



Teaching
Regulation
Agency

Mr Michael Davu: Professional conduct panel 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 Michael Davu

TRA reference: 23266

Date of determination: 18 December 2025

Former employer: Milton Keynes Academy, Milton Keynes

Introduction

A professional conduct panel (“the panel”) of the Teaching Regulation Agency (“the TRA”) convened on 16 December 2025 to 18 December 2025, by way of a virtual hearing, to consider the case of Mr Michael Davu.

The panel members were Mr Gamel Byles (teacher panellist – in the chair), Mrs Pamela Thompson (lay panellist) and Ms Sue Davies (lay panellist).

The legal adviser to the panel was Mr James Corrish of Birketts LLP solicitors.

The presenting officer for the TRA was Mr Michael Bellis of Capsticks LLP solicitors.

Mr Davu was present and was represented by Ms Gurpreet Rheel of Cornwall Street Chambers.

The hearing took place in public and was recorded.

Allegations

The panel considered the allegations set out in the notice of proceedings dated 1 October 2025, as amended further to a preliminary application.

It was alleged that Mr Davu was guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute in that, while employed as a teacher at Milton Keynes Academy, Fulwoods Drive, Leadenhall, Milton Keynes, MK6 ('the School'):

1. Between approximately 31 March 2023 and the 30 May 2023 he:
 - a. Allowed one or more pupils to prepare and / or amend work after the examination deadline had elapsed;
 - b. Assisted in modifying one or more pupils work after the examination deadline had elapsed;
 - c. Did not obtain signed declarations from pupils when he was required to do so.
2. Between approximately the 31 March 2023 and 12 July 2023 he submitted false and /or inaccurate marks in relation to one or more of the following pupils:
 - a. Pupil T;
 - b. Pupil A;
 - c. Pupil G;
 - d. Pupil U;
 - e. Pupil R;
 - f. Pupil K;
 - g. Pupil W;
 - h. Pupil X;
 - i. Pupil Y;
 - j. Pupil B;
 - k. Pupil I;
 - l. Pupil Q

m. Pupil P;

n. Pupil M;

o. Pupil Z;

p. Pupil AA;

q. Pupil BB;

r. Pupil S;

s. Pupil DD;

t. Pupil N;

u. Pupil EE;

v. Pupil FF;

w. Pupil O;

x. Pupil GG;

y. Pupil HH;

z. Pupil II;

aa. Pupil JJ;

bb. Pupil LL;

cc. Pupil MM;

dd. Pupil OO;

ee. Pupil D;

ff. Pupil E;

gg. Pupil F

3. His conduct as may be proven at any of allegations 1 (a) and/or 1 (b) and/or 2 was dishonest.

Mr Davu admitted allegations 1(a), 1(b), 1(c), 2 and 3, and further admitted that his conduct in respect of allegations 1, 2 and 3 amounted to unacceptable professional conduct and conduct that may bring the profession into disrepute, including as set out in

the statement of agreed facts signed by Mr Davu on 16 April 2025 and within Mr Davu's witness statement of 15 December 2025.

[REDACTED]

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 3 to 4

Section 2: Notice of referral, response and notice of proceedings – pages 5 to 31

Section 3: Statement of agreed facts and teacher representations – pages 32 to 40

Section 4: TRA documents – pages 41 to 81

In addition, the panel agreed to accept the following:

Section 5 – Further TRA documents – pages 82 to 85

Section 6 – Further teacher documents – pages 86-109

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 TRA did not call any witnesses to give oral evidence at the hearing.

Mr Davu gave oral evidence.

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 Davu commenced employment at what is now known as Milton Keynes Academy (the "School") in or around 2011 as iMedia Course Leader and Vocational Lead Teacher. At

the time to which the allegations relate he held the title of Head of Business, Computing and Vocational Lead.

On 10 July 2023, [REDACTED] was notified that coursework had not been submitted on time for the R085 and R090 iMedia examinations. The missing work was uploaded on this date and confirmation was received from the exam board, OCR.

On 19 July 2023, the School was informed by OCR that the accompanying Unit Recording Sheets (URS) that were submitted by Mr Davu were blank for 15 students.

During an investigation meeting on 19 July 2023 and a further meeting on 20 July 2023, allegations emerged that Mr Davu had seemingly worked with certain pupils to amend their work after the examination deadline for that work and had allegedly submitted inaccurate marks to the examining body.

It was also alleged that Mr Davu failed to obtain required signed declarations from pupils and provide these to the examination board.

On 26 February 2024, the matter was referred to the TRA.

Findings of fact

The findings of fact are as follows:

In respect of all the allegations, the panel carefully considered the oral and written witness evidence and exhibits.

The panel scrutinised the entire bundle, including the additional evidence it had agreed to admit. The panel scrutinised the TRA's documents concerning the investigations and the meetings of the School surrounding these allegations.

The panel noted that the evidence within many of these documents was hearsay but considered that the evidence was relevant and formed part of the official investigations.

The panel therefore admitted the hearsay evidence after careful consideration in each case but noted that the evidence should be considered cautiously, including in relation to the appropriate amount of weight to be placed on it.

The panel carefully considered the witness statement of Mr Davu which it had agreed to admit into evidence and the documents to which the statement referred.

The panel noted that Mr Davu had admitted all of the allegations in their entirety but was aware that the burden remained on the TRA to prove the case to the standard of the balance of probabilities and the panel preceded to consider the evidence carefully on that basis before making its findings.

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

1. Between approximately 31 March 2023 and the 30 May 2023 you:

a. Allowed one or more pupils to prepare and / or amend work after the examination deadline had elapsed;

The panel noted that Mr Davu made a clear and unequivocal admission in the statement of agreed facts that between 31 March 2023 and 30 May 2023, he had allowed one or more pupils to prepare and/or amend work after the examination deadline had elapsed.

Notwithstanding his admission, the panel made a determination based on the evidence available.

The panel considered Mr Davu's letter dated 26 May 2023 sent to parents/guardians of pupils who were selected for moderation by the examination body for their iMedia coursework. The letter set out that preparation was required before the students' work was sent to the exam board, and that students who were selected for moderation were required to come into the School on 30 May 2023 (during half term) to prepare their work.

The panel had sight of emails from [REDACTED], to Mr Davu dated 25 May 2023 which stated "*should we invite the selected I Media students in for a day in half term?*" and stated that Mr Davu was to contact parents of students to inform them of the "*intervention session*" that was to take place on 30 May 2023.

[REDACTED] email further stated that Mr Davu was to send [REDACTED] a list of students and should give each student a letter before they left the School site the following day and suggested that he spoke to the pupils as they enter the gates the next morning.

The panel had sight of an undated email from [REDACTED], which stated that [REDACTED] was "*trying to support [Mr Davu] in preparing a half-term intervention session*" and explained that this was because the iMedia sample needed to be sent on 5 June 2023. The email stated that "*on Tuesday 30th May, the 28 students below, will be invited in from 9am-3pm to ensure their sample is complete*".

The email from [REDACTED] further stated that Mr Davu "*must speak with each student face to face to ensure they understand the importance of this and that this is compulsory*" and repeated [REDACTED] suggestion that Mr Davu spoke to the students in the morning.

The panel considered Mr Davu's oral and written evidence including his witness statement dated 15 December 2025. Mr Davu stated that the facts specified in allegation

1(a) occurred between 8 May to 30 May 2023 and explained that the external submission deadline for controlled assessment marks was 15 May 2023. Mr Davu's evidence was that he invited the pupils to attend the School with the support and the knowledge of [REDACTED]. Mr Davu stated that he felt pressure from [REDACTED] to improve the marks of the coursework.

The panel noted that within his witness statement Mr Davu stated "*I admit that between 8 May 2023 and 30 May 2023 I allowed pupils to continue preparing or amending work after the official examination deadline had passed. I take full responsibility for this decision. I now understand clearly that it was a breach of assessment regulations and that it compromised the fairness and integrity of the process*".

The panel was cognisant that Mr Davu in his oral evidence stated under cross examination that in connection with the 30 May 'intervention day' they had "*just told the pupils to come in and told them the changes which they needed to make and they just done it*". Mr Davu had further indicated under cross examination that the expectation of the 30 May 2023 assembly of pupils was to improve their scores "*so as to match the grades which were dishonestly sent in*".

The panel carefully considered the evidence. The panel was conscious of Mr Davu's oral evidence in which he admitted these facts and this allegation, as he had separately detailed in his witness statement and the signed statement of agreed facts.

The panel understood the "examination deadline" to mean the deadline by which the scores for the pupils regarding their assessments needed to be provided to the examining body. The panel found this to be 15 March 2023.

The panel considered it to be proven on the balance of probabilities that Mr Davu invited pupils to, and conducted, a "half term intervention session" on 30 May 2023 with a number of pupils. The panel considered it proven that the purpose of that session was principally to allow the pupils to prepare and amend their work notwithstanding that the examination deadline had passed and that this was what occurred, as allowed and facilitated by Mr Davu.

Having considered the evidence before it, the panel found allegation 1(a) proven.

b. Assisted in modifying one or more pupils work after the examination deadline had elapsed;

The panel noted that Mr Davu made a clear and unequivocal admission in the statement of the agreed facts that, between 31 March 2023 and 30 May 2023, he assisted in modifying one or more pupils' work after the examination deadline had elapsed by providing additional time for them to undertake this work. Notwithstanding this admission, the panel made a determination based on the evidence.

The panel again reviewed the letter sent by Mr Davu inviting pupils to the School to work on their iMedia coursework on 30 May 2023. The panel also again reviewed [REDACTED] undated email and the email dated 25 May 2023 which indicated that Mr Davu was running an intervention session for students on 30 May 2023 and the date and time of the session.

The panel had sight of Mr Davu's witness statement which stated that the facts specified in allegation 1(b) occurred between 8 May to 30 May 2023 and explained that the controlled assessment marks' deadline was 15 May 2023. Mr Davu's witness statement stated that Mr Davu had "*assisted pupils by reviewing their work and highlighting where they had not met the required assessment criteria, even though the examination deadline has already passed*" and that "*Although I did not alter the work myself, I accept that checking their work and highlighting areas where criteria had not been met amounted to providing feedback that should not have been given, and I was enabling post-deadline amendments. I recognise that this was not compliant with assessment regulations, and I take full responsibility for that lapse in judgement.*"

The panel reminded itself that Mr Davu, in his oral evidence, acknowledged that he had taken this action and stated that they had "*just told the pupils to come in and told them the changes which they needed to make and they just done it*". Mr Davu had further indicated that the expectation of the 30 May 2023 assembly of pupils was to improve their scores "*so as to match the grades which were dishonestly sent in*".

The panel again noted that it had found that the examination deadline was 15 March 2023.

The panel carefully considered the evidence before it. The panel was again conscious of Mr Davu's oral evidence that he admitted these facts and this allegation as detailed in his witness statement and the signed statement of agreed facts.

The panel considered that it had been proven on the balance of probabilities that the intervention session with the pupils whose grades had been requested by the examination body had occurred on 30 May 2023. Whilst the panel noted that it had not been demonstrated that Mr Davu had, himself, physically adjusted the pupils' work it did find it proven on the balance of probabilities that his actions on that day, including highlighting to pupils areas in which they had failed to meet the scoring criteria, constituted his assistance in modifying one or more pupils' work after the examination deadline had elapsed.

The panel found allegation 1(b) proven.

c. Did not obtain signed declarations from pupils when you were required to do so.

The panel noted that Mr Davu made a clear and unequivocal admission in the statement of agreed facts which stated that between 31 March 2023 and 30 May 2023, he did not obtain signed declarations from pupils when he was required to do so because he forgot. Notwithstanding his admission, the panel made a determination based on the evidence.

The panel considered the oral and written evidence of Mr Davu and noted that he stated within his witness statement that "*I admit that I failed to obtain the required signed declarations from pupils. This was an essential procedural requirement, and I take full responsibility for not completing it. I recognise now that this omission undermined the authenticity safeguards that ensure pupil work is genuinely their own and compliant with assessment regulations*". Mr Davu also stated that his reason for not obtaining the signed declaration was "*not an act of intentional concealment*" but that he suffered "*cognitive overload and poor judgement*" due to [REDACTED].

As set out above, the panel had sight of the School's investigation report produced by [REDACTED] which stated that Mr Davu was responsible for obtaining the required signed declarations and he did not obtain them.

The panel noted that the reason the exam board would have contacted the School was that they had not received the required signed declarations from the pupils.

The panel carefully considered the evidence before it. The panel was again conscious of Mr Davu's oral evidence that he admitted these facts and this allegation as detailed in his witness statement and the signed statement of agreed facts.

The panel found that it had been proven on the balance of probabilities that between approximately the 31 March 2023 and 30 May 2023 Mr Davu did not obtain signed declarations for the pupils which he was required to do given his role.

The panel found allegation 1(c) proven.

2. Between approximately the 31 March 2023 and 12 July 2023 you submitted false and /or inaccurate marks in relation to one or more of the following pupils:

a. Pupil T;

b. Pupil A;

c. Pupil G;

d. Pupil U;

e. Pupil R;

f. Pupil K;

g. Pupil W;

h. Pupil X;

i. Pupil Y;

j. Pupil B;

k. Pupil I;

l. Pupil Q

m. Pupil P;

n. Pupil M;

o. Pupil Z;

p. Pupil AA;

q. Pupil BB;

r. Pupil S;

s. Pupil DD;

t. Pupil N;

u. Pupil EE;

v. Pupil FF;

w. Pupil O;

x. Pupil GG;

y. Pupil HH;

z. Pupil II;

aa. Pupil JJ;

bb. Pupil LL;

cc. Pupil MM;

dd. Pupil OO;

ee. Pupil D;

ff. Pupil E;

gg. Pupil F.

The panel noted that Mr Davu made a clear and unequivocal admission in the statement of agreed facts that between 31 March 2023 and 12 July 2023, he submitted false and/or inaccurate marks in relation to one or more pupils. Notwithstanding his admission, the panel considered the evidence before it.

The panel had sight of and considered an email dated 21 July 2023 from Mr Davu to the [REDACTED]. The email showed a table which contained a column of the pupils' 'actual' grades as compared with the grades that were submitted to the exam body for the following pupils:

- Pupil T's actual grade was 1, and submitted grade was 38;
- Pupil A's actual grade was 10, and submitted grade was 37;
- Pupil G's actual grade was 12, and submitted grade was 38;
- Pupil U's actual grade was 10, and submitted grade was 39;
- Pupil R's actual grade was 26, and submitted grade was 37;
- Pupil K's actual grade was 1, and submitted grade was 19;
- Pupil W's actual grade was 0, and submitted grade was 43;
- Pupil X's actual grade was 1, and submitted grade was 18;
- Pupil Y's actual grade was 1, and submitted grade was 37;
- Pupil B's actual grade was 9, and submitted grade was 38;
- Pupil I's actual grade was 12, and submitted grade was 37;
- Pupil Q's actual grade was 5, and submitted grade was 38;
- Pupil P's actual grade was 30, and submitted grade was 37;
- Pupil M's actual grade was 0, and submitted grade was 37;
- Pupil Z's actual grade was 0, and submitted grade was 27;
- Pupil AA's actual grade was 6, and submitted grade was 39;
- Pupil BB's actual grade was 44, and submitted grade was 44;

- Pupil S's actual grade was 0, and submitted grade was 20;
- Pupil DD's actual grade was 4, and submitted grade was 44;
- Pupil N's actual grade was 10, and submitted grade was 38;
- Pupil EE's actual grade was 0, and submitted grade was 26;
- Pupil FF's actual grade was 0, and submitted grade was 19;
- Pupil O's actual grade was 30, and submitted grade was 39;
- Pupil GG's actual grade was 0, and submitted grade was 38;
- Pupil HH's actual grade was 0, and submitted grade was 18;
- Pupil II's actual grade was 4, and submitted grade was 36;
- Pupil JJ's actual grade was 2, and submitted grade was 37;
- Pupil LL's actual grade was 4, and submitted grade was 19;
- Pupil MM's actual grade was 4, and submitted grade was 33;
- Pupil OO's actual grade was 5, and submitted grade was 37;
- Pupil D's actual grade was 0, and submitted grade was 18;
- Pupil E's actual grade was 4, and submitted grade was 31; and
- Pupil F's actual grade was 10, and submitted grade was 38.

The panel noted that all of these pupils had submitted grades which were higher than their actual grades except from Pupil BB, whose actual grade and submitted grade were the same.

The panel had sight of the School's investigation report produced by [REDACTED] dated 14 August 2023. The report stated that there was a difference between the submitted grades and actual grades awarded during marking for several students' pieces of work, and, in several cases, Mr Davu had altered marks on URS forms changing them to marks he 'believed' to be correct. The report set out examples, including that Mr Davu had submitted a mark of 39 for candidate 1408 despite the actual mark being 30, which he corrected on the URS form, and he had given candidate 1438 a mark of 19 despite that student completing no work. The panel noted this was report was hearsay and placed limited weight on it, although it noted the report was consistent with the balance of the evidence.

The panel considered the oral and written evidence of Mr Davu, who stated within his witness statement that he accepted “*that between 15 May and 12 July 2023 I submitted marks that were not accurate reflections of pupils' completed work. I take full responsibility for this serious lapse in professional judgement. I recognise that submitting inaccurate marks undermines the fairness of assessments, misleads the awarding body, and goes against the core principles of integrity expected of a teacher*”.

Mr Davu also stated that he was uncomfortable with what he had done and knew it was wrong and panicked as he did not want to send off the marksheets with incorrect grades. Mr Davu stated that he submitted higher marks than the actual marks and that the plan was to get students to bridge the gap and that his line manager was aware of this plan.

The panel carefully considered the evidence before it. The panel was again conscious of Mr Davu's oral evidence that he admitted these facts and this allegation, as also detailed in his witness statement and the signed statement of agreed facts.

The panel also noted the e-mail dated 21 July 2023 which was provided during the School's investigation in which Mr Davu specifically itemised the false and/or inaccurate marks he had submitted to the exam body in relation to these pupils.

The panel considered that it had been proven to the standard of the balance of probabilities by the TRA that Mr Davu had submitted these false and/or inaccurate marks to the examination body and that, rather than it having been in relation to one or more of the pupils listed within the allegation, it was seemingly in respect of all of them except, potentially, pupil BB. The panel found that this had been done between 31 March 2023 and 12 July 2023.

The panel found allegation 2 proven.

3. Your conduct as may be proven at any of allegations 1 (a) and/or 1 (b) and/or 2 was dishonest

The panel noted that Mr Davu admitted that his conduct in allegation 1(a), 1(b), 1(c) and 2 was dishonest in the statement of the agreed facts dated 16 April 2025. The panel was aware that due to the amendment of the allegations it had accepted it was solely considering Mr Davu's conduct as found proven under allegations 1 (a) and 1 (b) and 2.

The panel noted that the statement of agreed facts recited the two-stage test for dishonesty as set out in *Ivey v Genting Casinos [2017] UKSC 67* and that Mr Davu had admitted within that statement that his conduct was dishonest by reference to that test.

Nevertheless the panel proceeded to consider, in respect of each allegation which it had found proved, whether or not Mr Davu's conduct had been proven, to the standard of the balance of probabilities, to be dishonest.

The panel first sought to attain the actual state of Mr Davu's knowledge or belief as to the facts in relation to the allegations as found proven.

The panel again considered Mr Davu's written and oral evidence.

The panel noted that in his written witness statement Mr Davu had said "*I admit that my conduct, as set out in allegations 1 and 2, was dishonest*" and "*I understand that dishonesty in any form is incompatible with the standards expected of a teacher, particularly where examinations and assessment processes are concerned. I want to state clearly that I take full responsibility for the decisions I made and the impact they have had*".

The panel noted that Mr Davu had also said that he "*knew it was not the right thing to do*" in relation to arranging the coursework session on 30 May 2023 and that he had indicated a number of times in oral evidence that he was aware of his conscience being actively troubled at the time he took the actions described in the allegations.

The panel also noted that in his oral evidence Mr Davu had acknowledged that he was aware at the time that his actions, as now found proven, were dishonest.

The panel considered that based on the evidence, Mr Davu knew that the marks he was awarding for the coursework were inaccurate and that he had knowingly facilitated students amending their work to achieve higher grades by inviting students selected for moderation by the exams authority to a session to review their work after the examination deadline had passed and running and engaging in that session.

The panel was clear then that Mr Davu was aware at the time that his actions were dishonest and that this was acknowledged by him.

The panel noted that it had found proven that Mr Davu consciously chose to submit false and/or inaccurate marks in respect of his pupils' work to the examination body.

The panel noted that it had found proven that Mr Davu had intentionally allowed a large number of pupils to prepare and/or amend work after the examination deadline for doing so had elapsed, when those pupils should no longer have access to that work. The panel also noted it had found proven that Mr Davu had assisted those pupils in modifying their work. The panel noted that it was acknowledged by Mr Davu that the intention of doing this was to endeavour to allow the pupils to seek to attain, wrongfully, the false scores which he had submitted to the examination board.

The panel noted that Mr Davu's actions required a period of planning and that two weeks had elapsed between Mr Davu submitting the false scores and his conducting a workshop to facilitate retrospective engineering to support those false scores. The panel noted that this was also in connection with the most pivotal of education matters; the administration of exams and assessments. The panel considered that any ordinary

member of the public would expect such matters to be carried out with the utmost honesty by participating staff, including teachers.

The panel was again conscious of Mr Davu's oral evidence that he admitted these facts and this allegation, as also detailed in his witness statement and the signed statement of agreed facts.

The panel considered whether Mr Davu had been dishonest according to the standards of ordinary decent people. The panel felt that in connection with each of the relevant allegations which it had found proven, ordinary decent people would consider that deliberately providing false assessment scores to examination authorities and then endeavouring to work with pupils to seek to amend their work to get a score closer to that which was submitted, was, on any basis, dishonest.

Based on the evidence presented including the admissions made by Mr Davu, the panel was satisfied that Mr Davu's conduct in allegations 1(a), 1(b) and 2 was dishonest.

The panel found allegation 3 proved.

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

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

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 Davu, in relation to the facts found proved, involved breaches of the Teachers' Standards.

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

- Teachers uphold public trust in the profession and maintain high standards of ethics and behaviour
- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach, and
- Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities.

The panel also considered whether Mr Davu'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 type of fraud or serious dishonesty was relevant.

The panel again carefully considered the allegations which it had found proven. The panel noted that it had found that Mr Davu had been dishonest, as he admitted, by intentionally misrepresenting to an examination board the marks of a large number of students engaged in the course he was responsible for.

The panel noted that Mr Davu had compounded that act by then proceeding, again dishonestly, and on his evidence aware that his acts were dishonest, to assist a large number of pupils in amending their work to seek to get them to achieve work of the level which he had already falsely represented they had achieved.

The panel noted that this required some level of planning and continuing acts specifically in his later arranging the student event during half term on 30 May 2023, sending letters to, and reminding, each individual pupil and facilitating their actions on that day. The panel was struck by Mr Davu's admissions in oral evidence that he sought to use his knowledge of the marking scheme of the examination board to facilitate students in adjusting their work in such a way that their scores would increase.

The panel noted that Mr Davu appeared to have been a frank and forthcoming witness and it took into account and considered the mitigating circumstances provided by Mr Davu. These included the [REDACTED] at the beginning of the academic year and the consequential impact which Mr Davu asserted this had had [REDACTED] during the time period to which the allegations related.

The panel also carefully considered Mr Davu's position, supported by some of the evidence which it had before it, that Mr Davu had directly or indirectly been instructed by [REDACTED] to take the steps which he had and that he did not consider himself to be in a condition at the time to question or raise issue with that instruction.

The panel noted that it had no medical evidence in front of it which would demonstrate that Mr Davu, a highly qualified teacher, was incapable of making his own decisions and/or taking his own actions at the time.

The panel was of the view that, regardless of whether or not Mr Davu had received instructions from [REDACTED], Mr Davu had preceded to take each of the actions it had found proven under allegations 1 (a) 1 (b) and 2 knowingly and consciously and with an awareness that they were dishonest.

The panel was conscious of Mr Davu's 20 years of experience as a teacher and a teacher involved in assessments. The panel noted that he was the Head of Vocational

Qualifications. The panel considered that Mr Davu could not reasonably have had any doubt that his actions were wholly unacceptable on any objective basis.

For all of these reasons, the panel was satisfied that the conduct of Mr Davu 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 Davu was guilty of unacceptable professional conduct in respect to the allegations it had found proven under allegations 1 (a) and 1 (b) and 2 and 3.

The panel did not consider though, notwithstanding Mr Davu's admissions, that it had been demonstrated that Mr Davu's actions in respect of allegation 1 (c), which he submitted were a simple error, reached the level of unacceptable professional conduct. The panel did, though, consider 1 (c) to have been a negligent failure by Mr Davu.

In relation to whether Mr Davu'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 Davu'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 Davu was guilty of unacceptable professional conduct, the Panel found the offence type of fraud or serious dishonesty was relevant.

Again, the panel reminded itself that it had found that Mr Davu's actions were dishonest and that he had falsely represented the pupils' results to the examining body and taken actions to endeavour to get pupils to adjust their work which would appear to have the effect of entirely undermining the integrity of the examination process.

The panel again carefully considered the mitigating circumstances put forward by Mr Davu.

The panel considered though that any member of the public, objectively informed as to the full facts of the matter, would be extremely concerned by Mr Davu's actions and that they would clearly potentially damage the public's perception of a teacher.

For these reasons, the panel found Mr Davu's actions as found proven at allegations 1 (a) and 1 (b) and 2 and 3 amounted to conduct that may bring the profession into disrepute.

As with its finding in relation to unacceptable professional conduct the panel did not consider that, notwithstanding Mr Davu's admissions, it had been demonstrated that Mr Davu's actions in respect of allegation 1 (c) constituted conduct that may bring the profession into disrepute, rather the panel considered that the public, fully informed, would consider this to be a simple error, albeit a negligent one.

The panel therefore found Mr Davu guilty of unacceptable professional conduct and conduct that may bring the profession into disrepute in respect of allegations 1(a), 1 (b), 2 and 3.

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, including the maintenance of public confidence in the profession and the declaring and upholding of proper standards of conduct.

In light of the panel's findings against Mr Davu, which involved his seriously dishonest actions in the amending of assessment results and his engaging with a significant number of pupils to seek to assist them in modifying their work, after the deadline for doing so, to endeavour to meet the false scores which he had submitted, there was a strong public interest consideration in the maintenance of public confidence in the profession and declaring and upholding proper standards of conduct.

Similarly, the panel considered that public confidence in the profession could be seriously weakened if conduct such as that found against Mr Davu 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 Davu was outside that which could 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 Davu in the profession. Mr Davu submitted some evidence to attest to his ability as an educator. The panel considered that the adverse public interest considerations above outweighed any interest in retaining Mr Davu in the profession, since his behaviour seriously breached the standard of conduct expected of a teacher.

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 Davu.

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;
- dishonesty or a lack of integrity,
- deliberate action in serious contravention of requirements for the conduct of an examination or assessment leading to an externally awarded qualification or national assessment (or deliberate collusion in or deliberate concealment of such action) particularly where the action had, or realistically had the potential to have, a significant impact on the outcome of the examination assessment;

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 clear that the evidence demonstrated that Mr Davu's actions were deliberate.

There was no evidence to suggest that Mr Davu was acting under extreme duress, e.g. a physical threat or significant intimidation. The panel did note though that it was clear that [REDACTED] and from significant work pressures at the time to which the allegations related.

The panel did not find that Mr Davu demonstrated exceptionally high standards in his personal and professional conduct or had contributed significantly to the education sector.

The panel did note that Mr Davu's evidence was that no concerns had been raised relating to his conduct during his eighteen years of teaching and noted that the presenting officer had not called its attention to any previous findings. The panel accepted that the balance of the evidence suggested that the incident was out of character.

Mr Davu submitted three character references to attest to his ability as a teacher. The panel considered written statements from the following individuals:

- [REDACTED]
- [REDACTED]
- [REDACTED]

The panel noted the following comments in particular:

- *"I had the privilege of working with Michael for [REDACTED] and can confidently attest to his integrity, professionalism, and unwavering commitment to the teaching profession... [Michael is] a principled, hardworking professional who embodies the core values of the teaching profession."*

[REDACTED]

- *"He was always a conscientious, hardworking and honest man. He was extremely helpful, patient and worked well in a team setting leading the BTEC cohort."*

[REDACTED]

The panel noted Mr Davu's witness statement explained that in March 2022, [REDACTED] deteriorated, and so Mr Davu travelled to Antigua during the summer break of 2022 [REDACTED]. Mr Davu's evidence stated that in late August 2022 [REDACTED] and that Mr Davu was [REDACTED] which meant that he was responsible for the legal and practical matters [REDACTED] which required travelling back to Antigua.

Mr Davu's evidence was that before October half-term 2022, he continued to be responsible for [REDACTED]. Mr Davu's evidence was that during this time, Mr Davu was [REDACTED]. The panel noted that Mr Davu's evidence was that he did not inform the School of the [REDACTED].

Mr Davu further stated that the creative media cohort was underperforming in the relevant academic year, and that [REDACTED] had left the previous year resulting in

their being replaced by less experienced staff. Mr Davu explained that the School increased his management responsibilities as a result, which put additional pressure on him.

Mr Davu indicated that he was experiencing pressure from [REDACTED] to improve the performance of the pupils.

Mr Davu indicated that he knew that his conduct in submitting the artificially inflated grades and arranging the session on 30 May 2023 for students to improve their work was not the right thing to do, and that after he had submitted the scores his anxiety and guilt grew, which led to his delay in submitting further coursework.

The panel noted Mr Davu's failure to submit the requested work for moderation on time, in one case simply submitting a blank sheet. The panel considered that this illustrated Mr Davu's continuing moral struggle in seeking to resile from taking the actions which were a direct consequence of his initially submitting the false scores.

Whilst making no findings regarding the actions of [REDACTED], the panel noted, and did not call into question, that Mr Davu's clear understanding was that he had been instructed to submit false results and then take steps to endeavour to reconcile the actual coursework with those false results.

Whilst in no way excusing Mr Davu's seriously dishonest conduct the panel did consider that with the variety of pressures on him at the time were, to some degree, likely to have made him less capable of properly resisting this clearly dishonest course, though it again noted it had no medical evidence of his being incapable of doing so.

Mr Davu indicated that during a meeting in July 2023 he confessed to [REDACTED] what he had done and revealed that [REDACTED] was aware of it. The panel noted that the evidence was that Mr Davu had subsequently cooperated with the School's investigatory process, even to the extent of volunteering by e-mail a list, seen by the panel, which set out the difference between the scores he had attributed to the pupils and their actual achievements.

Reviewing the evidence the panel found that Mr Davu had demonstrated a high level of insight and remorse in respect of his actions. The panel was persuaded by Mr Davu's evidence that he thought about his actions every day and carried the burden of his guilt in connection with them with him. The panel was clear that he understood that what he did was wrong and that it was seriously dishonest. The panel found Mr Davu to be a clear and consistent witness and noted that he came to the hearing to set out, without resiling, his complete and unconditional acceptance of his wrongdoing.

The panel accepted that the instance with which it was concerned had occurred over a relatively short period of time during May 2023 and that, although they had found that he had knowingly engaged in a planned process to seek to facilitate students artificially

increasing their grades, the evidence suggested he had been increasingly uncomfortable with this process and now recognised the triggers which had led him to commit the failings which he admitted.

The panel noted that in his evidence, Mr Davu stated that he had reflected extensively on the reasons for his conduct and that he had developed a 'tool kit' personally to ensure that when he saw any sign of behaviours which might lead him to be in a position where he would be vulnerable to taking anything less than optimal decisions, he would use support mechanisms he had now established to take immediate steps to remedy this and avoid any wrongdoing. The panel noted that in cross examination Mr Davu had clearly illustrated how he had used this new 'tool kit'.

The panel 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.

Though the panel was very conscious of the seriousness of Mr Davu's actions and the public interest requirements which indicated that behaviour of this type should not under any circumstances be tolerated, it was of the view that, taking all of the above matters into account, and applying the standard of the ordinary intelligent citizen, the recommendation of no prohibition order would be both a proportionate and an appropriate response in these circumstances.

Whilst the panel had found that the unacceptable behaviour in this case was serious, it considered that, with the mitigating factors that were present, a recommendation for a prohibition order would not be appropriate or assist in this case. Taking into account the high level of insight and remorse which Mr Davu had displayed, the panel failed to see how prohibiting Mr Davu for a period of at least two years would produce any material change or serve any useful purpose.

The panel formed this view for reasons including that it was clear that Mr Davu, who was continuing to teach, had reflected extensively and developed a very clear level of insight into his actions. The panel considered it demonstrated that Mr Davu's actions and their potential consequences for the students and the school and the examination process in general were a constant source of anxiety, remorse and concern for Mr Davu on an ongoing basis and the panel found the prospect of his ever repeating such actions to be very low.

The panel noted Mr Davu's dedication to the teaching profession and passion for teaching.

The panel considered that the publication of the adverse findings it had made was sufficient to send an appropriate message to the teacher as to the standards of behaviour that are not acceptable, and the publication would, in the particular circumstances of this

case, meet the public interest requirements of declaring proper standards of the profession and declaring and upholding proper standards of conduct.

The panel then decided that it would be proportionate to recommend, in all the circumstances of the case, that the findings be published and no prohibition order be made.

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 sanction.

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

In this case, the panel has found all of the allegations proven and found that those proven facts amount to unacceptable professional conduct and conduct that may bring the profession into disrepute. In this case, the panel has found that allegation 1c does not amount to unacceptable professional conduct or conduct likely to bring the profession into disrepute, and I have therefore put that matter entirely from my mind.

The panel has made a recommendation to the Secretary of State that Mr Michael Davu should not be the subject of a prohibition order. The panel has recommended that the findings of unacceptable professional conduct and conduct likely to bring the profession into disrepute should be published and that such an action is proportionate and in the public interest.

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

- Teachers uphold public trust in the profession and maintain high standards of ethics and behaviour
- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach, and
- Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities.

The findings of misconduct are serious as they include a finding of dishonesty on the part of the teacher.

I have to determine whether the imposition of a prohibition order is proportionate and in the public interest. In considering that for this case, I have considered the overall aim of a prohibition order which is to protect pupils and to maintain public confidence in the profession. I have considered the extent to which a prohibition order in this case would achieve that aim taking into account the impact that it will have on the individual teacher.

I have also asked myself whether a less intrusive measure, such as the published finding of unacceptable professional conduct and conduct likely to bring the profession into disrepute, would itself be sufficient to achieve the overall aim. I have to consider whether the consequences of such a publication are themselves sufficient. I have considered therefore whether or not prohibiting Mr Davu, 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. While the panel has not found that Mr Davu's behaviour posed a safeguarding threat, it has provided this observation:

“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.”

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

“Reviewing the evidence the panel found that Mr Davu had demonstrated a high level of insight and remorse in respect of his actions. The panel was persuaded by Mr Davu's evidence that he thought about his actions every day and carried the burden of his guilt in connection with them with him. The panel was clear that he understood that what he did was wrong and that it was seriously dishonest. The panel found Mr Davu to be a clear and consistent witness and noted that he came to the hearing to set out, without resiling, his complete and unconditional acceptance of his wrongdoing.”

In my judgement, the high level of insight and remorse demonstrated by Mr Davu means that there is a low risk of the repetition of this behaviour. 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 panel considered though that any member of the public, objectively informed as to the full facts of the matter, would be extremely concerned by Mr Davu's actions and that they would clearly potentially damage the public's perception of a teacher.”

I am particularly mindful of the finding of dishonesty in this case and the impact that such a finding has on the reputation of the profession.

I have had to consider that the public has a high expectation of professional standards of all teachers and that the public might regard a failure to impose a prohibition order as a failure to uphold those high standards. In weighing these considerations, I have had to

consider the matter from the point of view of an “ordinary intelligent and well-informed citizen.”

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

I have also considered the impact of a prohibition order on Mr Davu himself. The panel has commented:

“The panel did not find that Mr Davu demonstrated exceptionally high standards in his personal and professional conduct or had contributed significantly to the education sector.

The panel did note that Mr Davu’s evidence was that no concerns had been raised relating to his conduct during his eighteen years of teaching and noted that the presenting officer had not called its attention to any previous findings. The panel accepted that the balance of the evidence suggested that the incident was out of character.”

The panel has also noted 3 character references that attested to Mr Davu’s ability as a teacher.

A prohibition order would prevent Mr Davu 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 mitigating factors including the pressures on Mr Davu at the time. The panel has said:

“Whilst in no way excusing Mr Davu’s seriously dishonest conduct the panel did consider that with the variety of pressures on him at the time were, to some degree, likely to have made him less capable of properly resisting this clearly dishonest course, though it again noted it had no medical evidence of his being incapable of doing so.”

I have also noted the panel’s comments on the action Mr Davu has taken to avoid poor behaviour in future, including:

“The panel noted that in his evidence, Mr Davu stated that he had reflected extensively on the reasons for his conduct and that he had developed a ‘tool kit’ personally to ensure that when he saw any sign of behaviours which might lead him to be in a position where he would be vulnerable to taking anything less than optimal decisions, he would use support mechanisms he had now established to

take immediate steps to remedy this and avoid any wrongdoing. The panel noted that in cross examination Mr Davu had clearly illustrated how he had used this new 'tool kit'."

I have given considerable weight to the panel's comments on the high level of insight and remorse demonstrated by Mr Davu and the low risk of repetition. The panel has said:

"The panel formed this view for reasons including that it was clear that Mr Davu, who was continuing to teach, had reflected extensively and developed a very clear level of insight into his actions. The panel considered it demonstrated that Mr Davu's actions and their potential consequences for the students and the school and the examination process in general were a constant source of anxiety, remorse and concern for Mr Davu on an ongoing basis and the panel found the prospect of his ever repeating such actions to be very low."

For these reasons, I have concluded that a prohibition order is not proportionate or in the public interest. I consider that the publication of the findings made would be sufficient to send an appropriate message to the teacher as to the standards of behaviour that were not acceptable and that the publication would meet the public interest requirement of declaring proper standards of the profession.

A handwritten signature in black ink, appearing to read "David Oatley".

Decision maker: David Oatley

Date: 19 December 2025

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