



Teaching  
Regulation  
Agency

# **Mr Germaine Clarke: Professional conduct panel hearing outcome**

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

**March 2026**

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

**Teacher:** Mr Germaine Clarke

**TRA reference:** 24166

**Date of determination:** 25 March 2026

**Former employer:** Harris City Academy Crystal Palace, London

### **Introduction**

A professional conduct panel ('the panel') of the Teaching Regulation Agency ('the TRA') convened on 23 to 25 March 2026 by way of a virtual hearing, to consider the case of Mr Germaine Clarke.

The panel members were Mr Alan Wells (former teacher panellist – in the chair), Mr Richard Young (lay panellist) and Mrs Lynn Seal (teacher panellist).

The legal adviser to the panel was Ms Kimberley Clayton of Birketts LLP solicitors.

The presenting officer for the TRA was Ms Rosa Bennathan of Three Raymond Buildings Chambers instructed by Kingsley Napley LLP.

Mr Clarke was present and was represented by Ms Katie Jones of Lincoln House Chambers.

The hearing took place in public and was recorded.

## Allegations

The panel considered the allegations set out in the notice of hearing dated 9 December 2025.

It was alleged that Mr Clarke was guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute in that whilst working as a teacher at Harris City Academy Crystal Palace:

1. Between approximately December 2023 and May 2024, he:
  - a. presented himself as a member of the recruitment team when contacting potential Overseas Teacher candidates when this was not part of his role; and/or
  - b. attempted to obtain payment from candidate(s) in return for a work placement.
2. His conduct at paragraph 1a and/or 1b was dishonest.

Mr Clarke admitted the facts of allegations 1(a), 1(b) and 2, and further admitted that his behaviour amounted to unacceptable professional conduct and conduct that may bring the profession into disrepute, as set out in Mr Clarke's response to the notice of hearing which was undated and in the statement of agreed facts dated 19 March 2026 provided to the panel on 23 March 2026.

## 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 5

Section 2: Notice of hearing and response – pages 6 to 12

Section 3: TRA witness statements – pages 13 to 25

Section 4: TRA exhibits – pages 26 to 206

In addition, the panel agreed to accept the following:

- The statement of agreed facts dated 19 March 2026 - to be numbered pages 207 to 208; and
- The mitigation documents within the 42-page defence bundle - to be numbered pages 209 to 250.

The panel members confirmed that they had read all of the documents within the bundle, in advance of the hearing and the additional documents that the panel decided to admit.

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

## **Witnesses**

Mr Clarke was present at the hearing and gave oral evidence in mitigation.

## **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 Clarke commenced employment as a maths teacher at Harris City Academy Crystal Palace ('the School') in January 2016. The School is part of the Harris Federation ('the Federation'). Mr Clarke was promoted to second in charge of maths in April 2024.

The Federation recruits teachers from Jamaica to work in its academies. In May 2024, Federation staff travelled to Jamaica to conduct interviews at an overseas recruitment event.

On 25 May 2024, while in Jamaica, [REDACTED] informed [REDACTED] and [REDACTED] that an applicant had been asked to pay a referral fee, and it was alleged that Mr Clarke had sent the applicant a referral form and a contract requesting payment in exchange for a work placement.

On 5 June 2024, the Federation commenced a disciplinary investigation into Mr Clarke's conduct. On 18 July 2024, Mr Clarke resigned.

The Federation made a referral to the TRA on 22 July 2024.

## **Findings of fact**

The findings of fact are as follows:

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

The panel considered Mr Clarke's undated response to the notice of hearing. In this document, Mr Clarke admitted the facts of allegations 1(a), 1(b) and 2 and further admitted that his conduct amounted to unacceptable professional conduct and conduct that may bring the profession into disrepute.

The panel also considered Mr Clarke's statement of agreed facts, submitted on the first day of the hearing, in which he admitted all the allegations and accepted that they constituted unacceptable professional conduct and conduct that may bring the profession into disrepute. Mr Clarke further provided that between December 2023 and May 2024, he falsely presented himself as part of the Harris Federation recruitment team and attempted to obtain £3,000 from Overseas Teacher candidates when this was not part of his role, and that this conduct was dishonest.

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

**1. Between approximately December 2023 and May 2024, you:**

- a. presented yourself as a member of the recruitment team when contacting potential Overseas Teacher candidates when this was not part of your role; and/or**

Mr Clarke admitted the facts of allegation 1(a) as set out in his response to the notice of hearing. In his statement of agreed facts, he further admitted that he did not form part of the Harris Federation's recruitment team, that he contacted one or more potential Overseas Teacher candidates while presenting himself as a member of that team, and that he sent his own referral form or questionnaire to one or more such candidates.

The panel considered the written statement of [REDACTED], who described her experience in early 2024 of applying for a role at the Federation. She stated that she had contacted her friend, [REDACTED], who was also an employee of the Federation and [REDACTED], about job openings at her school. [REDACTED] stated that [REDACTED] had told her that there were possible jobs available and had asked her to send her CV and resumé to Mr Clarke, explaining that he had been asked by the Federation to assist with the recruitment of overseas teachers. She stated that she was therefore under the impression that Mr Clarke was working for the Harris Federation as a recruiter and looked out for him at the Federation's recruitment event in Jamaica, expecting him to be present in that capacity.

The panel also considered screenshots of messages exchanged between [REDACTED] on 17 January 2024, including a message from [REDACTED] stating, "*They asked [REDACTED] to help with recruitment.*"

The panel further considered documents that [REDACTED] stated Mr Clarke had sent her, including a questionnaire emailed to her on 14 May 2024 requesting contact and teaching information, which she completed and returned on 15 May 2024. The panel noted the disclaimer on the questionnaire stating, "*Please note this doesn't mean you are guaranteed a placement!!!*" The documents also included a contract sent by Mr Clarke on 25 May 2024 which stated that, "*the term of this agreement shall begin on receiving a*

*placement to work in the United Kingdom and be terminated upon receiving a set payment of £3000”.*

The panel considered the written statement of [REDACTED] and also an [REDACTED] during the Federation’s recruitment trip to Jamaica in May 2024. [REDACTED] stated that on 24 May 2024, following her interview, [REDACTED] asked to speak with her privately and explained that she believed Mr Clarke had introduced himself as a recruiter for the Federation and had told her he would be travelling to Jamaica as part of the recruitment team. [REDACTED] stated that this understanding had been reinforced by what [REDACTED] was told by [REDACTED], namely that the Federation had asked Mr Clarke to help with recruitment and that he would be joining the team arriving in February. [REDACTED] explained that she was surprised and shocked, as she did not know Mr Clarke, had never known him to be part of the recruitment team, and had no awareness of him having recruitment responsibilities. She then escalated the matter to [REDACTED], and [REDACTED].

The panel reviewed an email dated 31 May 2024 from [REDACTED] in which [REDACTED] described her meeting with [REDACTED] and stated that one of the documents sent by Mr Clarke *“asked for the same details in the same order”* as the Federation’s employee referral scheme forms.

The panel also considered the written statement of [REDACTED] and the investigating officer appointed by the Federation. [REDACTED] stated that concerns first arose during the recruitment trip to Jamaica in May 2024, when staff became aware that an applicant had received emails and documents from Mr Clarke in connection with recruitment. He stated that, after reviewing the material, he established that Mr Clarke had contacted Overseas Teacher candidates using his personal email address and had issued his own referral form, despite not being part of the Federation’s recruitment team and having no recruitment responsibilities within his job description. [REDACTED] stated that Mr Clarke’s actions fell outside the authorised referral scheme and amounted to him presenting himself as acting in a recruitment capacity.

The panel considered Mr Clarke’s job description for the post of second in charge of mathematics. The panel noted that there was no reference to recruitment in Mr Clarke’s job description. The panel further noted that [REDACTED] confirmed in his written statement that Mr Clarke did not form part of the OTT recruitment team and recruitment was not part of his role.

The panel considered Mr Clarke’s witness statement where he admitted that between approximately December 2023 and May 2024, he presented himself as a member of the recruitment team when contacting potential Overseas Teacher candidates when this was not part of his role. In his witness statement, Mr Clarke explained that in January 2024, he received an email from [REDACTED] expressing an interest in joining the Federation as a teacher. He explained that he responded on 14 May 2024 and stated *“I asked her to*

*complete a referral form, which she did and returned to me the following day*". He further explained that he sent a further email [REDACTED] on 25 May 2024 in which he "*sought to obtain money from her in connection with recruitment to the Federation*" and accepted that by doing so, "*I created the impression that payment was connected to the recruitment process*". Mr Clarke stated that "*I accept that I had no authority to request or receive such a payment and that, by creating and sending this document, I acted entirely outside the Federation's approved recruitment and referral procedures*".

The panel concluded that Mr Clarke did present himself as a member of the recruitment team, noting that his conduct went wider than the scheme presented by the School, and that he contacted multiple potential overseas candidates in a manner that held him out as part of the Federation's recruitment function. The panel considered that the materials he sent to candidates, including his own form and contract, appeared premeditated and fell completely outside the scope of the authorised referral scheme or recruitment process, and that this behaviour was inconsistent with his actual role at the School.

The panel therefore found allegation 1(a) proven.

**b. attempted to obtain payment from candidate(s) in return for a work placement.**

Mr Clarke admitted the facts of allegation 1(b) as set out in his response to the notice of hearing. In his statement of agreed facts, he further admitted that he sent a contract to one or more potential Overseas Teacher candidates, which contained the following clauses: (1) "*After I receive a job placement from Germaine's recommendation, I will pay him £3000*"; (2) that payment would be made within two years of working in the United Kingdom; and (3) that a short video and a copy of identification would be sent to Mr Clarke confirming agreement to the terms of the contract.

The panel considered the contract and recruitment referral form dated 23 May 2024 in the bundle, which [REDACTED] stated was sent to her by Mr Clarke. The panel noted that the contract included at clause 1: "*After I receive a job placement from Germaine's recommendation, I will pay him £3,000.*" The panel noted that [REDACTED] stated she understood from the contract and Mr Clarke's emails that she would be required to pay either the Federation or Mr Clarke £3,000 for a work placement.

The panel further considered the email exchanges between [REDACTED] and Mr Clarke on 25 and 26 May 2024. On 25 May 2024, following her interview, [REDACTED] messaged Mr Clarke stating that the interview had gone well and seeking clarification as to why the contract referred to a £3,000 fee. She stated that no such fee had been mentioned at the event and that the only charges she had been told about were the visa application fee and the health surcharge. She asked Mr Clarke to explain what the £3,000 payment was for. On 26 May 2024, Mr Clarke replied, "*It ok don't worry about it.*"

*Really happy you did the interview. Hope you get a place.*” The panel noted that he did not provide any explanation or breakdown of the fee when asked.

The panel considered the written statement of [REDACTED], who described her meeting with [REDACTED] at the Federation’s event in Jamaica on 24 May 2024. [REDACTED] stated that [REDACTED] told her she had been asked to pay an additional £3,000 as a referral fee to work at the Federation. She stated that [REDACTED] showed her the contract requiring payment of £3,000 after receiving a job placement from Mr Clarke’s recommendation and sought guidance on whether the fee was legitimate. [REDACTED] stated she was “*shocked as I was unaware of any such payment*” and that “*this was not something that the Federation did.*” She confirmed that she knew of no circumstances in which the Federation charged a recruitment fee and that the contract was wholly inconsistent with normal practice. She also noted that [REDACTED] had received emails from Mr Clarke requesting documents and giving instructions in a recruitment-style capacity, which reinforced the seriousness of the attempted payment request. She escalated the matter immediately.

The panel considered the written statement of [REDACTED], who explained that his investigation identified that Mr Clarke had sent one or more candidates a contract linking a prospective job placement to payment of £3,000. He stated that the documents were entirely inconsistent with Federation processes, which did not involve charging recruitment fees, and that the contract made no reference to any legitimate business purpose.

The panel also considered that in his written statement, [REDACTED] explained that as the internal investigating officer, he had interviewed Mr Clarke on 21 June 2024. [REDACTED] described the investigation meeting on 21 June 2024, during which Mr Clarke said that the £3,000 fee was not for securing a work placement. Instead, he said it related to his property business. Mr Clarke told [REDACTED] that the fee covered applicants’ repayment of housing set-up costs, and that he believed he had explained this to applicants by phone.

The panel also considered [REDACTED] account of his investigation meeting with Mr Clarke on 21 June 2024. [REDACTED] stated that Mr Clarke told him that the £3,000 fee was related to his property business and was intended to reimburse him for accommodation-related costs he claimed he would incur in arranging housing for candidates. The panel noted Mr Clarke’s explanation that he was in the process of starting a property business and intended the contract to ensure he “*got back [his] funds.*” The panel further noted that Mr Clarke accepted that the contract did not mention accommodation, stating it was “*incomplete*” and that he had thought he had explained the arrangement but didn’t. When asked what the contract conveyed to a reader, he acknowledged that it appeared as though the candidate would be paying £3,000 in return for a recommendation leading to a job placement. Mr Clarke also stated, “*It seems like I*

*didn't,*" when asked whether he had ever explained any accommodation-related purpose to the applicants.

The panel considered the minutes of the investigation meeting on 12 June 2024 with [REDACTED] and a member of the Federation's recruitment team. [REDACTED] stated that on 25 May 2024, [REDACTED] brought [REDACTED] to her and showed her the contract sent by Mr Clarke, which appeared to request a £3,000 payment linked to a job placement. She stated that the contract was not issued by the Federation, did not resemble any part of the established recruitment process, and that no recruitment fee was ever charged to candidates.

The panel considered an incomplete email exchange between [REDACTED] and Mr Clarke between 22 and 23 May 2024. It noted that on 22 May 2024, Mr Clarke emailed [REDACTED] attaching a document, and on 23 May 2024 he instructed her, *"Before I send off your info, sign and send this contract. You are not obliged to accept. After accepting I will send off your details."* [REDACTED] later replied, *"Didn't know you are operating as a recruiter with pay. I can't sign this contract at this time. Thanks anyway"*.

The panel found clear evidence that Mr Clarke attempted to obtain payment from candidates, relying on the contract sent to [REDACTED] requesting £3,000 and the associated email exchanges between 23 January 2024 and 25 May 2024. These included [REDACTED] email of 23 January 2024 expressing her interest in teaching opportunities with the Federation and attaching her CV and résumé; Mr Clarke's email of 14 May 2024 asking her to complete a form, which she returned on 15 May 2024; and Mr Clarke's email of 25 May 2024 attaching a document and stating, *"Once you sign and return I will send off your details."*

The panel also considered the contract that Mr Clarke sent to [REDACTED] on 25 May 2024 and noted that it was described as a *"legal binding contract"* which would take effect once she received a work placement in the United Kingdom. The panel noted that the contract apparently required [REDACTED] to pay Mr Clarke £3,000 following any job placement arising from his recommendation, with payment to be made within two years, and that it required her to send Mr Clarke a short video and a copy of her identification confirming her agreement to the terms. The panel further noted that the document displayed Mr Clarke's typed signature and the date 23 May 2024.

The panel considered Mr Clarke's witness statement, in which he admitted that he attempted to obtain payment from candidate(s) in return for a work placement. In his witness statement, he accepted that he sent [REDACTED] an email on 25 May 2024 in which he sought to obtain money from her in connection with recruitment to the Federation and stated, *"I sent her a document that I had drafted which was presented as a contract and which stated that she would pay me £3,000 once she had received a job placement."* Mr Clarke accepted that, by doing so, he created the impression that payment was connected to the recruitment process.

The panel further noted Mr Clarke's evidence that, on 25 May 2024, [REDACTED] asked for clarification about the £3,000 payment and that he then realised the seriousness of what he had done. He stated that, "*the following day, I emailed her to withdraw from the matter and wished her the best of luck with her application.*" Mr Clarke also explained that on either 22 or 23 May 2024, he sent the same contract to another potential candidate, who replied on 23 May 2024 declining to sign it.

The panel therefore concluded that Mr Clarke attempted to obtain payment from candidates. It particularly noted the contract sent to [REDACTED] requesting £3,000, the associated email exchanges, and the similar correspondence with [REDACTED]. The panel also noted that the contract contained no reference to Mr Clarke's claimed property business and was inconsistent with any authorised Federation process. The panel concluded that this was a premeditated act carried out in Mr Clarke's personal capacity and that he attempted to obtain payment from candidates in return for a work placement.

The panel therefore found allegation 1(b) proven.

## **2. Your conduct at paragraph 1a and/or 1b was dishonest.**

Mr Clarke admitted the facts of allegation 2, as set out in Mr Clarke's response to the notice of hearing and statement of agreed facts.

The panel considered whether Mr Clarke had acted dishonestly and, in doing so, applied the test set out in *Ivey v Genting Casinos (UK) Ltd t/a Crockfords [2017]*.

The panel first sought to determine Mr Clarke's actual knowledge or belief as to the relevant facts. The panel considered the email chain between [REDACTED] and Mr Clarke on 4 December 2023, in which [REDACTED] invited existing OTTs to refer potential candidates and offered a £250 referral bonus. Mr Clarke replied on 5 December 2023 stating that he would make some calls and informed [REDACTED] of his property business, which he hoped she could mention to candidates who were hired.

The panel also noted that in the email exchange between Mr Clarke and [REDACTED] on 23 May 2024, Mr Clarke did not correct [REDACTED] assumption that he was "*operating as a recruiter with pay.*" The panel further noted that the contract in the bundle contained no reference to assistance with property or housing and referred only to *a job placement*. The panel noted that when questioned by [REDACTED] about the £3,000 fee during the investigation meeting on 21 June 2024, Mr Clarke withdrew rather than offer an explanation, which the panel considered indicative of his awareness that his actions were wrong. The panel concluded that the absence of any legitimate business explanation, combined with the vague, incomplete and misleading nature of the contract, demonstrated premeditation and a lack of transparency.

The panel also took account of Mr Clarke's own admissions that he had presented himself as part of the recruitment team, had attempted to obtain a £3,000 payment from candidates, and that his conduct was dishonest.

The panel noted that the emails he sent, together with the contract he issued, clearly conveyed that the payment was linked to a referral or job placement and that he would only "send off" a candidate's details once the contract had been signed. The panel considered that this demonstrated an intention to obtain money on the false basis and that he was acting in an authorised recruitment capacity, when he knew that he had no such role.

The panel considered Mr Clarke's witness statement, in which he accepted that by seeking to obtain money from [REDACTED] in connection with recruitment to the Federation, "*this was dishonest and a serious error of judgement on my part*".

The panel considered that Mr Clarke would have been aware that what he was doing was dishonest. The panel considered the alternative explanation proposed by Mr Clarke previously that it was part of a property business. The panel did not consider this to be a plausible explanation for his conduct, nor could the panel conceive of any plausible or legitimate explanation.

The panel then considered whether Mr Clarke's conduct was dishonest by the standards of ordinary decent people. The panel was satisfied that any ordinary decent person's understanding that Mr Clarke was seeking to wrongly obtain money in these terms, would conclude his behaviour was dishonest. The panel found the behaviour to be proven to be dishonest including by both the subjective and objective tests.

The panel therefore found allegation 2 proved.

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

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

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

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

The panel considered that, by reference to Part 2, Mr Clarke 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
  - showing tolerance of and respect for the rights of others.
- 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 Clarke's conduct displayed behaviours associated with any of the offences listed on pages 12 and 13 of the Advice.

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

The panel found that the offence of fraud or serious dishonesty was relevant.

The panel went on to consider whether the facts of the proved allegations amounted to unacceptable professional conduct.

The panel considered paragraph 4.1 of the School's Code of Conduct, which states: *"All adults have a responsibility to maintain public confidence in their ability to safeguard the welfare and best interests of students. They should adopt high standards of personal conduct in order to maintain the confidence and respect of their peers, students and the public in general. An adult's behaviour, either in or out of the workplace, should not compromise her/his position within the work setting or bring the Federation into disrepute."*

The panel concluded that Mr Clarke's behaviour amounted to misconduct of a serious nature which fell significantly short of the standards expected of the profession. By falsely presenting himself as part of the Federation's recruitment team and attempting to obtain a £3,000 payment from vulnerable Overseas Teacher candidates, Mr Clarke acted in a manner wholly incompatible with the standards expected of a teacher. He also breached the standards expected in paragraph 4.1 of the School's Code of Conduct that staff maintain public confidence, uphold high standards of personal conduct, and avoid any behaviour that compromises their position or brings the Federation into disrepute.

The panel concluded that Mr Clarke's actions exploited individuals seeking employment, misused his standing as a teacher, and risked undermining trust in the Federation's safeguarding of candidates and in the integrity of its recruitment processes, thereby falling far below the standards required of those in the teaching profession.

The panel noted that although the allegations took place outside the education setting, they were closely connected to Mr Clarke's role as a teacher within the Federation because he dishonestly used his position to give weight to the false impression that he was a recruiter acting on the Federation's behalf.

The panel carefully considered the information in Mr Clarke's witness statement regarding the personal, emotional, and financial pressures he stated he was experiencing at the time. While the panel recognised these circumstances, it concluded that they did not diminish the seriousness of his actions or alter the professional standards expected of a teacher. The panel considered that the pressures described by Mr Clarke did not justify or mitigate conduct that involved dishonesty, misuse of his position, and the exploitation of individuals seeking employment.

The panel noted that Mr Clarke had only moved to the United Kingdom in 2016 and should therefore be aware of how potentially vulnerable teachers recruited from overseas are likely to be when establishing themselves in the United Kingdom. The panel determined that, notwithstanding the explanation he provided regarding his personal circumstances, Mr Clarke's behaviour remained wholly incompatible with the standards of personal and professional conduct required by the School's Code of Conduct and amounted to unacceptable professional conduct.

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

In relation to whether Mr Clarke's actions amounted to conduct that may bring the profession into disrepute, the panel took into account the way the teaching profession is viewed by others. It considered the influence that teachers may have on pupils, parents and others in the community. The panel also took account of the uniquely influential role that teachers can hold in pupils' lives and the fact that pupils must be able to view teachers as role models in the way that they behave.

In considering the issue of disrepute, the panel also considered whether Mr Clarke's conduct displayed behaviours associated with any of the offences in the list that begins on page 12 of the Advice.

As set out above in the panel's findings as to whether Mr Clarke was guilty of unacceptable professional conduct, the panel found that the offence of fraud or serious dishonesty was relevant.

The panel recognised that teachers are expected to demonstrate integrity, trustworthiness and adherence to clear professional boundaries, and that public

confidence in the profession is essential. The findings of misconduct in this case are serious, and the panel considered that Mr Clarke's behaviour would be likely to have a negative impact on his status as a teacher in the eyes of the public.

The panel concluded that Mr Clarke's actions amounted to conduct that may bring the profession into disrepute, including because, in breaching paragraph 4.1 of the School's Code of Conduct, he failed to maintain the high standards of personal conduct required to preserve public confidence. By misrepresenting his role and dishonestly attempting to obtain a £3,000 payment from prospective Overseas Teacher candidates, he behaved in a way that compromised his position and risked damaging trust in both the Federation and the wider profession. The panel considered that such conduct would reasonably be viewed as an abuse of authority, particularly given the financial vulnerability of candidates travelling from overseas in search of employment.

The panel further noted that Mr Clarke's conduct involved a misuse of his position as a teacher to lend credibility to a false recruitment role, and would understandably deter applicants, particularly those from overseas, from engaging with legitimate teacher recruitment processes. The panel also considered that Mr Clarke's actions occurred in a context closely associated with the Federation's overseas recruitment arrangements, heightening the risk of reputational harm not only to his employer but to the teaching profession more generally.

The panel considered that Mr Clarke's dishonest conduct could reasonably be expected to damage the public's perception of a teacher's honesty, reliability and commitment to conducting themselves ethically in professional interactions.

The panel considered that Mr Clarke's conduct could potentially damage the public's perception of a teacher. For these reasons, the panel found that Mr Clarke's actions constituted conduct that may bring the profession into disrepute.

## **Panel's recommendation to the Secretary of State**

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

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

The panel had regard to the particular public interest considerations set out in the Advice and, having done so, found a number of them to be relevant in this case, namely: the safeguarding and wellbeing of pupils and protection of other members of the public; the maintenance of public confidence in the profession; declaring and upholding proper standards of conduct; and that prohibition strikes the right balance between the rights of the teacher and the public interest, if they are in conflict.

In light of the panel's findings against Mr Clarke, which involved misleading potential job applicants and attempting to exploit his position for financial gain by requesting payment in exchange for a work placement, there was a strong public interest consideration in the protection of other members of the public.

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

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

The panel recognised that, whilst Mr Clarke's behaviour represented a fundamental breach of the standards of conduct expected of a teacher and involved an attempt to exploit his position of trust, there was evidence before it that he had demonstrated significant ability as an educator and had made positive contributions in his teaching roles. The panel therefore considered whether the public interest factors identified earlier outweighed any wider public interest in retaining Mr Clarke 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.

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 Clarke.

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; and

- dishonesty or a lack of integrity, including the deliberate concealment of their actions or purposeful destruction of evidence, especially where these behaviours have been repeated or had serious consequences, or involved the coercion of another person to act in a way contrary to their own interests.

Even though some of the behaviour found proved in this case indicated that a prohibition order would be appropriate, the panel also took into account the level of insight and remorse demonstrated by Mr Clarke. The panel considered that, although his insight had developed gradually, he now appeared to show a clear understanding of the seriousness of his actions, why they were unacceptable, and the impact they had the potential to cause.

The panel noted that Mr Clarke had accepted responsibility for his misconduct, expressed what it found to be genuine remorse, and had taken steps to reflect on and learn from the incident. His engagement in [REDACTED], his reflective practice, and the steps he had taken to address the underlying factors that contributed to his misconduct indicated a meaningful shift in his understanding and behaviour.

The panel went on to consider the mitigating factors in this case. Mitigating factors may indicate that a prohibition order would not be appropriate or proportionate. There was no evidence that Mr Clarke's actions were anything other than deliberate, nor was there any evidence that he was acting under extreme duress, such as physical threat or significant intimidation. The panel further noted that, although Mr Clarke did not demonstrate exceptionally high standards in his personal or professional conduct at the time of the misconduct, he had contributed significantly to the education sector, as reflected in the strong character references. The panel accepted that, although Mr Clarke acted dishonestly on more than one occasion within the relevant period, the behaviour appeared to be out of character when viewed against his long and otherwise unblemished teaching career, the absence of any known prior disciplinary concerns, and the consistent evidence from colleagues that he had previously demonstrated professionalism in his work. The panel saw no evidence that Mr Clarke had previously been subject to disciplinary proceedings or warnings. The panel also considered that Mr Clarke's misconduct, which involved an attempt to receive funds from potential overseas candidates, was relatively unsophisticated.

The panel considered the following character references that had been provided within the defence bundle:

[REDACTED] where Mr Clarke is currently teaching, provided a character reference dated 11 March 2026. He explained that he had managed Mr Clarke since September 2024, initially as an agency maths teacher and later as a permanent member of staff. [REDACTED] stated that Mr Clarke had been "*honest with me from our first meeting regarding the allegations against him*" and that he had "*expressed both remorse and a desire to learn from his mistakes and make better judgements going forward.*" He

described Mr Clarke as *“a supportive member of the team,” “reflective,”* and *“a genuine team player,”* and confirmed that he *“impressed us with his classroom abilities”* and worked effectively with *“a wide range of learners.”*

[REDACTED] confirmed multiple examples of positive feedback from students, noting that *“many of our students find maths very challenging, but they have felt supported and encouraged by Mr Clarke.”* He also stated that former students had contacted the school to thank Mr Clarke for his support. He concluded that Mr Clarke had been successfully appointed to a permanent role due to his strengths and continued to work as a maths teacher to date.

[REDACTED], provided a reference dated January 2026. He stated that he had known Mr Clarke for approximately eight years, working directly with him for four years in the Mathematics Department. He described Mr Clarke as demonstrating *“a high level of professionalism and commitment,”* and being *“dependable, reflective, and responsive to guidance.”* He also stated he had *“did not observe any behaviour... that caused concern in relation to safeguarding or professional conduct.”*

[REDACTED] highlighted Mr Clarke’s strengths as a teacher, noting that he was *“competent and knowledgeable,” “planned carefully,” “adapted his teaching to support different learners,”* and *“showed genuine care for students’ progress and wellbeing.”* He also described him as *“a credit both to our Academy and to the wider teaching profession.”*

He acknowledged the allegations but stated he believed Mr Clarke had *“reflected deeply on this experience, learned from it, and understands the seriousness of professional expectations.”* He also stated: *“Based on my professional experience... I consider him capable of practising safely and appropriately in the future.”*

[REDACTED], provided a reference dated 8 January 2026, confirming she had known Mr Clarke professionally for approximately two years and personally for over ten years. She stated that Mr Clarke had *“consistently conducted himself in a professional, measured, and responsible manner”* and that his *“safeguarding practice has been appropriate, policy-compliant, and underpinned by a clear understanding of professional boundaries.”*

[REDACTED] described him as *“honest and trustworthy,” “well organised, reliable, and consistent,”* and someone who *“responds constructively to feedback... demonstrating reflection and a willingness to improve practice.”* She stated that his interactions with pupils and colleagues had been *“respectful, appropriate, and supportive.”* She concluded that she considered him *“capable of practising safely and appropriately in an educational setting in the future.”*

[REDACTED], stated that he had known Mr Clarke since 2015. He described Mr Clarke as *“a true professional - reliable, conscientious, selfless, humble, genuine and thoroughly*

*devoted to his work.*” He wrote that Mr Clarke was “*highly valued,*” “*respected by staff, parents and students alike,*” and “*a wonderful role model for our students.*”

[REDACTED] stated that Mr Clarke is an “*outstanding teacher with a track record of achieving great results*” and that his “*consistently positive progress and high attainment scores... are a reassuring constant year after year.*” He described Mr Clarke’s “*first in, last out*” work ethic, his willingness to undertake additional duties, and the significant positive impact he had on vulnerable students. He concluded that the academy had “*still been unable to find a replacement that comes close to matching Germaine’s calibre.*”

He also stated: “*I know the sorrow and remorse is real,*” and expressed optimism that Mr Clarke would continue to contribute positively to young people.

The panel noted that it was not entirely clear from the documents whether all the individuals providing character references were aware of the precise details of the allegations against Mr Clarke. However, the panel considered that the references nonetheless provided evidence of his good character and teaching ability. The referees were colleagues who had worked closely with Mr Clarke and were therefore well placed to comment on his professionalism, conduct and abilities as a teacher. Taken together, the references demonstrated that Mr Clarke had been regarded as a capable and committed educator who had made positive contributions in his teaching roles.

The panel considered the mitigation put forward in Mr Clarke’s witness statement dated 20 March 2026 and his oral evidence in mitigation. Mr Clarke explained that at the time of the misconduct he was experiencing significant personal, emotional, and financial pressures, including the ongoing [REDACTED], a lack of family support in the United Kingdom and the substantial financial losses he had incurred as a result of being the victim of an online scam. He accepted that these circumstances did not excuse his actions but provided background to the poor decisions he made. Mr Clarke also acknowledged that the account he gave during the internal investigation and subsequent disciplinary hearing was not truthful and stated that, at that stage, he had not yet developed meaningful insight into the seriousness of his conduct. In his oral evidence, Mr Clarke said his personal circumstances at the time of the misconduct, contributed to poor judgement and that he deeply regretted his actions. Mr Clarke also said he accepted full responsibility for his behaviour and expressed remorse for the impact on the candidates.

In his witness statement, Mr Clarke demonstrated a greater level of reflection and insight, recognising that his behaviour represented a serious breach of professional boundaries, undermined trust, and was fundamentally incompatible with the standards expected of a teacher. He expressed profound remorse, stating that he felt ashamed of his actions, accepted full responsibility, and understood the potential harm caused to the individuals involved, to his employer, and to the wider profession. Mr Clarke further outlined the steps he has taken since the incident, including engaging in [REDACTED], completing

extensive CPD on ethics and professional conduct, and adopting more structured reflective practices aimed at ensuring that such misconduct could not be repeated.

In his oral evidence in mitigation, Mr Clarke told the panel that [REDACTED] and professional training had helped him reflect on and understand why his conduct was unacceptable, and he emphasised that he would not repeat such behaviour. He also described his current work in a Pupil Referral Unit, stating that teaching remained a source of purpose. He confirmed that he recognised the wider impact of his actions on public confidence in the profession and stated that he was genuinely sorry.

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 recognised the seriousness of the misconduct, including the findings of dishonesty, and gave careful consideration to the public interest in maintaining confidence in the profession and upholding proper standards. In balancing those considerations, the panel reflected carefully on whether the seriousness of the misconduct, including the element of dishonesty, required a prohibition order notwithstanding the mitigating factors. The panel accepted that Mr Clarke had demonstrated genuine remorse and now fully recognised, that his conduct was dishonest and wholly inappropriate for a teacher. The panel noted that this acknowledgement represented a marked and credible development in his insight, reinforced by the reflective practice, [REDACTED] and training he had undertaken since the incident.

The panel considered that this level of insight and remorse, together with the steps Mr Clarke had taken to address the underlying causes of his behaviour, significantly reduced the risk of repetition. In light of these factors, and after careful deliberation, the panel concluded that the strength and credibility of Mr Clarke's remorse and insight, coupled with the evidence that the misconduct was out of character within an otherwise positive career, outweighed the public interest concerns that might otherwise have justified a prohibition order.

The panel considered the mitigation put forward in Mr Clarke's written and oral evidence. The panel took into account the evidence of the personal pressures Mr Clarke was experiencing at the time of the misconduct, including the financial impact of being the victim of a scam and the [REDACTED]. The panel noted that, since the incident, Mr Clarke had engaged in [REDACTED] and reflective practice and had taken steps to understand and address the factors that contributed to his behaviour.

The panel further considered the substantial evidence of Mr Clarke's positive contribution as a teacher, including his continued employment in a Pupil Referral Unit, the strong professional references provided, and the indication that he is regarded as a capable and effective educator. The panel again noted that, although the dishonest conduct occurred

on more than one occasion, it was confined to the period between December 2023 and May 2024 and appeared to represent an isolated departure from an otherwise positive career, with no evidence of similar behaviour before or since. The panel also noted that Mr Clarke had eventually been open about his actions, and that the risk of repetition was considered low because of the steps taken to address the underlying causes of his behaviour, including engaging in [REDACTED], completing training on ethics and professional conduct, and undertaking reflective practice to understand the impact of his actions. The panel further noted that it had no evidence that Mr Clarke had received any payment as a result of the dishonest demands he made.

Applying the standard of the ordinary intelligent citizen, the panel was of the view that a recommendation of no prohibition order would be a proportionate and appropriate response. Having considered the mitigating factors that were present, and the level of insight and remorse demonstrated by Mr Clarke, the panel determined that a recommendation for a prohibition order would not be appropriate in this case. The panel considered that the publication of the adverse findings it had made was sufficient to send an appropriate message as to the standards of behaviour that are not acceptable, and that publication would meet the public interest requirement of declaring proper standards of the profession.

Having weighed the seriousness of the misconduct against the mitigating factors and the extent of his insight and remorse, the panel concluded that a prohibition order would not be proportionate. The panel determined that publication of its findings would mark the gravity of the misconduct, maintain public confidence in the regulatory process, and serve as a sufficient sanction in the circumstances.

The panel therefore decided not to recommend that a prohibition order be imposed.

## **Decision and reasons on behalf of the Secretary of State**

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

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

In this case, the panel has found all of the allegations proven and found that those proven facts amount to unacceptable professional conduct and conduct that may bring the profession into disrepute.

The panel has made a recommendation to the Secretary of State that the findings of unacceptable professional conduct and conduct likely to bring the profession into disrepute, in respect of Mr Germaine Clarke, should be published and that such an action is proportionate and in the public interest.

In particular, the panel has found that Mr Clarke 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
  - showing tolerance of and respect for the rights of others.
- 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 Clarke fell significantly short of the standards expected of the profession.

The findings of misconduct are serious as they include a finding of dishonesty on the part of the teacher, particularly as “...Mr Clarke had only moved to the United Kingdom in 2016 and should therefore be aware of how potentially vulnerable teachers recruited from overseas are likely to be when establishing themselves in the United Kingdom”.

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 Clarke, 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 safeguard pupils. The panel has observed, “*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*”. A prohibition order would therefore prevent such a risk from being present in the future.

I have also taken into account the panel’s comments on insight and remorse, which the panel sets out as follows, “*The panel considered that, although his insight had developed gradually, he now appeared to show a clear understanding of the seriousness of his actions, why they were unacceptable, and the impact they had the potential to cause*”.

The panel has also commented, *“The panel accepted that Mr Clarke had demonstrated genuine remorse and now fully recognised, that his conduct was dishonest and wholly inappropriate for a teacher. The panel noted that this acknowledgement represented a marked and credible development in his insight, reinforced by the reflective practice, [REDACTED] and training he had undertaken since the incident”.*

I have also considered several positive character references considered by the panel.

I have given these elements considerable weight in reaching my decision.

I have gone on to consider the extent to which a prohibition order would maintain public confidence in the profession. The panel observe, *“The panel recognised that teachers are expected to demonstrate integrity, trustworthiness and adherence to clear professional boundaries, and that public confidence in the profession is essential. The findings of misconduct in this case are serious, and the panel considered that Mr Clarke’s behaviour would be likely to have a negative impact on his status as a teacher in the eyes of the public”.* I am particularly mindful of the finding of dishonesty in this case and the impact that such a finding has on the reputation of the profession.

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

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

I have also considered the impact of a prohibition order on Mr Clarke himself. He has subsequently secured work teaching and the panel comment *“The panel further considered the substantial evidence of Mr Clarke’s positive contribution as a teacher, including his continued employment in a Pupil Referral Unit, the strong professional references provided, and the indication that he is regarded as a capable and effective educator”.* The panel also note, *“...although Mr Clarke did not demonstrate exceptionally high standards in his personal or professional conduct at the time of the misconduct, he had contributed significantly to the education sector, as reflected in the strong character references”.*

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

In this case, I have placed considerable weight on the panel's comments concerning Mr Clarke's extensive insight or remorse. The panel has said, "*The panel considered that this level of insight and remorse, together with the steps Mr Clarke had taken to address the underlying causes of his behaviour, significantly reduced the risk of repetition*".

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.



**Decision maker: Stuart Blomfield**

**Date: 27 March 2026**

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