



# **Mr Ben Russell: Professional conduct panel outcome**

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

**May 2026**

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

**Teacher:** Mr Ben Russell

**Teacher ref number:** 1043713

**Teacher date of birth:** 29 January 1981

**TRA reference:** 20874

**Date of determination:** 7 May 2026

**Former employer:** Ellis Guilford School, Nottingham

## Introduction

A professional conduct panel (“the panel”) of the Teaching Regulation Agency (“the TRA”) convened on 6 to 7 May 2026 by way of a virtual hearing, to consider the case of Mr Ben Russell.

The panel members were Mr Alan Wells (former teacher panellist – in the chair), Mr Andrew Hearn (lay panellist) and Mr David Boyle (teacher panellist).

The legal adviser to the panel was Mr Ben Schofield of Blake Morgan LLP.

The presenting officer for the TRA was Ms Zahra Evans of Capsticks LLP.

Mr Russell was not present but was represented at the hearing by Dr Nigel Russell and Mrs Neroli Russell.

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 3 February 2026 (and subject to the below noted application to amend).

It was alleged that Mr Russell was guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute in that, while employed as a teacher at Ellis Guilford (“the School”):

1. On or about 26 November 2021, in the presence of colleagues, he said words to the effect of, “you’re a bitch” to Person A.

2. On or about 21 December 2021, he sent one or more of the following messages to Person B, which are inappropriate and/or aggressive and were sent with reference to Person A:

- a. "And that bitch is evil xx";
- b. "I nearly died last week because of that fucking women xx";
- c. "Cunt".

It was also alleged that Mr Russell had been convicted of one or more relevant offences, in that:

3. On 29 June 2022, at Nottingham Magistrates Court, he was convicted of:

- a. 'On 23/12/2021 in the City of Nottingham pursued a course of conduct which amounted to the harassment of [PERSON A] and which you knew or ought to have known amounted to the harassment of her in that you made numerous unwanted telephone calls and left numerous unwanted voicemail messages between the dates of 23rd and 26th day of December 2021. Contrary to section 2(1) and (2) of the Protection from Harassment Act 1997'.
- b. 'On 26/12/2021 at [REDACTED], had in your possession a quantity of cocaine a controlled drug of class A in contravention of section 5(1) of the Misuse of Drugs Act 1971. Contrary to section 5(2) of and Schedule 4 to the Misuse of Drugs Act 1971'.

[REDACTED]

[REDACTED]

## Summary of evidence

### Documents

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

Section 1: Chronology and anonymised pupil list – pages 4 to 7

Section 2: Notice of proceedings and response – pages 8 to 21

Section 3: Teaching Regulation Agency witness statements – pages 22 to 139

Section 4: Teaching Regulation Agency documents – pages 140 to 250

Section 5: Teacher documents – pages 251 to 270

The panel was also provided with the following documents on behalf of Mr Russell:

- Undated character reference from a friend.
- Email from Mrs Russell to the TRA's solicitors dated 22 April 2026.
- Letter dated 24 November 2021 to Mr Russell from the School confirming pay progression.
- A prescription dated 1 May 2026.
- A GP sick note dated 1 May 2026.

A proceeding in absence / adjournment bundle of 35 pages was also provided to the panel. Mr Russell's representatives confirmed that a previous application to adjourn this hearing was no longer being pursued. In the light of a representative appearing on behalf of Mr Russell at this hearing, the TRA did not need to make an application to proceed in absence.

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 presenting officer did not call any witnesses in light of the teacher's admissions at this hearing.

No witnesses were called on behalf of the teacher.

## **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 Russell was employed as a Teacher of PE at the Ellis Guilford School, Nottingham (the "School") from September 2014. Mr Russell taught Key Stage 3 and 4 pupils.

During 2021, Mr Russell [REDACTED] with a person referred to as 'Person A' in these proceedings. Person A was also a member of teaching staff at the School. Towards the end of 2021 [REDACTED]. Concerns about Mr Russell's behaviour towards Person A at the workplace were raised to the School's senior leadership around that time.

Furthermore, Mr Russell raised concerns about Person A's conduct towards him (outside of the school environment) to the School.

On 26 December 2026, Mr Russell was arrested by the police for an alleged offence of harassing Person A. During Mr Russell's arrest, a small bag of cocaine was found in his possession.

On 4 January 2022, the School suspended Mr Russell. During its investigation, the School obtained a number of accounts and documents from relevant staff members.

On 13 June 2022, following its investigation, the School referred Mr Russell to the TRA, which has resulted in this hearing.

## **Findings of fact**

The findings of fact are as follows:

### **1. On or about 26 November 2021, in the presence of colleagues, you said words to the effect of, "you're a bitch" to Person A.**

Mr Russell's representatives informed the panel that Mr Russell admitted this allegation.

Before the panel were a number of accounts from staff members. One of those accounts included a formalised statement taken by the TRA for these proceedings and that witness was due to give evidence at this hearing (had the allegation not been admitted). This witness was a [REDACTED].

The statement set out that the School's Design and Technology faculty had a food teaching room which was often used by staff members during lunch breaks, so they could use the kettle and microwave that were in that room. The witness described that Person A came into this room during the lunch break and appeared visibly upset. Because of this, the door to the room was locked to make sure no pupils came in.

The witness then describes Mr Russell coming up to the door of the room and opening the lock with his own master key. Whilst he was stood at the doorway, Mr Russell was described as shouting "you're a bitch" towards Person A. Following this, a colleague told Mr Russell to leave and went to lock the door again. Mr Russell was then seen coming back to the door a few times again, but the witness did not hear him say anything and he did not come into the room again.

The School's investigation also obtained accounts from two other colleagues who were in the room at the time and their accounts were also consistent with this witness.

Also before the panel was correspondence between the School and Mr Russell in which they sought to obtain Mr Russell's account about the concerns raised. Although Mr Russell did not attend an interview meeting or provide a substantive statement setting out his position, he did remark in his correspondence that he had already "*admitted to swearing at [Person A] at school.*"

The panel considered the admission given by Mr Russell's representatives was unequivocal and consistent with the surrounding evidence.

The panel therefore accepted the admission and found this allegation proved.

**2. On or about 21 December 2021, you sent one or more of the following messages to Person B, which are inappropriate and/or aggressive and were sent with reference to Person A:**

- a. **"And that bitch is evil xx";**
- b. **"I nearly died last week because of that fucking women xx";**
- c. **"Cunt".**

Mr Russell's representatives informed the panel that Mr Russell accepted sending these messages to Person B but it was not accepted they were of an inappropriate or aggressive nature. It was advanced that Mr Russell was simply explaining about the impact of Person A's actions on himself to a colleague, who he considered was a friend.

Before the panel were five screenshots which were said to be taken from Facebook Messenger. They were private messages between Mr Russell and Person B, who was a [REDACTED]. The messages set out Mr Russell's feelings about Person A and used the three phrases set out above in the allegation, amongst other comments. Person B is said to have informed the School about the messages, as she was concerned about Mr Russell's [REDACTED].

The panel considered the messages were inappropriate as they were messages talking about a professional colleague in disparaging terms to another colleague who had not initiated any conversation of that nature. The panel did not however consider the messages to be 'aggressive'. The strong language was not directed towards Person B, nor was it in any way threatening. The panel also inferred that Person B had not considered the messages to be aggressive by her responses (indeed the overall content of the messages which included remarking that Mr Russell 'fancied' Person B were far from suggesting any aggression towards her) and by the fact that her concerns in raising them to the School were focused on Mr Russell's [REDACTED].

Accordingly the panel found this allegation proved, in so far as the messaging was inappropriate, but not aggressive.

**3. On 29 June 2022, at Nottingham Magistrates Court, you were convicted of:**

- a. **'On 23/12/2021 in the City of Nottingham pursued a course of conduct which amounted to the harassment of [PERSON A] and which you knew or ought to have known amounted to the harassment of her in that you made**

**numerous unwanted telephone calls and left numerous unwanted voicemail messages between the dates of 23rd and 26th day of December 2021. Contrary to section 2(1) and (2) of the Protection from Harassment Act 1997’.**

**b. ‘On 26/12/2021 at [REDACTED], had in your possession a quantity of cocaine a controlled drug of class A in contravention of section 5(1) of the Misuse of Drugs Act 1971. Contrary to section 5(2) of and Schedule 4 to the Misuse of Drugs Act 1971’.**

Mr Russell’s representatives informed the panel that Mr Russell admitted this allegation.

Before the panel was a copy of the court register from Nottinghamshire Magistrates’ Court. The extract set out Mr Russell’s personal details and that on 29 June 2022 he pleaded guilty to the two offences noted above. It further set out that on 27 July 2022, Mr Russell was sentenced as follows.

For the harassment offence:

- A fine of £120.
- A restraining order not to contact Person A ([REDACTED]) or attend a specified address for a period of 12 months.
- Costs and surcharges of £119.

For the drugs offence:

- A fine of £80.

Also before the panel was information from the police investigation. It stated that on the evening of 22 December 2022, Person A was out having dinner with [REDACTED]. Whilst outside the restaurant, Mr Russell walked passed and starting shouting remarks at her including: *“I love you, you’re my best friend, why are you doing this to me. I’m going to make sure you lose your [REDACTED], I will make anything up”*. The following morning, Person A received around 30 calls from a withheld number. Person A is said to have answered and recorded a number of these calls, in which Mr Russell is said to have made further comments about getting Person A’s [REDACTED]. It also records that Mr Russell called Person A over 70 times on 25 December. On 26 December, Mr Russell was arrested by the police. On arrest, he was found to have a small bag of cocaine in his possession.

The panel considered the admission given by Mr Russell’s representatives was unequivocal and consistent with the surrounding evidence.

The panel therefore accepted the admission and found this allegation proved.

## **Findings as to unacceptable professional conduct and/or conduct that may bring the profession into disrepute and a conviction of a relevant offence**

Having found the allegations proved, the panel went on to consider whether the facts of allegation 1 and 2 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 Advice and the further guidance provided by the panel’s legal adviser provides a high threshold for unacceptable professional conduct and conduct that may bring the profession into disrepute.

In regard to allegation 1, the panel noted that Mr Russell’s actions related to one short remark towards a colleague and was not said in the presence of any pupils. Whilst the panel considered that Mr Russell’s behaviour was plainly unprofessional and misconduct of some degree, the panel did not consider this behaviour to be so serious that it could be reasonably considered as crossing the high threshold for a finding at this stage for unacceptable professional conduct. For the same reasons, the panel did not consider that the reputation of the profession as a whole would be put at risk if a finding of disrepute was not made in these circumstances.

Accordingly, the panel did not consider that the proven facts of allegation 1 would amount to unacceptable professional conduct or conduct that may bring the profession into disrepute.

In regard to allegation 2, the panel noted that these were private messages sent to a colleague using personal social media accounts. There was no wider intended audience to these messages. The TRA highlighted that Person B was also a parent of a pupil at the School. The panel understood that Mr Russell’s position was that he did not know of that fact when sending the messages. The panel consider this factor did not impact its assessment of the seriousness of the proven facts. Although the panel considered the messaging inappropriate in its nature because of it being sent to a colleague, the panel did not view it as being sufficiently serious enough that it would cross the high-threshold at this stage. For the same reasons, the panel did not consider that the reputation of the profession as a whole would be put at risk if a finding of disrepute was not made in these circumstances.

Accordingly, the panel did not consider that the proven facts of allegation 2 would amount to unacceptable professional conduct or conduct that may bring the profession into disrepute.

In regard to allegation 3, the panel considered the various factors set out at paragraphs 31 to 34 of the Advice.

The panel considered whether the conduct of Mr Russell involved breaches of the Teachers' Standards. The panel considered that, by reference to Part 2, Mr Russell 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
  - not undermining... the rule of law...
- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach...

The panel noted that Mr Russell's actions might not be described as being relevant to teaching, working with children and/or working in an education setting as the circumstances of Mr Russell's offending took place entirely in his private life. Furthermore, the panel did not consider that Mr Russell's actions had a potential impact on the safety or security of pupils or members of the public.

The panel also took account of the way the teaching profession is viewed by others. The panel considered that Mr Russell's behaviour in committing the offence could affect public confidence in the teaching profession, given the influence that teachers may have on pupils, parents and others in the community.

In regard to the harassment offence, the panel noted that the offence displayed an inability of Mr Russell to effectively manage his emotions. His behaviour would be viewed by the public as volatile and compulsive and these were not role-model type behaviours which members of the profession are expected to show in both their professional and personal lives. A person with a conviction of this nature would not be able to command the respect needed when teaching others on how they should behave.

In regard to the drug offence, the panel considered that parents and the public would be alarmed to learn that a person with a conviction for possession of Class A drugs would have control and responsibility over children.

The panel noted that Mr Russell's offending did not lead to a sentence of imprisonment, which the Advice indicates might suggest this was at the less serious end of the possible spectrum.

The panel also considered the offences listed on pages 12 and 13 of the Advice. This was a case concerning offences of 'harassment' and 'possession of a Class A drug' which the Advice states are likely to be considered as relevant offences.

In assessing and balancing these various factors, the panel considered the weight of many of the factors pointed towards a finding that these offences impacted on Mr Russell's fitness to teach. Accordingly, the panel considered allegation 3 as a 'relevant conviction'.

## Panel's recommendation to the Secretary of State

Given the panel's findings in respect of a conviction of a relevant offence, it was necessary for the panel to go on to consider whether it would be appropriate to recommend the imposition of a prohibition order by the Secretary of State.

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

The panel had regard to the particular public interest considerations set out in the Advice and, having done so, found a number of them to be relevant in this case, namely:

- the maintenance of public confidence in the profession;
- declaring and upholding proper standards of conduct.

In the light of the panel's findings against Mr Russell, which involved being convicted for harassment and drug offences, the panel considered that public confidence in the profession could be seriously weakened if conduct such as that found against Mr Russell were not treated with the utmost seriousness when regulating the conduct of the profession. The panel was also 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 Russell was outside that which could reasonably be tolerated.

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 Russell.

The panel took further account of the Advice, which suggests that a prohibition order may be appropriate if certain behaviours of a teacher have been proved. In the list of such behaviours, those that were relevant in this case were:

- serious departure from the personal and professional conduct elements of the Teachers' Standards;
- the commission of a serious criminal offence, including those that resulted in a conviction or caution, paying particular attention to offences that are 'relevant matters' for the purposes of the Police Act 1997 and criminal record disclosures;

Even though some of the behaviour found proved in this case indicated that a prohibition order would be appropriate, the panel went on to consider the mitigating factors.

Mitigating factors may indicate that a prohibition order would not be appropriate or proportionate. The panel considered the list of factors at paragraph 43 of the Advice. The

panel considered that none of those listed factors applied. Mr Russell's actions were deliberate and he was not acting under duress. There was evidence before the panel that Mr Russell had been internally promoted to Head of Year and was progressing through the pay scales, which suggested that Mr Russell was a capable teacher. However, there was no evidence provided which otherwise touched on Mr Russell's contribution to the education sector such that it could be seen to be amounting to an 'exceptional contribution'.

The panel noted that Mr Russell had made some admissions in the School interview, pleaded guilty at the first opportunity in the Magistrates' Court and made some admissions at this hearing. The panel also noted that there were no previously recorded regulatory proceedings against Mr Russell since joining the profession.

Also before the panel was an undated character reference from a former teacher who had come to know Mr Russell in a social context over the last 15 months. The author made the following remarks, amongst others:

*"I have also seen him engage sincerely and proactively in his own wellbeing. He maintains structure and routine and is open and reflective about the work he is doing to rebuild his life. I have observed clear, steady progress and a level of insight that gives me confidence in his trajectory. In my professional experience, these are the qualities that indicate genuine recovery rather than superficial compliance.*

*Mr. Russell speaks often and with great sincerity about his former pupils and his desire to return to teaching when the time is right. He has no plans to return immediately, recognising the importance of rebuilding and consolidating in a stable and sustainable way. This level of insight is, in my view, a strength rather than a limitation."*

From this reference it appears that Mr Russell is able to demonstrate a degree of insight to others. Unfortunately, Mr Russell's limited engagement with the TRA's process has meant this panel has been unable to properly evaluate for itself Mr Russell's insight into his offending behaviour and his reflections on how it might impact his standing in the profession. This case was initially referred to the TRA in June 2022 and since that time Mr Russell has not provided any evidence, such as a reflective statement, or appeared at this hearing for the issue of his insight to be further explored. There was some medical evidence before the panel which indicated Mr Russell was currently not fit for work at this current time. However, there was no evidence before the panel as to why Mr Russell has not been able to personally engage, at least to some degree, with these proceedings over the last four years. In the absence of any meaningful personal engagement with these proceedings, the panel did not consider it had sufficient evidence to suggest that

Mr Russell had developed any insight at this time and that the risk of similar behaviour occurring again in the future was materially reduced.

The panel first considered whether it would be proportionate to conclude this case with no recommendation of prohibition, considering whether the publication of the findings made by the panel would be sufficient.

The panel was of the view that, applying the standard of the ordinary intelligent citizen, it would not be a proportionate and appropriate response to recommend no prohibition order. Recommending that the publication of adverse findings would be sufficient would unacceptably compromise the public interest considerations present in this case, despite the severity of the consequences for Mr Russell of prohibition.

The panel was of the view that prohibition was both proportionate and appropriate. The panel decided that the public interest considerations outweighed the interests of Mr Russell. The absence of Mr Russell's personal engagement with the core regulatory issues (such as evidencing his personal reflection and insight into his actions) 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.

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

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. One of these include "*possession (including for personal use) of any class A drug*".

The panel noted that the amount of cocaine in Mr Russell's possession was described by the police as a 'small amount'. Before the panel was a copy of the court's Pre-Sentence Report which stated "*there is no evidence to suggest that drugs continue to be a problem*". The drug offence occurred during a very difficult period in Mr Russell's life. [REDACTED]. The panel considered that these factors, whilst not sufficient to mitigate against the recommendation of a prohibition order being imposed itself, did provide grounds to mitigate the appropriate length of time before it could be reviewed. The individual circumstances of this case suggested to the panel that it would be

disproportionate to recommend a review period only after a 'longer period'. Accordingly the panel was of the view that the public confidence in the profession and the regulatory process would still be maintained in these circumstances if a review period of two years was recommended.

The panel therefore recommended that a prohibition order be imposed with the provision for that order to be reviewed after a period of two years.

## **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 in relation to allegation 3 the proven facts amount to a relevant conviction. In this case, the panel has found that allegations 1 and 2 do not amount to unacceptable professional conduct or conduct likely to bring the profession into disrepute, and I have therefore put those matters entirely from my mind.

The panel has made a recommendation to the Secretary of State that Mr Ben Russell should be the subject of a prohibition order, with a review period of 2 years.

In particular, the panel has found that Mr Russell 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
  - not undermining... the rule of law...
- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach...

The findings of misconduct are serious as they include a relevant conviction for harassment and possession of a controlled Class A drug.

I have to determine whether the imposition of a prohibition order is proportionate and in the public interest. In considering that for this case, I have considered the overall aim of a prohibition order which is to protect pupils and to maintain public confidence in the profession. I have considered the extent to which a prohibition order in this case would achieve that aim taking into account the impact that it will have on the individual teacher. I have also asked myself whether a less intrusive measure, such as the published finding of a relevant conviction, would itself be sufficient to achieve the overall aim. I have to

consider whether the consequences of such a publication are themselves sufficient. I have considered therefore whether or not prohibiting Mr Russell, 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 that "Mr Russell's actions might not be described as being relevant to teaching, working with children and/or working in an education setting as the circumstances of Mr Russell's offending took place entirely in his private life. Furthermore, the panel did not consider that Mr Russell's actions had a potential impact on the safety or security of pupils or members of the public."

I have also taken into account the panel's comments on insight and remorse. The panel has concluded that "In the absence of any meaningful personal engagement with these proceedings, the panel did not consider it had sufficient evidence to suggest that Mr Russell had developed any insight at this time and that the risk of similar behaviour occurring again in the future was materially reduced." In my judgement, the lack of evidence of insight and remorse means that there is some risk of the repetition of this behaviour. I have therefore given this element considerable weight in reaching my decision.

I have gone on to consider the extent to which a prohibition order would maintain public confidence in the profession. The panel has observed that "In the light of the panel's findings against Mr Russell, which involved being convicted for harassment and drug offences, the panel considered that public confidence in the profession could be seriously weakened if conduct such as that found against Mr Russell were not treated with the utmost seriousness when regulating the conduct of the profession." I am particularly mindful of the finding of a conviction for possessing cocaine in this case and the impact that such a finding has on the reputation of the profession.

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

I have considered whether the publication of a finding of a relevant conviction, in the absence of a prohibition order, can itself be regarded by such a person as being a proportionate response to the misconduct that has been found proven in this case.

I have also considered the impact of a prohibition order on Mr Russell himself. The panel has commented that "There was evidence before the panel that Mr Russell had been internally promoted to Head of Year and was progressing through the pay scales, which suggested that Mr Russell was a capable teacher. However, there was no evidence

provided which otherwise touched on Mr Russell's contribution to the education sector such that it could be seen to be amounting to an 'exceptional contribution'."

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

In this case, I have placed considerable weight on the panel's comments concerning the lack of insight or remorse on the part of Mr Russell. The panel has said that "the public interest considerations outweighed the interests of Mr Russell. The absence of Mr Russell's personal engagement with the core regulatory issues (such as evidencing his personal reflection and insight into his actions) was a significant factor in forming that opinion."

I have also noted the panel's findings that none of the mitigating factors listed in the Advice applied in this case, and that "Mr Russell's actions were deliberate and he was not acting under duress."

I have given less weight in my consideration of sanction therefore to the contribution that Mr Russell has made to the profession. In my view, it is necessary to impose a prohibition order in order to maintain public confidence in the profession. A published decision, in light of the circumstances in this case, that is not backed up by evidence of insight and remorse, 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 a 2-year review period.

I have considered the panel's comments:

"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. One of these include "*possession (including for personal use) of any class A drug*".

The panel noted that the amount of cocaine in Mr Russell's possession was described by the police as a 'small amount'. Before the panel was a copy of the court's Pre-Sentence Report which stated "*there is no evidence to suggest that drugs continue to be a problem*". The drug offence occurred during a very difficult period in Mr Russell's life. [REDACTED]. The panel considered that these factors, whilst not sufficient to mitigate against the recommendation of a prohibition order being imposed itself, did provide grounds to mitigate the appropriate length of time before it could be reviewed. The

individual circumstances of this case suggested to the panel that it would be disproportionate to recommend a review period only after a 'longer period'. Accordingly the panel was of the view that the public confidence in the profession and the regulatory process would still be maintained in these circumstances if a review period of two years was recommended."

I have considered whether a 2-year review period reflects the seriousness of the findings and is a proportionate period to achieve the aim of maintaining public confidence in the profession. In this case, I agree with the panel that allowing a 2-year review period is sufficient to achieve the aim of maintaining public confidence in the profession. In my judgement, a 2-year period would be sufficient for Mr Russell to demonstrate evidence of insight into and remorse for his actions and that the risk of repetition has been mitigated, should he wish to have the prohibition order set aside and return to teaching.

I have decided, therefore, that a 2-year review period reflects the seriousness of the findings and is a proportionate period to achieve the aim of maintaining public confidence in the profession.

**This means that Mr Ben Russell is prohibited from teaching indefinitely and cannot teach in any school, sixth form college, relevant youth accommodation or children's home in England.** He may apply for the prohibition order to be set aside, but not until 14 May 2028, 2 years from the date of this order at the earliest. This is not an automatic right to have the prohibition order removed. If he does apply, a panel will meet to consider whether the prohibition order should be set aside. Without a successful application, Mr Russell remains prohibited from teaching indefinitely.

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

Mr Ben Russell 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 flourish at the end.

**Decision maker: David Oatley**

**Date: 8 May 2026**

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