



Mr Benjamin Jervis: Professional conduct panel outcome

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

August 2026

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

Teacher: Mr Benjamin Jervis

TRA reference: 21341

Date of determination: 10 August 2026

Former employer: The Bemrose School, Derbyshire

Introduction

A professional conduct panel (“the panel”) of the Teaching Regulation Agency (“the TRA”) convened on 18 to 19 May 2026 and 10 August 2026 by way of a virtual hearing, to consider the case of Mr Benjamin Jervis.

The panel members were Mrs Melissa West (teacher panellist – in the chair), Mr John Martin (former teacher panellist) and Mr Richard Young (lay panellist).

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

The presenting officer for the TRA was Mr Alexander Barnfield of Capsticks LLP solicitors.

Mr Jervis was present and was represented by Mr Tom Hoskins of Foundry Chambers.

The hearing took place in private and was recorded.

Allegations

The panel considered the allegations set out in the notice of proceedings dated 27 January 2026.

It was alleged that Mr Jervis had been convicted of a relevant offence in that:

1. On 28 May 2017 at Basford in the County of Staffordshire he assaulted Person A by beating her.
2. On or in 5 December 2021 at Stoke on Trent when suspected of having driven a vehicle and having been required to provide a specimen of blood for a laboratory test failed without reasonable excuse to do so.
3. On 05 December 2021 at Stoke on Trent being the driver of a mechanically propelled vehicle, an accident occurred whereby damage was caused to another vehicle, failed to stop and on being required by a person having reasonable grounds for so requiring failed to give his name and address and the name and address of the owner and the identification marks of the vehicle.

In addition, it was also alleged that Mr Jervis was guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute in that, while employed as a teacher at The Bemrose School ('the School') between September 2015 and August 2022:

4. He was dishonest when he told Person B, the Headteacher at the School that:
 - a. In respect of allegation 1, the charge for battery in 2017 was dropped.
 - b. In respect of allegation 2, he was on or just over the limit at the roadside breath test.
 - c. In respect of allegation 2, no further action was taken.

Mr Jervis admitted having had convictions as described at allegations 1, 2 and 3. He accepted that the conviction described in allegation 1 was for a 'relevant offence' but disputed that the convictions described in allegations 2 and 3 were for relevant offences.

Mr Jervis denied allegations 4(a), 4(b) and 4(c).

Summary of evidence

Documents

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

Section 1: Chronology – pages 4 to 5

Section 2: Notice of proceedings and response – pages 6 to 61

Section 3: TRA witness statements – pages 62 to 178

Section 4: TRA documents – pages 179 to 221

Section 5: Teacher documents and correspondence – pages 222 to 280

The panel also received a bundle titled ‘Extra Teacher Document Bundle’, consisting of 1207 pages. The panel proceeded on the basis that the teacher’s bundle, although separately paginated, formed part of the bundle of agreed papers before the panel for the hearing.

In addition, the panel agreed to accept the following:

- certificates of conviction for the 2021 offences – to be numbered pages 281 to 285; and
- the teacher’s updated reflection documents and [REDACTED], including the [REDACTED] – to be numbered pages 286 to 299.

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

In the consideration of this case, the panel had regard to the document Teacher Misconduct: Disciplinary Procedures for the Teaching Profession 2020, (the “Procedures”).

Witnesses

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

Witness A – [REDACTED]

Decision and reasons

The panel announced its decision and reasons as follows:

The panel carefully considered the case before it and reached a decision.

On 1 September 2015, Mr Jervis commenced employment at the School.

On 28 May 2017, Mr Jervis was charged with assault on Person A at Basford in the County of Staffordshire. He was subsequently convicted of the assault on 28 June 2017, at Newcastle-under-Lyme Magistrates' Court.

On the same day as his conviction, 28 June 2017, Mr Jervis allegedly informed the headteacher of the School that he had been charged with assault but said that the charges had been dropped. He therefore allegedly failed to disclose his conviction to the School.

On 5 December 2021, Mr Jervis was involved in a road traffic incident in Stoke on Trent, where he allegedly caused damage to another vehicle and failed to stop and provide his details. It is further alleged that Mr Jervis failed, without reasonable excuse, to provide a specimen of blood for laboratory testing. Following this incident, it is alleged that Mr Jervis informed the headteacher of the School that he had been on, or just over, the legal limit at a roadside breath test, and that no further action had been taken.

During a LADO meeting on 31 March 2022, the School became aware of Mr Jervis' conviction for assaulting Person A in 2017.

On 5 May 2022, Mr Jervis pleaded guilty and was convicted at North Staffordshire Justice Centre of the offences arising from the 5 December 2021 incident, namely failing to provide a specimen for analysis and failing to stop following a road traffic accident to give his name, address and vehicle details.

On 9 December 2022, the matter was referred to the TRA.

Findings of fact

The findings of fact are as follows:

1. On 28 May 2017 at Basford in the County of Staffordshire assaulted Person A by beating her.

The panel considered the oral and witness evidence of Mr Jervis. The panel noted that Mr Jervis admitted the facts of allegation 1 and that he had been convicted in respect of the 28 May 2017 incident and that he had pleaded guilty to that offence at Court on 28 June 2017. Notwithstanding this, the panel made a determination based on the evidence available to it.

Mr Jervis explained that he had initially been charged with two counts of common assault, but that one count was withdrawn at Court and he pleaded guilty to the remaining charge.

The panel noted page 8 of Teacher misconduct: the prohibition of teachers ("the Advice"), which states that where there has been a conviction of a criminal offence, the panel will

accept the certificate of conviction as conclusive proof of both the conviction and the facts necessarily implied by the conviction, unless exceptional circumstances apply. The panel did not find that any exceptional circumstances applied in this case.

The panel had been provided with a memorandum of conviction from Newcastle-under-Lyme Magistrates' Court printed on 4 October 2023, which recorded that Mr Jervis had been convicted on 28 June 2017 of an offence contrary to section 39 of the Criminal Justice Act 1988, namely assaulting Person A by beating her on 28 May 2017 at Basford in the County of Staffordshire. The panel noted that it provided that Mr Jervis entered a guilty plea in respect of that offence.

In respect of the offence, Mr Jervis was fined £288 and was ordered to pay £100 compensation, a £30 surcharge, and £135 costs. In addition, a restraining order was made until 27 June 2018.

The panel noted that there was no dispute as to the fact of the conviction or the underlying conduct giving rise to it. The panel accepted the certificate of conviction as conclusive proof of both the conviction and the facts necessarily implied by the conviction. The panel therefore found allegation 1 proven.

2. On or in 5 December 2021 at Stoke on Trent when suspected of having driven a vehicle and having been required to provide a specimen of blood for a laboratory test failed without reasonable excuse to do so.

The panel considered the oral and witness evidence of Mr Jervis. Mr Jervis admitted the facts of allegation 2 and confirmed that he had been convicted. Notwithstanding this, the panel made a determination based on the evidence available to it.

Mr Jervis set out that he was involved in a road traffic incident and that he subsequently pleaded guilty to the offence of failing to provide a specimen of blood.

Mr Jervis described the circumstances of the incident as arising after he had driven home from a family visit and collided with parked vehicles. He stated that, following the collision, he returned to his home where the police attended and administered a breath test, after which he was arrested.

Mr Jervis further stated that, at the police station, he provided one breath sample which was over the limit and attempted to provide further samples, but the machine did not function correctly. He confirmed that he did not provide a blood sample when requested, stating that he wished to speak with a solicitor first. Mr Jervis explained that he was informed this was not possible at that stage, and that he then declined to provide a blood sample until he had received legal advice. He stated that the police told him that, if he refused, he could be charged with failing to provide a specimen.

Mr Jervis stated that he was released following interview and understood at that stage that the matter remained under investigation and that no final decision had been made. He confirmed that he did not receive formal notification of the charges until after the LADO meeting on 31 March 2022, and that he pleaded guilty to both offences on 5 May 2022.

The panel again noted page 8 of the Advice which states that where there has been a conviction of a criminal offence, the panel will accept the certificate of conviction as conclusive proof of both the conviction and the facts necessarily implied by the conviction, unless exceptional circumstances apply. The panel did not find that any exceptional circumstances applied in this case.

The panel had been provided with a certificate of conviction from North Staffordshire Justice Centre, which detailed that Mr Jervis had been convicted on 5 May 2022 of an offence contrary to section 7 of the Road Traffic Act 1988. This conviction related to Mr Jervis, on or in 5 December 2021, when suspected of having driven a vehicle and having been required to provide a specimen of blood for laboratory testing in the course of an investigation, and failing without reasonable excuse to do so. The panel noted that it was recorded that Mr Jervis entered a guilty plea in respect of this offence.

In respect of this offence, Mr Jervis was fined £1248 and was made subject to a driving disqualification for 16 months (with a reduction of 16 weeks upon completion of a course). In addition, he was ordered to pay a surcharge of £125 and costs of £135.

The panel noted that there was no dispute as to the fact of the conviction or the underlying conduct giving rise to it. The panel accepted the certificate of conviction as conclusive proof of both the conviction and the facts necessarily implied by the conviction. The panel therefore found allegation 2 proven.

3. On 05 December 2021 at Stoke on Trent being the driver of a mechanically propelled vehicle, an accident occurred whereby damage was caused to another vehicle, failed to stop and on being required by a person having reasonable grounds for so requiring failed to give your name and address and the name and address of the owner and the identification marks of the vehicle.

The panel considered the witness statement of Mr Jervis, in which he admitted allegation 3. Notwithstanding this, the panel made a determination based on the evidence available to it.

Mr Jervis accepted in his witness statement that he was involved in a road traffic incident and that he subsequently pleaded guilty to the offence of failing to stop and provide his name, address and vehicle details. Mr Jervis confirmed in his oral evidence that he had been involved in a collision with another vehicle on 5 December 2021 and stated that,

following the collision, he returned to his home, which was a short distance away, as he considered the situation at the scene to be hostile, and that the police attended his home shortly thereafter.

The panel again noted page 8 of the Advice, which states that where there has been a conviction of a criminal offence, the panel will accept the certificate of conviction as conclusive proof of both the conviction and the facts necessarily implied by the conviction, unless exceptional circumstances apply. The panel did not find that any exceptional circumstances applied in this case.

The panel had been provided with a certificate of conviction from North Staffordshire Justice Centre, which detailed that Mr Jervis had been convicted on 5 May 2022 of an offence contrary to section 170(4) of the Road Traffic Act 1988. This conviction related to Mr Jervis, on 5 December 2021, being the driver of a mechanically propelled vehicle, whereby an accident occurred causing damage to another vehicle, and that he failed to stop and, when required, failed to give his name and address and the name and address of the owner and the identification marks of the vehicle. The panel noted that Mr Jervis entered a guilty plea in respect of this offence.

In respect of this offence, the certificate of conviction recorded no separate penalty for this conviction, in addition to that already received, as the circumstances giving rise to this conviction were the same as allegation 2.

The panel noted that there was no dispute as to the fact of the conviction or the underlying conduct giving rise to it. The panel accepted the certificate of conviction as conclusive proof of both the conviction and the facts necessarily implied by the conviction. The panel therefore found allegation 3 proven.

4. You were dishonest when you told Person B, the Headteacher at the School that:

- a. In respect allegation 1, the charge for battery in 2017 was dropped.**
- b. In respect of allegation 2, you were on or just over the limit at the roadside breath test.**
- c. In respect of allegation 2, no further action was taken.**

The panel noted that at the hearing, the teacher's representative confirmed that allegations 4(a), 4(b) and 4(c) were denied in their entirety.

In respect of allegation 4(a), the panel firstly considered Mr Jervis' evidence. In his witness statement, Mr Jervis explained that he had informed Witness A on the day of the Court hearing that one charge had been dropped, namely the charge for battery, and that he had been convicted of the other. He maintained that he provided a full account of the

outcome to Witness A. He denied stating that all charges had been dropped. He stated that he did not provide details of the sentence imposed.

The panel considered an email dated 31 May 2017, in which Mr Jervis informed Witness A that he had been arrested and charged with two counts of assault and was due to attend Court on 28 June 2017.

The panel further considered the witness statement of Witness A, who stated that Mr Jervis had told him he had been caught up in an assault and was to appear in Court. Witness A explained that Mr Jervis had later stated that the charges had been dropped.

The panel heard oral evidence from Witness A.

Witness A's evidence was that he first became aware of the incident through the email on 31 May 2017. He provided that he subsequently had a conversation with Mr Jervis prior to the Court hearing on 28 June 2017, although he could not recall the precise timing or manner of that conversation. He stated that, following the Court proceedings, his understanding based on what he had been told by Mr Jervis was that the matter had been resolved and that charges had been dropped. Witness A accepted that this understanding may have been incomplete and that he had not sought clarification. Witness A stated that he couldn't recall the detail of the conversation, but he would have made a note of what Mr Jervis said in his notebook.

The panel considered that the alleged factual basis for this allegation turned on a disputed recollection of a conversation for which the panel saw no contemporaneous record. In light of the passage of time and the limitations in Witness A's recollection, the panel was not satisfied, on the balance of probabilities, that Mr Jervis had told Witness A in 2017 that all charges had been dropped.

Accordingly, the panel was not satisfied that the statement alleged at 4(a) was made by Mr Jervis to Witness A. The panel therefore did not go on to consider dishonesty in relation to this allegation and found allegation 4(a) not proven.

In respect of allegation 4(b), the panel considered the evidence relating to what Mr Jervis said about the breath test following the incident on 5 December 2021.

Mr Jervis set out in his written statement dated 26 April 2026 that he informed Witness A shortly after the incident that he had been arrested after being told he was over the limit, that he had attended the police station and been released, and that the matter was ongoing and under investigation.

Mr Jervis stated in oral evidence that the incident occurred on 5 December 2021, and that he met with Witness A on or around 13 December 2021. He stated that he told Witness A that he had been involved in an accident, that he had been arrested after providing a

breath sample at his home which showed that he was over the limit, and that the matter remained ongoing and had not been resolved.

Mr Jervis denied using the term “roadside breath test” and explained that the breath test had taken place inside his home. He also denied describing himself as being “on or just over” the limit, maintaining that he had stated that he was over the limit. He further stated that, at the time of these events, he was experiencing [REDACTED], although he maintained that he provided an accurate account of what he had been told by the police.

The panel considered the evidence of Witness A, who stated that Mr Jervis told him that he had been on or just above the legal limit at the roadside breath test.

In his witness statement dated 17 December 2024, Witness A stated that his understanding at the time, based on what Mr Jervis told him, was that Mr Jervis had been involved in a car accident, had participated in a breath test, and was either on or just over the legal limit at the roadside test and asked to attend the police station. He further stated that Mr Jervis told him that the machine at the police station was not working and that he was allowed to leave with no further action being taken by the police. Witness A stated in oral evidence that his understanding was that the matter had been resolved and that there were no ongoing proceedings.

In oral evidence Witness A confirmed that this conversation took place in or around December 2021 or January 2022 in his office at the School and that he made a note of what Mr Jervis said in his personal diary. He stated that he was not informed that Mr Jervis had been required to provide a specimen of blood or that he had failed to do so.

The panel noted that the evidence again depended on differing recollections of a conversation for which it had no contemporaneous written record. In those circumstances, the panel was not satisfied, on the balance of probabilities, that Mr Jervis had described himself as being “on or just over” the limit in the terms alleged.

Accordingly, the panel was not satisfied that the statement alleged at 4(b) was made by Mr Jervis to Witness A. The panel therefore did not go on to consider dishonesty in relation to this allegation and found allegation 4(b) not proven.

In respect of allegation 4(c), the panel considered whether Mr Jervis told Witness A that no further action had been taken in respect of the matters set out at allegation 2 which were the subject of a conviction.

The panel considered the evidence of Mr Jervis, who stated that as at 13 December 2021, he understood that the matter remained ongoing and that he had not been charged with any offence at that stage. The panel further noted his account that he did not receive any further communication from the police until the charges were later hand delivered by the officer who had previously interviewed him, and that he was

unaware that any outcome had been reached until 31 March 2022, following contact from Witness A after the LADO meeting. The panel noted that Mr Jervis was formally charged by post, the charge being dated 23 March 2022. Mr Jervis stated that this did not reflect when the charge was delivered to him which he said was after the LADO meeting on 31 March 2022.

Mr Jervis' evidence was that, when he spoke to Witness A on or around 13 December 2021, Mr Jervis informed Witness A that the matter was ongoing and that no decision had then been made. He denied stating that no further action had been taken. He also denied that he had sought to minimise the seriousness of the incident in his discussion with Witness A and maintained that he had provided an account which reflected what he had been told by the police at the time, namely that the investigation was ongoing and that no outcome had yet been determined. He further stated that his [REDACTED] and that he was experiencing significant difficulties, but that he nevertheless sought to provide an accurate account of what he had been told by the police. Mr Jervis also explained that his recollection of the conversation was informed by discussions he had with colleagues both before and after speaking to Witness A.

The panel considered the evidence of Witness A. Witness A stated that his understanding, based on what Mr Jervis told him during the same discussion in December 2021 or January 2022, was that no further action was being taken and that the matter had been resolved.

The panel noted the chronology outlined by Mr Jervis, including that he had been released on 5 December 2021 without charge, that at the date of his conversation with Witness A in mid-December 2021 the matter remained under investigation, and that he was not formally charged until March 2022. The panel noted the absence of contemporaneous records and also noted that Witness A accepted that he did not seek to verify the information provided to him.

In the absence of contemporaneous documentary evidence of the conversation, the panel was not satisfied, on the balance of probabilities, that it had been proven that Mr Jervis told Witness A that no further action had been taken.

Accordingly, the panel was not satisfied that the statement alleged at 4(c) was made by Mr Jervis to Witness A. The panel therefore did not go on to consider dishonesty in relation to this allegation and found allegation 4(c) not proven.

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

Given that the panel had not found any of allegation 4 proven, the panel did not go on to consider unacceptable professional conduct or conduct that may bring the profession into disrepute.

Findings as to conviction of a relevant offence

Having found allegations 1, 2 and 3 proved, the panel went on to consider whether the facts of those proved allegations amounted, in each case, to a conviction for a relevant offence. The panel noted that Mr Jervis had denied that the convictions in respect of the matters set out in allegations 2 and 3 amounted to convictions for a relevant offence but admitted that his conviction for the matters set out in allegation 1 was a conviction for a relevant offence. Notwithstanding this, the panel considered whether the facts underlying each allegation also amounted to a relevant offence.

In doing so, the panel had regard to the Advice.

Allegation 1

The panel first considered whether the conduct of Mr Jervis, in relation to the facts found proved in allegation 1, involved breaches of the Teachers' Standards. The panel considered that, by reference to Part 2, Mr Jervis was in breach of the following standards:

- Teachers uphold public trust in the profession and maintain high standards of ethics and behaviour, within and outside school, by
 - showing tolerance of and respect for the rights of others
 - not undermining fundamental British values, including... the rule of law...
- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach...

The panel was satisfied that Mr Jervis had breached the law, as he had been convicted of assault by beating on 28 May 2017, contrary to section 39 of the Criminal Justice Act 1988.

The panel found that this conviction:

- was contrary to the standards of personal and professional conduct expected of a teacher, with reference to the Teachers' Standards;
- was relevant to teaching, working with children and/or working in an education setting;
- would be likely to have an impact on the safety or security of pupils or members of the public; and
- would be likely to affect public confidence in the teaching profession if the teacher was allowed to continue teaching.

The panel noted that Mr Jervis' behaviour did not lead to a sentence of imprisonment, which was indicative that the offence was at the less serious end of the possible

spectrum. However, the panel considered that any assault of this nature was a serious matter.

The panel also considered whether Mr Jervis' actions were relevant to teaching, working with children and/or working in an education setting. In respect of allegation 1, the panel noted that Mr Jervis' conviction was for actions which occurred outside of the education setting and did not involve pupils. However, the panel took into account that the offence involved violence and considered that this engaged the requirement for teachers to uphold the rule of law and show respect for others.

The panel determined that Mr Jervis' conviction for assault was clearly relevant to teaching and working with children. The panel noted that the offence occurred late at night at an address where a child was residing at the time, but also in a residential area where other children were likely to reside.

The panel also considered that the behaviour involved in committing such an offence could clearly have had an impact on the safety and/or security of pupils and/or members of the public. The panel noted that according to the police records, Mr Jervis was described as abusive and under the influence of alcohol.

Accordingly, the panel concluded that Mr Jervis' conviction as identified at allegation 1 was a conviction of a relevant offence.

Allegations 2 and 3

The panel considered whether the conduct of Mr Jervis, in relation to the facts found proved in allegations 2 and 3, involved breaches of the Teachers' Standards. The panel considered that, by reference to Part 2, Mr Jervis was in breach of the following standards:

- Teachers uphold public trust in the profession and maintain high standards of ethics and behaviour, within and outside school, by
 - not undermining fundamental British values, including... the rule of law...
- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach...

The panel was satisfied that Mr Jervis had breached the law, as he had been convicted of failing to provide a specimen of blood on or in 5 December 2021, contrary to section 7 of the Road Traffic Act 1988; and failing to give his name, address and vehicle details on 5 December 2021, contrary to section 170(4) of the Road Traffic Act 1988.

The panel found that these convictions:

- were contrary to the standards of personal and professional conduct expected of a teacher, with reference to the Teachers' Standards; and

- would be likely to affect public confidence in the teaching profession if the teacher was allowed to continue teaching.

The panel noted that the offences arising from this incident resulted in a significant financial penalty and a period of disqualification from driving beyond the mandatory 12 months and considered that this reflected the seriousness of the offending. The panel considered that offences involving alcohol and driving, and a failure to comply with police requirements, were serious matters and not minor traffic offences.

Accordingly, the panel concluded that each of Mr Jervis' convictions as identified at allegations 2 and 3 were convictions for a relevant offence.

The panel also noted that a teacher is expected to demonstrate consistently high standards of personal and professional conduct, and considered that Mr Jervis' conduct, in respect of all three convictions, clearly breached those expectations.

In respect of each of allegations 1, 2 and 3, the panel concluded that the offences related to a failure to comply with requirements imposed by the police and by law, which the panel considered engaged the obligation to uphold fundamental British values, including the rule of law.

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

The panel noted that the School's Staff Behaviour Policy (Code of Conduct) sets out that *"staff must not engage in conduct outside work which could seriously damage the reputation and standing of the school... [or] compromise... the employee's own reputation.... In particular, criminal offences that involve violence... are likely to be regarded as unacceptable"*.

The panel found that Mr Jervis' conduct in allegations 1, 2 and 3 could seriously damage the reputation of the School and noted that allegation 1 involved violence, which the School's Code of Conduct states is likely to be unacceptable. The panel considered that teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach, and that Mr Jervis' conduct in allegations 1, 2 and 3 was inconsistent with that obligation.

The panel also considered the offences listed on pages 12 and 13 of the Advice.

This was a case concerning an offence of violence and serious driving offences involving alcohol which the Advice states are more likely to be considered relevant offences.

The panel considered it was necessary to find that these convictions constituted relevant offences, to reaffirm clear standards of conduct and maintain public confidence in the teaching profession.

Accordingly, the panel concluded that each of Mr Jervis' convictions as identified at allegations 1, 2 and 3 were convictions of a relevant offence.

Panel's recommendation to the Secretary of State

Given the panel's findings in respect of convictions of relevant offences, 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... protection of other members of the public;
- the maintenance of public confidence in the profession – assessed by reference to the standard of the ordinary intelligent and well-informed citizen who both appreciates the seriousness of the proposed 'sanction' and recognises the high standards expected of all teachers, as well as other issues involved in the case;
- declaring and upholding proper standards of conduct within the teaching profession; and
- that prohibition strikes the right balance between the rights of the teacher and the public interest, if they are in conflict.

In light of the panel's findings against Mr Jervis, which involved an assault by beating and serious driving offences, there was a strong public interest consideration in respect of the protection of other members of the public.

Similarly, the panel considered that public confidence in the profession could be seriously weakened if conduct such as that found against Mr Jervis 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 Jervis was outside that which could reasonably be tolerated.

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 recognised that the offences before it were serious. In particular, the panel considered that the conviction for assault by beating involved violence towards another person and therefore engaged important public interest considerations. The panel also considered that the driving offences demonstrated exceptionally poor judgment and a failure to comply with requirements imposed by the police. However, the panel was mindful that the assault conviction resulted in a financial penalty and a restraining order rather than a custodial sentence and was not at the most serious end of the spectrum of violent offending. The panel further noted that the offences occurred in 2017 and 2021 and there had been no repetition of similar behaviour since that time.

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 Jervis.

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

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

Even though some of the behaviour found proved in this case indicated that a prohibition order would be appropriate, the panel went on to consider the mitigating factors. Mitigating factors may indicate that a prohibition order would not be appropriate or proportionate.

The panel considered that Mr Jervis was responsible for his actions and his conduct was deliberate. There was no evidence to suggest that Mr Jervis was acting under extreme duress. The panel noted that Mr Jervis did not demonstrate exceptionally high standards in his personal and professional conduct and there was no evidence that he had contributed significantly to the education sector. However, the panel recognised the positive evidence regarding his abilities as an educator, including the testimonials provided on his behalf and the absence of any concerns relating to his teaching, and took

this into account when considering whether there remained a public interest in retaining him in the profession.

The panel also took into account Mr Jervis' level of insight and remorse. Mr Jervis expressed that he was "*completely ashamed*" of his convictions and "*sorry for the behaviour that led to them*". The panel noted that he acknowledged the fear, concern, and distress caused by his actions and accepted responsibility for his conduct. The panel was persuaded by both his detailed written reflections and oral evidence that he understood the seriousness of the convictions and the impact on others of his actions, including on Person A, and the wider effect on public confidence in the teaching profession.

The panel considered that Mr Jervis had developed substantial insight into the factors that contributed to his offending. The panel concluded that Mr Jervis had demonstrated a genuine understanding of the role played by his [REDACTED] and poor coping strategies at the time, whilst recognising that these matters did not excuse his behaviour. Having also received oral evidence from Mr Jervis at the mitigation stage, the panel regarded his insight as strong, particularly as it was ongoing in nature.

The panel placed significant weight on the evidence of remediation. The panel noted Mr Jervis' acceptance of [REDACTED]. This included involvement with [REDACTED]. The panel also noted evidence that he had completed a [REDACTED] and had engaged positively with that intervention.

The panel also considered that Mr Jervis had demonstrated a significant degree of remorse. Having considered his written reflections and oral evidence, the panel considered that he understood the seriousness of his convictions and the impact of his actions on others, the profession and public confidence in teachers. The panel noted that he repeatedly accepted responsibility for his conduct and entered guilty pleas at the first opportunity, and did not seek to minimise the seriousness of the convictions.

The panel noted that Mr Jervis demonstrated a clear understanding of the importance of trust in the teaching profession, recognising that teaching is "*built on trust*" and that his conduct had damaged that trust. The panel found that Mr Jervis understood that his actions affected not only those directly involved but also had the potential to undermine public confidence in the profession more widely. He acknowledged the impact that his conduct could have on pupils, parents and colleagues, and accepted that such behaviour could diminish confidence in the teaching profession.

The panel further noted that Mr Jervis showed insight into the causes of his behaviour, including the role of his [REDACTED], whilst accepting that these were not excuses for his actions. He demonstrated an understanding that distress did not prevent him from causing harm and that his behaviour remained unacceptable.

The panel further noted Mr Jervis' oral evidence that he had developed greater understanding of his triggers and coping mechanisms, had implemented practical strategies to manage stress and [REDACTED], and had an established support network available to him. The panel was satisfied that these were genuine and meaningful steps towards rehabilitation.

The panel considered the risk of repetition of his proven behaviours to be low. It accepted that Mr Jervis' circumstances are now materially different from those at the time of the offences. He had developed insight into the causes of his behaviour, [REDACTED], had addressed [REDACTED] and had demonstrated the ability to manage subsequent periods of stress and adversity without any repetition of similar conduct. The panel was satisfied that there was no evidence of continuing behavioural concerns and no evidence that he had ever presented a risk to pupils.

The panel also considered that there remained a public interest in retaining Mr Jervis in the profession. The panel noted the positive teaching testimonials, evidence of his ability as an educator and the absence of any safeguarding concerns arising from his teaching. It further noted evidence that he had continued to work in educational settings following the convictions and that former pupils and colleagues had spoken positively of his teaching and support.

The panel noted that these testimonials provided examples of Mr Jervis' effectiveness as an educator. In particular, [REDACTED] at Keele University International College, described Mr Jervis as a tutor whose *"experience and passion for teaching is clear to see"* and stated that he *"goes above and beyond to ensure that each student not only understands the material but also feels confident in their abilities"*.

The panel also noted the testimonial of [REDACTED] at Ormiston Sir Stanley Matthews Academy, who stated that Mr Jervis was *"reliable and trustworthy working well with challenging pupils"* and had *"a kind and caring nature"*.

The panel took these testimonials into account when considering whether there remained a public interest in retaining Mr Jervis in the profession and the contribution he could continue to make to education.

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

The panel recognised that the Advice identifies cases involving violence as being likely to engage a strong public interest in favour of prohibition and, where a prohibition order is imposed, potentially a longer review period. The panel therefore considered with particular care whether the conviction for assault by beating in 2017 was such that it required a recommendation for prohibition and concluded that it did not. In reaching that

conclusion, the panel took into account that the offence was not listed as a relevant matter in the Police Act 1997 and that the offence resulted in a financial penalty and restraining order rather than a custodial sentence. Furthermore, it noted that the conviction was now more than nine years old and there had been no repetition of any violent behaviour since that time.

The panel also accepted that the offence occurred during a period when Mr Jervis was experiencing [REDACTED], whilst recognising that this did not excuse his conduct. Most importantly, the panel was persuaded by the substantial evidence of remediation, insight and remorse, including Mr Jervis' engagement with [REDACTED]. The panel considered that Mr Jervis had demonstrated a genuine understanding of the causes and consequences of his behaviour and had taken meaningful steps to address [REDACTED]. In those circumstances, the panel concluded that this was not a case where the public interest required a recommendation for prohibition notwithstanding the presence of a violent offence.

The panel was of the view that, applying the standard of the ordinary intelligent citizen, the recommendation of no prohibition order would be both a proportionate and an appropriate response. Given that, whilst serious, the nature and severity of the behaviour fell at the lower end of the spectrum of offending of this type and, having considered the mitigating factors that were present, the panel determined that a recommendation for a prohibition order would not be appropriate in this case. The panel considered that the publication of the adverse findings it had made was sufficient to send an appropriate message to the teacher as to the standards of behaviour that are not acceptable, and the publication would meet the public interest requirement of declaring proper standards of the profession.

The panel considered that Mr Jervis had demonstrated substantial remediation, significant remorse and a high degree of insight into his offending. The panel was satisfied that he had undertaken meaningful steps to address the underlying causes of his behaviour, including engagement with [REDACTED].

Having assessed the risk of repetition as low and taking into account all of the circumstances as a whole, the panel considered that the imposition of a prohibition order with a review period would serve little practical purpose. The panel was not persuaded that there were further identifiable steps that Mr Jervis could reasonably be expected to complete during a review period beyond those already undertaken and continuing.

Having weighed all of these matters together, the panel concluded that although the relevant offences were serious, they were not fundamentally incompatible with remaining in the teaching profession. The panel determined that publication of its findings was a sufficient and proportionate outcome, and that the public interest could be adequately met without a recommendation for a prohibition order.

Decision and reasons on behalf of the Secretary of State

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

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

In this case, the panel has found some of the allegations proven and found that those proven facts amount to relevant convictions.

In this case, the panel has also found some 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 the findings of a relevant conviction should be published and that such an action is proportionate and in the public interest.

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

- Teachers uphold public trust in the profession and maintain high standards of ethics and behaviour, within and outside school, by
 - showing tolerance of and respect for the rights of others
 - not undermining fundamental British values, including... the rule of law...
- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach...

The findings of misconduct are serious as they include a teacher being convicted of an assault by beating which involved violence towards another person.

I have to determine whether the imposition of a prohibition order is proportionate and in the public interest. In assessing that for this case, I have considered the overall aim of a prohibition order which is to protect pupils and to maintain public confidence in the profession. I have considered the extent to which a prohibition order in this case would achieve that aim taking into account the impact that it will have on the individual teacher. I have also asked myself whether a less intrusive measure, such as the published finding of a relevant conviction, would itself be sufficient to achieve the overall aim. I have to consider whether the consequences of such a publication are themselves sufficient. I have considered therefore whether or not prohibiting Mr Jervis, 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/or safeguard pupils. The panel offers this observation:

“The panel determined that Mr Jervis’ conviction for assault was clearly relevant to teaching and working with children. The panel noted that the offence occurred late at night at an address where a child was residing at the time, but also in a residential area where other children were likely to reside.

The panel also considered that the behaviour involved in committing such an offence could clearly have had an impact on the safety and/or security of pupils and/or members of the public. The panel noted that according to the police records, Mr Jervis was described as abusive and under the influence of alcohol.”

I have also taken into account the panel’s comments on insight and remorse, which it sets out as follows:

“The panel considered that Mr Jervis had developed substantial insight into the factors that contributed to his offending. The panel concluded that Mr Jervis had demonstrated a genuine understanding of the role played by his [REDACTED] and poor coping strategies at the time, whilst recognising that these matters did not excuse his behaviour. Having also received oral evidence from Mr Jervis at the mitigation stage, the panel regarded his insight as strong, particularly as it was ongoing in nature.”

“The panel also considered that Mr Jervis had demonstrated a significant degree of remorse. Having considered his written reflections and oral evidence, the panel considered that he understood the seriousness of his convictions and the impact of his actions on others, the profession and public confidence in teachers. The panel noted that he repeatedly accepted responsibility for his conduct and entered guilty pleas at the first opportunity, and did not seek to minimise the seriousness of the convictions.”

Given this evidence, I agree with the panel’s assessment that the risk of repetition appears to be low. I have therefore given this element some 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 comments:

“The panel found that Mr Jervis’ conduct in allegations 1, 2 and 3 could seriously damage the reputation of the School and noted that allegation 1 involved violence, which the School’s Code of Conduct states is likely to be unacceptable. The panel considered that teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach, and that Mr Jervis’ conduct in allegations 1, 2 and 3 was inconsistent with that obligation.

The panel also considered the offences listed on pages 12 and 13 of the Advice.

This was a case concerning an offence of violence and serious driving offences involving alcohol which the Advice states are more likely to be considered relevant offences.

The panel considered it was necessary to find that these convictions constituted relevant offences, to reaffirm clear standards of conduct and maintain public confidence in the teaching profession.”

I am particularly mindful of the finding of a conviction involving violent behaviour in this case and the negative impact that such a finding may have on the reputation of the profession.

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

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

I have also considered the impact of a prohibition order on Mr Jervis himself. The panel makes this observation:

“The panel also considered that there remained a public interest in retaining Mr Jervis in the profession. The panel noted the positive teaching testimonials, evidence of his ability as an educator and the absence of any safeguarding concerns arising from his teaching. It further noted evidence that he had continued to work in educational settings following the convictions and that former pupils and colleagues had spoken positively of his teaching and support.”

A prohibition order would prevent Mr Jervis 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 making its recommendation that Mr Jervis should not be prohibited from teaching, the panel has offered these reflections:

“The panel recognised that the Advice identifies cases involving violence as being likely to engage a strong public interest in favour of prohibition and, where a prohibition order is imposed, potentially a longer review period. The panel therefore considered with particular care whether the conviction for assault by beating in 2017 was such that it required a recommendation for prohibition and concluded that it did not. In reaching that conclusion, the panel took into account that the offence was not listed as a

relevant matter in the Police Act 1997 and that the offence resulted in a financial penalty and restraining order rather than a custodial sentence. Furthermore, it noted that the conviction was now more than nine years old and there had been no repetition of any violent behaviour since that time.

The panel also accepted that the offence occurred during a period when Mr Jervis was experiencing [REDACTED], whilst recognising that this did not excuse his conduct. Most importantly, the panel was persuaded by the substantial evidence of remediation, insight and remorse, including Mr Jervis' engagement with [REDACTED]. The panel considered that Mr Jervis had demonstrated a genuine understanding of the causes and consequences of his behaviour and had taken meaningful steps to address [REDACTED]. In those circumstances, the panel concluded that this was not a case where the public interest required a recommendation for prohibition notwithstanding the presence of a violent offence.

The panel was of the view that, applying the standard of the ordinary intelligent citizen, the recommendation of no prohibition order would be both a proportionate and an appropriate response. Given that, whilst serious, the nature and severity of the behaviour fell at the lower end of the spectrum of offending of this type and, having considered the mitigating factors that were present, the panel determined that a recommendation for a prohibition order would not be appropriate in this case. The panel considered that the publication of the adverse findings it had made was sufficient to send an appropriate message to the teacher as to the standards of behaviour that are not acceptable, and the publication would meet the public interest requirement of declaring proper standards of the profession.

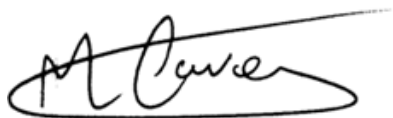
The panel considered that Mr Jervis had demonstrated substantial remediation, significant remorse and a high degree of insight into his offending. The panel was satisfied that he had undertaken meaningful steps to address the underlying causes of his behaviour, including engagement with [REDACTED].

Having assessed the risk of repetition as low and taking into account all of the circumstances as a whole, the panel considered that the imposition of a prohibition order with a review period would serve little practical purpose. The panel was not persuaded that there were further identifiable steps that Mr Jervis could reasonably be expected to complete during a review period beyond those already undertaken and continuing.

Having weighed all of these matters together, the panel concluded that although the relevant offences were serious, they were not fundamentally incompatible with remaining in the teaching profession. The panel determined that publication of its findings was a sufficient and proportionate outcome, and that the public interest could be adequately met without a recommendation for a prohibition order."

In making my determination, I have weighed both the seriousness of the offences of which Mr Jervis was convicted and the negative impact of his actions on the standing of the profession against the panel's assessment that the risk of any repetition is low. I have placed particular weight on the evidence of his highly-developed insight and remorse and the panel's finding that there have been no further recorded incidents of violence in the nine years since his conviction for assault. I have also placed significant weight on the evidence that Mr Jervis has continued to make a positive contribution to the education of children since his convictions and that there is a public interest in retaining him in the profession.

For these reasons, I agree with the panel's recommendation that a prohibition order is not proportionate or in the public interest. I consider that the publication of the findings made would be sufficient to send an appropriate message to the teacher as to the standards of behaviour that were not acceptable and that the publication would meet the public interest requirement of declaring proper standards of the profession.

A handwritten signature in black ink, appearing to read 'M. Cavey', with a long horizontal stroke extending to the right.

Decision maker: Marc Cavey

Date: 12 August 2026

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