



Teaching
Regulation
Agency

Mr David Polden: Professional conduct panel meeting outcome

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

December 2025

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

Teacher:	Mr David Polden
Teacher ref number:	1539885
Teacher date of birth:	16 August 1990
TRA reference:	19989
Date of determination:	2 December 2025
Former employer:	Parliament Hill School, London (“the School”)

Introduction

A professional conduct panel (“the panel”) of the Teaching Regulation Agency (“the TRA”) convened on 2 December 2025 by way of a virtual meeting, to consider the case of Mr David Polden.

The panel members were Ms Jackie Hutchings (teacher panellist – in the chair), Mr Nigel Shock (lay panellist) and Ms Kelly Dooley (teacher panellist).

The legal adviser to the panel was Ms Lara Small of Birketts 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 Polden that the allegation be considered without a hearing. Mr Polden provided a signed statement of agreed facts and admitted conviction of a relevant offence. The panel considered the case at a meeting without the attendance of the presenting officer Ms Carolyn Thackstone, Mr Polden or any representative for Mr Polden.

The meeting took place in private.

Allegations

The panel considered the allegation set out in the notice of meeting dated 7 August 2025.

It was alleged that Mr Polden was convicted, at any time, of a relevant offence:

1. In that on 20 April 2023, he was convicted at Wood Green Crown Court of: Engage in sexual communications with a child on 1/05/21-06/05/21 contrary to the Sexual Offences Act 2003 s.15A(1)

The panel noted that Mr Polden admitted the allegation as set out in the response to notice of referral form signed by Mr Polden on 31 July 2024, and the statement of agreed facts, signed by him on 16 January 2025 and the presenting officer, Ms Thackstone, on 17 January 2025.

Summary of evidence

Documents

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

Section 1: Notice of hearing and response – pages 4 to 17a

Section 2: Statement of agreed facts and Presenting Officer Representations – pages 18 to 23

Section 3: TRA documents – pages 24 to 36

Section 4: Teacher documents – pages 37 to 43

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 2020 Procedures.

Statement of agreed facts

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

Decision and reasons

The panel announced its decision and reasons as follows:

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

In advance of the meeting, the TRA agreed to a request from Mr Polden for the allegation 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 Polden was employed as an agency worker and was deployed to work at the School between September 2017 and July 2018. Mr Polden was then employed by the School as a teacher between 1 September 2018 and 20 October 2021.

In May 2021, the School discovered a conversation thread on its intranet system, between a pupil, [REDACTED], and Mr Polden which contained messages contended to be of a sexual nature.

On 6 May 2021, Mr Polden was arrested on suspicion of sending sexual messages and interviewed under caution.

On 7 May 2021, the police wrote to the TRA to inform them that Mr Polden had been arrested.

On 13 February 2023, Mr Polden was convicted at Wood Green Crown Court, of the offence of engaging in sexual communications with a child contrary to the Sexual Offences Act 2003 s.15A(1).

Findings of fact

The findings of fact are as follows:

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

- 1. On or around 13 February 2023, you were convicted at Wood Green Crown Court of: Engage in sexual communications with a child on 01/05/21-06/05/21 contrary to the Sexual Offences Act 2003 s.15A(1)**

The panel considered the statement of agreed facts, signed by Mr Polden on 16 January 2025, and the response to notice of referral form, signed by Mr Polden on 31 July 2024 in which he admitted to allegation 1.

Notwithstanding this, the panel made a determination based on the facts available to it.

The panel noted page 8 of the Teacher Misconduct: The Prohibition of Teachers ('the Advice') which states that where there has been a conviction at any time of a criminal offence, the panel will accept the certificate of conviction as conclusive proof of both the conviction and the facts necessarily implied by the conviction, unless exceptional circumstances apply. The panel did not find that any exceptional circumstances applied in this case.

The panel was provided with a copy of the certificate of conviction from Wood Green Crown Court signed on 26 September 2024 which detailed that Mr Polden had been convicted on 13 February 2023 of engaging in sexual communication with a child.

On 20 April 2024 Mr Polden was sentenced to six months imprisonment, suspended for 24 months and to be made subject to the Sex Offender Notification Requirements for 7 years. Mr Polden was also ordered to pay a victim surcharge of £128, to carry out 100 hours unpaid work, to undertake an accredited programme for 35 days and to undertake rehabilitation activity requirements for a maximum of 30 days.

Following examination of the documents before the panel and the admissions in the statement of agreed facts and the notice of referral form, the panel found allegation 1 proven.

Findings as to conviction of a relevant offence

Having found the allegations proven, the panel went on to consider whether the facts of those proved allegations amounted to a conviction of a relevant offence.

In doing so, the panel had regard to the Advice.

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

The panel considered that, by reference to Part 2, Mr Polden 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; and
 - not undermining fundamental British values, including the rule of law.
- 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 noted that Mr Polden's actions were relevant to teaching, working with children and working in an education setting. The offence involved sexual communication with a

child using the School's intranet system, which was clearly relevant to Mr Polden's role and position of trust as a teacher. The panel noted that the behaviour involved in committing the offence could have had an impact on the safety and/or security of pupils.

The panel also took account of the way the teaching profession is viewed by others. The panel considered that Mr Polden's behaviour in committing the offence 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 noted that Mr Polden's behaviour ultimately led to a sentence of imprisonment, (albeit that it was suspended), which was indicative of the seriousness of the offence committed.

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

This was a case concerning the offence of sexual communication with a child, which the Advice states is likely to be considered a relevant offence.

The panel found that the seriousness of the offending behaviour that led to the conviction was relevant to Mr Polden'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.

The panel therefore determined that the facts of the proved allegation amounted to a conviction of a relevant offence.

Panel's recommendation to the Secretary of State

Given the panel's findings in respect of 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 the protection of other members of the public;
- the maintenance of public confidence in the profession; and

- declaring and upholding proper standards of conduct.

In light of the panel's findings against Mr Polden, which involved being convicted of engaging in sexual communications with a child, there was a strong public interest consideration in the safeguarding and wellbeing of pupils and the protection of other members of the public.

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

The panel was of the view that a strong public interest consideration in declaring proper standards of conduct in the profession was also present as the conduct found against Mr Polden 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 Polden in the profession. Mr Polden submitted no evidence as to his ability as an educator. The panel considered that the adverse public interest considerations above outweighed any interest in retaining Mr Polden in the profession, since his behaviour fundamentally breached the standard of conduct expected of a teacher, and he had 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.

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 Polden.

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;
- the commission of a serious criminal offence, including those that resulted in a conviction;
- misconduct seriously affecting the education and/or safeguarding and well-being of pupils;
- abuse of position or trust (particularly involving pupils);

- sexual misconduct, e.g. involving actions that were 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).

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 was provided with the transcript of the sentencing hearing and noted that Mr Polden had messaged a [REDACTED] pupil on numerous occasions over a period of five days, and that this developed into sexual messaging. The panel noted from the sentencing hearing transcript that Mr Polden had been warned in November 2020 not to see pupils or to avoid meeting pupils alone when providing language support. The panel considered these actions to have been deliberate.

There was no evidence to suggest that Mr Polden was acting under extreme duress.

There was no evidence before the panel to suggest that Mr Polden had demonstrated exceptionally high standards in his personal and professional conduct or that he had contributed significantly to the education sector. The panel noted the Judge's comments in the sentencing hearing transcript that there was evidence of previous positive good character by Mr Polden prior to these events.

The panel considered the letter from the [REDACTED] dated 28 March 2025 which set out that following the conviction, Mr Polden has [REDACTED]. The panel had sight of a letter from Mr Polden's [REDACTED] which attested to the same. However, the panel considered that whilst there was some evidence of Mr Polden having [REDACTED], the panel concluded that this did not outweigh the public interest in having the findings and details of the criminal conviction published.

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 Polden 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 Polden.

The seriousness of the criminal offence Mr Polden was convicted of, involving sexual communications with a child and the Judge's comment in the sentencing hearing that "*this case clearly crosses the custody threshold*" were significant factors in forming that opinion.

Accordingly, the panel made a recommendation to the Secretary of State that a prohibition order should be imposed with immediate effect.

The panel went on to consider whether or not it would be appropriate for it to decide to recommend a review period of the order. The panel was mindful that the Advice states that a prohibition order applies for life, but there may be circumstances, in any given case, that may make it appropriate to allow a teacher to apply to have the prohibition order reviewed after a specified period of time that may not be less than two years.

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

One of these includes:

- any sexual misconduct involving a child.

The panel considered this category was engaged given Mr Polden was convicted of the offence of engaging in sexual communications with a child, which weighed in favour of not offering a review period.

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

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

The panel considered whether there were any mitigating circumstances. The panel considered there was no evidence before it that Mr Polden had shown remorse or insight into his actions and there was no evidence considering the impact Mr Polden's actions had or may have had on the child in this case. The panel only had written submissions from Mr Polden's [REDACTED], and the KC barrister engaged by his [REDACTED] for the purposes of the criminal process. The panel noted that Mr Polden was in his early 30s at the time of his conviction. The panel considered there was a risk of repetition in the future given the lack of any evidence of insight and/or remorse expressed by Mr Polden himself.

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

Decision and reasons on behalf of the Secretary of State

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

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

In this case, the panel has found the allegation proven and found that those proven facts amount to a relevant conviction.

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

In particular, the panel has found that Mr Polden 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; and
 - not undermining fundamental British values, including the rule of law.
- 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 finds that the conduct of Mr Polden fell significantly short of the standards expected of the profession.

The findings of misconduct are particularly serious as they include a relevant conviction of engaging in sexual communications with a child.

I have to determine whether the imposition of a prohibition order is proportionate and in the public interest. In considering that for this case, I have considered the overall aim of a prohibition order which is to protect pupils and to maintain public confidence in the profession. I have considered the extent to which a prohibition order in this case would achieve that aim taking into account the impact that it will have on the individual teacher. I have also asked myself, whether a less intrusive measure, such as the published finding of 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 Polden, 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 light of the panel's findings against Mr Polden, which involved being convicted of engaging in sexual communications with a child, there was a strong public interest consideration in the safeguarding and wellbeing of pupils and the protection of other members of the public." 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 considered there was no evidence before it that Mr Polden had shown remorse or insight into his actions and there was no evidence considering the impact Mr Polden's actions had or may have had on the child in this case." In my judgement, the lack of evidence of remorse or 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 Polden was not treated with the utmost seriousness when regulating the conduct of the profession." I am particularly mindful of the finding involving sexual communication with a child in this case and the impact that such a finding has on the reputation of the profession.

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

I have considered whether the publication of a finding of 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 Polden himself and the panel comment "There was no evidence before the panel to suggest that Mr Polden had demonstrated exceptionally high standards in his personal and professional conduct or that he had contributed significantly to the education sector. The panel noted the Judge's comments in the sentencing hearing transcript that there was evidence of previous positive good character by Mr Polden prior to these events."

A prohibition order would prevent Mr Polden 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 noted that Mr Polden's actions were relevant to teaching, working with children and working in an education setting. The offence involved sexual communication with a child using the School's intranet system, which was clearly relevant to Mr Polden's role and position of trust as a teacher. The panel noted that the behaviour involved in committing the offence could have had an impact on the safety and/or security of pupils."

I have also placed considerable weight on the finding of the panel that "Mr Polden submitted no evidence as to his ability as an educator. The panel considered that the adverse public interest considerations above outweighed any interest in retaining Mr Polden in the profession, since his behaviour fundamentally breached the standard of conduct expected of a teacher, and he had sought to exploit his position of trust."

I have given less weight in my consideration of sanction therefore, to the contribution that Mr Polden 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 evidence of remorse or 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 panel considered whether there were any mitigating circumstances. The panel considered there was no evidence before it that Mr Polden had shown remorse or insight into his actions and there was no evidence considering the impact Mr Polden's actions had or may have had on the child in this case. The panel only had written submissions from Mr Polden's [REDACTED], and the KC barrister engaged by his [REDACTED] for the purposes of the criminal process. The panel noted that Mr Polden was in his early 30s at the time of his conviction. The panel considered there was a risk of repetition in the future given the lack of any evidence of insight and/or remorse expressed by Mr Polden himself."

The panel also said, "Mr Polden was convicted of the offence of engaging in sexual communications with a child, which weighed in favour of not offering a review period."

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, involving a conviction of engaging in sexual communication with a child, the lack of either insight or remorse, and therefore 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 David Polden 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 Polden 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 Polden 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 'SABuxcey', with a horizontal line underneath.

Decision maker: Sarah Buxcey

Date: 5 December 2025

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