



Teaching  
Regulation  
Agency

# **Mr Daniel Ross: Professional conduct panel outcome**

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

**November 2025**

## Contents

Introduction	3
Allegations	4
Summary of evidence	5
Documents	5
Witnesses	5
Decision and reasons	5
Findings of fact	7
Panel's recommendation to the Secretary of State	17
Decision and reasons on behalf of the Secretary of State	20

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

**Teacher:** Mr Daniel Ross

**TRA reference:** 20307

**Date of determination:** 26 November 2025

**Former employer:** Brompton Academy, Gillingham (“the School”)

### **Introduction**

A professional conduct panel (“the panel”) of the Teaching Regulation Agency (“the TRA”) convened on 24 November 2025 by way of a virtual hearing, to consider the case of Mr Daniel Ross.

The panel members were Mr Terry Hyde (former teacher panellist – in the chair), Dr Louise Wallace (lay panellist) and Mr Patrick Berry (teacher panellist).

The legal adviser to the panel was Mr Delme Griffiths of Blake Morgan LLP solicitors.

The presenting officer for the TRA was Mr David Collins of Capsticks solicitors.

Mr Ross was not present and was not represented.

The hearing took place in public and was recorded.

## Allegations

The panel considered the allegations set out in the notice of hearing dated 8 September 2025.

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

1. On or around 14 May 2021, he told a joke based on a racist stereotype (namely referencing Irish people) to one or more staff members
2. On or around 14 May 2021, told and/or retold an inappropriate joke that made reference to homosexuality to one or more staff members
3. On or around 14 May 2021, made any (or all) of the inappropriate comments detailed at Schedule 1 to one or more staff members and/or a pupil
4. In or around May 2021, commented to a colleague that “transgender is an illness” or words to that effect
5. On or around 18 May 2021, made any (or all) of the inappropriate comments detailed at Schedule 2 in the presence of one or more pupils
6. By his conduct as set out at any (or all) of allegations 1 – 5 he failed to act with integrity.

### Schedule 1

When talking to a gender questioning pupil and/or discussing a gender questioning pupil with colleagues he used words to the effect of and/or implied that:

- i. A gender questioning pupil needed to be careful as they were being brainwashed
- ii. He understood and agreed with pupils who had made inappropriate and/or critical comments to a gender questioning pupil

### Schedule 2

He used words to the effect of and/or implied that:

- i. Gay marriage was improper
- ii. Questioning gender is an illness
- iii. Gender questioning people needed treatment or help

Mr Ross did not formally respond to the notice. Accordingly, the allegations were treated as denied.

Mr Ross also denied that his comments amounted to unacceptable professional conduct and/or conduct that may bring the profession into disrepute.

## Summary of evidence

### Documents

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

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

Section 2: Notice of hearing and response – pages 7 to 41

Section 3: Teaching Regulation Agency witness statements – pages 42 to 60

Section 4: Teaching Regulation Agency documents – pages 61 to 370

Section 5: Teacher documents – pages 371 to 376

In addition, the panel was presented with separate bundles relevant to the application to proceed in absence and the preliminary application to admit hearsay evidence.

The panel agreed to admit a draft of non-statutory guidance entitled 'Gender Questioning Children', a publicly available document that the TRA wished to rely upon.

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 Procedures.

### Witnesses

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

- Witness A, [REDACTED].
- Pupil B, [REDACTED].

## Decision and reasons

The panel announced its decision and reasons as follows:

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

Mr Ross commenced employment at the Brompton Academy (“the School”) in October 2020 as an English teacher.

On 17 May 2021, concerns were raised to Mr Ross’ subject lead in relation to comments he allegedly made in class on the topic of transgender.

On 18 May 2021, Mr Ross was suspended from duty, pending an investigation.

On 21 May 2021, [REDACTED] made a referral to the Local Authority Designated Officer.

On 24 May 2021, the School commenced its investigation in relation to the initial complaints together with other concerns that were raised about Mr Ross’ conduct.

On 14 June 2021, the investigation concluded with the publication of a report, which was included in evidence.

On 18 June 2021, Mr Ross was notified that there was a case to answer and a hearing was arranged, which took place on 30 June 2021.

On 29 September 2021, Mr Ross was referred to the TRA.

### **Evidence considered by the panel**

The panel carefully considered all of the evidence presented. It accepted the legal advice provided.

The panel was also presented with various hearsay accounts deriving from the School’s investigation and signed witness statements from:

- Individual B, [REDACTED].
- Individual A, [REDACTED].
- Pupil B, [REDACTED].
- Individual C, [REDACTED].

As per the panel’s preliminary determination, this evidence was admitted as hearsay evidence (save for that part of Individual A’s evidence relating to allegation 4, which was excluded).

The panel was satisfied this gave rise to no unfairness in the specific circumstances of this case, in terms of admissibility.

Nonetheless, the panel recognised the need to consider the hearsay evidence with appropriate caution. Not least, it was unable to form a view as to the credibility of the individuals in question.

Mr Ross did not attend the hearing. In his absence, the panel carefully considered the responses he provided during the course of the School's investigation.

The panel confirmed it had not relied upon any findings made during the School's investigation or subsequently.

Insofar as the case papers alluded to other alleged failings on the part of Mr Ross that did not comprise a formal allegation in these proceedings, that information was disregarded and excluded from the panel's deliberations, other than where it was relevant contextually.

Similarly, with reference to the various opinions set out within the evidence, the panel was mindful of the need to exercise its own judgement. It was for the panel, not anyone else, to draw inferences and conclusions from proven facts in this case.

The panel proceeded to form its own, independent view of the allegations based on the evidence presented to it.

## **Findings of fact**

The findings of fact are as follows:

### **1. On or around 14 May 2021, you told a joke based on a racist stereotype (namely referencing Irish people) to one or more staff members**

Witness A gave evidence to the panel about an incident that took place in the English staff room at the School, when Mr Ross "*made a joke about an Irish man performing fellatio on a car exhaust and getting burn marks around his lips.*"

Witness A said this prompted a response from another teacher present, who told Mr Ross the joke was not appropriate and that led to a discussion.

In oral evidence, Witness A stated the comment was said light-heartedly and in a joking manner, with Mr Ross smiling, and did not perceive that he was attempting to be offensive.

Individual A's witness statement also records this incident, which she said occurred on 14 May 2021. She stated:

*"Mr Ross then made a joke about inhaling the smoke of a car. I imagine that this was the joke but I did not understand it. I think it was a reference to the IRA and about blowing up a car."*

Individual A's statement also records that this upset the other teacher mentioned by Witness A.

Individual C also referred to this incident, albeit in slightly different terms:

*"I could hear him and he was telling some of the teachers an anti-Irish joke. I cannot remember what he actually said but he made a joke about an English man and an Irish man. The joke was generally derogatory towards people from Ireland and I interrupted him and asked him to stop."*

In his responses provided during the course of the School's disciplinary process, Mr Ross did not deny making a joke but stated he did not think it was offensive. He stated the joke was *"about an Irish man who tried to blow up a car"*.

The TRA's position was that this comment amounted to a racist stereotype, which played on Irish people being involved in attacks and hinted at intelligence.

On balance, the panel concluded that Mr Ross did make a joke referencing Irish people in the presence of staff members and that, given the similarity between Witness A's and Individual A's account and Mr Ross' recorded acknowledgement as to the nature of the joke, it did link to a racist stereotype.

It therefore found allegation 1 proved.

## **2. On or around 14 May 2021, told and/or retold an inappropriate joke that made reference to homosexuality to one or more staff members**

Witness A referenced the same occasion as addressed in allegation 1, when Mr Ross made a second 'joke', in the following terms:

*"He then whispered a second joke to Individual A and I about a gay man. The joke was "what did the gay man get on his helmet" and the answer was "skid marks". Mr Ross did whisper this to us however Individual C heard this and again said it was not an appropriate joke for a work setting."*

Witness A said he presumed this was whispered because Mr Ross had been 'called out' by the staff member about the first 'joke'. In oral evidence, Witness A could not recall if this joke had originated from a pupil.

Individual C' witness statement also referred to this incident in the following terms:

*"Mr Ross was sat on the table with the two younger and inexperienced staff, Individual A and Witness A. They were talking quietly and having a conversation about Ofsted observations. I was not really listening to then (sic) at the time and heard the occasional work (sic). They were talking about when Ofsted comes to conduct school visits, pupils can say or do things that are unpredictable."*

*Mr Ross was talking about a time where he was teaching and a pupil told a joke asking what a motorcyclist in an accident had in common with a gay man and the answer was “skid marks on their helmet”. He then followed this up by saying that although you cannot say these things now he still found it funny and then proceeded to laugh about it.”*

In his recorded responses as provided during the course of the School’s disciplinary process, Mr Ross did not deny making this comment but insisted it was not homophobic and had originally been made by a pupil, which caught him off guard and he was repeating the ‘joke’ in that context. He stated this was misconstrued and he was illustrating a point about double meanings in language.

In light of this evidence, the panel found that Mr Ross did tell this ‘joke’, which made reference to homosexuality.

The TRA’s position was that this amounted to an inappropriate joke.

The panel agreed. It accepted, on balance, that Mr Ross was re-telling the ‘joke’ and makes a finding to that effect. Nonetheless, he was wrong to do so and it was inappropriate given it was homophobic in nature. In doing so, he was laughing and smiling while telling the ‘joke’, acknowledging that he did view it as a ‘joke’, in a hushed tone as per Witness A’s evidence, which was accepted. That was indicative of Mr Ross’ awareness that the ‘joke’ was not appropriate and not in keeping with tone and ethos of the staff room.

The panel therefore found allegation 2 proved.

### **3. On or around 14 May 2021, made any (or all) of the inappropriate comments detailed at Schedule 1 to one or more staff members and/or a pupil**

As per the schedule to allegation 3, Mr Ross was alleged to have made inappropriate comments when talking to a gender questioning pupil and/or discussing a gender questioning pupil with colleagues, whereby he had used words to the effect of, or implied that:

- i. A gender questioning pupil needed to be careful as they were being brainwashed; and
- ii. He understood and agreed with pupils who had made inappropriate and/or critical comments to a gender questioning pupil.

In relation to the first sub-particular to schedule 1, this was addressed by Witness A in his evidence, who referred to an incident in the English staff room at the end of the school day on 14 May 2021.

Witness A stated Individual A, Individual D and individual E were also present and Mr Ross was having a conversation with Individual D, [REDACTED], about a pupil who had gender issues.

During the course of the discussion, Witness A's evidence was that Mr Ross said that the pupil in question had come forward to him and that he had told the pupil that they needed to be careful, as they were being "brainwashed" and there were only two genders.

Individual A also addressed this incident in her witness statement. However, whilst she recalled the discussion, her statement did not record whether Mr Ross using the word 'brainwashed'.

This allegation was denied by Mr Ross. During the School's disciplinary process, he was recorded as saying:

*"I've said to classes in general, we need to ensure we question the viewpoint, in the context of debates and critical thinking. I've never said to a child 'you're brainwashed'. I may have said, you're very young and as you get older you may change your mind."*

On balance, the panel found that Mr Ross did make a comment, to staff members, to the effect that a gender questioning pupil needed to be careful as they were being brainwashed, in the staffroom setting. In addition to Witness A's written and oral evidence, which was clear and consistent, the panel was presented with a contemporaneous email from Witness A, to a colleague, in which this precise term was quoted.

The panel did not find the alternative element to this limb proved, in that there was no clear, direct evidence that Mr Ross made such a comment to an identified, gender questioning pupil, as opposed to saying it about them to staff members.

As to whether this was an inappropriate comment, the panel was satisfied that it was. To suggest or imply that a pupil was being brainwashed was an extremely strong term and should not have been said in the presence of staff members. It was also inconsistent with the School's policies in terms of how staff should regard vulnerable pupils.

In relation to the second sub-limb of the schedule to this allegation, Witness A stated, in the same conversation, Mr Ross went on to say:

*"In response the other pupils were also making inappropriate comments to this pupil. Individual D said that the pupils were not being nice however Mr Ross said that he would agree with these pupils."*

However, the panel was unable to determine the precise context to this discussion. There was no direct, clear evidence regarding what, precisely was said by the unnamed

pupils in question, and in what context. The panel was, therefore, unable to determine whether, in saying he agreed with them, Mr Ross was making an inappropriate comment. There was simply a lack of clear evidence to allow the panel to make definitive findings, either way.

The panel therefore found this particular of allegation 3 not proved.

**4. In or around May 2021, commented to a colleague that “transgender is an illness” or words to that effect**

Further to the panel’s determination to exclude Individual A’s hearsay evidence in relation to this allegation, the TRA called no evidence in relation to this allegation.

The panel therefore found allegation 4 not proved.

**5. On or around 18 May 2021, made any (or all) of the inappropriate comments detailed at Schedule 2 in the presence of one or more pupils**

Mr Ross was alleged to have made inappropriate comments in the presence of pupils, namely that he used words to the effect of, or implied that:

- i. Gay marriage was improper;
- ii. Questioning gender is an illness; and
- iii. Gender questioning people needed treatment or help.

Pupil A gave evidence about this allegation and the English lesson on 18 May 2021 when they stated these comments were made. Pupil A stated, in particular that:

- Pupil A was early to school and so was one of the first pupils in the lesson. There were only a few pupils in the class at the time.
- They already knew that Mr Ross was a religious Christian and some of the pupils decided to ask him questions about the beliefs that he had on abortion, transgender and the non-binary spectrum.
- Pupil A remembered one pupil asked Mr Ross if he thought being transgender was wrong and he responded by saying that it was a “*mental illness*” and that they should seek psychological help, not in a way that needed to be medically assisted, but in a manner Pupil A viewed as being negative in tone when there were transgender and non-binary pupils in the class. They stated that Mr Ross also said there are only two genders.

- Mr Ross answered questions about gay marriage and said that gay marriage was wrong.
- When Mr Ross made these comments, which was the only time he had said things of this nature in their presence, Pupil A messaged their dad to tell him what Mr Ross had said, which resulted in a complaint. These messages were included in evidence and were sent in the moment, immediately after the comments were made by Mr Ross.
- When Pupil A left the lesson, they approached [REDACTED] and told him what Mr Ross had said.

Pupil B's account, given to the School at the time, was in similar terms, recalling that:

- Mr Ross said that *"if someone is transgender they clearly have something psychologically wrong with them as there is only two genders"* (sic).
- He also spoke about how *"he isn't homophobic"* but gay couples *"shouldn't exist and shouldn't marry"*.

Mr Ross' account, at the time of the School's disciplinary process, was that:

- *"Every now and again the pupil would ask his beliefs. The same pupil asked the question of gay marriage, and I said I am not a supporter of gay marriage. I said I treat people equally when I meet them."*
- *"I did say that people who believe in more than two genders might need mental help and have a mental illness. That's what I believe but I did say there are people you can talk to. I didn't mean it to be offensive, but people who hold these views do need psychological mental help."*

Accordingly, Mr Ross did not explicitly challenge the pupils' accounts, albeit he sought to put matters in a certain context.

In any event, the panel accepted Pupil A's account. They provided a contemporaneous account to the School, which in turn was corroborated by the messages to their father. They were clear and consistent in their evidence to the panel and their account was consistent with Pupil B's evidence.

The panel therefore found that Mr Ross did, in the presence of more than one pupil, use words to the effect of or implied that:

- i. Gay marriage was improper;
- ii. Questioning gender is an illness; and

- iii. Gender questioning people needed treatment or help.

In relation to the final aspect, whilst it was not clear if the term 'gender questioning people' was explicitly used by Mr Ross, whatever words were used they were broadly linked to that context. The crux of the concern, which the panel finds proved, is that Mr Ross made a comment to the effect that in the context of individuals raising gender issues, he referenced the need for treatment or help.

The panel also concluded that all of these comments were certainly inappropriate in a classroom setting, whereby Mr Ross was expressing personal views that had no relevance to his teaching. An appropriate course of action would have been to re-direct the conversation and not engage in this manner. By doing so, he clearly risked impacting on pupils in a negative way and Pupil A's evidence was to the effect that they were negatively impacted. Insofar as Mr Ross was expressing opinions as to medical matters, that was plainly beyond his role and expertise.

The panel therefore found allegation 5 proved in its entirety.

**6. By your conduct as set out at any (or all) of allegations 1 – 6 you failed to act with integrity.**

In determining allegation 6, the panel took account of the decision of the Court of Appeal in *Wingate v SRA; SRA v Mallins* [2018] EWCA Civ 366. It recognised that integrity denotes adherence to the ethical standards of the profession and the panel therefore considered whether, by his actions, Mr Ross failed to adhere to those standards.

The panel was satisfied that, in relation to allegations 1, 2, 3 (in part) and 5 as found proved, Mr Ross did fail to adhere to those standards.

In each respect, his actions were contrary to the School's policies in force at the time, which provided, for example that:

- *"All staff at all times use inclusive language and do not at any time use discriminatory or derogatory language, including sarcasm or put down."*
- *"Our academies will continue to maintain an ethos where students feel secure, are encouraged to talk, are listened to, and feel safe."*
- *"That any expression of racist/sexist comments or any discriminatory language is unacceptable."*
- *"The use of sarcastic, demeaning, or insensitive comments towards young people may also be regarded as a form of abuse which is potentially very damaging and should be avoided at all times."*

The panel had in mind that Mr Ross ought to have been aware that his comments, as found proved, risked negatively impacting on those who heard them, namely colleagues and pupils.

In making these comments and 'jokes', he showed a disregard for the duties and responsibilities upon him and his position as a role model.

The panel therefore found allegation 6 proved on this basis.

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

Having found allegations 1, 2, 3 (in part), 5 and 6 proved (other than in relation to allegation 4), 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 Ross, in relation to the facts found proved, involved breaches of the Teachers' Standards.

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

- Teachers uphold public trust in the profession and maintain high standards of ethics and behaviour, within and outside school, by
  - treating pupils with dignity, building relationships rooted in mutual respect, and at all times observing proper boundaries appropriate to a teacher's professional position
  - having regard for the need to safeguard pupils' well-being, in accordance with statutory provisions
  - showing tolerance of and respect for the rights of others
  - ensuring that personal beliefs are not expressed in ways which exploit pupils' vulnerability ...
- 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 also considered whether Mr Ross' 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 "*intolerance and/or hatred on the grounds of race, religion, sexual orientation or any of the other protected characteristics*" was engaged by the panel's findings, albeit the panel had in mind that Mr Ross was not formally investigated or prosecuted for his actions in terms of the commission of any offence.

The panel went on to consider its findings in relation to each of the allegations.

In relation to allegations 1, 2 and 3, considered in conjunction with its consequential findings in relation to allegation 6 relating to those allegations, the panel took careful account of the context in which the comments were made.

Whilst the panel's findings that Mr Ross' conduct in relation to those allegations were inappropriate and lacked integrity in the specific context outlined, the panel was not persuaded that his actions in relation to these allegations amounted to unacceptable professional conduct.

Mr Ross' actions were plainly wrong and inappropriate. They fell short of the standard expected of a teacher and engaged the Teachers' Standards and behaviours associated with the offence identified above. However, the panel was not satisfied that the conduct fell short to a sufficiently serious extent as to amount to unacceptable professional conduct. Mr Ross should not have made these comments/statements/'jokes' and was wrong to do so. Nonetheless, they occurred in a specific context, within a staff room environment. In relation to allegation 2, the panel had concluded it was more likely than not that Mr Ross had narrated what a pupil had said, albeit in a manner that was plainly inappropriate.

Accordingly and whilst the panel's decision was very finely balanced, it concluded that the threshold was not crossed.

However, in relation to allegation 5 and its consequential finding of a lack of integrity, the panel was satisfied that Mr Ross' actions did amount to unacceptable professional conduct.

Over and above the breaches of the Teachers' Standards identified, Mr Ross was an experienced teacher in a position of trust and responsibility. He was also a role model to pupils. He had breached his obligations in that regard.

As the panel had found proved in allegation 6, he was required to adhere to the School's policies and failed to do so in the respects outlined.

The panel took into account that Mr Ross was of course entitled to hold personal views, for example in relation to gender issues.

The reasonableness or otherwise of those beliefs is not a matter for this panel.

However, Mr Ross was constrained by his professional obligations, which included the need to:

- treat pupils with dignity;
- respect and celebrate pupils' personal autonomy;
- understand that adolescence may be particularly difficult for children who either identify as transgender or are questioning their gender identity or who identify as gay, lesbian or bi-sexual or are questioning their sexuality; and
- to safeguard the wellbeing of all pupils.

In relation to the specific comments found proved, Mr Ross had failed to have regard to and adhere to those obligations. The panel heard direct evidence from Pupil A that they were made to feel unsafe and unwanted as a direct result of Mr Ross' comments.

For these reasons, the panel was satisfied that the conduct of Mr Ross amounted to misconduct of a serious nature which fell significantly short of the standards expected of the profession in relation to allegation 5 and its consequential findings in allegation 6 relating to allegation 5.

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

In relation to whether Mr Ross' actions amounted to conduct that may bring the profession into disrepute, the panel found that this was not established in relation to allegations 1, 2 and 3 (together with 6 insofar as it relates to those allegations) for the same reasons as outlined above in relation to unacceptable professional conduct.

However, in relation to allegation 5 and the panel's finding that the conduct found proved lacked integrity, 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.

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

The panel considered that this was conduct that could potentially damage the public's perception of a teacher.

For these reasons, the panel found that Mr Ross' actions in relation to allegation 5 and the consequential finding that his actions lacked integrity 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.

In the light of the panel's findings against Mr Ross, involving inappropriate comments in the classroom, found to be conduct lacking integrity, which negatively impacted on at least one pupil, there was a public interest consideration in respect of the safeguarding and wellbeing of pupils.

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

The panel was of the view that a public interest consideration in declaring proper standards of conduct in the profession was also present as the conduct found against Mr Ross 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 Ross in the profession.

There was very limited evidence about Mr Ross' abilities as a teacher. Whilst Witness A referenced his character and subject knowledge in positive terms, he could not attest to his abilities as a teacher. Accordingly, whilst there was also a degree of public interest in qualified teachers remaining in the profession, the panel did not regard this as a strong consideration. Mr Ross' failings were classroom related. There were no recent character references or testimonials before the panel. It could not be said that Mr Ross had made an exceptional contribution to education and his present position and future intentions were unknown.

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 Ross.

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;
- actions or behaviours that ... undermine mutual respect and tolerance of those with different faiths and beliefs. This would encompass deliberately allowing the exposure of pupils to such actions or behaviours ... ; and
- a lack of integrity.

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

The panel considered that the following mitigating factors are present in this case:

- Mr Ross appeared to have had an otherwise unblemished record in that there were no adverse regulatory findings against him.
- Mr Ross had fully engaged and responded to the School's investigation and the early stages of the TRA's investigation.

- Mr Ross had not been made subject to an interim prohibition order.
- The panel’s findings were limited in scope and related to three comments made during the course of a single discussion before a lesson.
- The comments arose as a response to direct questions asked of him by the pupils, as opposed to Mr Ross positively seeking to impose those views. He did not instigate the discussion.
- Whilst the panel had determined that Mr Ross’ actions were inappropriate, for the reasons outlined, it did take account the timing. The period in question was at an early stage of public discourse and discussion within the School of gender issues. The position had significantly evolved since these events.
- There was some, albeit very limited, evidence of regret, remorse and insight within the case papers. For example, Mr Ross acknowledged that comments could have been “*more sensitively said*” and in a written response during the course of the School’s disciplinary process he stated:

*“... the claim I have shown no remorse throughout this process is inaccurate. I stated that I was sorry for any distress caused and would be perfectly happy to make that clear to all of those concerned.”*

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, on balance, a recommendation of no prohibition order would be both a proportionate and an appropriate response.

The nature of the proven conduct in this case was inappropriate for the reasons outlined. Further, there was only limited evidence of regret, remorse and insight on the part of Mr Ross. As outlined, his conduct was deliberate and negatively impacted on Pupil A and was likely to have impacted on other pupils present.

However, the panel concluded that the proven conduct, particularly given it concerned a single discussion before a lesson, was not sufficiently serious to warrant a prohibition order, which was accordingly not necessary or proportionate to safeguard the public interest considerations Mr Ross’ actions gave rise to.

On the basis of the evidence available, the proven conduct was an isolated incident and an isolated episode in the context of Mr Ross’ career as a whole. Whilst the comments impacted and risked impacting on those pupils present, there was no evidence of lasting harm.

Having gone through this experience, and noting there were some expression of remorse and an acceptance that his comments were insensitive, the panel considered it was unlikely that Mr Ross would put himself in the same situation again. Whilst there was no evidence of remediation, the panel considered it was more likely than not that Mr Ross will have learnt important lessons and his mistakes were, therefore, less likely to be repeated. He did fully engage in the School's investigation and disciplinary process, though it was regrettable that he had not participated in this hearing.

The panel noted the comments were made against a backdrop whereby Mr Ross had received some relevant training. However, this was not a pattern of conduct but a single incident. Accordingly, the panel did not conclude that Mr Ross' actions evidenced an embedded view that was beyond development. Specifically, this was the only known occasion when issues of this kind, in terms of the panel's findings, were known to have arisen.

In light of these matters, the panel determined that a recommendation for a prohibition order would not be appropriate or proportionate in this case.

Having very carefully taken account of the public interest considerations Mr Ross' proven conduct gave rise to, the panel considered that the publication of the adverse findings it has made would be sufficient to send an appropriate message as to the standards of behaviour that were acceptable.

In the context of this being an isolated episode, the panel did not think that his proven actions were fundamentally incompatible with Mr Ross being a teacher.

The panel considered this was a proportionate outcome, which struck a fair balance between the public interest and Mr Ross' interests, particularly in circumstances where the panel's published findings will likely have a residual impact in terms of his professional reputation and future employment prospects.

Further, the panel considered that the passage of time since these concerns first came to light and the repercussions there had been for Mr Ross, meant that a prohibition order would be punitive and disproportionate.

## **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 some of the allegations proven and found that some of those proven facts amount to unacceptable professional conduct and/or conduct that may bring the profession into disrepute. In this case, the panel has found some of the allegations not proven, including allegation 3 in part and allegation 4, and found that some allegations do not amount to unacceptable professional conduct or conduct likely to bring the profession into disrepute. I have therefore put those matters entirely from my mind.

The panel has made a recommendation to the Secretary of State that Mr Daniel Ross should not be the subject of a prohibition order. The panel has recommended that the findings of unacceptable professional conduct and/or 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 Ross is in breach of the following standards:

- Teachers uphold public trust in the profession and maintain high standards of ethics and behaviour, within and outside school, by
  - treating pupils with dignity, building relationships rooted in mutual respect, and at all times observing proper boundaries appropriate to a teacher's professional position
  - having regard for the need to safeguard pupils' well-being, in accordance with statutory provisions
  - showing tolerance of and respect for the rights of others
  - ensuring that personal beliefs are not expressed in ways which exploit pupils' vulnerability ...
- 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 Ross fell significantly short of the standards expected of the profession.

The findings of misconduct are serious as they include a finding of inappropriate comments in the classroom, conduct found to be lacking in integrity.

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 Ross, and the impact that will have on the teacher, is proportionate and in the public interest.

In this case, I have considered the extent to which a prohibition order would protect children/safeguard pupils. The panel has observed, "In the light of the panel's findings against Mr Ross, involving inappropriate comments in the classroom, found to be conduct lacking integrity, which negatively impacted on at least one pupil, there was a public interest consideration in respect of the safeguarding and wellbeing of pupils." A prohibition order would therefore prevent such a risk from being present in the future.

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

- "There was some, albeit very limited, evidence of regret, remorse and insight within the case papers. For example, Mr Ross acknowledged that comments could have been *"more sensitively said"* and in a written response during the course of the School's disciplinary process he stated:

*"... the claim I have shown no remorse throughout this process is inaccurate. I stated that I was sorry for any distress caused and would be perfectly happy to make that clear to all of those concerned."*

In my judgement, the lack of full insight or remorse 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 some 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 weakened if conduct such as that found against Mr Ross were not treated with the utmost seriousness when regulating the conduct 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 Ross himself and the panel comment "There was very limited evidence about Mr Ross' abilities as a teacher. Whilst Witness A referenced his character and subject knowledge in positive terms, he could not attest to his abilities as a teacher. Accordingly, whilst there was also a degree of public interest in qualified teachers remaining in the profession, the panel did not regard this as a strong consideration. Mr Ross' failings were classroom related. There were no recent character references or testimonials before the panel. It could not be said that Mr Ross had made an exceptional contribution to education and his present position and future intentions were unknown."

A prohibition order would prevent Mr Ross 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 "On the basis of the evidence available, the proven conduct was an isolated incident and an isolated episode in the context of Mr Ross' career as a whole. Whilst the comments impacted and risked impacting on those pupils present, there was no evidence of lasting harm."

I have also placed considerable weight on the finding of the panel that "Having gone through this experience, and noting there were some expression of remorse and an acceptance that his comments were insensitive, the panel considered it was unlikely that Mr Ross would put himself in the same situation again. Whilst there was no evidence of remediation, the panel considered it was more likely than not that Mr Ross will have learnt important lessons and his mistakes were, therefore, less likely to be repeated. He did fully engage in the School's investigation and disciplinary process, though it was regrettable that he had not participated in this hearing."

In reaching my decision I have also considered the following comment "The panel considered this was a proportionate outcome, which struck a fair balance between the public interest and Mr Ross' interests, particularly in circumstances where the panel's published findings will likely have a residual impact in terms of his professional reputation and future employment prospects."

I have given weight in my consideration of sanction therefore, to the contribution that Mr Ross could continue to make to the profession.

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 'SABuxcey', with a stylized, cursive script.

**Decision maker: Sarah Buxcey**

**Date: 2 December 2025**

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