



Teaching
Regulation
Agency

Mr Roberto De La Llera Martos: Professional conduct panel outcome

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

March 2026

Contents

Introduction	3
Allegations	4
Summary of evidence	4
Documents	4
Witnesses	5
Decision and reasons	5
Findings of fact	6
Panel's recommendation to the Secretary of State	12
Decision and reasons on behalf of the Secretary of State	17

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

Teacher: Mr Roberto De La Llera Martos

Teacher ref number: 0400363

Teacher date of birth: 27 June 1969

TRA reference: 21325

Date of determination: 20 March 2026

Former employer: Great Marlow School, Marlow

Introduction

A professional conduct panel (“the panel”) of the Teaching Regulation Agency (“the TRA”) convened on 18 to 20 March 2026 by way of a virtual hearing, to consider the case of Mr Roberto De La Llera Martos.

The panel members were Dr Louise Wallace (lay panellist – in the chair), Ms Rachel Kruger (teacher panellist) and Ms Sarah Green (lay panellist).

The legal adviser to the panel was Mr Alexander Elliott of Birketts LLP solicitors.

The presenting officer for the TRA was Mr Mark Millin of Kingsley Napley LLP solicitors.

Mr Martos was not present and was not represented.

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

Allegations

The panel considered the allegations set out in the notice of proceedings dated 16 December 2022.

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

1. On 17 March 2022, he engaged in an inappropriate conversation with Student A, namely, he:
 - a) told Student A he wanted someone to “play” with him, and/or “to fulfil [his] needs” or words to that effect;
 - b) told Student A he would be willing to pay money in exchange for the conduct described at paragraph 1a;
 - c) asked Student A whether they knew anyone who would be interested in participating in the conduct described at paragraph 1a and/or 1b;
2. His conduct at paragraphs 1a and/or 1b and/or 1c was sexually motivated and/or of a sexual nature.

Mr Martos made no admissions in respect of allegations 1(a), 1(b), 1(c) and 2. Further, he made no admission as to whether his conduct amounted to unacceptable professional conduct 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 and list of key people – pages 4 to 6

Section 2: Notice of proceedings and response – pages 7 to 13

Section 3: TRA witness statements – pages 14 to 31

Section 4: TRA documents – pages 32 to 485

Section 5: Teacher documents – pages 486 to 487

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

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

Witnesses

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

Witness A – [REDACTED]

Witness B – [REDACTED]

Student A – Student A

Mother A – Mother to Student A

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 Martos commenced employment at Great Marlow School (“the School”) on 5 February 2008.

On 17 March 2022, Mr Martos allegedly asked Student A, as he was leaving tutor time, to return to his classroom during the lunch break. It is alleged that during the subsequent conversation in the lunch break, Mr Martos told Student A that [REDACTED], and asked Student A whether they knew anyone who would want to “*play*” with him. Mr Martos also allegedly suggested that he would be willing to pay someone to do so.

Later the same day, Mother A reported the incident to the School. The School made reports to the LADO and to the police.

On 23 March 2022, Mr Martos was suspended.

On 20 October 2022, Mr Martos ceased employment at the School.

The matter was referred to the TRA on 1 December 2022.

Findings of fact

The findings of fact are as follows:

1. On 17 March 2022, you engaged in an inappropriate conversation with Student A, namely, you:

- a) told Student A you wanted someone to “play” with you, and/or “to fulfil [your] needs” or words to that effect;**
- b) told Student A you would be willing to pay money in exchange for the conduct described at paragraph 1a;**
- c) asked Student A whether they knew anyone who would be interested in participating in the conduct described at paragraph 1a and/or 1b;**

The panel considered the witness statement and oral evidence of Student A, who stated that Mr Martos was their [REDACTED] throughout their time at the School.

In oral evidence, Student A described Mr Martos as their “[REDACTED]”, and that they had initially found it difficult to report Mr Martos’ alleged conduct due to the possibility of repercussions against Mr Martos.

The panel noted Witness A’s reference in his witness statement to Student A being a “[REDACTED]” and there having been no concerns regarding Student A’s behaviour or character.

Witness B also informed the panel that she had not had any reason to believe Student A might be untruthful. The panel did not find that it had any reason for it to doubt Student A’s sincerity in providing their evidence, though, conscious of Mr Martos’ absence, continued to take an inquisitorial approach to the evidence.

Student A stated that on 17 March 2022, Mr Martos asked Student A to come and see him at lunchtime, which Student A did, and the conversation lasted around 5 to 10 minutes. Student A submitted that during that meeting, Mr Martos said [REDACTED] and asked whether Student A knew anyone who would want to earn money by “playing” with him. Student A further stated that Mr Martos continued in the same conversation to ask if Student A was interested, then told Student A that if they did think of anyone who was interested, they should let Mr Martos know.

During the hearing, Student A was referred to a written summary of their interview with Thames Valley Police, which had been shared with the School during its investigation. Student A stated in oral evidence that this was an accurate summary of a police interview they attended on 21 March 2022, and that it accurately reflected the events on 17 March 2022.

During the interview, Student A reportedly stated that Mr Martos had said [REDACTED] and then asked if Student A knew anyone who would like a job earning £80 - £100 per week. Mr Martos then reportedly went on to say he wanted someone to “*play with him*” but it would not involve sex, that he liked younger [REDACTED] and would be happy to buy clothes or pay money for this.

The panel considered the oral evidence and written statement of Witness B. Witness B submitted that, on 17 March 2022, after the school day had finished, Individual C, [REDACTED], received a phone call from Mother A, reporting that Student A was very upset following an incident that day with Mr Martos. Witness B attended Student A’s home with Individual C, and stated that Student A became visibly upset before recounting the incident.

Student A was referred to handwritten notes taken by Witness B on 17 March 2022. Student A stated in oral evidence that this was an accurate summary of the discussion they had with Witness B and Individual C on 17 March 2022, which was the same day as Student A’s conversation with Mr Martos. These notes record Student A stating that Mr Martos said [REDACTED], that he could offer people £80 - £100 for “*fulfilling [his] needs*” and that if Student A could think of anyone, they should let Mr Martos know.

The panel considered the notes of Mr Martos’ interview during the School’s investigation process. Mr Martos had reportedly admitted that he informed Student A [REDACTED] and liked the [REDACTED] Student A was wearing, and asked if Student A would “*like to earn extra money*”. Mr Martos then reportedly stated that Student A asked if this would involve gardening, and that he had responded “*no not gardening, or playing, playing football*”. In a subsequent email to the School, Mr Martos stated “*The idea of ‘playing’ was intended to mean competitive activities such as video games, from which a student might be expected to ‘win’ money*”.

On the balance of probabilities, the panel accepted Student A’s contemporaneous recollection of events provided to Witness B and the police, together with Student A’s written and oral witness evidence. The panel therefore found proven that, on 17 March 2022, Mr Martos had:

- a) told Student A that he wanted someone to “*play*” with him and/or “*fulfil [his] needs*”, or words to that effect’;
- b) told Student A that he would be willing to pay money in exchange for the conduct described above; and
- c) asked Student A whether they knew anyone who would be interested in participating in the conduct described above.

The panel went on to consider whether the conversation between Mr Martos and Student A was inappropriate.

The panel took into account Mr Martos' explanation for his actions, as set out within his email to Kingsley Napley LLP dated 2 January 2023 and the notes of his interview with the School on 5 July 2022. Mr Martos stated that he intended to discuss a sponsorship proposal with Student A, whereby he would have paid money to students, via their parents, so they could focus on their studies rather than having to undertake part-time employment.

The panel had sight of a written document produced by Mr Martos during the School's investigation, which appeared as an undated typed table labelled "*Sponsorship 2022*". This table listed two unnamed students and had rows for days, amounts and whether parental and student feedback had been provided. The document contained no detail about Mr Martos' alleged sponsorship proposal.

In oral evidence, Student A informed the panel that there had been no mention of a sponsorship during their conversation with Mr Martos on 17 March 2022, and the panel noted that there was no mention of such a scheme in Witness B's handwritten notes or the summary of Student A's police interview. During the School's investigation, Mr Martos reportedly stated that he had not spoken to anyone about this idea before. Witness A submitted in his witness statement that, during the School's disciplinary hearing on 19 October 2022, he asked Mr Martos what his, Witness A's, immediate response would have been to Mr Martos' proposal, to which he stated Mr Martos answered "No". This is supported by the written record of the disciplinary hearing.

The panel again considered the conversation between Mr Martos and Student A, which was held in private during the lunch break, with no other pupils or staff present. The panel noted that, in their evidence, Student A and Mother A described Mr Martos' typical behaviour as "*social*" and "*bubbly*". Conversely, Student A submitted that, on 17 March 2022, Mr Martos was acting differently and more serious than usual. During Student A's police interview, they reportedly described Mr Martos as appearing nervous and awkward and that he was struggling to get his words out, which was not the way he normally was. The panel found that the apparent change in Mr Martos' demeanour indicated that his conversation with Student A was less likely to have been an innocent discussion regarding a proposed sponsorship scheme.

Taking all the above into consideration, on the balance of probabilities the panel did not accept Mr Martos' explanation that his conduct, as found proven, related to an unparticularised sponsorship scheme noting that this was something which Mr Martos had not previously raised with the School.

The panel could not conceive of any appropriate explanation for the conversation between Mr Martos and Student A. The panel found that this was an inappropriate conversation.

Accordingly, the panel found allegations 1(a), 1(b) and 1(c) proven.

2. Your conduct at paragraphs 1a and/or 1b and/or 1c was sexually motivated and/or of a sexual nature.

The panel's attention was drawn to section 78, *Sexual Offences Act 2003*, and to the cases of *Sait v The General Medical Council [2018]*, *Basson v General Medical Council [2018]* and *The General Medical Council v Haris [2020] EWHC 2518*.

The panel firstly considered whether Mr Martos' conduct was sexual in nature. In doing so, the panel noted the specific circumstances and context surrounding what Mr Martos was found to have said to Student A.

The panel noted that it had not accepted Mr Martos' explanation for his actions, as put forward during the School's investigation and in Mr Martos' email to Kingsley Napley LLP of 2 January 2023.

The panel then considered Mr Martos' submission that there is no proof of wrongdoing other than hearsay, hatred and [REDACTED]. The panel noted that Student A had provided direct witness evidence of their conversation with Mr Martos on 17 March 2022, supported by contemporaneous records. In his oral evidence, Witness A stated that Mr Martos had been [REDACTED]. Student A also stated that there had been rumours among the students that [REDACTED]. In oral evidence, Student A informed the panel that they have no problem at all [REDACTED], and that, prior to the incident, they had a good relationship with Mr Martos. The panel found there was no evidence to substantiate Mr Martos' submission that the allegations were in any way linked to [REDACTED] or any form of personal hatred towards him.

The panel considered that Mr Martos had informed Student A [REDACTED], and that he had followed this by telling Student A that he wanted someone to "play" with him and/or "fulfil [his] needs" and that he would be willing to pay money in exchange for this conduct. The panel inferred from the context that Mr Martos' references to "play" and/or "fulfil [his] needs" were, on the balance of probabilities, likely to be references to the performance of sexual acts on Mr Martos and/or others.

The panel therefore considered that Mr Martos' conduct, as found proven, was sexual in nature.

The panel then considered whether the conduct was sexually motivated. It noted that in *Basson* it was stated that, "A sexual motive means that the conduct was done either in pursuit of sexual gratification or in pursuit of a sexual relationship".

The panel was also mindful of the Court of Appeal's conclusion in *General Medical Council v Haris [2021] EWCA Civ 763*. The court found in that case that, "In the absence of a plausible innocent explanation for what he did, the facts spoke for themselves."

Having found that Mr Martos' conduct was sexual in nature, the panel considered whether there was a plausible innocent explanation for it. The panel noted that it had not accepted Mr Martos' explanation that he was seeking to discuss a [REDACTED] with Student A and, therefore, found that this was not a plausible innocent explanation. The panel could conceive of no other plausible innocent explanation for the facts.

In the further absence of any other explanation put forward by Mr Martos, the panel was satisfied on the balance of probabilities that Mr Martos' conduct was done either in pursuit of sexual gratification or in pursuit of a sexual relationship, whether with Student A or with others. Accordingly, the panel found that Mr Martos' conduct was sexually motivated.

The panel concluded that Mr Martos' conduct as set out in allegations 1(a), 1(b) and/or 1(c) was sexually motivated and/or of a sexual nature.

Therefore, the panel found allegation 2 proven.

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

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

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

- Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities.

The panel considered that Mr Martos' conduct, as found proved, involved breaches of Keeping Children Safe In Education 2021 ("KCSIE"). In particular, the panel found that the allegations against Mr Martos, as found proven, may have met the harm threshold as set out within paragraph 338 of KCSIE, in that Mr Martos had:

- possibly committed a criminal offence against or related to Student A, being the offence of sexual communication with a child;
- behaved towards Student A in a way that indicates he may pose a risk of harm to children; and/or
- behaved in a way that indicates that he may not be suitable to work with children.

The panel also considered whether Mr Martos' conduct displayed behaviours associated with any of the offences listed on pages 12 and 13 of the Advice.

The Advice indicates that where behaviours associated with such an offence exist, a panel is likely to conclude that an individual's conduct would amount to unacceptable professional conduct.

The panel found that the offence of sexual communication with a child was relevant.

The panel noted that Mr Martos had engaged in an inappropriate conversation with Student A which was sexually motivated and/or of a sexual nature seemingly with the intention of engaging in a sexual relationship or activity with Student A or others. The panel found that such conduct by a teacher towards a student was unacceptable in all circumstances.

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

In relation to whether Mr Martos' 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 Martos' 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 Martos was guilty of unacceptable professional conduct, the panel found that the offence of sexual communication with a child was relevant.

In their witness statement, Student A described the whole experience as difficult. The panel also noted Mother A's written and oral evidence. Mother A submitted that Student A's trust in people had been impacted, as well as their social confidence, and stated that Student A had attended [REDACTED], although she also informed the panel that she had noticed a recent improvement in Student A's confidence. The panel found that Student A's experience had damaged their perception of both Mr Martos and the School.

The panel considered that Mr Martos' had been found to have engaged in an inappropriate conversation with Student A which was sexually motivated and/or sexual in nature. The panel found that such conduct would likely be considered unacceptable and abhorrent to members of the public in all circumstances.

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

Panel's recommendation to the Secretary of State

Given the panel's findings in respect of unacceptable professional conduct and conduct that may bring the profession into disrepute, it was necessary for the panel to go on to consider whether it would be appropriate to recommend the imposition of a prohibition order by the Secretary of State.

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

The panel had regard to the particular public interest considerations set out in the Advice and, having done so, found a number of them to be relevant in this case, namely: the safeguarding and wellbeing of pupils, the maintenance of public confidence in the profession, and the declaring and upholding of proper standards of conduct.

In the light of the panel's findings that Mr Martos had engaged in an inappropriate conversation with Student A which was sexual in nature and sexually motivated, there was a strong public interest consideration in the safeguarding and wellbeing of pupils. In

particular, the panel noted that Mr Martos had asked Student A if they knew anyone who might be interested in “*playing*” with him (which the panel had found related to the performance of sexual acts) in exchange for money. The panel considered that this conduct had the potential to put Student A and/or others (including children) at risk of serious harm.

The panel considered that public confidence in the profession was likely to be seriously weakened if conduct that is sexually motivated and of a sexual nature, such as that specifically found proven against Mr Martos, were not treated with the utmost seriousness when regulating the conduct of the profession. The panel considered that the public regard the safeguarding of pupils as the top priority for the teaching profession and that they would expect all teachers to maintain appropriate boundaries at all times in their relationships with children.

The panel found that the ordinary, intelligent and well-informed citizen would view Mr Martos’ conduct, which the panel considered involved exploiting his relationship with Student A in pursuit of sexual gratification and/or a sexual relationship, as abhorrent and wholly unacceptable, and that it had the potential to significantly diminish the public’s confidence in the teaching profession. The panel considered that there was a very strong public interest in being seen to take robust action in response to Mr Martos’ conduct.

The panel was of the view that there was also a strong public interest in declaring proper standards of conduct in the profession. The panel considered that holding inappropriate conversations with children, which are of a sexual nature and sexually motivated, falls far outside the conduct which could reasonably be tolerated from a teacher.

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 Martos in the profession. The panel noted that Mr Martos had been employed at the School for over 14 years prior to this incident, and took into account Mr Martos’ submission that he had had “*several years in a successful, blemishless career teaching Spanish in the UK*”. The panel further considered Student A’s description of Mr Martos as their “[REDACTED]”, and Witness A’s evidence that there had been no previous concerns of a similar nature regarding Mr Martos.

The panel then considered this interest against Mr Martos’ conduct and the other public interests set out above. The panel noted that Mr Martos had sought to exploit his position of trust with Student A in pursuit of sexual gratification and/or a sexual relationship with Student A and/or others. The panel found that this was such a fundamental breach of the standard of conduct expected of a teacher that the public interests in safeguarding pupils, maintaining public confidence in the profession, and declaring and upholding proper standards of conduct, significantly outweighed any public interest in retaining Mr Martos in the profession.

The panel considered carefully the seriousness of the behaviour, noting that the Advice states that the expectation of both the public and pupils, is that members of the teaching profession maintain an exemplary level of integrity and ethical standards at all times. The panel noted that a teacher's behaviour that seeks to exploit their position of trust should be viewed very seriously in terms of its potential influence on pupils and be seen as a possible threat to the public interest. The panel found that, whilst Mr Martos' behaviour, in itself, was severe and had harmed Student A, it also had the potential to cause significant and irreparable harm to Student A and/or others (including other pupils) had Student A not reported it on the same day.

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 Martos.

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. The panel found the following behaviours to be relevant in this case:

- serious departures from the personal and professional conduct elements of the Teachers' Standards;
- misconduct seriously affecting the education and/or safeguarding and well-being of pupils, and particularly where there is a continuing risk;
- abuse of position or trust (particularly involving pupils);
- an abuse of any trust, knowledge, or influence gained through their professional position in order to advance a romantic or sexual relationship with a pupil or former pupil;
- sexual misconduct, e.g. involving actions that were sexually motivated or of a sexual nature and/or that use or exploit the trust, knowledge or influence derived from the individual's professional position;
- failure in their duty of care towards a child, including exposing a child to risk or failing to promote the safety and welfare of the children (as set out in Part 1 of KCSIE).

Even though Mr Martos' conduct, as found proven, indicated that a prohibition order would be appropriate, the panel went on to consider any mitigating factors. Mitigating factors may indicate that a prohibition order would not be appropriate or proportionate.

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

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

The panel noted the length of Mr Martos' career at the School, as well Student A's description of Mr Martos as his "[REDACTED]". The panel did not find that Mr Martos had demonstrated exceptionally high standards in his personal and professional conduct or a significant contribution to the education sector.

The panel considered whether Mr Martos had demonstrated insight or remorse. The panel noted that, in his submission to Kingsley Napley LLP, Mr Martos had referred to the financial and personal impact the process and the School's investigation had had on him, and that he had reportedly struggled with [REDACTED]. However, the panel found no evidence that Mr Martos had given any consideration to how his conduct may have affected Student A, whose relationship with Mr Martos, the panel found, Mr Martos had sought to exploit in pursuit of sexual gratification and/or a sexual relationship. The panel also did not find that Mr Martos had considered the impact of his actions on the School or the wider teaching profession. Accordingly, the panel found that Mr Martos had not demonstrated insight or remorse in relation to his conduct.

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.

The panel was of the view that, applying the standard of the ordinary intelligent citizen, it would not be a proportionate or appropriate response to recommend no prohibition order. Having regard to the severity of Mr Martos' conduct, which the panel found to have been sexually motivated and of a sexual nature, the panel considered that a recommendation of the publication of adverse findings only would unacceptably compromise the public interest considerations present in this case, particularly the public interest in the safeguarding of pupils, maintaining public confidence in the profession and declaring and upholding proper standard of conduct within the teaching profession.

The panel was of the view that prohibition was both proportionate and appropriate. The panel decided that the public interest in removing Mr Martos from the teaching profession significantly outweighed the interests of Mr Martos and any public interest in retaining him in the profession. The panel's finding that Mr Martos had engaged in an inappropriate, sexualised conversation with a student in pursuit of sexual gratification and/or a sexual relationship, which put Student A and/or others at risk of serious harm, was a significant factor in forming that opinion. Accordingly, the panel made a recommendation to the Secretary of State that a prohibition order should be imposed with immediate effect.

The panel went on to consider whether or not it would be appropriate for it to decide to recommend a review period of the order. The panel was mindful that the Advice states that a prohibition order applies for life, but there may be circumstances, in any given case, that may make it appropriate to allow a teacher to apply to have the prohibition order reviewed after a specified period of time that may not be less than 2 years.

Paragraph 50 of the Advice indicates that there are certain types of case where, if relevant, the public interest will have greater relevance and weigh in favour of not offering a review period. Such cases include, in particular:

- serious sexual misconduct e.g. where the act was sexually motivated and resulted in, or had the potential to result in, harm to a person or persons, particularly where the individual has used their professional position to influence or exploit a person or persons; and
- any sexual misconduct involving a child.

The panel noted its finding that Mr Martos had engaged in an inappropriate conversation with Student A, a child, in which he had asked Student A if they knew of anyone who may be willing to perform sexual acts with Mr Martos in exchange for money. The panel considered that Mr Martos' conduct was sexually motivated and, had it not been reported, that it had the potential to result in serious harm to Student A and/or others, including other children. The panel therefore found that this was a case of serious sexual misconduct involving a child.

Paragraph 51 of the Advice also indicates that there are certain other types of cases where it is likely that the public interest will have greater relevance and weigh in favour of a longer period before a review is considered appropriate.

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

The panel noted its earlier finding that Mr Martos had not demonstrated remorse or insight into his actions. The panel considered that, whilst Mr Martos' conduct in itself amounted to a severe and fundamental breach of his position of trust as a teacher, the potential consequences of his conduct, including the harm to Student A and/or other children, could have been far more severe, had it not been reported by Student A. The panel did not find any evidence that Mr Martos had recognised this.

Taking into account the severity of Mr Martos' conduct together with his lack of insight, the panel could not be satisfied that, if Mr Martos were allowed the opportunity to return to the teaching profession, there would be no risk of repetition of his conduct. The panel found that any such repetition would have the potential to cause severe harm to other pupils, including children.

The panel concluded that its findings, particularly its findings of serious sexual misconduct involving a child, indicated a situation in which a review period would not be appropriate or in the public interest. As such, the panel decided that it would be proportionate, in all the circumstances, for the prohibition order to be recommended without provisions for a review period.

Accordingly, the panel's recommendation to the Secretary of State was that Mr Martos be prohibited from the teaching profession with immediate effect, without provisions for a review period.

Decision and reasons on behalf of the Secretary of State

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

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

In this case, the panel has found 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.

The panel has made a recommendation to the Secretary of State that Mr Roberto De La Llera Martos should be the subject of a prohibition order, with no provision for a review period.

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

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

The panel was satisfied that the conduct of Mr Martos involved breaches of the responsibilities and duties set out in statutory guidance Keeping children safe in education (KCSIE).

The panel has found that the conduct of Mr Martos fell significantly short of the standards expected of the profession.

The findings of misconduct are particularly serious as they include a finding of engaging in an inappropriate conversation with a student that was sexually motivated and of a sexual nature.

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

In this case, I have considered the extent to which a prohibition order would protect children and safeguard pupils. The panel has observed:

“In the light of the panel’s findings that Mr Martos had engaged in an inappropriate conversation with Student A which was sexual in nature and sexually motivated, there was a strong public interest consideration in the safeguarding and wellbeing of pupils. In particular, the panel noted that Mr Martos had asked Student A if they knew anyone who might be interested in “*playing*” with him (which the panel had found related to the performance of sexual acts) in exchange for money. The panel considered that this conduct had the potential to put Student A and/or others (including children) at risk of serious harm.”

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 has set out as follows:

“The panel considered whether Mr Martos had demonstrated insight or remorse. The panel noted that, in his submission to Kingsley Napley LLP, Mr Martos had referred to the financial and personal impact the process and the School’s investigation had had on him, and that he had reportedly struggled with [REDACTED]. However, the panel found no evidence that Mr Martos had given any consideration to how his conduct may have affected Student A, whose relationship with Mr Martos, the panel found, Mr Martos had sought to exploit in pursuit of sexual gratification and/or a sexual relationship. The panel also did not find that Mr Martos had considered the impact of his actions on the School or the wider teaching profession. Accordingly, the panel found that Mr Martos had not demonstrated insight or remorse in relation to his conduct.”

In my judgement, the lack of insight and 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 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 that public confidence in the profession was likely to be seriously weakened if conduct that is sexually motivated and of a sexual nature, such as that specifically found proven against Mr Martos, were not treated with the utmost seriousness when regulating the conduct of the profession. The panel considered that the public regard the safeguarding of pupils as the top priority for the teaching profession and that they would expect all teachers to maintain appropriate boundaries at all times in their relationships with children.”

I am particularly mindful of the finding of a teacher engaging in a sexualised conversation with a child in this case and the impact that such a finding has on the reputation of the profession.

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

I have considered whether the publication of a finding of 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 Martos himself. The panel has commented:

“The panel noted the length of Mr Martos’ career at the School, as well Student A’s description of Mr Martos as his “[REDACTED]”. The panel did not find that Mr Martos had demonstrated exceptionally high standards in his personal and professional conduct or a significant contribution to the education sector.”

A prohibition order would prevent Mr Martos 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 findings concerning the seriousness of the misconduct it had found proven. The panel has said:

“The panel was of the view that prohibition was both proportionate and appropriate. The panel decided that the public interest in removing Mr Martos from the teaching profession significantly outweighed the interests of Mr Martos and any public interest in retaining him in the profession. The panel’s finding that Mr Martos had engaged in an inappropriate, sexualised conversation with a student in pursuit of sexual gratification and/or a sexual relationship, which put Student A and/or others at risk of serious harm, was a significant factor in forming that opinion.”

The panel has found that there was no evidence that Mr Martos’ actions were not deliberate, nor to suggest that Mr Martos was acting under extreme duress.

I have also placed considerable weight on the finding of the panel that Mr Martos had not demonstrated insight into or remorse for his behaviour, and that there was a risk of repetition which could cause severe harm to children.

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

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

I have gone on to consider the matter of a review period. In this case, the panel has recommended that no provision should be made for a review period.

I have considered the panel’s comments:

“The panel noted its earlier finding that Mr Martos had not demonstrated remorse or insight into his actions. The panel considered that, whilst Mr Martos’ conduct in itself amounted to a severe and fundamental breach of his position of trust as a teacher, the potential consequences of his conduct, including the harm to Student A and/or other children, could have been far more severe, had it not been reported by Student A. The panel did not find any evidence that Mr Martos had recognised this.

Taking into account the severity of Mr Martos’ conduct together with his lack of insight, the panel could not be satisfied that, if Mr Martos were allowed the opportunity to return to the teaching profession, there would be no risk of repetition of his conduct. The panel found that any such repetition would have the potential to cause severe harm to other pupils, including children.

The panel concluded that its findings, particularly its findings of serious sexual misconduct involving a child, indicated a situation in which a review period would not be appropriate or in the public interest. As such, the panel decided that it would be proportionate, in all the circumstances, for the prohibition order to be recommended without provisions for a review period.”

I have considered whether not allowing a review period reflects the seriousness of the findings and is a proportionate response to achieve the aim of maintaining public confidence in the profession. In this case, factors mean that allowing a review period is not sufficient to achieve the aim of maintaining public confidence in the profession. These elements are the serious nature of the misconduct found proven, the lack of insight and remorse, and the risk of repetition.

I consider therefore that allowing for no review period is necessary to maintain public confidence and is proportionate and in the public interest.

This means that Mr Roberto De La Llera Martos is prohibited from teaching indefinitely and cannot teach in any school, sixth form college, relevant youth accommodation or children’s home in England. Furthermore, in view of the seriousness of the allegations found proved against him, I have decided that Mr Martos shall not be entitled to apply for restoration of his eligibility to teach.

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

Mr Martos has a right of appeal to the High Court within 28 days from the date he is given notice of this order.

A handwritten signature in black ink, appearing to read 'D Oatley', with a large, sweeping loop at the end.

Decision maker: David Oatley

Date: 23 March 2026

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