



Mr Alan Hayton (also known as Mr Peter Hayton): Professional conduct panel outcome

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

July 2026

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

Teacher: Mr Alan Hayton

Teacher ref number: 9957851

Teacher date of birth: 1 April 1959

TRA reference: 23147

Date of determination: 17 July 2026

Former employer: Holderness Academy and Sixth Form College, Hull

Introduction

A professional conduct panel ('the panel') of the Teaching Regulation Agency ('the TRA') convened on 15 to 17 July 2026 by way of a virtual hearing, to consider the case of Mr Alan Hayton, also known as Mr Peter Hayton.

The panel members were Ms Amanda Godfrey (teacher panellist – in the chair) Ms Nicola Hartley (lay panellist) and Ms Emma Barnett (lay panellist).

The legal adviser to the panel was Mr James Corrish of Birketts LLP solicitors.

The presenting officer for the TRA was Mr Callum Heywood of Browne Jacobson solicitors.

Mr Hayton was not present and was not represented at the hearing.

The hearing took place in public and was recorded.

Allegations

The panel considered the allegations set out in the notice of hearing dated 17 April 2026.

It was alleged that Mr Hayton was guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute in that whilst employed as a teacher at Holderness Academy;

1. In or around the academic year 2022-2023 in relation to the BTEC Level 1/2 Tech Award in Digital Information Technology;
 - a. He provided students with improper and/or excessive assistance on one or more occasions;
 - b. He failed to keep one or more students' coursework secure.
2. His conduct as may be found proven at Allegation 1a above was dishonest and/or lacking in integrity

Mr Hayton admitted allegations 1(a), 1(b), and 2, as set out in the statement of agreed facts dated 5 November 2025 (the 'Statement of Agreed Facts').

Mr Hayton further accepted that those admitted facts amounted to unacceptable professional conduct and/or conduct that may bring the profession into disrepute.

Notwithstanding this, it was the TRA's position that Mr Hayton's acceptance of the facts may be insufficient to represent a complete admission to the allegations, notably allegation 2, and the hearing proceeded on a fully disputed basis.

Summary of evidence

Documents

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

Section 1: Notice of hearing and statement of agreed facts – pages 5 to 23

Section 2: Anonymised pupil list – page 25

Section 3: TRA witness statements – pages 27 to 316

Section 4: TRA documents – pages 318 to 520

Section 5: Teacher response – pages 523 to 531

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 Teacher misconduct: Disciplinary procedures for the teaching profession May 2020 (the 'Procedures').

Witnesses

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

Witness A – [REDACTED]

Reference is also made in the decision to "Witness B" though no live evidence was heard from them.

Witness B - [REDACTED]

Statement of agreed facts

The panel considered the Statement of Agreed Facts which was signed by Mr Hayton on 5 November 2025 and signed by the presenting officer on 5 November 2025.

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 Hayton commenced employment as an information technology teacher at Holderness Academy and Sixth Form College ('the School') on 1 September 2021.

On 9 May 2023, the School raised concerns of suspected exam malpractice to Pearson, the examinations board. Of 34 submitted assessments for the BTEC Level 1/2 Tech Award in Digital Information Technology, it was alleged by the School that 18 were impacted by plagiarism, as they appeared to replicate parts of the Pearson model answer. There were also concerns that some students' work, for which grades had been given, could not be located.

The Joint Council for Qualifications ('the JCQ') conducted an investigation into Mr Hayton's conduct.

Mr Hayton resigned from the School with effect from 31 August 2023.

The matter was subsequently referred to the TRA on 2 February 2024.

Findings of fact

The findings of fact are as follows:

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

1. In or around the academic year 2022-2023 in relation to the BTEC Level 1/2 Tech Award in Digital Information Technology;

a. You provided students with improper and/or excessive assistance on one or more occasions;

The panel noted that, as set out in the Statement of Agreed Facts, Mr Hayton accepted that he provided an example model answer to pupils on the BTEC Level 1/2 Tech Award in Digital Information Technology during the assessment phase of the qualification and that this was contrary to the requirements of page 57 of that specification.

Mr Hayton accepted that this facilitated learners to commit plagiarism and that the provision of model answers constituted exam malpractice in the form of improper and excessive assistance.

Mr Hayton accepted that he organised a resubmission of student work and that the specification allowed resubmission only in exceptional circumstances and through a very specific process and only by the lead internal verifier ("IV"). Mr Hayton accepted that he was not the lead internal verifier and that the resubmission process could not be used to remedy plagiarism of the kind which had occurred. Mr Hayton accepted that his actions in arranging a resubmission could not have remedied the maladministration in the event and could, under the specification, have given pupils an advantage over others, thereby constituting additional malpractice.

Notwithstanding these admissions, the panel made a determination based on the evidence available to it.

The panel considered the BTEC Centre Guide to Internal Assessment 2022-2023. This document set out that feedback to learners is split into 3 distinct types, "teaching and learning" (which the panel considered as "Phase One"), "during assessment" ("Phase Two") and "following assessment" ("Phase Three").

The panel understood that the allegations related to actions allegedly taken by Mr Hayton at Phase Two and/or Phase Three. The guide provided that "*Once learners are working on assignments which they will submit for assessment they must work independently to produce and prepare evidence for assessment*". The guide also provides that at Phase Two "*Your feedback should not [...] confirm [...] how to meet specific assessment criteria; this only happens once formal assessment has taken place*". The guide also stated "*It is*

not appropriate for teachers and tutors to “coach” learners to produce the evidence itself”, or “give them a specific list of actions they need to take to meet the assessment criteria”.

The panel considered the specification for the BTEC level 1/2 Tech Award in digital information technology specification document, Issue 3, which it had been provided with. The panel noted that under that specification, learners must work independently once the assessment has begun (i.e. Phase Two). Assessors are to ensure that learner work is authentic and has been independently completed by the pupil and assessors *“must take care not to provide direct input, instructions or specific feedback that may compromise authenticity”*. The specification document also provided that *“once an assessment has begun, learners must not be given feedback that relates specifically to their evidence and how it can be improved as learners must work independently”*, and *“An assessor must assess only learner work that is authentic, i.e. learners’ own independent work”*. It also states *“An assignment provides the final assessment for the relevant learning aims and is normally a final assessment decision, except where the lead IV approves one opportunity to resubmit improved evidence, based on the completed assignment brief”*. The specification also provides that *“learners submitting work that is not their own should not be given an opportunity to resubmit”* and fair operation of any resubmission should only be made (under the lead IV) where *“the original evidence submitted remains valid”*.

The panel considered the Pearson sample marked learner work and compared it with the work completed and submitted by pupils in Mr Hayton’s class. It noted that page 2 of the sample answer set out that it was an exemplar only and not a response to the entire task for the qualification, and it was expected to be used by schools as a *“resource to exemplify how to structure a response to a task”*.

The panel identified a strong degree of similarity between the exemplar and a number of the pupil submissions which it considered. Many pupils used the same overall structure and identical sub-headings as the exemplar, including *“characteristics of data and information”*, *“verification and validation”* and *“threats to individuals”*. The panel also noted that most pupils focused on the same two sectors, namely retail and transport, and used many of the examples contained in the exemplar, including references to loyalty card data, customer surveys, and the electoral register as a source of secondary data. Several pupils reproduced the same illustrative examples used in the exemplar, such as bus routes becoming busy at certain times, construction materials being ordered *“just in time”*, and the use of birth-rate data in education planning. The panel further observed that some pupils used the same fictional salesperson examples and names as those appearing in the exemplar. In addition to these thematic similarities, there were instances where wording closely mirrored the exemplar and some passages or sentences appeared to have been reproduced from the exemplar either exactly or with only minor amendments.

The panel considered written statements taken from pupils in Mr Hayton's class as part of the School's investigations. The pupils stated that Mr Hayton had given them all paper copies of the model answer to use as a guide in lessons whilst they were completing their coursework. The panel noted that several pupils stated that they were told by Mr Hayton to "*copy*" the model answer and, using the structure of the model answer, rewrite it in their own words. The panel noted that some pupils stated that they changed only "*some words*", "*a few words*" or "*a couple of words*", as Mr Hayton had told them, "*so they all don't look the same as the example*". The panel noted that one pupil stated they had used the model answer as a layout to help write the coursework as they had only been given the work "*just over a week before the deadline*" and other than being given the model answer, they were "*not told what needed to be done*" for the coursework. Another pupil stated that "*Mr Hayton practically told me that I could copy*". The panel noted that one pupil stated that the teaching for the coursework was "*just a give and do*" and there was no help given in lesson other than the model answer.

The panel considered the Suspected Malpractice Policies and Procedures of the Joint Council for Qualifications of 1 September 2023 to 31 August 2024. The panel noted that examples of '*centre staff*' malpractice constituting improper assistance to candidates could include "*assisting candidates in the production of controlled assessment, coursework, non-examination assessments or portfolios, beyond that permitted by the regulations*" and "*assisting or prompting candidates with the production of answers*".

The panel considered the oral evidence and written statement of Witness A, [REDACTED] at Pearson, the examinations board, who set out that, as part of the preparatory material given to centres to assist staff in teaching and assessing the course, Pearson provide an item of sample marked learner work.

Witness A went on to say that if this model answer was displayed during the teaching phase of the assessment (Phase One) this would not amount to malpractice in and of itself however, during the assessment phase (Phase Two) assessors may not provide direct input instructions or specific feedback that may compromise authenticity.

The panel considered the contemporary written statement of Witness B dated 12 June 2023. The panel noted that this document was hearsay and that it would not have an opportunity to test it and it also noted and took into account that Witness B, in her more recent statement to the TRA, appeared to indicate that she had limited recollection of this evidence.

The panel nevertheless, whilst being cautious in its assessment of the evidence, placed some weight on it as a contemporaneous document and as representing evidence Witness B would have had no obvious reason to fabricate and which was, apparently, compiled from notes she wrote, during the investigations, on 8 May 2023.

Within this statement Witness B confirmed that the relevant pupil work which was checked by her was plagiarised from the Pearson exemplar piece of work and that any work that was not plagiarised did not have an accurate mark for the work produced. She recorded that on 4 May 2023 she met with Mr Hayton and informed him that plagiarism had been identified. Mr Hayton said that he had checked for this and hadn't spotted any plagiarism. She stated that, on further consideration, 19 students were identified for plagiarism.

The panel considered the written statements of Mr Hayton, who admitted the allegation and submitted that he did not fully understand the specification rules relating to coursework assistance, plagiarism and resubmissions. He stated that he believed it was permissible to provide pupils with the Pearson exemplar and that, by instructing them not to copy it and to complete their own work, he had adequately addressed the risk of plagiarism.

Mr Hayton stated that he did not award pass marks for pupils who had plagiarised work. Instead, he stated that he set a worksheet which he believed would allow pupils to demonstrate that they had met the assessment criteria. He stated that he now understood that this constituted a resubmission and that its use was not appropriate in circumstances involving plagiarism. Mr Hayton asserted that he discussed his intentions regarding the worksheet with the internal verifier, Individual C, beforehand and no concerns were raised. The panel noted that they did not hear evidence from Individual C and that this may have assisted them in their decision making.

Mr Hayton further stated that the marks he recorded and reported were the worksheet marks, not the marks for the original coursework, which led to confusion during moderation and subsequent review.

The panel carefully considered the facts, including the admitted facts, the documentation relating to the relevant course and the other evidence. The panel found that it was clearly demonstrated that in the academic year 2022-2023, Mr Hayton was a teacher and assessor for the BTEC Level 1/2 Tech Award in Digital Information Technology at the School.

The panel considered that from the evidence, including that of Mr Hayton and hearsay evidence of the students upon which it placed reasonable weight, Mr Hayton provided the students with the Pearson model answer at the "during assessment" stage of their assignment (Phase Two) and had encouraged them to use that document, altered or otherwise, as the format for their assignments and that this constituted improper and/or excessive assistance to the students.

The panel further found that Mr Hayton attempted to resubmit the students' work, effectively seeking to provide a second opportunity for students to submit their work. As this was in circumstances where there had been plagiarism and where Mr Hayton was

proceeding without following the proper processes, this was a further example of his seeking to provide improper and/or excessive assistance to the students.

The panel found allegation 1(a) proved.

b. You failed to keep one or more students' coursework secure.

The panel noted that Mr Hayton admitted this allegation, as set out in the statement of agreed facts dated 5 November 2025. Mr Hayton accepted that student work became lost at some stage before the JCQ investigation and that he did not take sufficient steps to secure the work.

Mr Hayton also submitted that although he was not in sole charge of securing the work it was his responsibility, as class teacher and assessor, to ensure that work was available for moderation.

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

The panel considered the written evidence of Mr Hayton. Mr Hayton said that there had been IT changes at the School over the summer break of 2022 whereby work previously saved on Google accounts was transferred to Microsoft. Mr Hayton said that some students had saved work on their local computer, in breach of his specific instructions to save their work on their '*my documents*' folder of their own networked drive. He stated that work saved either on their own computers or on the Google Drive would have been deleted. Mr Hayton provided that the person responsible for ensuring that all student coursework was available for moderation was [REDACTED]; Witness B, and that it was never part of his role to ensure student coursework was stored in a particular place beyond instructing pupils where to save it.

The panel considered a letter from Pearson addressed to Mr Hayton, which stated that staff at the School had been unable to locate the work for three learners, despite Mr Hayton having awarded them grades. The panel understood from the evidence that such work had not been found.

The panel considered written statements taken from other IT teachers as part of the School's investigation, though noted they were hearsay and carefully determined the weight to be attached to them accordingly.

The panel noted, per his statement of 12 June 2023, that Individual C stated that he discovered on 3 May 2023 that work for certain pupils was not available on Teams as it should have been. He further stated that other pupils had no work on their student accounts, but that Mr Hayton had submitted marks for them. Individual C, stated that when he checked each pupil's account again to find the missing work, there were still pupils with no work or incomplete work.

The panel considered the undated written statement of Mr Hayton, who admitted the allegation and stated that changes to the School's IT systems during the summer of 2022 resulted in work previously stored on Google accounts being migrated to Microsoft systems.

Mr Hayton stated that some pupils may not have followed instructions regarding file storage and may have saved work locally on School computers, resulting in those files later being deleted. However, the panel noted that he accepted that these circumstances did not remove his responsibility to ensure that all pupil work for which marks were submitted was retained and available for verification, moderation and review. Mr Hayton accepted that he should have checked that the relevant evidence was accessible before submitting marks.

Having considered the admitted facts and the supporting evidence, the panel found allegation 1(b) proved.

2. Your conduct as may be found proven at Allegation 1a above was dishonest and/or lacking in integrity

The panel noted that Mr Hayton admitted in the Statement of Agreed Facts that his conduct as may be found proven at allegation 1(a) was dishonest and/or lacking in integrity.

Mr Hayton accepted that his conduct was contrary to the policies applicable to the qualification and that he was aware, or ought to have been aware, of those policies when acting as an assessor.

Mr Hayton further accepted that this misapplication met the definition for deception in and/or over-assistance in the JCQ guidance.

On that basis, Mr Hayton accepted that his failings would be considered to be dishonest. He also accepted that his actions fell below the higher standards society expects of a teacher and his conduct was therefore lacking in integrity. Notwithstanding this admission, the panel made a determination based on the evidence available to it.

The panel considered whether Mr Hayton had acted dishonestly and, in doing so, had regard to the case of *Ivey v Genting Casinos (UK) Ltd t/a Crockford*.

The panel firstly sought to ascertain the actual state of Mr Hayton's knowledge or belief as to the facts. The panel again considered Mr Hayton's evidence including his direct submissions and those made via his representative.

From that evidence the panel noted that, notwithstanding his admissions in the Statement of Agreed Facts, Mr Hayton stated that he did not fully understand the specification rules relating to coursework assistance, plagiarism and resubmissions. Mr

Hayton provided that it was never his intention to deceive, or to provide assistance to students that was not permitted by the exam board rules. He specifically stated that he believed that providing the coursework exemplar was within the rules and that stating clearly that students should not copy it discharged his duties in terms of preventing plagiarism.

Mr Hayton indicated that on returning from two weeks of jury service and finding that the cover work he had set for the class had not been monitored or completed, he provided the class with an example answer from the exam board. He indicated that this had been the practice in the School for several years and that he said something on the lines of *“use your own words”* and/or *“it must be your own work”* to the students and said that they should not copy the model answer.

He further stated that later, having understood that some students had inappropriately used material from the exemplar, he set out a worksheet for all students in the class that he thought would allow the students to demonstrate they had met the coursework criteria and achieved a pass mark in a misguided attempt to rectify the situation.

He stated he did not understand this counted as resubmission and the resubmission was inappropriate in the context of plagiarism. Mr Hayton emphasised that he discussed his plan with regard to the worksheet with Individual C in advance and that no objections were raised.

The panel reminded itself of the students’ recollections from their witness statements including that Mr Hayton had indicated that they should *“copy”* the model answer and, using the structure of the model answer, rewrite it in their own words. It again noted statements such as *“I was taught to write up my assignments by copying the sheet he had printed out and change it into my own words which I did”* and *“the model was given to us in pieces of paper and sir just told us to copy and change it in to my own..”* and *“we were told we could copy a lot of the information down as long as we changed some of the words so it’s not exactly the same”* and *“he gave us the example of what a good one looks like then he told us to change some of the words so they are not the same as the example”*.

Even if it accepted Mr Hayton’s submission that he told them to *“use their own words”* the panel did not see how any pupil, faced with that manner of instruction and a direct document to use to frame their assignment would not, at least, be at substantial risk of, to a large degree, plagiarising and copying that work rather than conducting their own work.

The panel considered that this supported the idea that Mr Hayton knew that what he was doing, in effectively providing the students with a model to base their work on, at a stage when they were supposed to be working individually on their assessments without that level of support, was obviously wrong.

The panel simply did not consider it was plausible that Mr Hayton would not have known that his actions were in breach of the rules of the examination board, as he now acknowledged they were. The Panel determined that Mr Hayton, clearly, and whatever his motivation, proceeded knowingly in breach of the exam board's rules in providing this assistance at assessment stage (Phase Two) and the panel was satisfied that Mr Hayton would have known that this action was dishonest.

In relation to Mr Hayton's actions in "*resubmitting*" the assignments the panel did not find it plausible that Mr Hayton would not have been aware that such resubmission was not permitted in circumstances of plagiarism.

Whilst noting that it had no direct evidence from Individual C, and therefore no basis to validate or disprove Mr Hayton's assertions that he had discussed his proposal to do this with him, the panel did not consider that this would have altered Mr Hayton's knowledge that what he had already done at that point (providing the exemplar answer with guidance to the students) or was proposing to do (re re-submission) was dishonest in the circumstances.

The panel noted that Mr Hayton's position, when denying he was aware of any plagiarism to Witness B and Individual C, was that he believed that they had been referring to the amended work. The panel noted that it appeared, from the evidence, that this was not the work which Witness B and Individual C were, in fact, considering, given that they identified 18 instances of plagiarism in that work.

The panel took the view that, given that Mr Hayton's evidence was that he had such a sufficiently strong concern about plagiarism based on the first assignments submitted by students that he sought to provide them a fresh opportunity, it would seem, at the least, questionable that he should simply deny that any plagiarism had occurred on being questioned by the other staff even if he did believe (as he asserted) that those staff were, at that point considering the amended '*non plagiarised*' versions of the assignments.

The panel noted that Mr Hayton, though admitting this allegation, stated in his written statement that he never had any intention to mislead and he did not deliberately make any statements which he knew to be false. The panel though simply did not find it plausible that, in providing the model answer to pupils, Mr Hayton was not aware that he was taking an action which was clearly in breach of the rules applicable to the assessment (at Phase Two) and which could not be objectively justified. The panel therefore concluded that Mr Hayton's actions had, clearly, been knowing ones.

The panel noted that it had already found that Mr Hayton had provided students with improper and/or excessive assistance on one or more occasions. The panel considered that, as a very experienced teacher who would have been involved in many assessments, Mr Hayton would have known that he should not provide the exam board's model answers to students at the assessment stage (Phase Two).

The panel concluded that, on the balance of probabilities, Mr Hayton was aware that his conduct as found proven at Allegation One was dishonest.

The panel then went on to consider whether Mr Hayton's conduct was dishonest by the standards of ordinary decent people.

The panel was satisfied that ordinary decent people, on being informed that Mr Hayton had effectively given his pupils a mechanism to achieve a better grade in an external public assessment than they would have been able to achieve had the rules applicable to that assessment been properly followed, thereby giving them a clear and unfair advantage, would conclude that such actions were dishonest.

The panel then went on to consider whether Mr Hayton had failed to act with integrity. The panel considered the case of *Wingate & Anor v The Solicitors Regulation Authority*, which describes integrity as the "*higher standards which society expects from professional persons*".

The panel was mindful that professionals are not expected to be "*paragons of virtue*", but they are expected to act in accordance with the ethical and behavioural standards that underpin their professional role.

The panel was satisfied that Mr Hayton would have had a clear understanding of the standards expected of him as an experienced teacher and the requirements of external assessments. The panel noted Mr Hayton's direct admission that his actions lacked integrity and that he acted in a manner which fell far below the higher standards which society expects of a teacher. The panel also kept in mind Mr Hayton's position that he did not act in deliberate breach of the rules, or dishonestly, though it had not accepted this.

Given that the panel had found that his actions as found proven at allegation 1 were knowingly dishonest, the panel considered it clear that such dishonest action, including in providing pupils with an unfair advantage in their coursework for public assessments and qualification must, inherently, be a breach of a core behavioural standard underpinning a teacher's role and must therefore be a direct breach of Mr Hayton's duties of integrity.

Having considered the admitted facts and the supporting evidence, the panel found that Mr Hayton's actions as proved at allegation 1(a) were dishonest and lacking in integrity and, therefore, found allegation 2 proved.

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

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

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

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

The panel considered that, by reference to Part 1, Mr Hayton was in breach of paragraph 6, bullet point 1, of the same.

The panel considered that, by reference to Part 2, Mr Hayton 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
- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach [...]
- Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities.

The panel also considered whether Mr Hayton'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 did not find that any offence type identified in these behaviours was relevant. The panel expressly considered the offence type of "fraud or serious dishonesty" and was not satisfied that the actions of Mr Hayton as it had found proved constituted "serious dishonesty" of the type it envisaged this offence type suggested.

The panel noted the breaches of the Teacher's Standards which it had identified. The panel also noted that it had found proven that Mr Hayton had, on one or more occasions, provided students with improper and or excessive assistance and that his conduct was dishonest and lacking in integrity. The panel considered that it was part of the essence of a teacher's job to maintain the integrity of formal assessments and examinations. The panel considered that in taking the actions which Mr Hayton had taken, which it considered he had taken knowingly, Mr Hayton had clearly undermined the integrity of that process with potentially serious detrimental consequences for the students concerned and for the School and for the wider teaching profession.

The panel did not consider that Mr Hayton's explanations for his actions, including that he had not knowingly been dishonest, which explanation the panel had rejected, meaningfully mitigated his behaviour. The panel had not found it as plausible that Mr Hayton, an experienced teacher, would not have been aware of the relatively basic requirements of the assessment process which he had acted in breach of. Whatever his motivations, and the panel made no findings in that regard, save to observe that he would not, on the face of it, derive any obvious personal benefit, the panel was satisfied that the actions as found proven clearly constituted serious wrongdoing by Mr Hayton.

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

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

In relation to whether Mr Hayton'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 Hayton's conduct displayed behaviours associated with any of the offences in the list that begins on page 12 of the Advice.

As set out above in the panel's findings as to whether Mr Hayton was guilty of unacceptable professional conduct, the Panel found no offence type was relevant.

Again, the panel noted in this context that the evidence appeared to be that at the assessment stage of the process pupils had been directly told that they should, at least to some degree, use the examinations board's model answer, provided to them at a time when it should not have been, as the basis for their own assignments and, even on Mr Hayton's evidence, they had done so.

Though the panel had no direct evidence as to the impact these actions had had on these pupils or their ultimate grades (though noting it appeared that they could not be resubmitted) it was clear that their submitting coursework which included plagiarism could have had potentially very serious consequences. The panel considered that the public would clearly expect all teachers to fully understand and uphold to the letter the requirements of any public examination or assessment process and would not expect any pupils to be given an unfair advantage in the form of improper and or excessive assistance, provided dishonestly, which would undermine the integrity of that process.

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

For these reasons, the panel found that Mr Hayton'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. The panel was aware that 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 well-being of pupils; the maintenance of public confidence in the profession; and declaring and upholding proper standards of conduct.

In light of the panel's findings against Mr Hayton, which involved maladministration in the conduct of an assessment, lack of integrity and dishonesty, there was a strong public interest consideration engaged with respect to the wellbeing of pupils.

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

The panel was of the view that a strong public interest consideration in declaring proper standards of conduct in the profession was also present as the conduct found against Mr Hayton 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 Hayton in the profession. Whilst the panel noted Mr Hayton's apparent long service as a teacher the panel was not provided with evidence which showed that Mr Hayton had particular ability as an educator. The panel considered that the adverse public interest considerations above outweighed any interest in retaining Mr Hayton in the profession, since his behaviour fundamentally breached the standard of conduct expected of a teacher.

The panel considered carefully the seriousness of the behaviour, noting that the Advice states that the expectation of both the public and pupils, is that members of the teaching profession maintain an exemplary level of integrity and ethical standards at all times.

In view of the clear public interest considerations that were present, the panel considered carefully whether or not it would be proportionate to impose a prohibition order, taking into account the effect that this would have on Mr Hayton.

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;
- misconduct seriously affecting the education [...] and well-being of pupils;
- abuse of position or trust (particularly involving pupils);
- dishonesty or a lack of integrity, including the deliberate concealment of their actions or purposeful destruction of evidence, especially where these behaviours have been repeated or had serious consequences, or involved the coercion of another person to act in a way contrary to their own interests;
- deliberate action in serious contravention of requirements for the conduct of an examination or assessment leading to an externally awarded qualification or national assessment (or deliberate collusion in or deliberate concealment of such action) particularly where the action had, or realistically had the potential to have, a significant impact on the outcome of the examination assessment;

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.

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

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

There was no evidence that Mr Hayton had demonstrated exceptionally high standards in his personal or professional conduct or that he had contributed significantly to the education sector. The panel had no evidence as to whether or not the incident was out of character.

The panel noted the personal circumstances described by Mr Hayton in his undated written statement following the moderation meeting in May 2023. He stated that [REDACTED].

The panel noted that Mr Hayton had admitted the allegations and, to a limited extent, acknowledged his culpability, including in the Statement of Agreed Facts. The panel considered Mr Hayton's most recent undated written statement, and his other written submissions, including via his representatives, and noted Mr Hayton's explanation that he did not have a sufficient understanding of the rules governing coursework assistance, plagiarism and resubmissions, and acknowledgement that it was his responsibility to ensure that those requirements were properly followed. He also accepted responsibility for failing to ensure that all pupil work was retained and available for verification and moderation.

Whilst the panel again noted and welcomed his acknowledgement that he had made serious mistakes in his handling of the coursework process and that, with hindsight, his approach to addressing the plagiarism concerns was incorrect, the panel also noted that Mr Hayton maintained that he had not intended to mislead colleagues, moderators or the exam board, and that he attributed his actions to a misunderstanding rather than deliberate misconduct. This was contrary to the panel's findings on the facts including their finding of dishonesty with regard to allegation 1(a).

Ultimately, and noting that Mr Hayton, though engaging in the process to some degree including in agreeing the Statement of Agreed Facts, had not attended to give evidence or make submissions, including at the sanction stage of the process, the panel did not consider it had any material evidence of remorse from Mr Hayton or any material demonstration of insight into his actions. Whilst the panel wholly recognised that Mr Hayton was entitled to fully defend the allegations against him, it noted also that it could see no recognition from Mr Hayton as to the impact his actions had had on pupils and the potentially serious impact on those pupils, the School and the profession at large.

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 which the panel had identified, despite the severity of the consequences for Mr Hayton 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 Hayton. Mr Hayton's lack of insight, the panel's findings and the vital importance of the public interest in the integrity of public examinations and assessments which Mr Hayton had seriously, and dishonestly, undermined by his actions, and the various factors which

it had identified within the Advice which suggested that prohibition would be appropriate were all significant factors 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 is cases involving the offence type of fraud or serious dishonesty. Again, the panel determined that, whilst Mr Hayton's actions were serious and had potentially serious consequences, it did not feel that they met the bar of "serious dishonesty".

The panel again noted that Mr Hayton accepted responsibility for the matters outlined in the allegations to a limited degree, accepting his serious errors in his administration of the coursework process whilst maintaining that it was never his intention to deceive or provide improper assistance but again the panel had found proven that his actions as described in allegation 1(a) were intentionally dishonest and lacking in integrity.

The panel further noted that Mr Hayton had retired from teaching since the relevant conduct and stated no intention to return. The panel again considered Mr Hayton's lack of insight into his conduct and lack of remorse. The panel felt that Mr Hayton's reflections, including within his most recent correspondence to the panel, failed to materially demonstrate an understanding of the consequences of his actions. Given this lack of insight, and the very limited information which it had from Mr Hayton, the panel considered itself bound to conclude that there was a risk of repetition by Mr Hayton of the proven behaviour if he returned to teaching.

The panel noted that it was not apparent that Mr Hayton gained anything by his actions but did consider it was clearly demonstrated that his approach towards public assessments was transparently misconceived and inappropriate and required significant reflection on his part.

The panel decided that the findings indicated a situation in which a review period would be appropriate and, as such, decided that it would be proportionate, in all the

circumstances, for the prohibition order to be recommended with provisions for a 2 year review period. The panel hoped that, should Mr Hayton decide to return to teaching, this would give him a sufficient period to gain insight over his actions and the potentially serious consequences of them and identify how he would avoid ever taking such actions in the future.

Decision and reasons on behalf of the Secretary of State

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

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

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

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

In particular, the panel has found that Mr Hayton 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
- 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 has found that the conduct of Mr Hayton fell significantly short of the standards expected of the profession.

The findings of misconduct are serious as they include dishonesty and undermining the integrity of assessments for an external qualification.

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

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

“In light of the panel’s findings against Mr Hayton, which involved maladministration in the conduct of an assessment, lack of integrity and dishonesty, there was a strong public interest consideration engaged with respect to the wellbeing of pupils.”

A prohibition order would therefore prevent such a risk from being present in the future.

I have also taken into account the panel’s comments on insight and remorse and its finding that it “did not consider it had any material evidence of remorse from Mr Hayton or any material demonstration of insight into his actions.” In my judgement, the lack 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 “the public would clearly expect all teachers to fully understand and uphold to the letter the requirements of any public examination or assessment process and would not expect any pupils to be given an unfair advantage in the form of improper and or excessive assistance.” I am particularly mindful of the finding of dishonesty in this case and the impact that such a finding has on the reputation of the profession.

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

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

I have also considered the impact of a prohibition order on Mr Hayton himself. The panel has commented:

“There was no evidence that Mr Hayton had demonstrated exceptionally high standards in his personal or professional conduct or that he had contributed significantly to the education sector. The panel had no evidence as to whether or not the incident was out of character.”

A prohibition order would prevent Mr Hayton 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 misconduct and the lack of insight. 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 Hayton. Mr Hayton's lack of insight, the panel's findings and the vital importance of the public interest in the integrity of public examinations and assessments which Mr Hayton had seriously, and dishonestly, undermined by his actions, and the various factors which it had identified within the Advice which suggested that prohibition would be appropriate were all significant factors in forming that opinion.”

I have also placed considerable weight on the findings of the panel that there was no evidence that Mr Hayton's actions were not deliberate or to suggest that he was acting under extreme distress.

I have given less weight in my consideration of sanction therefore to the contribution that Mr Hayton 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 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 that, although Mr Hayton had retired from teaching and stated that he had no intention to return, his lack of insight had led the panel to conclude that there was a risk of repetition if he were to return to teaching.

The panel has also said that, if Mr Hayton did decide to return to teaching, a 2-year review period “would give him a sufficient period to gain insight over his actions and the potentially serious consequences of them and identify how he would avoid ever taking such actions in the future.”

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, factors mean that 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. These elements are serious nature of the misconduct found as well as the lack of insight and remorse and the risk this creates of repetition.

I have therefore decided 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 Alan Hayton 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 24 July 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 Hayton remains prohibited from teaching indefinitely.

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

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

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

Decision maker: David Oatley

Date: 20 July 2026

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