



Mr Philip McDermott: Professional conduct panel outcome

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

April 2026

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

Teacher: Mr Philip McDermott

Teacher ref number: 9552143

Teacher date of birth: 23 September 1962

TRA reference: 19111

Date of determination: 30 April 2026

Former employer: School A

Introduction

A professional conduct panel (“the panel”) of the Teaching Regulation Agency (“the TRA”) convened on 27 to 30 April 2026 by way of a virtual hearing, to consider the case of Mr Philip McDermott.

The panel members were Mr Paul Millett (lay panellist – in the chair), Ms Julia Hyde (teacher panellist) and Mr Sam Jones (teacher panellist).

The legal adviser to the panel was Mr Jonathan White of Blake Morgan LLP solicitors.

The presenting officer for the TRA was Mr John Greany of 3 Raymond Buildings, instructed by Kingsley Napley solicitors.

Mr Philip McDermott was present and was represented by Ms Pricina Benjamin, a representative from NASUWT.

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 hearing dated 30 January 2026.

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

1. He acted in an inappropriate and/or sexual manner towards Former Pupil A, while they were a pupil at the School, in that he:
 - a. between 28 March 2013 and 27 August 2017, he:
 - i. exchanged personal email addresses and/or phone numbers with Former Pupil A;
 - ii. exchanged emails and/or text messages of a personal nature with Former Pupil A;
 - iii. on one or more occasion(s) met up with Former Pupil A outside of School;
 - iv. touched Former Pupil A on and/or near her vagina;
 - v. touched Former Pupil A on and/or near her breast(s);
 - vi. kissed Former Pupil A
 - b. in or around June and July 2016, he:
 - i. encouraged and/or told and/or made Former Pupil A touch his penis;
 - ii. touched Former Pupil A on and/or near her breast(s);
 - iii. touched Former Pupil A's vagina with his tongue;
 - iv. put his penis in Former Pupil A's mouth
 - c. On or around 4 August 2016, he:
 - i. put his hand up Former Pupil A's skirt;
 - ii. moved and/or attempted to put Former Pupil A's hand on his penis, over his clothing.
 - d. In or around October 2016, he bought and/or gave Former Pupil A a vibrator and/or lubricant.

2. His conduct at paragraph 1.a. – 1.d. was sexually motivated and/or of a sexual nature.

Mr McDermott admitted the factual element of Allegations 1.a.i., ii. and iii. He admitted that in relation to 1.a. i. and ii., his conduct was inappropriate, but he denied that the inappropriateness was in any way sexual. Mr McDermott denied that his conduct in 1.a.iii. was inappropriate or sexual. Mr McDermott denied the remaining allegations in their entirety.

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

At the close of the TRA's case, the presenting officer offered no evidence in relation to Allegation 1.b.iv.

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 8 to 9

Section 2: Notice of proceedings and response – pages 10 to 25

Section 3: Teaching Regulation Agency witness statements – pages 26 to 50

Section 4: Teaching Regulation Agency documents – pages 51 to 1160

Section 5: Teacher documents – pages 1161 to 1192

In addition, the panel agreed to accept the following:

TRA's Opening Note.

Unredacted copy of Exhibit 47, Appendix 28.

Agreed Facts in relation to passwords.

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. The panel had also viewed, in advance of the hearing, two ABE videos of Former Pupil A's evidence to the Police in connection with these matters.

In the consideration of this case, the panel had regard to the document Teacher misconduct: Disciplinary procedures for the teaching profession 2018, (the “Procedures”).

Witnesses

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

Former Pupil A

Mr Philip McDermott also gave oral evidence.

Decision and reasons

The panel announced its decision and reasons as follows:

The panel carefully considered the case before it and reached a decision and received the advice of the legal adviser.

Mr McDermott had been employed at School A from [REDACTED] as [REDACTED] teacher. Mr McDermott taught Key Stages 3 - 5 and he was also Head of Year for two Year 11 cohorts.

Former Pupil A attended School A from September 2011, when she was 11, until July 2018 when she was 17. Mr McDermott was her [REDACTED] teacher when she was in Year 9. Former Pupil A was in Mr McDermott’s [REDACTED] class in Year 10 (2014-2015) and Year 11 (2015-2016).

In February 2020, Former Pupil A made a report to Police of an inappropriate and sexual relationship that had allegedly occurred between her and Mr McDermott while she had been a pupil at School A. Former Pupil A described incidents occurring both on and off school premises. Mr McDermott was suspended by School A in February 2020 and dismissed in July 2020.

On 9 February 2020, the Police made a referral to the TRA.

Mr McDermott was subsequently charged with a number of criminal offences, for which he stood trial at the Crown Court in 2022. Mr McDermott was acquitted on all charges. The panel took note of Mr McDermott’s acquittal but reminded itself that it was not bound by that decision and it was for the panel to form its own, independent view of the evidence and to make its decisions on that basis.

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:

1. You acted in an inappropriate and/or sexual manner towards Former Pupil A, while they were a pupil at the School, in that you:

a. between 28 March 2013 and 27 August 2017, you:

i. exchanged personal email addresses and/or phone numbers with Former Pupil A;

Mr McDermott admitted that he had exchanged personal email addresses and personal phone numbers with Former Pupil A. The panel was presented with screenshots of text messages between Mr McDermott and Former Pupil A and copies of emails to and from their personal email addresses. Those text messages and emails could not have occurred had Mr McDermott not exchanged email addresses and phone numbers with Former Pupil A. The panel therefore found that Mr McDermott's admission was properly made.

The panel considered whether this was inappropriate. The panel noted the witness statement given by the Head of School at School A in the criminal proceedings in which he stated that "*staff never give out their mobile phone numbers to students*" and described this as a "*key safeguarding priority at the school*". The panel was satisfied on the balance of probabilities that it was highly inappropriate for Mr McDermott to have exchanged personal email addresses and/or phone numbers with Former Pupil A.

For the reasons set out in relation to Allegation 2 below, the panel also found on the balance of probabilities that Mr McDermott had acted in a sexual manner.

The panel therefore found Allegation 1.a.i. proved in full on the balance of probabilities.

ii. exchanged emails and/or text messages of a personal nature with Former Pupil A;

As noted above in relation to Allegation 1.a.i., the panel was presented with emails and text messages exchanged between Mr McDermott and Former Pupil A. Mr McDermott admitted exchanging these messages with Former Pupil A. The panel heard evidence from Former Pupil A that she had accessed Mr McDermott's devices, on her evidence with his consent, and deleted the emails and text messages in 2017 as she was worried that someone else might discover them. While there was not a complete record, therefore, the panel was presented with emails from Mr McDermott to Former Pupil A that included the following:

27 May 2016 at 21.24 from school email address:

"Just got [REDACTED] latest album!!!

"You belong to me....."

1 August 2017 at 11.24am from Mr McDermott's personal email address:

"Hi!

I hope you are having a great holiday and all your plans are working out as you want. I can't remember if I told you I was taking a test? Anyway I did it this morning. I am expecting the results Monday or Tuesday next week. Will let you know how they went.

All the best".

In respect of the 1 August 2017 email, it was accepted by Mr McDermott that this email referred to him taking a test for a [REDACTED], though he denied that it related to any sexual contact with Former Pupil A.

The panel was presented with text messages from Former Pupil A that included the following from a date in [REDACTED] 2016 at 23.57.

"Yes I am enjoying the last 3 minutes of my birthday".

"I cannot reply properly if you send me 8 separate messages at once!!"

"I'm glad your mum is feeling better and I hope [name] has a good birthday in one minute!! [emoji]".

"What kind of special presents are you talking about? There haven't been any sex toys yet! You'll be good tomorrow and enjoy the views".

"When we get back in September after doing a phone detox can we move completely back to email? I have had to turn my text notifications off and it is getting slightly frustrating".

"Goodnight x"

"And by the way I am very aware that I am being a hypocrite with all these separate messages. And dear Philip McDermott as a 16 year old I would like you to know...that you are very important to me. You make me think in more free ways than before and open me up to new perspectives that I could never think of. And know that I love you and I cannot explain or put anything else into words. And also, your tongue can do pretty incredible things..."

It was accepted that these messages were part of a dialogue with Mr McDermott. Mr McDermott accepted that he had sent multiple messages to Former Pupil A and that this was the context of her reference to receiving eight separate messages.

The panel was satisfied on the balance of probabilities that Mr McDermott had exchanged emails and text messages with Former Pupil A and that they were of a personal nature.

The panel considered whether this was inappropriate. The panel noted the evidence of the Head of School, in which he noted that it was not unusual for students to use personal email addresses to send emails to staff. However, he went on to state:

“As a teacher, it [sic] I was conversing with a student on their personal email address I would let another member of staff know about this. This is in our training, Staff would never use personal email addresses to contact students”.

Mr McDermott accepted that he had not notified any other member of staff about this contact. The panel further noted that some of the messages took place out of school hours and/or during school holidays. The panel was satisfied on the balance of probabilities that it was highly inappropriate for Mr McDermott to have exchanged emails and text messages of a personal nature with Former Pupil A.

For the reasons set out in relation to Allegation 2 below, the panel also found on the balance of probabilities that Mr McDermott had acted in a sexual manner.

The panel therefore found Allegation 1.a.ii. proved in full on the balance of probabilities.

iii. on one or more occasion(s) met up with Former Pupil A outside of School;

Mr McDermott admitted that he met Former Pupil A on at least two occasions outside school, though he denied that any of these were inappropriate. The first was a lunch that he had with Former Pupil A at a pub in July 2016. This was followed by a walk in a nearby park after the lunch. There were no other students present during the lunch or the walk and it was just Mr McDermott and Former Pupil A. The circumstances of what took place during the visit to the park, which are disputed, are discussed in more detail under Allegation 1.b.

In August 2016, Mr McDermott, Former Pupil A and Former Pupil A’s father (“Father A”) attended a concert at [REDACTED]. During the event Mr McDermott was alone with Former Pupil A, for example when Father A visited the toilet or was buying refreshments. Mr McDermott’s ticket was for the seated area of the concert venue, while Former Pupil A and Father A’s ticket was in the standing area. Mr McDermott told the panel that he decided to come down to the standing area as the view of the performer was not as good from his seat. Mr McDermott stood next to Former Pupil A during the concert. The

circumstances of what took place during the concert, which are disputed, are discussed in more detail under Allegation 1.c.

The panel was satisfied on the balance of probabilities that Mr McDermott had met up with Former Pupil A outside school.

The panel considered whether this was inappropriate. Mr McDermott had accepted that it was “ill-judged”. The panel noted that the Head of School had stated in his witness statement in the criminal proceedings:

“Staff and students are not to meet up outside the working school hours. If this was planned, the designated safeguarding officer would need to know”.

The panel noted that both instances described above took place during the school holidays. Mr McDermott had not notified the Designated Safeguarding Officer, or anyone else at School A that he was meeting Former Pupil A outside school. Mr McDermott told the panel that the lunch with Former Pupil A was agreed to by her parents. Former Pupil A told the panel that by the time her mother discovered that it would just be the two of them, as opposed to a group of students, it was too late to object as Former Pupil A was already on her way to meet Mr McDermott. The panel considered that regardless of parental consent or otherwise, and whatever the purpose, it was entirely inappropriate for Mr McDermott to meet up with a student on their own at a pub.

There was a dispute of evidence about the circumstances of meeting up at the concert. Mr McDermott’s evidence was that he had bought a ticket for himself to attend alone, and, having told Former Pupil A, she had persuaded Father A to attend so that she could also go. Former Pupil A’s evidence was she and Mr McDermott had discussed attending together and that the only way to do that was for Father A to attend as well. The panel preferred the evidence of Former Pupil A on this point, for reasons set out below. However, on any view, it was inappropriate for Mr McDermott to have spent any significant time with Former Pupil A at the concert. If, as he had told the panel, he encountered Former Pupil A and Father A by chance, then the appropriate course of action would have been to exchange polite, brief pleasantries and then move on.

The panel was satisfied on the balance of probabilities that it was inappropriate for Mr McDermott to have met up with Former Pupil A outside school.

For the reasons set out in relation to Allegation 2 below, the panel also found on the balance of probabilities that Mr McDermott had acted in a sexual manner.

The panel therefore found Allegation 1.a.iii. proved in full on the balance of probabilities.

iv. touched Former Pupil A on and/or near her vagina;

This allegation related to conduct that was alleged to have taken place in Mr McDermott's classroom. Former Pupil A's evidence was that Mr McDermott would close the blinds and the door before engaging in this conduct with her. Mr McDermott denied any such contact as having taken place. He told panel that two members of staff had come into the classroom on occasion and had not reported seeing anything untoward.

The panel was assisted by a photograph of the classroom which showed the door had a glass panel towards the top of the door. The panel found that someone walking past the door would not be able to easily see into the room unless they were close to the window. The panel accepted Former Pupil A's evidence that the blinds were drawn on the other windows. The panel did not attach significant weight to the fact that other members of staff had come into the room and not seen anything inappropriate taking place. It was more likely than not that either upon them knocking or the door starting to open, Former Pupil A and Mr McDermott would have had time to move apart before anyone actually entered the room. The panel took into account the context, namely the matters found proved in relation to Allegations 1.a.i., ii. and iii.. The panel found, on the balance of probabilities, that Mr McDermott had touched Former Pupil A on and near her vagina.

The panel found that this was inherently and manifestly inappropriate. For reasons set out in further detail in relation to Allegation 2, the panel was satisfied on the balance of probabilities that Mr McDermott had acted in a sexual manner.

Allegation 1.a.iv. was therefore proved in full on the balance of probabilities.

v. touched Former Pupil A on and/or near her breast(s);

This allegation also related to conduct that was alleged to have taken place in Mr McDermott's classroom, which was denied by Mr McDermott. For the reasons set out in relation to Allegation 1.a.iv., the panel preferred the evidence of Former Pupil A on this matter.

The panel found, on the balance of probabilities, that Mr McDermott touched Former Pupil A on and near her breasts.

The panel found that this was inherently and manifestly inappropriate. For reasons set out in further detail in relation to Allegation 2, the panel was satisfied on the balance of probabilities that Mr McDermott had acted in a sexual manner.

Allegation 1.a.v. was therefore proved in full on the balance of probabilities.

vi. kissed Former Pupil A

This allegation also related to conduct that was alleged to have taken place in Mr McDermott's classroom, which was denied by Mr McDermott. For the reasons set out

in relation to Allegation 1.a.iv., the panel preferred the evidence of Former Pupil A on this matter.

The panel found, on the balance of probabilities, that Mr McDermott kissed Former Pupil A.

The panel found that this was inherently and manifestly inappropriate. For reasons set out in further detail in relation to Allegation 2, the panel was satisfied on the balance of probabilities that Mr McDermott had acted in a sexual manner.

Allegation 1.a.vi. was therefore proved in full on the balance of probabilities.

b. in or around June and July 2016, you:

i. encouraged and/or told and/or made Former Pupil A touch your penis;

Allegation 1.b. related to the visit to the park following the lunch, referred to in Allegation 1.a.iii. above. Mr McDermott denied Allegation 1.b. in its entirety.

Former Pupil A's account was that she and Mr McDermott had gone into a secluded section of the park surrounded by bushes, trees and a fence separating the area from a nearby path. Former Pupil A told the panel that she had started to walk away from Mr McDermott and had taken off her upper clothing. She explained that she had intended to turn around to face Mr McDermott as she was anticipating a romantic moment with him. Before she could do so, however, Mr McDermott grabbed her from behind and cupped her breasts in his hands. This is the subject of Allegation 1.b.ii. below, but is set out here as part of the context of this allegation.

Former Pupil A then described to the panel that Mr McDermott had repeatedly asked if he could lick her vagina, which she eventually agreed to. This is the subject of Allegation 1.b.iii. below. Former Pupil A told the panel that after Mr McDermott had done so, he had repeatedly asked her to touch his penis, saying words to the effect that he had given her something and that it would not be fair otherwise. Former Pupil A did not touch Mr McDermott's penis.

Mr McDermott denied that any of this took place. Mr McDermott told the panel that, due to a [REDACTED] he was suffering from at the time, Former Pupil A's description of his penis could not be correct.

The panel noted that in the criminal proceedings, it had been agreed as a fact between the prosecution and defence that Mr McDermott had first complained about the [REDACTED] approximately six months before April 2018. Mr McDermott told the panel that he had suffered from the [REDACTED]. The panel found that Mr McDermott's explanation about the [REDACTED] being relevant to the incident in the park did not bear

scrutiny, given that it occurred in July 2016, more than a year before he first reported [REDACTED]. The panel also noted that this point was not put to Former Pupil A during cross-examination and Mr McDermott had not raised this in his witness statement in these proceedings.

Ms Benjamin submitted to the panel that nobody else had witnessed anything inappropriate in the park. The panel accepted this but noted that Mr McDermott and Former Pupil A were in a secluded area. The panel was assisted by photographs of the area in this respect. It was entirely consistent with Former Pupil A's account that she and Mr McDermott would have ensured they were not visible to members of the public at this point.

For these reasons, on the balance of probabilities, the panel preferred the evidence of Former Pupil A as it was the more plausible account, having regard to the circumstances, the context and the implausibility of Mr McDermott's account. The panel therefore found on the balance of probabilities that Mr McDermott encouraged Former Pupil A to touch his penis. The panel noted that Former Pupil A did not do so and did not consider that Mr McDermott's request went beyond encouragement and so it did not find that he had told her to do so or made her do so.

The panel found that this was inherently and manifestly inappropriate. For reasons set out in further detail in relation to Allegation 2, the panel was satisfied on the balance of probabilities that Mr McDermott had acted in a sexual manner.

Allegation 1.b.i. was therefore proved in full on the balance of probabilities.

ii. touched Former Pupil A on and/or near her breast(s);

Former Pupil A's account of this part of the visit to the local park is summarised above. As with all aspects of Allegation 1.b., Mr McDermott denied it in full.

The panel was presented with evidence of a Pinterest meme which was found on Mr McDermott's electronic device. The meme read:

"Standing behind you breasts cupped in my hands..."

The panel noted that this described precisely what Former Pupil A had told the panel about this part of the incident in the park. Former Pupil A had also told the panel that sexually explicit quotes on Pinterest were one of the methods of communication between herself and Mr McDermott. Mr McDermott denied he had created the meme. The panel found that it was more likely than not that Mr McDermott had created the meme as it was found on his device. Mr McDermott had confirmed during his evidence in the criminal proceedings that he used Pinterest. The fact that the meme found on Mr McDermott's device and the wording of the meme matching Former Pupil A's description of what had

occurred led the panel to conclude on the balance of probabilities that Mr McDermott had touched Former Pupil A on and near her breasts while in the park.

The panel found that this was inherently and manifestly inappropriate. For reasons set out in further detail in relation to Allegation 2, the panel was satisfied on the balance of probabilities that Mr McDermott had acted in a sexual manner.

Allegation 1.b.ii. was therefore proved in full on the balance of probabilities.

iii. touched Former Pupil A's vagina with your tongue;

Former Pupil A's account of this part of the visit to the local park is summarised above. As with all aspects of Allegation 1.b., Mr McDermott denied it in full.

Former Pupil A told the panel that Mr McDermott lowered her underwear and held her waist before putting his tongue inside her vagina for approximately 2-3 seconds.

The panel considered that Former Pupil A's account was more likely than Mr McDermott's to be correct. In reaching this conclusion, the panel had regard to the text message sent by Former Pupil A to Mr McDermott in August 2016, referred to above, in which she wrote

[REDACTED]

Mr McDermott's evidence was that this text message was sent by Former Pupil A in order to "wind up" [REDACTED]. When asked by the panel why he thought this might have been the case, Mr McDermott appeared to suggest that it might be because [REDACTED] had ignored Former Pupil A when she (Former Pupil A) was speaking with Mr McDermott on exam results day at the school. The panel considered it implausible that Former Pupil A would send a message to Mr McDermott of that nature with the intention of causing aggravation to [REDACTED]. There was no reason for her to have done so, particularly in circumstances where, had she been successful, Former Pupil A's relationship with Mr McDermott would have come under scrutiny. The text exchange in which this took place was part of a series of messages and there was no suggestion in those messages that Mr McDermott's [REDACTED] was part of that exchange.

The panel found that it was more likely than not that the text message related to Mr McDermott having touched Former Pupil A's vagina with his tongue in the park the previous month and the panel found on the balance of probabilities that this had occurred.

The panel found that this was inherently and manifestly inappropriate. For reasons set out in further detail in relation to Allegation 2, the panel was satisfied on the balance of probabilities that Mr McDermott had acted in a sexual manner.

Allegation 1.b.iii. was therefore proved in full on the balance of probabilities.

c. On or around 4 August 2016, you:

i. put your hand up Former Pupil A's skirt;

Allegation 1.c. related to the concert referred to in Allegation 1.a.iii. above. Mr McDermott denied Allegation 1.c. in its entirety. The circumstances leading up to Mr McDermott, Former Pupil A and Father A attending the concert are described in Allegation 1.a.iii.

Former Pupil A's account was that whilst the concert was in progress, she was standing in between Mr McDermott and Father A. She described Mr McDermott as being on her left. Former Pupil A told the panel that Mr McDermott stroked her leg up and down and lifted her dress to do so. Former Pupil A told the panel that the concert was busy and the standing area was crowded, with people facing forward towards the performer. The concert was in the evening and so it started getting dark while the concert was in progress.

Mr McDermott agreed that he had been standing next to Former Pupil A but denied that any touching took place.

Ms Benjamin noted that Former Pupil A had described a dress, whereas the allegation referred to a skirt. The panel noted the point but considered it immaterial. The question for the panel was whether Mr McDermott had placed his hand up Former Pupil A's clothing, not the precise type of clothing.

The panel noted that the artist who was performing at the concert was one that had featured in communication between Former Pupil A and Mr McDermott. This was not in dispute. The panel was presented with a meme from Pinterest found on Mr McDermott's electronic device which contained a photograph of the artist. The lyrics or title of a song by the artist featured in the email of 27 May 2016 referred to above.

The panel took account of the fact that this concert took place a few weeks after the incident in the local park, in respect of which the panel had made the findings set out at Allegation 1.b.

The panel was presented with a photograph taken by Mr McDermott of Former Pupil A and Father A during the concert. It was clear from this photograph that Former Pupil A's description of it being crowded and people facing the stage was accurate.

The panel considered it more likely than not that Former Pupil A's account reflected what had taken place and it therefore found on the balance of probabilities that Mr McDermott had placed his hand up Former Pupil A's skirt or dress.

The panel found that this was inherently and manifestly inappropriate. For reasons set out in further detail in relation to Allegation 2, the panel was satisfied on the balance of probabilities that Mr McDermott had acted in a sexual manner.

Allegation 1.c.i. was therefore proved in full on the balance of probabilities.

ii. moved and/or attempted to put Former Pupil A's hand on your penis, over your clothing.

Former Pupil A told the panel that in addition to putting his hand up her dress, Mr McDermott had taken her hand and attempted to place it on his penis over his clothing. Former Pupil A told the panel that she moved her hand back straight away.

Mr McDermott denied doing any such thing.

The panel noted that this alleged act took place during a concert in which, as found in relation to Allegation 1.c.i., Mr McDermott had inappropriately touched Former Pupil A by putting his hand up her skirt/dress. The panel also had in mind the contextual factors identified in relation to that allegation. The panel therefore found that Former Pupil A's account of what occurred was more likely than not to be accurate and preferred her version of what took place.

The panel found, on the balance of probabilities, that Mr McDermott had moved and attempted to place Former Pupil A's hand on his penis over his clothing while standing at the concert.

The panel found that this was inherently and manifestly inappropriate. For reasons set out in further detail in relation to Allegation 2, the panel was satisfied on the balance of probabilities that Mr McDermott had acted in a sexual manner.

Allegation 1.c.ii. was therefore proved in full on the balance of probabilities.

d. In or around October 2016, you bought and/or gave Former Pupil A a vibrator and/or lubricant.

The panel was presented with a photograph of a vibrator and a box containing tube of lubricant. Former Pupil A had not seen this photograph before the criminal trial. Former Pupil A told the panel that she did not recall Mr McDermott buying lubricant for her. The panel therefore confined its consideration of Allegation 1.d. to the allegation that he had purchased a vibrator for Former Pupil A and given it to her.

Former Pupil A told the panel in her oral evidence that Mr McDermott had told her that he had a "special present" for her and that he had given her a vibrator in a bag in the classroom at school. Former Pupil A told the panel that the vibrator in the photograph was the same colour as the one given to her by Mr McDermott.

Mr McDermott denied giving Former Pupil A a vibrator and told the panel that he had purchased one for personal use and not to give to Former Pupil A.

The panel had regard to the context, specifically that this allegedly took place in October 2016, by which time the incident in the park had occurred, as had the incidents of touching at the concert. The panel also noted that the text messages sent in August 2016 made reference to sex toys.

The panel found on the balance of probabilities that Mr McDermott purchased a vibrator for Former Pupil A and gave it to her as she had described.

The panel found that this was inherently and manifestly inappropriate. For reasons set out in further detail in relation to Allegation 2, the panel was satisfied on the balance of probabilities that Mr McDermott had acted in a sexual manner.

Allegation 1.d. was therefore proved in full on the balance of probabilities.

2. Your conduct at paragraph 1.a. – 1.d. was sexually motivated and/or of a sexual nature.

The panel considered, in respect of all matters found proved within Allegation 1, whether Mr McDermott's conduct was sexual in nature and/or whether it was sexually motivated. Mr McDermott had consistently denied that his conduct was in any way sexual.

The panel had regard to the character evidence provided by Mr McDermott. This consisted of a character reference from an Assistant Headteacher at his former school (not School A) dated June 2003 and CPD certificates, some from 2000-2001 and others from 2017-2018. It also included 'thank-you' cards from other students. These were consistent with Former Pupil A's description of Mr McDermott as being good at teaching and being well respected by staff and pupils.

In respect of Allegation 1.a.i., the panel considered that while the act of exchanging email addresses and telephone numbers was not inherently sexual in nature, it was sexually motivated. The panel found, on the balance of probabilities, that Mr McDermott had exchanged the email address and telephone numbers with Former Pupil A in pursuit of a future sexual relationship. The evidence of that was that a sexual relationship developed, as discussed below, and one of the ways it was pursued was by email and telephone contact.

In respect of Allegation 1.a.ii., the panel examined the nature of the emails and text messages exchanged between Mr McDermott and Former Pupil A. In addition to those quoted above, the panel found that Mr McDermott and Pupil A had exchanged stories over email, including of a sexual nature. The panel was presented with a story written about a woman training in a gym, which Mr McDermott confirmed that he had written. The Police had found this document on Mr McDermott's laptop. At the bottom of that

story, within the same document, was another story entitled *"Porn on the Cob"*. Mr McDermott denied writing this. Former Pupil A's evidence was that the lines in this story were taken from emails that she and Mr McDermott had exchanged. These included phrases such as:

"My hands move down your back, massaging your skin, all the way to your ass."

"My lips are tight around you".

"My fingers dig into you as you thrust your finger into me".

"Your arches towards me as my finger moves within you".

"I know can you feel my left hand slide into your panties?"

"I'm kissing your forehead and now your lips."

"I need your kisses."

"Storyline, S14"

"Also, you've got me in detention."

"In the meantime slip your hand between your legs "your fingers are my fingers"."

The panel was satisfied on the balance of probabilities that at least some of these lines were written by Mr McDermott and sent to Former Pupil A.

The panel noted the email relating to the taking of a "test", which was accepted by Mr McDermott as relating to [REDACTED]. Mr McDermott strongly refuted any suggestion that it related to any sexual contact with Former Pupil A, contrary to Former Pupil A's evidence. Mr McDermott's evidence was that Former Pupil A had sought his advice in a pastoral capacity about her [REDACTED]. Mr McDermott told the panel that he had taken a [REDACTED] [REDACTED] and he had told her about it by way of moral support to her to make it easier for her to take one, which she subsequently did. The panel rejected Mr McDermott's explanation as being inconsistent with the context and the other evidence in this matter. It was implausible that an experienced teacher, when asked for [REDACTED] advice by a pupil, would disclose details of [REDACTED] that he had taken, in emails to and from personal email addresses. The explanation that was more likely than not was that Former Pupil A had asked him about [REDACTED] due to her concerns arising out of previous sexual contact between them, which was Former Pupil A's evidence to the panel.

The panel also noted the context of the Pinterest memes that were also found on Mr McDermott's electronic device. In addition to those quoted previously, the panel noted the following:

“My fingers interlock with yours as we start to work the garden...”

This was accompanied by a photograph of a park that looked similar to the local park in which the conduct at Allegation 1.b. had taken place.

The panel had also heard evidence from Mr McDermott that he had searched for Former Pupil A on Twitter (as it was then known).

Mr McDermott had confirmed to the panel that Former Pupil A was the only student he had taken for lunch alone, the only student that he had exchanged personal email addresses with, and the only student he had (on his account) given [REDACTED] advice to. Mr McDermott had also confirmed that there were no other students with whom he had prolonged text message exchanges with during the school holidays. The panel was also presented with evidence in the form of an agreed fact that Mr McDermott had changed two passwords on his electronic devices to a name that was the same as Former Pupil A's name. The panel rejected Mr McDermott's evidence that the name used in the password related to a historical figure. The panel considered that Former Pupil A had been singled-out by Mr McDermott and that this was consistent with the pursuit and conduct of a sexual relationship.

Mr McDermott told the panel that upon receiving the text message about [REDACTED], he had spoken to Former Pupil A to tell her that he considered this inappropriate. He also stated that he had attempted to speak to the Headteacher at School A but had been unable to do so as the “schedule” slipped. Having spoken to Former Pupil A, he considered the matter resolved.

The panel rejected this explanation as not capable of belief. There would have been ample opportunities for Mr McDermott to raise it with either the Headteacher, the Designated Safeguarding Lead or any member of the leadership or safeguarding teams. This could have been done by email or in person. Even if he had spoken to Former Pupil A as he described, and for which there was no evidence, that would not have absolved him from the duty to report such a text message to the school. Further, the communication continued for a further year, including the [REDACTED] email exchanges of 2017. The panel found that it was more likely than not, based on the contemporaneous documents, that the reason Mr McDermott did not report the text message of August 2016 was because it was sent to him in the context of an ongoing sexual relationship with Former Pupil A.

The panel therefore found on the balance of probabilities that the emails and text messages that Mr McDermott exchanged with Former Pupil A were sexual in nature, as this was more consistent with the contemporaneous documentation than Mr McDermott's account. They were also sexually motivated as they involved Mr McDermott's sexual gratification and were in sent in the pursuit and conduct of a sexual relationship.

In respect of Allegation 1.a.iii., the panel had found that inappropriate touching had taken place in the park and at the concert. The panel found, on the balance of probabilities, that this contact was plainly of a sexual nature and was sexually motivated as it involved Mr McDermott's sexual gratification and was part of an ongoing sexual relationship. In respect of the lunch at the pub that preceded the incident in the park and in relation to the overall attendance at the concert, the panel found that this was sexually motivated as both were a necessary step to the conduct that occurred as described in Allegations 1.b. and 1.c.

In respect of the conduct proved in Allegations 1.a.iv., v., vi., 1.b., 1.c., and 1.d., the panel found on the balance of probabilities that in all instances the conduct was of an inherently sexual nature. Further, in each instance it took place in the context of the pursuit and conduct of a sexual relationship and involved Mr McDermott's sexual gratification. The panel therefore found on the balance of probabilities that it was sexually motivated.

The panel found the following particulars of Allegation 1 against you not proved for these reasons:

1.b. in or around June and July 2016, you:

iv. put your penis in Former Pupil A's mouth:

Former Pupil A had not alleged that Mr McDermott had done this and she told the panel that the confusion had arisen due to Person C's incorrect recollection of his conversation with Former Pupil A, when she told him about Mr McDermott's actions. Former Pupil A confirmed this in her evidence before the panel. As a result, the presenting officer offered no evidence and the panel found this particular not proved.

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

Having found a number 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 McDermott, in relation to the facts found proved, involved breaches of the Teachers' Standards.

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

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

The panel noted that Mr McDermott's conduct took place both on and off school premises and in and out of school hours, including late at night, and/or term-time. However, all of the conduct took place in the context of a teacher-pupil relationship and at all times, Former Pupil A was under 18.

The panel was satisfied that the conduct of Mr McDermott, in relation to the facts found proved, involved serious safeguarding breaches and as such would inevitably have amounted to breaches of the relevant provisions of Keeping Children Safe In Education ("KCSIE") and Working Together to Safeguard Children.

The panel also considered whether Mr McDermott'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 offences of sexual activity and sexual communication with a child were relevant.

The panel had found that Mr McDermott had committed repeated acts of a sexual nature in relation to a pupil over a lengthy period of time. The panel considered that individually and collectively Mr McDermott's conduct was extremely serious. He had shown a complete disregard for professional boundaries, safeguarding and his trusted role as a teacher. The panel found that he had seriously abused his position and had committed a grave breach of trust.

The panel was presented with evidence which made clear the severe and long-lasting impact on Former Pupil A's health and well-being of Mr McDermott's conduct.

For these reasons, the panel was satisfied that the conduct of Mr McDermott amounted to misconduct of a very serious nature which fell significantly short of the standards expected of the profession.

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

In relation to whether Mr McDermott'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 McDermott's conduct displayed behaviours associated with any of the offences in the list that begins on page 12 of the Advice. The panel identified the same offences to be relevant as it had done when considering whether Mr McDermott was guilty of unacceptable professional conduct.

The findings of misconduct were serious, and the conduct displayed would be likely to have a negative impact on the individual's status as a teacher. Mr McDermott's conduct was hugely detrimental to the reputation of the teaching profession.

For these reasons, the panel found that Mr McDermott'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
- the protection of other members of the public
- 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 McDermott, which involved multiple findings of sexual communications, inappropriate and sexual touching over a period of at least two years, there was a strong public interest consideration in respect of the safeguarding and wellbeing of pupils, given the serious findings of an inappropriate relationship with a child.

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

The panel was of the view that a strong public interest consideration in declaring proper standards of conduct in the profession was also present as the conduct found against Mr McDermott 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 McDermott in the profession. Whilst there was evidence that Mr McDermott had ability as an educator, the panel considered that the adverse public interest considerations above outweighed any interest in retaining him in the profession, since his behaviour fundamentally breached the standard of conduct expected of a teacher, and he had exploited his position of trust.

The panel considered carefully the seriousness of the behaviour, noting that the Advice states that the expectation of both the public and pupils, is that members of the teaching profession maintain an exemplary level of integrity and ethical standards at all times. The panel noted that a teacher's behaviour that seeks to exploit their position of trust should be viewed very seriously in terms of its potential influence on pupils and be seen as a possible threat to the public interest.

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 McDermott.

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, as set out above in relation to unacceptable professional conduct;
- misconduct seriously affecting the education and/or safeguarding and well-being of pupils, and particularly where there is a continuing risk;

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

Even though 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.

Mr McDermott's actions were deliberate and there was no evidence to suggest that he was acting under duress.

The panel had regard to the character evidence in the papers and referred to in the decision above. The panel accepted that Mr McDermott was a good and well-regarded teacher, including by Former Pupil A. However, there was no evidence that he had done more than perform well in this role and this could not be described as exceptional or unusual. The panel accepted that Mr McDermott had no previous disciplinary proceedings or warnings.

In relation to insight and remorse, Mr McDermott had demonstrated some insight and remorse, but this was limited to those particulars of the allegations where he had admitted a degree of wrongdoing.

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 McDermott 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 McDermott. The seriousness of the panel's findings, the breach of trust, the length of

time over which the conduct took place and the serious abuse of position that it reflected were significant factors in forming that opinion. Further, in the absence of insight or remorse into the most serious aspects of his conduct, the panel considered that Mr McDermott poses a potential ongoing risk to pupils, should he continue to teach.

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.

These include:

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

The panel's reasons for identifying these factors are clear from its findings in relation to the allegations and in its recommendation of a prohibition order.

The panel decided that the findings indicated a situation in which a review period would not be appropriate and, as such, decided that it would be proportionate, in all the circumstances, for the prohibition order to be recommended without provisions for a review period.

Decision and reasons on behalf of the Secretary of State

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

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

In this case, the panel has found some 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 also found one of the allegations not proven. I have therefore put those matters entirely from my mind.

The panel has made a recommendation to the Secretary of State that Mr Philip McDermott should be the subject of a prohibition order, with no provision for a review period.

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

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

The panel was satisfied that the conduct of Mr McDermott, involved breaches of the responsibilities and duties set out in statutory guidance Keeping children safe in education (KCSIE) and involved breaches of Working Together to Safeguard Children.

The panel finds that the conduct of Mr McDermott was of a very serious nature which fell significantly short of the standards expected of the profession.

The findings of misconduct are particularly serious as they include a finding of sexual activity and sexual communication with a child.

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 McDermott, 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. The panel has observed, *"The panel was presented with evidence which made clear the severe and long-lasting impact on Former Pupil A's health and well-being of Mr McDermott's conduct."*

The panel also commented, *"In the light of the panel's findings against Mr McDermott, which involved multiple findings of sexual communications, inappropriate and sexual touching over a period of at least two years, there was a strong public interest consideration in respect of the safeguarding and wellbeing of pupils, given the serious findings of an inappropriate relationship with a child."*

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, *"Mr McDermott had demonstrated some insight and remorse, but this was limited to those particulars of the allegations where he had admitted a degree of wrongdoing."*

In my judgement, the lack of full insight means that there is some risk of the repetition of this behaviour, and this puts at risk the future wellbeing of pupils. I have therefore given this element considerable weight in reaching my decision.

I have gone on to consider the extent to which a prohibition order would maintain public confidence in the profession. The panel observe, *"...the panel considered that public confidence in the profession could be seriously weakened if conduct such as that found against Mr McDermott was not treated with the utmost seriousness when regulating the conduct of the profession."* I am particularly mindful of the finding of sexual activity with a child in this case, and the impact that such a finding has on the reputation of the profession.

I have had to consider that the public has a high expectation of professional standards of all teachers and that the public might regard a failure to impose a prohibition order as a

failure to uphold those high standards. In weighing these considerations, I have had to consider the matter from the point of view of an "ordinary intelligent and well-informed citizen."

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

I have also considered the impact of a prohibition order on Mr McDermott himself. The panel comment *"The panel had regard to the character evidence in the papers and referred to in the decision above. The panel accepted that Mr McDermott was a good and well-regarded teacher, including by Former Pupil A. However, there was no evidence that he had done more than perform well in this role and this could not be described as exceptional or unusual. The panel accepted that Mr McDermott had no previous disciplinary proceedings or warnings."*

A prohibition order would prevent Mr McDermott 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 seriousness of the conduct, including that it was sexually motivated, and that it occurred over a period of approximately two years. I have also placed considerable weight on the panel's comments in the lack of insight or remorse. The panel has said,

"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 McDermott. The seriousness of the panel's findings, the breach of trust, the length of time over which the conduct took place and the serious abuse of position that it reflected were significant factors in forming that opinion. Further, in the absence of insight or remorse into the most serious aspects of his conduct, the panel considered that Mr McDermott poses a potential ongoing risk to pupils, should he continue to teach."

I have given less weight in my consideration of sanction therefore, to the contribution that Mr McDermott 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 full remorse or insight, does not in my view satisfy the public interest requirement concerning public confidence in the profession.

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

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

I have considered the panel's comments,

"The 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.

These include:

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

The panel has further said, *"The panel decided that the findings indicated a situation in which a review period would not be appropriate and, as such, decided that it would be proportionate, in all the circumstances, for the prohibition order to be recommended without provisions for a review period."*

I have considered whether not allowing a review period reflects the seriousness of the findings and is a proportionate period to achieve the aim of maintaining public confidence in the profession. In this case, factors mean that allowing a review period is not sufficient to achieve the aim of maintaining public confidence in the profession. These elements are the findings of sexual activity and sexual communication with a child.

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

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

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

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



Decision maker: Stuart Blomfield

Date: 5 May 2026

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