2023.

On 29 August 2023 he commenced a role as an Alternative Provisions Teacher at Charnwood College. Concerns were raised about his conduct in school on 5 September 2023 and 6 September 2023, where again his behaviour and demeanour were suspected to be as a result of alcohol consumption. His employment at Charnwood College ceased on 6 September 2023.

On 23 September 2023, he was convicted at Leicester Magistrates' Court for driving a vehicle after consuming so much alcohol that the proportion of it in his breath exceeded the prescribed limit.

Findings of fact

The findings of fact are as follows:

The panel found Allegation 1, 2a, 2c, 3a, 5 and 6 proved. The panel found Allegations 2b, 2d and 3b not proven.

The panel took a normal meaning of “under the influence of alcohol”, to mean that Mr Small was affected by alcohol following his consumption of it and applied that definition to its findings in respect of Allegation 2a, Allegation 2c, and Allegation 4.

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

It is alleged that you are guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute in that;

1. Whilst applying for the role of Teacher at Charnwood College and/or following your appointment, you provided false and/or misleading information in that you declared a drink driving offence but said that this did not lead to a conviction when in fact you were convicted.

When considering this allegation, the panel first determined that it had seen conclusive proof that Mr Small had been convicted of a drink driving offence on 7 March 2019 as set out at Allegation 5. It accordingly was satisfied that such a conviction took place and occurred prior to May 2023, when Mr Small was said to have addressed this matter with an interview panel from Charnwood College, according to the evidence of Witness D.

The panel heard directly from Witness D in respect of this allegation. Through his oral evidence, he notably took the panel through his annotated copy of the form that was undertaken during the interview with Mr Small. It was noted that this copy included a handwritten comment from Witness D stating that the driving incident “did not lead to conviction”. It was Witness D’s evidence that as part of the interview process, he had formally asked Mr Small whether or not he had any convictions for criminal offences. The panel was advised that Mr Small gave an account to Witness D and other members of the interview panel, stating that no conviction arose. The rest of the information as provided to the interview panel was consistent with the factual background to the event that had been provided by the TRA as found within the police disclosure. It was noted by the panel that the annotated checklist was a contemporaneous document which reflected the account provided by Mr Small and therefore, it afforded it significant weight. It additionally considered Witness D to have given a clear account with regard to his recollection of the exchange with Mr Small in respect of the allegation.

Witness D advised that Mr Small had told the interview panel in relation to the driving incident that he had moved the vehicle a short distance, whilst preparing to undertake a trip abroad. The police evidence within the TRA’s case accorded with this explanation entirely, except for the fact that it appeared Mr Small had neglected to then explain that following this incident he was convicted of an offence of driving with excess alcohol. It was noted by the panel however, that Mr Small had successfully made a “special reasons” argument before the Court and therefore, had not been disqualified from driving.

Having considered the evidence of Witness D and weighed against the police evidence in respect of Mr Small's conviction on 7 March 2023, the panel was satisfied that Mr Small had provided false and/or misleading information. The panel considered whether it could properly consider that Mr Small may have perhaps been operating from a place of slight misunderstanding, given the fact that he had not been disqualified from driving due to "special reasons". However, in the absence of any representations from Mr Small to this effect, the panel did not feel it could properly come to such a conclusion without speculating. It additionally noted that Mr Small had, per the Memorandum of Conviction that it had seen, attended Court, been represented by a solicitor, had entered a guilty plea and had also been fined £200. It accordingly was of the view that it was more likely than not that Mr Small knew that he had been convicted.

The panel accordingly found Allegation 1 proved.

2. Whilst employed as a Teacher at Charnwood College between August 2023 and September 2023, you;

a. were under the influence of alcohol on the school's premises on or around 5 September 2023;

The panel considered that both Witness E and Witness F had given compelling accounts of Mr Small's presentation on 5 September 2023. On this date, Mr Small had attended a pastoral meeting with staff. It was Witness E's account that Mr Small was presenting in a way that appeared to her to suggest that he was intoxicated. Through her oral evidence, Witness F had corroborated this, noting that she could smell what she thought was alcohol on Mr Small's breath. In her evidence, she made reference to the fact that she observed Mr Small taking sips of an incongruous clear liquid from a Lucozade bottle; noting that rather than the typical red or orange liquid, a clear liquid was present and it had an odour that she believed to be the smell of vodka. The presence of the Lucozade bottle was also corroborated by Witness E who also recounted seeing it. The panel accordingly determined that it could draw the inference that Mr Small had been drinking alcohol within the school environment and that it had affected him.

The panel noted that both witnesses gave an account of a discussion taking place in the "cooler room" after the meeting, where Mr Small's intoxicated demeanour was apparent and this was corroborated by the account of a hearsay witness. Given the significant corroboration with regard to Mr Small's presentation, the panel considered that it could afford significant weight to the supporting hearsay account.

The panel therefore formed the view that it was more likely than not that Mr Small was under the influence in the circumstances.

The panel accordingly found allegation 2a proved.

b. were vaping in the classroom on or around 5 September 2023;

The panel considered that limited evidence had been presented in relation to this allegation. It noted that within a hearsay account that it had been presented with, Mr Small had been seen vaping within a classroom. However, it was of the view that there was no direct, detailed account that appeared to demonstrate that the vape was actually used in the classroom.

Witness D was questioned in relation to this allegation during his oral evidence, as his statement indicated that a member of staff had advised him that vaping had taken place within the classroom. However, Witness D was unable to provide any proper detail in respect of this allegation. In the circumstances, the panel was not of the view that the TRA had discharged its burden in respect of this allegation. The hearsay account was remote and was not corroborated by any other evidence, additionally it did not appear to clarify any particular detail in respect of the alleged vaping.

The panel accordingly found allegation 2b not proved.

c. were under the influence of alcohol on the school's premises on or around 6 September 2023;

The panel noted that during her oral evidence, Witness E gave an account of Mr Small's conduct on 6 September 2023 within a school setting. She described him as behaving in an erratic and "flirtatious" manner, waving his arms around and dancing. She also commented that he was at one stage holding himself up against the wall and that he was "unintelligible and unsteady". It was Witness E's account during her oral evidence that she was "one hundred percent certain" that Mr Small had been drinking.

The evidence of Witness E also spoke to the presence of pupils who by her account, had directly commented on Mr Small's state, asking her directly whether he was drunk. The erratic behaviour as described by Witness E was also corroborated by the evidence of the hearsay accounts of three members of staff who provided accounts during the investigation. All three hearsay accounts were to the effect that Mr Small was behaving in an erratic manner and two of these accounts stated that he smelled of alcohol. It was also stated by Witness F during her oral evidence and in her capacity as a safeguarding officer, that being intoxicated whilst supervising pupils would amount to a safeguarding risk.

Given the fact that the investigative accounts were directly corroborative in relation to the evidence provided by Witness E, the panel considered that it could afford significant weight to it in the circumstances. Additionally, it determined that it could infer that Mr

Small's presentation was due to intoxication and therefore, it was more likely than not in the circumstances that he was under the influence of alcohol.

The panel accordingly found Allegation 2c proved.

d. were in possession of a flask containing alcohol whilst on the college premises on or around 6 September 2023.

The panel was of the view that it was presented with limited information in respect of this allegation and it had primarily emanated from a hearsay account where it was stated that a member of staff "thought" that they may have had sight of a flask.

The panel sought to explore this allegation with Witness D during his oral evidence. Notably, he advised that he had been informed by a colleague that they had "thought" that they had seen a drinking flask in the top of Mr Small's blazer pocket, however he was unable to provide any further detail in respect of this. It was also noted by this panel that even if the flask had been seen, and it was not convinced that the hearsay witness was certain of this, it considered that no witness would be in a position to comment upon the content of the flask as one was never recovered during the investigative process.

Accordingly, the panel found Allegation 2d not proved.

3. Your conduct as may be found proven at;

a. 1 and/or 2d above lacked integrity and/or was dishonest;

Having found Allegation 1 proved, the panel considered whether Mr Small's conduct in respect of this allegation amounted to dishonest and/or a lack of integrity. The panel did not address these concerns in respect of Allegation 2d as it did not find it proved.

When considering the question of dishonesty, the panel took into consideration the relevant test as found within paragraph 74 of the authority of *Ivey v Genting Casinos* [2017] UKSC 67. The panel accordingly first sought to ascertain Mr Small's knowledge or belief as to the facts, keeping in mind that such belief need not be reasonable, but rather genuinely held. It acknowledged, as previously, that in respect of the conduct found at Allegation 1, the conviction did result in a specific fact based outcome via a special reasons hearing. It also noted that Mr Small had given a partial account of the driving incident to the interviewing panel. It did not consider that there were any facts on which it could draw an inference to the effect that Mr Small had any belief that what he had disclosed was honest. The panel, with sight of the memorandum of conviction, and in the absence of any representations from Mr Small pertaining to his state of mind, could only determine that he knew that he had been convicted. Additionally, it considered that it could draw the inference that he must have known that he was convicted, given the fact that he had pleaded guilty to an offence and was subsequently fined for it. The panel

therefore formed the view that Mr Small's genuine belief at the time of the disclosure was that he had been convicted and therefore, he had been dishonest.

The panel then went on to consider whether Mr Small's actions were dishonest when applying the standards of ordinary decent people. It determined that Mr Small's actions must be construed as dishonest within the minds of ordinary decent people. The false disclosure had taken place within the context of providing information to a school. Mr Small therefore could have gained an advantage by not disclosing the conviction, and also had effectively deprived the school from finding key information which was part of its safeguarding and risk assessment obligations.

The panel also considered the question of whether Mr Small's conduct amounted to a lack of integrity. It was the panel's view that whilst teachers are not to be held as paragons of virtue, Mr Small's actions were far outside the moral and ethical considerations that underpin the teaching profession. Mr Small had dishonestly concealed a conviction in a manner which could have conferred upon him an advantage. It accordingly determined that Mr Small's actions as found at Allegation 1 amounted to a lack of integrity.

The panel therefore found Allegation 3a proved.

b. 2 above demonstrated a lack of insight into previous concerns regarding your behaviour at the Nicholas Chamberlaine School in or around 2023.

The panel considered this allegation as drafted. It however formed the view that the question of whether Mr Small's conduct as alleged had demonstrated a lack of insight was more properly a consideration for a later stage of these proceedings, should facts be found proved. It was also noted by the panel that it had not been presented with evidence that was indicative of previous concerns being directly raised with Mr Small at the relevant time. The letter that Mr Small received from Charnwood College following the relevant incident, did not specify concerns and was too general for it to be considered as having properly given Mr Small notice of what concerns had been raised. It considered that to properly consider the question of insight in this context, it would need to see evidence that specific issues were directly brought to his attention.

The panel accordingly found Allegation 3b not proved.

4. Whilst employed as a Teacher at the Nicholas Chamberlaine School between September 2014 and August 2023, you were under the influence of alcohol during a school trip on or around 12 July 2023.

The panel considered that it heard directly from Witness A, Witness B and Witness C in respect of this allegation, and that when taken together, the accounts provided a

compelling narrative concerning Mr Small's conduct during the school trip. The accounts were that Mr Small had driven pupils on a school bus to attend a residential trip. However, his behaviour had become increasingly concerning throughout the day, eventually resulting in Witness B being asked to attend to take him home.

Witness A and Witness C both gave accounts relating to the fact that Mr Small's behaviour had effectively escalated throughout the day. It was noted by both witnesses that during dinner Mr Small had appeared unable to eat properly and was failing to properly use his knife and fork. Witness A stated that Mr Small was slurring his words and "slopping food around". Witness C also had the recollection of the incident that Mr Small had slurred his words and took the view that he "knew he was drunk". The panel was mindful that such a remark amounted to opinion evidence and therefore, only limited weight could be afforded to it, however it considered the corroborative account of Mr Small's apparently intoxicated behaviour escalating throughout the day to be compelling.

Witness C also advised that Mr Small had left pupils unattended after locking himself in his room, something that was considered to amount to a safeguarding risk. Mr Small was responsible for the care of eight pupils, and had effectively left them unsupervised, expecting others to pick up the responsibility, without informing them, for an extended period of time.

Witness B was clear and consistent through her oral evidence that Mr Small was intoxicated. She stated that she was familiar with the presence and smell of alcohol due [REDACTED] and was adamant that upon her arrival she was "sure" that Mr Small was "drunk". It was the evidence of the parties that Mr Small had locked himself in his room in the evening and had run around the grounds of the site of the residential trip, following the arrival of Witness B. The panel considered it notable that Witness B had driven Mr Small home from the site of the residential trip, and it was her account that he was under the influence of alcohol throughout the drive home, commenting on his odour in conjunction with his erratic and concerning behaviour.

The panel also had sight of a report of three text messages and a phone call to [REDACTED] sent by Witness B at the relevant time which was noted:

- "12.30am [Witness B]" texted me to say [Mr Small] was drunk";
- "12.43am [Witness B] texted me to say they were still trying to get him into the car"; and
- "1.04am [Witness B] rang me to update me on the situation. They were struggling to get him in the car, he looked like he had been drinking. He was not in control".

[REDACTED]. The panel however did not consider that in the circumstances it could properly attribute Mr Small's behaviour to anything other than the consumption of alcohol and the effect it had upon Mr Small. [REDACTED]. The panel therefore considered that in the circumstances it was more likely than not that Mr Small was under the influence of alcohol. [REDACTED].

The panel therefore found Allegation 4 proved.

You have been convicted, at any time, of a relevant offence in that;

5. You were convicted in the Leicester Magistrates' Court on or around 7 March 2019 for the offence of driving a motor vehicle after consuming so much alcohol that the proportion of it in your breath exceeded the prescribed limit.

The panel had sight of a memorandum of conviction, showing that Mr Small was convicted on 7 March 2019 at Leicester Magistrates' Court for an offence contrary to s5(1)(a) of the Road Traffic Act 1988 and Schedule 2 of the Road Traffic Offenders Act 1988. The panel, having taken the appropriate legal advice, accepted that it could consider this memorandum of conviction as conclusive proof of the commission of the offence by Mr Small.

The panel accordingly found Allegation 5 proved.

6. You were convicted in the Leicester Magistrates' Court on or around 23 September 2023 for the offence of driving a motor vehicle after consuming so much alcohol that the proportion of it in your breath exceeded the prescribed limit

The panel had sight of a certificate of conviction, showing that Mr Small was convicted on 23 September 2019 at Leicester Magistrates' Court for an offence contrary to s5(1)(a) of the Road Traffic Act 1988 and Schedule 2 of the Road Traffic Offenders Act 1988. The panel, having taken the appropriate legal advice, accepted that it could consider this certificate of conviction as conclusive proof of the commission of the offence by Mr Small.

The panel therefore found Allegation 6 proved.

Findings as to unacceptable professional conduct and/or conduct that may bring the profession into disrepute and/or conviction of a relevant offence

Unacceptable profession conduct and conduct that may bring the profession into disrepute

Having found Allegation 1, Allegation 2a, Allegation 2c, Allegation 3a and Allegation 4 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. It then dealt with the question of Allegation 5 and Allegation 6 and whether they amounted to a conviction of a relevant offence.

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 Small, in relation to the facts found proved, involved breaches of the Teachers’ Standards.

The panel considered that, by reference to Part 2, Mr Small 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
 - 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 Small in relation to the facts found proved, involved breaches of Keeping Children Safe In Education (“KCSIE”).

The panel considered that Mr Small was in breach of the following provision, as found within Part 4:

- “Behaved or may have behaved in a way that indicates they may not be suitable to work with children”

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

The panel also considered whether Mr Small'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 offences of fraud or serious dishonesty and serious offences involving alcohol were relevant.

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

In relation to whether Mr Small'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 Small'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 Small was guilty of unacceptable professional conduct, the Panel found that offences of fraud or serious dishonesty and serious offences involving alcohol were relevant.

The panel determined that 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.

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

Conviction of a Relevant Offence

The panel then went on to consider the question of relevant offence with respect to its findings at Allegation 5 and Allegation 6.

The panel noted that the behaviour involved in committing the offence as found at Allegation 6 could have had an impact on the safety and/or security of pupils and/or members of the public.

The panel however did not consider that Mr Small's actions in respect of Allegation 5 had a potential impact on the safety or security of pupils or members of the public. The police disclosure was indicative of Mr Small having moved the vehicle a very short distance, and there were no particularly aggravating features in respect of his driving.

The panel also took account of the way the teaching profession is viewed by others. The panel considered that Mr Small's behaviour in committing the offence as found at Allegation 6 could affect public confidence in the teaching profession, given the influence that teachers may have on pupils, parents and others in the community. The panel however did not consider that Mr Small's behaviour would affect public confidence in the teaching profession in relation to the offence as detailed at Allegation 5.

The panel also considered the offences listed on pages 12 and 13 of the Advice.

This was a case concerning offences involving serious driving offences including alcohol, which the Advice states is likely to be considered a relevant offence.

The panel took into account the fact that there was a special reasons hearing in respect of the conviction as found within Allegation 5. It considered it notable that Mr Small was not disqualified from driving from this and considered the police account was indicative of this not being as serious as the offence as outlined in Allegation 6.

In the light of the overall factual background of this offence, the panel did not find the conviction as found at Allegation 5 to be relevant to Mr Small's ongoing suitability to teach. The panel did not consider that a finding that this conviction was a relevant offence was necessary to reaffirm clear standards of conduct or to maintain public confidence in the teaching profession.

[REDACTED].

The panel however went on to consider the conviction as found within Allegation 6. Notably, this was Mr Small's second driving conviction in the space of a four-year period. The panel was also mindful that the police disclosure in relation to this matter was indicative of Mr Small driving in an erratic manner which led to a police stop, noting that Mr Small was disqualified from driving for a period of 36 months. Additionally, the panel noted that Mr Small had given a breath specimen reading of 70ug/100ml of breath, twice the legal limit.

The panel found that the seriousness of the offending behaviour that led to the conviction at Allegation 6 was relevant to Mr Small's ongoing suitability to teach. The panel

considered that a finding that this conviction was for a relevant offence was necessary to reaffirm clear standards of conduct so as to maintain public confidence in the teaching profession.

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 and a conviction of a relevant offence, it was necessary for the panel to go on to consider whether it would be appropriate to recommend the imposition of a prohibition order by the Secretary of State.

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

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

- the safeguarding and wellbeing of pupils and protection of other members of the public
- the maintenance of public confidence in the profession
- declaring and upholding proper standards of conduct within the teaching profession

In the light of the panel's findings against Mr Small which involved three instances whereby he was under the influence of alcohol whilst in the school environment, including being in the presence of pupils, there was a strong public interest consideration in respect of all of the above.

The panel considered that there was a strong public interest consideration in respect of the safeguarding and wellbeing of pupils, given the serious findings in respect of Mr Small being intoxicated whilst children were in his care.

Similarly, the panel considered that public confidence in the profession could be seriously weakened if conduct such as that found against Mr Small 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 Small 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 Small in the profession. The panel considered that it had been presented with little evidence regarding Mr Small's contributions to the teaching profession. Whilst it recognised that it may be said that there is a public interest in any qualified teacher remaining in the profession, it did not feel that it could properly make an assessment of Mr Small's abilities. The panel therefore did not consider that it could make a finding that there was a public interest in Mr Small remaining within the teaching profession.

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

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 Small.

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;
- 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
- dishonesty or a lack of integrity;

Even though some of the behaviour found proved in this case indicated that a prohibition order would be appropriate, the panel went on to consider the mitigating factors. Mitigating factors may indicate that a prohibition order would not be appropriate or proportionate.

In the light of the panel's findings:

The panel considered that there was no evidence that Mr Small's actions were not deliberate.

The panel also determined that there was no evidence that Mr Small was acting under extreme duress. [REDACTED].

Mr Small did have a previous good history and had not been subject to disciplinary proceedings prior to these matters.

The panel was also provided with twelve-character references in relation to Mr Small, though it did not consider that they were particularly relevant to the case before it. Notably, none of the references engaged with the substantive case as brought by the TRA and they seemed to largely have been produced for other purposes. Whilst the panel was sure to take the references into consideration, it found their application to be limited, particularly as they made little comment upon Mr Small's abilities as a teacher, though it recognised that they did consider him to be a positive character.

The panel formed the view that there was a significant lack of insight in respect of Mr Small. Through his written representations, he did not appear to acknowledge the seriousness of the incidents. The panel therefore felt that there was a significant risk of repetition present within the case. [REDACTED].

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 Small 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 Small. Mr Small's actions had a direct adverse effect upon his colleagues who witnessed and had to deal with his conduct and the panel considered this to be a determinative factor in its decision. It considered that Mr Small had engaged in risky behaviours that had the potential to have a direct impact upon pupils and the wider public, and had not shown insight in this regard. 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.

One of these was present:

- fraud or serious dishonesty;

As stated above, the panel considered that Mr Small had engaged in the dishonest concealment of his previous conviction. The panel however was of the view that whilst this conduct was dishonest, it did not amount to the most serious type of dishonesty, having considered the question of dishonesty in a nuanced manner. Nevertheless, the panel considered that the presence of this finding was a factor which was indicative of a longer review period.

The panel considered that in relation to the other behaviours, whilst the consequences of the conduct could have been harmful, it was not likely that this was intentional on the part of Mr Small, and notably, the safeguarding risks as identified had not actually been realised through Mr Small's conduct.

The panel considered that in the absence of any insight or evidence of remediation, Mr Small continued to be a risk within the school environment. It therefore was the view of the panel that should he wish to re-enter the teaching profession, Mr Small should be able to sufficiently demonstrate insight to demonstrate that he no longer posed a risk of repetition.

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.

The panel considered a review period of four years to be appropriate in the circumstances.

Decision and reasons on behalf of the Secretary of State

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

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

In this case, the panel has found some of the allegations proven and found that those proven facts amount to unacceptable professional conduct and/or conduct that may bring the profession into disrepute and/or a relevant conviction. In this case, the panel has found some of the allegations not proven, including allegations 2b, 2d and 3b. The panel did not find the conviction at Allegation 5 to be relevant to Mr Small's ongoing suitability to teach and therefore did not find this conviction was a relevant offence. I have therefore put those matters entirely from my mind.

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

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

The findings of misconduct are serious as they include a finding of dishonesty and findings which involved three instances whereby Mr Small was under the influence of alcohol whilst in the school environment.

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 or conduct likely to bring the profession into disrepute, or a relevant conviction, 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 Small, 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, “The panel considered that there was a strong public interest consideration in respect of the safeguarding and wellbeing of pupils, given the serious findings in respect of Mr Small being intoxicated whilst children were in his care.” A prohibition order would therefore prevent such a risk from being present in the future.

I have also taken into account the panel’s comments on insight and remorse, which the panel sets out as follows, “The panel formed the view that there was a significant lack of insight in respect of Mr Small. Through his written representations, he did not appear to acknowledge the seriousness of the incidents. The panel therefore felt that there was a significant risk of repetition present within the case. [REDACTED]”.

In my judgement, the lack of insight means that there is some risk of the repetition of this behaviour and this puts at risk the future wellbeing of pupils. I have therefore given this element considerable weight in reaching my decision.

I have gone on to consider the extent to which a prohibition order would maintain public confidence in the profession. The panel observe, “the panel considered that public confidence in the profession could be seriously weakened if conduct such as that found against Mr Small were not treated with the utmost seriousness when regulating the conduct of the profession.” I am particularly mindful of the finding of being under the influence of alcohol whilst caring for children 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 or conduct likely to bring the profession into disrepute, or a relevant conviction, 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 Small himself and the panel comment;

“Mr Small did have a previous good history and had not been subject to disciplinary proceedings prior to these matters.”

“The panel was also provided with twelve-character references in relation to Mr Small, though it did not consider that they were particularly relevant to the case before it. Notably, none of the references engaged with the substantive case as brought by the TRA and they seemed to largely have been produced for other purposes. Whilst the panel was sure to take the references into consideration, it found their application to be limited, particularly as they made little comment upon Mr Small’s abilities as a teacher, though it recognised that they did consider him to be a positive character.”

A prohibition order would prevent Mr Small 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 “The panel decided that the public interest considerations outweighed the interests of Mr Small. Mr Small’s actions had a direct adverse effect upon his colleagues who witnessed and had to deal with his conduct and the panel considered this to be a determinative factor in its decision. It considered that Mr Small had engaged in risky behaviours that had the potential to have a direct impact upon pupils and the wider public, and had not shown insight in this regard.”

I have also placed considerable weight on the finding that “The panel considered that it had been presented with little evidence regarding Mr Small’s contributions to the teaching profession. Whilst it recognised that it may be said that there is a public interest in any qualified teacher remaining in the profession, it did not feel that it could properly make an assessment of Mr Small’s abilities. The panel therefore did not consider that it could make a finding that there was a public interest in Mr Small remaining within the teaching profession.”

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

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

I have gone on to consider the matter of a review period. In this case, the panel has recommended a 4 year review period.

I have considered the panel’s comments “The panel considered that in the absence of any insight or evidence of remediation, Mr Small continued to be a risk within the school environment. It therefore was the view of the panel that should he wish to re-enter the

teaching profession, Mr Small should be able to sufficiently demonstrate insight to demonstrate that he no longer posed a risk of repetition.”

The panel has also said it “considered a review period of four years to be appropriate in the circumstances.”

In this case, factors mean that allowing a lesser review period is not sufficient to achieve the aim of maintaining public confidence in the profession. These elements are the seriousness of the findings involving alcohol and dishonesty, the lack of insight and the risk of repetition.

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

This means that Mr Christopher Small is prohibited from teaching indefinitely and cannot teach in any school, sixth form college, relevant youth accommodation or children’s home in England. He may apply for the prohibition order to be set aside, but not until 14 November 2029, 4 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 Christopher Small remains prohibited from teaching indefinitely.

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

Mr Small 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 stylized, cursive script.

Decision maker: Sarah Buxcey

Date: 10 November 2025

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