



Teaching
Regulation
Agency

Mr Andrew Bennington: Professional conduct panel meeting 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

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|-------------------------------|---|
| Teacher: | Mr Andrew Bennington |
| Teacher ref number: | 9910334 |
| Teacher date of birth: | 24 November 1973 |
| TRA reference: | 25447 |
| Date of determination: | 7 November 2025 |
| Former employer: | Scarborough Sixth Form College, Scarborough |

Introduction

A professional conduct panel (“the panel”) of the Teaching Regulation Agency (“the TRA”) convened on 7 November 2025 by way of a virtual meeting, to consider the case of Mr Bennington.

The panel members were Mr Richard Young (lay panellist – in the chair), Mr Peter Ward (lay panellist) and Mr Ben Greene (teacher panellist).

The legal adviser to the panel was Mrs Luisa Gibbons of Eversheds Sutherland (International) 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 Bennington that the allegations be considered without a hearing. Mr Bennington provided a signed statement of agreed facts and admitted unacceptable professional conduct and conduct that may bring the profession into disrepute. The panel considered the case at a meeting without the attendance of the presenting officer, Ms Sophie Allen of Kingsley Napley LLP or Mr Bennington.

The meeting took place in private.

Allegations

The panel considered the allegations set out in the notice of meeting dated 31 October 2025

It was alleged that Mr Bennington was guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute, in that whilst working as a teacher of [REDACTED] at Scarborough Sixth Form College (“the College”):

1. In or around January 2024, he sent Former Pupil A, who was a pupil at the College at the time, a winking face and/or emoji on the social media application [REDACTED].
2. Between around 11 November 2024 to around December 2024, he exchanged messages with Former Pupil A, in that he sent:
 - a. “I’ve my iPad for general internet porn”;
 - b. “You’re just round the corner if you ever want come round during the week”;
 - c. “you 18 now??”
 - d. “If you wanna wander to a pub for a pint after work and have a catch up before Xmas just let me know”;
 - e. “First time [REDACTED]walking around with a [REDACTED] on”;
 - f. “You’ve a near [REDACTED] waiting for your food !”;
 - g. “Can meet up. Share Time in bbq hut”;
 - h. “Can be rude ?”; and/or
 - i. Former Pupil A [REDACTED] profile picture from the social media application [REDACTED];
3. His conduct at paragraph 1 and/or 2a) – 2i above was sexual in nature.

Mr Bennington admitted the allegations and that he is guilty of unacceptable professional conduct and conduct that may bring the profession into disrepute.

Preliminary applications

There were no preliminary applications.

Summary of evidence

Documents

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

Section 1: Chronology and list of key people – pages 4 to 6

Section 2: Notice of referral and response – pages 7 to 15

Section 3: Statement of agreed facts – pages 16 to 19

Section 4: Teaching Regulation Agency documents – pages 20 to 92

Section 5: Teacher documents – pages 93 to 94

In addition, the panel was provided with the notice of meeting.

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

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

Statement of agreed facts

The panel considered a statement of agreed facts which was signed by Mr Bennington on 9 October 2025.

Decision and reasons

The panel announced its decision and reasons as follows:

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

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

Mr Bennington was employed as a full-time teacher [REDACTED] to 16 to 18 year old students at the College from 1 September 2013. An allegation came to the attention of the College from the LADO providing some information which had been provided by the police raising concerns about Mr Bennington. Mr Bennington resigned from his role on 20 January 2025. A disciplinary hearing was held on 27 January 2025.

Findings of fact

The findings of fact are as follows:

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

Whilst working as a teacher of [REDACTED] at Scarborough Sixth Form College (“the College”):

- 1. In or around January 2024, you sent Former Pupil A, who was a pupil at the College at the time, a winking face and/or emoji on the social media application [REDACTED].**

Mr Bennington admitted this allegation in his response to the notice of referral on 8 September 2025, as well as in the statement of agreed facts. Mr Bennington admitted that in January 2024, Former Pupil A was [REDACTED]. He admitted that when he sent the “wink”, Former Pupil A was a student at the College and that Mr Bennington was [REDACTED] teacher.

A meeting was held between the investigator and Former Pupil A on 15 January 2025. [REDACTED]. Former Pupil A said that [REDACTED] probably knew in January/February 2024 as that was when Mr Bennington messaged in [REDACTED]. Former Pupil A stated that Mr Bennington “winked” at them on the [REDACTED] app on a Sunday evening and that they had not wanted to come into college on Monday as they had [REDACTED] and “it felt strange”.

Another student, Former Pupil B, was spoken with as part of the College’s investigation. Former Pupil B was a friend of Former Pupil A. The student confirmed they had seen the messages between Former Pupil A and Mr Bennington and had been aware that Mr Bennington had “messed / waved at Former Pupil A on [REDACTED]”. Former Pupil B also stated that Former Pupil A had had another interaction from Mr Bennington on [REDACTED], who the app indicated was seven feet away from Former Pupil A, which they both thought was odd and Former Pupil A blocked Mr Bennington on the app. Former Pupil B confirmed that this had been whilst Former Pupil A was a student, although was not sure of the exact date.

There is also a note of a meeting with Mr Bennington held on 20 January 2025 as part of the College’s investigation. Mr Bennington was asked if he had sent any communication to Former Pupil A on [REDACTED] when he was a student such as a wink/wave. Mr Bennington responded that he had sent a wink when he had been on holiday. Mr Bennington confirmed that this had been when Former Pupil A had been on holiday.

The panel exercised caution given that neither Former Pupil A nor Former Pupil B provided witness statements signed by a statement of truth. The panel also noted no

screenshot had been provided of the wink. Nevertheless, the panel noted that the statements were consistent, and that Mr Bennington had admitted his conduct.

The panel considered that it was more likely than not that Mr Bennington sent Former Pupil A, who was a pupil at the College at the time, a winking face and/or emoji on the social media application [REDACTED].

2. Between around 11 November 2024 to around December 2024, you exchanged messages with Former Pupil A, in that you sent:

- a. **“I’ve my iPad for general internet porn”;**
- b. **“You’re just round the corner if you ever want come round during the week”;**
- c. **“you 18 now??”**
- d. **“If you wanna wander to a pub for a pint after work and have a catch up before Xmas just let me know”;**
- e. **“First time [REDACTED] walking around with a [REDACTED] on”;**
- f. **“You’ve a near [REDACTED] waiting for your food !”;**
- g. **“Can meet up. Share Time in bbq hut”;**
- h. **“Can be rude ?”;** and/or
- i. **Former Pupil A [REDACTED] profile picture from the social media application [REDACTED];**

Mr Bennington admitted this allegation in his response to the notice of referral on 8 September 2025, as well as in the statement of agreed facts.

Mr Bennington admitted that he sent a “friend request” to Former Pupil A on Facebook in November 2024. Between 11 November 2024 and December 2024, Mr Bennington admitted that he sent messages to Former Pupil A using Facebook and admitted that he sent the messages listed at sub-paragraphs a. to i. above.

He admitted that on 17 January 2025, he was informed that the College had received a concern from the LADO noting that he had exchanged messages with a former student at the College. He admitted that on 20 January 2025, he met with the College’s investigating officer for an investigatory meeting and that at the outset of that meeting he tendered his resignation.

As referred to above, a meeting was held between the investigator and Former Pupil A on 15 January 2025. Former Pupil A stated that Mr Bennington had sent a friend request

on Facebook in around November time, and that Former Pupil A had accepted. Former Pupil A stated that they felt fine with chatting to Mr Bennington at first, until they received Mr Bennington's message which referred to having an iPad for general internet porn. There was then a discussion around messages received that correlate to some of those referred to in sub-paragraphs a – h . Former Pupil A also stated that Mr Bennington had sent to them Former Pupil A's profile picture on [REDACTED].

Also referred to above, Former Pupil B was spoken with as part of the College's investigation. Former Pupil B confirmed they had seen the messages between Former Pupil A and Mr Bennington.

During the investigation meeting with Mr Bennington, he explicitly discussed some of the messages that are referred to in sub-paragraphs a to i. He also explained that he had sent a picture of Former Pupil A's profile to Former Pupil A, as he was not sure if it was Former Pupil A on [REDACTED].

The panel was provided with screenshots of messages between Mr Bennington and a third party in which Mr Bennington sent the messages referred to in sub-paragraphs a – h. Whilst the third party was not identified, those messages appeared to correlate with the exchanges referred to by Former Pupil A and by Mr Bennington.

The panel noted a picture was sent to the recipient with the message from Mr Bennington "are we on the same page matie" to which a response was received "I don't know". Mr Bennington responded "Oh. OK sorry. Thought this pic was of you on another app". This appeared consistent with Former Pupil A's reference to Mr Bennington having sent to them Former Pupil A's profile picture on [REDACTED], as referred to in sub-paragraph i, as well as Mr Bennington's reference to having sent this picture.

The panel exercised caution given that neither Former Pupil A nor Former Pupil B provided witness statements signed by a statement of truth. Nevertheless, the panel noted that their evidence was consistent, that it was corroborated by the screenshots seen by the Panel and that Mr Bennington had admitted his conduct. The panel considered it more likely than not that between around 11 November 2024 to around December 2024, Mr Bennington exchanged messages with Former Pupil A, in that he sent the messages listed in sub-paragraphs a – i.

The panel found this allegation proven.

a. Your conduct at paragraph 1 and/or 2a) – 2i above was sexual in nature.

With respect to allegation 1, the panel considered that sending a "winking face and/or emoji" on the social media application [REDACTED] was of its nature sexual, whatever Mr Bennington's purpose was in relation to it. [REDACTED] is known as being a site to facilitate contact of a romantic or sexual nature between adults.

With respect to allegation 2, the panel considered the messages referred to at sub-paragraphs a, e, f, h and i to be of a sexual nature.

The message at a was, in the panel view sexual in its nature in referring to “porn”. Furthermore, if this was in any doubt, Mr Bennington stated during the College’s investigation that “I was fishing really, to see if Former Pupil A was interested.” Therefore, Mr Bennington’s purpose in relation to the message was sexual. Mr Bennington’s conduct in respect of a. was therefore of a sexual nature.

The panel considered that the messages at e, and f were, whatever Mr Bennington’s purpose in relation to them, because of their nature sexual in referring to a state of sexual [REDACTED]. With respect to the message at f, the panel considered it more likely than not that the message contained a typographical error.

With respect to sub-paragraph h, the panel considered that this message was by its nature sexual given the preceding messages were those referred to at sub-paragraphs e and f.

With respect to sub- paragraph i, the panel considered that forwarding an image of Former Pupil A’s profile on [REDACTED] was of its nature sexual given that, as referred to above, [REDACTED] is known as being a site to facilitate contact of a romantic or sexual nature between adults.

The panel did not consider that sub-paragraphs b, c, d and g were inherently sexual in nature and did not consider that it had been proven that because of their circumstances or purpose in relation to them they were sexual. They could all be social interactions rather than sexual ones. The reference to asking whether Former Pupil A was 18, was in the context of inviting Former pupil A to the pub and could have been to ascertain whether Former Pupil A was of the requisite age to drink alcohol.

The panel therefore found Mr Bennington’s conduct at allegation 1, 2a, e, f, h and I to be sexual in nature, but did not find this to be the case in respect of allegation 2b, c, d, and g.

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

Having found allegations 1, 2 and 3 (in part) proved, the panel went on to consider whether the facts of those proved allegations amounted to unacceptable professional conduct and/or conduct that may bring the profession into disrepute.

In doing so, the panel had regard to the document Teacher misconduct: The prohibition of teachers, which is referred to as “the Advice”.

The panel first considered whether the conduct of Mr Bennington in relation to the facts found proved, involved breaches of the Teachers' Standards.

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

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

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

The panel considered that Mr Bennington was in breach of the requirement to safeguard and promote the welfare of children and to consider, at all times, what is in the best interests of the child. The panel noted that KCSIE required those working with children to be aware of new and emerging threats, including online harm and the role of technology and social media in presenting harm.

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

The panel also considered whether Mr Bennington'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 offence of sexual communication with a child was relevant.

The panel noted that the allegations took place outside the education setting. It affects the way Mr Bennington fulfils his teaching role, as it demonstrates a willingness to breach his position of trust and blur the teacher / pupil boundary which is an important one to protect pupils from harm. The panel noted that Former Pupil A had felt uncomfortable

and had not wanted to attend College the day after Mr Bennington had “winked” at them on the [REDACTED] app.

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

In relation to whether Mr Bennington’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 Bennington’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 Bennington was guilty of unacceptable professional conduct, the Panel found that the offence of sexual communication with a child was relevant.

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

The panel considered that Mr Bennington’s conduct could potentially damage the public’s perception of a teacher.

For these reasons, the panel found that Mr Bennington’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; and declaring and upholding proper standards of conduct.

There was a strong public interest consideration in respect of the safeguarding and wellbeing of pupils, given the serious finding of having sent a communication of a sexual nature to a pupil and continuing to send communications of a sexual nature after the pupil left the College.

Similarly, the panel considered that public confidence in the profession could be seriously weakened if conduct such as that found against Mr Bennington 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 Bennington 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 Bennington in the profession. Whilst Mr Bennington may have had some ability as an educator, the panel considered that the adverse public interest considerations above outweigh any interest in retaining Mr Bennington in the profession, since his behaviour fundamentally breached the standard of conduct expected of a teacher, and he sought to exploit his position of trust.

The panel considered carefully the seriousness of the behaviour, noting that the Advice states that the expectation of both the public and pupils, is that members of the teaching profession maintain an exemplary level of integrity and ethical standards at all times. The panel noted that a teacher's behaviour that seeks to exploit their position of trust should be viewed very seriously in terms of its potential influence on pupils and be seen as a possible threat to the public interest.

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 Bennington.

The panel took further account of the Advice, which suggests that a prohibition order may be appropriate if certain behaviours of a teacher have been proved. In the list of such behaviours, those that were relevant in this case were:

- serious departure from the personal and professional conduct elements of the Teachers' Standards;

- misconduct seriously affecting the education and/or safeguarding and well-being of pupils, and particularly where there is a continuing risk;
- abuse of position or trust (particularly involving pupils);
- 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; and
- failure in their duty of care towards a child, including exposing a child to risk or failing to promote the safety and welfare of the children (as set out in Part 1 of KCSIE).

The panel noted that it should attach appropriate weight and seriousness to online behaviours including but not limited to; online misconduct, facilitating online abuse; or facilitating inappropriate relationships. The panel considered that it was a serious matter that Mr Bennington sent a communication of a sexual nature to a pupil he taught. Once the pupil left the College, he engaged in online discussions of topics of mutual interest and his behaviour subsequently escalated with Mr Bennington sending a series of communications of a sexual nature.

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.

There was no evidence that Mr Bennington's actions were not deliberate.

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

Mr Bennington did not demonstrate exceptionally high standards in his personal and professional conduct or that he had contributed significantly to the education sector, other than having taught for a significant period of time, including the time he was employed at the College, having begun working there in 2013.

Mr Bennington was not previously subject to any disciplinary proceedings/warnings.

No statements were produced by Mr Bennington attesting to his abilities as a teacher or to his character. The panel noted that Former Pupil B had said that they never felt personally uncomfortable in his [REDACTED] lessons, that they liked Mr Bennington and that "he seems like a really nice fella who wants the best for everyone."

The panel recognised that Mr Bennington had taken accountability for his actions. He resigned his position, admitted his actions during the College's investigation and he has admitted the allegations throughout the present misconduct proceedings. In explaining that he was resigning his position during a meeting as part of the College's investigation, the notes record that Mr Bennington stated that "he was embarrassed about what he had done, he should not have messaged Former Pupil A. [REDACTED] or answer any questions."

There was further evidence that Mr Bennington had partial insight that he recognised that he had been wrong to engage in this conduct. He was asked if he thought it was appropriate to send a wink on [REDACTED] to a student, and he responded "no". He also confirmed that he should have raised his concerns with someone at the College, but that he did not do so as he "knew [he] was never going to do anything. Mr Bennington also "unsent" some of the messages having realised he should not have sent them to a former student. Mr Bennington has stated that he has "no excuse" for his actions.

However, the panel was concerned that Mr Bennington had not expressed any understanding of why his conduct was wrong, or the impact on Former Pupil A. He has referred to "[REDACTED]" Mr Bennington has made no reference at all to any implications for Former Pupil A of his actions, and has not recognised the discomfort he caused to Former Pupil A. In those circumstances, without Mr Bennington having demonstrated that he understood why his actions were wrong or the impact on Former Pupil A, the panel was concerned regarding the risk of repetition. No remorse has been expressed.

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 Bennington 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 Bennington. The risk of repetition was a significant factor in forming that opinion. Accordingly, the panel made a recommendation to the Secretary of State that a prohibition order should be imposed with immediate effect.

The panel went on to consider whether or not it would be appropriate for it to decide to recommend a review period of the order. The panel was mindful that the Advice states that a prohibition order applies for life, but there may be circumstances, in any given

case, that may make it appropriate to allow a teacher to apply to have the prohibition order reviewed after a specified period of time that may not be less than 2 years.

The Advice indicates that there are certain types of case where, if relevant, the public interest will have greater relevance and weigh in favour of not offering a review period. One of these includes any sexual misconduct involving a child.

The misconduct here began with sending a communication of a sexual nature to a pupil that Mr Bennington taught and escalated after the pupil left the College. The panel was concerned that Mr Bennington had not demonstrated any understanding of why the boundary between a professional and pupils is an important one.

The Advice also indicates that there are certain other types of cases where it is likely that the public interest will have greater relevance and weigh in favour of a longer period before a review is considered appropriate.

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

Given the panel's conclusions regarding the risk of repetition, 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 provision 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 some of the allegations proven and found that those proven facts amount to unacceptable professional conduct and conduct that may bring the profession into disrepute.

In this case, the panel has found that allegation 3 was not proven in respect of allegation 2b, c, d, and g. I have therefore put those matters entirely from my mind.

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

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

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

The panel was satisfied that the conduct of Mr Bennington 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 Bennington fell significantly short of the standards expected of the profession.

The findings of misconduct are particularly serious as they include a finding of sending a communication of a sexual nature to 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 or 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 Bennington, 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:

“There was a strong public interest consideration in respect of the safeguarding and wellbeing of pupils, given the serious finding of having sent a communication of a sexual nature to a pupil and continuing to send communications of a sexual nature after the pupil left the College.”

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

"The panel recognised that Mr Bennington had taken accountability for his actions."

"There was further evidence that Mr Bennington had partial insight that he recognised that he had been wrong to engage in this conduct."

"However, the panel was concerned that Mr Bennington had not expressed any understanding of why his conduct was wrong, or the impact on Former Pupil A. ... In those circumstances, without Mr Bennington having demonstrated that he understood why his actions were wrong or the impact on Former Pupil A, the panel was concerned regarding the risk of repetition. No remorse has been expressed."

In my judgement, the lack of remorse and 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 has observed:

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

"The panel considered that Mr Bennington's conduct could potentially damage the public's perception of a teacher."

I am particularly mindful of the finding of sexual communication with 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 or 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 Bennington himself. The panel has commented:

“Mr Bennington did not demonstrate exceptionally high standards in his personal and professional conduct or that he had contributed significantly to the education sector, other than having taught for a significant period of time, including the time he was employed at the College, having begun working there in 2013.”

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

In this case, I have placed considerable weight on the panel’s comments concerning the serious nature of the misconduct found proven. The panel has said:

“The panel noted that a teacher’s behaviour that seeks to exploit their position of trust should be viewed very seriously in terms of its potential influence on pupils and be seen as a possible threat to the public interest.”

“The panel considered that it was a serious matter that Mr Bennington sent a communication of a sexual nature to a pupil he taught. Once the pupil left the College, he engaged in online discussions of topics of mutual interest and his behaviour subsequently escalated with Mr Bennington sending a series of communications of a sexual nature.”

I have also placed considerable weight on the panel’s findings concerning the lack of remorse and full insight, and the risk of repetition.

I have given less weight in my consideration of sanction therefore to the contribution that Mr Bennington 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 remorse and 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 certain types of case where, if relevant, the public interest will have greater relevance and weigh in favour of not offering a review period. One of these includes any sexual misconduct involving a child.”

“The misconduct here began with sending a communication of a sexual nature to a pupil that Mr Bennington taught and escalated after the pupil left the College.

The panel was concerned that Mr Bennington had not demonstrated any understanding of why the boundary between a professional and pupils is an important one.”

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 found proven, the lack of remorse and full insight, 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 Andrew Bennington 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 Bennington 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 Andrew Bennington 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', written in a cursive style.

Decision maker: David Oatley

Date: 19 November 2025

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