



Teaching  
Regulation  
Agency

# **Mr Mark Thompson: Professional conduct panel outcome**

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

**August 2021**

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

<b>Teacher:</b>	Mr Mark Thompson
<b>Teacher ref number:</b>	3557904
<b>Teacher date of birth:</b>	1 June 1990
<b>TRA reference:</b>	19181
<b>Date of determination:</b>	17 August 2021
<b>Former employer:</b>	St Bede's Catholic Voluntary Academy, Lincolnshire

### **Introduction**

A professional conduct panel (“the panel”) of the Teaching Regulation Agency (“the TRA”) convened on 16 August 2021, via Microsoft Teams to consider the case of Mr Mark Thompson.

The panel members were Mr Ian Carter (former teacher panellist – in the chair), Ms Mona Sood (lay panellist) and Ms Kulvinder Sandal (teacher panellist).

The legal adviser to the panel was Mr James Danks of Blake Morgan LLP.

The presenting officer for the TRA was Mr Jacob Rickett of Capsticks LLP.

Mr Mark Thompson was not present and was not represented.

The hearing took place in public and was recorded.

## Allegations

The panel considered the allegations set out in the notice of proceedings dated 20 May 2021.

It was alleged that Mr Mark Thompson was guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute in that, whilst employed as a teacher at St Bede's Catholic Voluntary Academy ("the Academy") he:

1. Between around December 2018 to May 2019, in respect of Pupil A, he:
  - a. exchanged messages through social media;
  - b. made inappropriate remarks including as set out in Schedule A;
  - c. sent intimate photographs to Pupil A;
  - d. caused or allowed Pupil A to send intimate photographs to him;
  - e. engaged in a sexual relationship on one or more occasions.
2. His conduct at 1(a) and / or 1(b) and / or 1(c) and / or 1(d) was sexually motivated in that the conduct was in pursuit of a future sexual relationship and / or sexual gratification.
3. On or around 2 May 2019, he failed to adequately or at all to detail his contact with Pupil A as set out in 1.
4. His conduct at 3, was dishonest in that he knew that contact with Pupil A, as set out at 1(a) and / 1(b) and / or 1(c) and / or 1(d) and / or 1(e) had taken place.
5. Between around September 2020 and October 2020, he contacted Pupil A through social media during the course of the TRA's investigation.

### Schedule A

Inappropriate remarks or words to the effect:

- i. he liked that Pupil A was 17;
- ii. the relationship with Pupil A was his 'little secret';
- iii. Pupil A should call him 'sir';
- iv. Pupil A was his 'little puppet';
- v. Pupil A should not speak to other people without his permission;
- vi. he wanted to get Pupil A drunk and / or high;
- vii. Pupil A was his 'little slut';
- viii. he asked Pupil A to bring drugs;
- ix. details of real and / or imagined sexual encounters.

Mr Thompson admitted the facts to all allegations, save for allegation 1(b) and 5, and also that his admitted behaviour amounted to unacceptable professional conduct and conduct that may bring the profession into disrepute.

## Preliminary applications

The presenting officer provided a witness statement from Mr Thompson. Mr Rickett explained that Mr Thompson's representative had sent the witness statement over the weekend and that he had received it on the morning of the hearing. Having considered the content of the witness statement, Mr Rickett confirmed that the TRA was neutral in its stance as to whether the statement was admitted into evidence.

The panel considered a witness statement from a teacher in these proceedings to be clearly relevant. There was no particular unfairness to the TRA for the statement to be entered into evidence.

The panel also received a preliminary application from Mr Rickett for the hearing to be held in private when the two videos were being played. Mr Rickett explained that the videos displayed personal information of Pupil A, which could not be redacted.

The panel accepted that Pupil A, [redacted], should have her anonymity maintained and considered it in the interests of justice to allow the application.

The panel considered an application from the presenting officer to proceed in the absence of Mr Thompson. Mr Rickett explained that, as was clear by the supply of Mr Thompson's most recent statement, the teacher was clearly aware of the hearing.

In addition, Mr Rickett drew the panel's attention to two emails from Mr Thompson's representative, which stated:

- Mr Thompson would not be in attendance at the forthcoming hearing (11 June 2021 email); and
- Mr Thompson would not be in attendance at the forthcoming hearing and nor would he be represented (10 August 2021 email).

The panel accepted the legal advice provided in relation to this application and took account of the various factors referred to it, as derived from the guidance set down in the case of *R v Jones [2003] 1 AC 1* (as considered and applied in subsequent cases, particularly *GMC v Adeogba*; *GMC v Visvardis [2016] EWCA Civ 162*).

The panel was satisfied that the notice of proceedings ("the notice") had been sent in accordance with Rules 4.11 and 4.12 of the Teacher misconduct: disciplinary procedures for the teaching profession ("the Procedures") and that the requirements for service had been satisfied.

The panel went on to consider whether to proceed in Mr Thompson's absence or to adjourn, in accordance with Rule 4.29 of the Procedures.

The panel had regard to the fact that its discretion to continue in the absence of a teacher should be exercised with great caution and with close regard to the overall fairness of the proceedings. The panel gave careful consideration to the fact that Mr Thompson is not in attendance and will not be represented at this hearing, should it proceed, and the extent of the disadvantage to him as a consequence.

On balance, the panel decided that the hearing should continue in the absence of Mr Thompson for the reasons given below.

Given the express confirmation from Mr Thompson's representative that he was not going to attend, the panel concluded that the hearing should proceed. The panel was satisfied that Mr Thompson's absence was voluntary and he had waived his right to attend. There was no indication that Mr Thompson might attend at a future date, such that no purpose would be served by an adjournment.

Indeed, the panel noted that within Mr Thompson's latest witness statement (that repeated his expectation that he would not be in attendance), he explained that the proceedings were making him ill, although there was no independent evidence of this, nor any request that the proceedings be adjourned to allow some recovery. In the panel's view, there was an interest, to Mr Thompson himself, for the hearing to proceed and be concluded.

The panel also took account of the fact that there is a public interest in hearings taking place within a reasonable time and that there was a witness present, who had previously indicated some unwillingness to attend, to give evidence to the panel. The witness would be significantly inconvenienced were the hearing to be adjourned.

Having decided that it is appropriate to proceed, the panel would strive to ensure that the proceedings are as fair as possible in the circumstances, bearing in mind that Mr Thompson was neither present nor represented. It had the benefit of Mr Thompson's admissions and his position on those charges that were denied.

## **Summary of evidence**

### **Documents**

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

Section 1: Chronology, list of key people and anonymised pupil list – pages 4 to 7

Section 2: Notice of proceedings – pages 8 to 18

Section 3: Teaching Regulation Agency witness statement – pages 19 to 22

Section 4: Teaching Regulation Agency documents – pages 23 to 226

Section 5: Teacher documents – pages 227 to 242.

In addition, the panel agreed to accept the following:

- A witness statement from Mr Thompson dated 13 August 2021 and 'signed' with a typed name.

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

## **Witnesses**

The panel heard oral evidence from:

- Pupil A, on behalf of the TRA.

## **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 Thompson had been employed at St. Bede's Catholic Voluntary Academy ('the Academy') as a mathematics teacher since September 2013. His role developed, over time, to include a pastoral role to pupils when Mr Thompson was also appointed to a house leader role.

During Mr Thompson's time at the Academy, he taught Pupil A and also provided her with pastoral support in his house leader role. [redacted].

In around December 2018, Pupil A [redacted] was contacted, via social media, by Mr Thompson. Whilst the social media contact was initially general in nature, within a week it developed into a sexual conversation, which culminated in a consensual physical, sexual relationship at the beginning of 2019 that was intermittent but lasted for a few months.

[redacted]. As a result, a local investigation was commenced, during which Mr Thompson was interviewed but, initially, denied any relationship with Pupil A.

In September 2019, Mr Thompson resigned from his position at the Academy and a referral was made to the TRA, regarding his conduct in January 2020. In September and October 2020, Pupil A reported that Mr Thompson had recommenced contact with her, via social media.

## 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:

**It was alleged that you are guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute in that, whilst employed as a teacher at St Bede's Catholic Voluntary Academy ("the Academy") you:**

- 1. Between around December 2018 to May 2019, in respect of Pupil A, you:**
  - a. exchanged messages through social media;**
  - b. made inappropriate remarks including as set out in Schedule A;**
  - c. sent intimate photographs to Pupil A;**
  - d. caused or allowed Pupil A to send intimate photographs to him;**
  - e. engaged in a sexual relationship on one or more occasions.**

The panel first heard live evidence on these allegations from Pupil A, who explained that in late 2018, she was contacted by Mr Thompson via Snapchat, a social media application.

Pupil A informed the panel that she thought Mr Thompson had 'found her' on Snapchat from information on other social media websites that she was active on. She confirmed that the two of them exchanged messages via Snapchat, which progressed from generalised chat to a conversation that was sexualised in nature and culminated in the two of them meeting, and having a sexual relationship.

Pupil A's written statement confirmed that she sent intimate photographs to Mr Thompson, who sent similar photos of himself in response.

In her oral evidence, Pupil A gave the panel examples of the language used by Mr Thompson towards her. She volunteered examples of him asking her to call him 'Sir', [redacted], and that she should dress in a 'slutty' way. At the time, Pupil A said that she felt uncomfortable when he used that language.

In further questioning, Pupil A also told the panel that Mr Thompson had told her to 'bring drugs' when they were meeting and that their relationship should be kept secret. She also said that he had told her he went to swingers' clubs, although she was unclear as to what exactly this entailed.



When the relationship began, Pupil A said that she 'liked' Mr Thompson but, looking back on the reality now, she 'hated him'.

The panel noted that Mr Thompson admitted all of the sub-particulars of this allegation, save for 1(b). The panel considered these admissions to carry substantial weight, considering their unequivocal nature and also benefited from Mr Thompson's witness statement that was provided at the commencement of the hearing.

In the panel's view, Pupil A was clear and adamant in her evidence. She was willing to concede when she could not recall specific details of an entire conversation, which added to her credibility on those matters that she could remember, such as the comments alleged at 1(b). There appeared no malice against Mr Thompson in the answers she gave, and she appeared to give an honest account as to what she could remember. There was no hesitation in Pupil A's answers, even for matters that may have been embarrassing for her.

In contrast, Mr Thompson had not attended to give live evidence and be cross-examined. Whilst there was some suggestion of ill-health caused by the proceedings, no independent medical evidence had been provided.

In these circumstances, the panel preferred the live witness evidence from Pupil A, who attended to be examined, compared to the written explanation given by Mr Thompson. For these reasons, the panel was content that the TRA had discharged its burden in respect of allegation 1, including allegation 1(b) that was disputed.

The panel therefore found this allegation proved.

- 2. Your conduct at 1(a) and / or 1(b) and / or 1(c) and / or 1(d) was sexually motivated in that the conduct was in pursuit of a future sexual relationship and / or sexual gratification.**

The panel noted that Mr Thompson admitted that his conduct was sexually motivated and, indeed, it resulted in him and Pupil A having sex on a number of occasions.

The panel therefore found this allegation proved on all parts of allegation 1.

- 3. On or around 2 May 2019, you failed to adequately or at all to detail your contact with Pupil A as set out in 1.**
- 4. Your conduct at 3, was dishonest in that you knew that contact with Pupil A, as set out at 1(a) and / 1(b) and / or 1(c) and / or 1(d) and / or 1(e) had taken place.**

Mr Thompson accepted that he had not provided all necessary detail regarding his contact with Pupil A when questioned by the Academy in May 2019. This questioning

formed part of the Academy's fact-finding investigation [redacted]. Mr Thompson also accepted that, in doing so, his conduct was dishonest.

The panel noted that, by May 2019, Mr Thompson and Pupil A had exchanged numerous messages via social media, which had escalated to a sexual relationship. During his questioning as part of the Academy's investigation, he denied using Snapchat, having any contact with Pupil A away from the Academy (save for one random meeting at Tesco when they had a 'general conversation' about 'nothing out of the ordinary').

It must have been evident to Mr Thompson that the answers he gave during the meeting were demonstrably false. This was just not a case of a teacher not providing information during a fact-finding investigation; Mr Thompson, instead, put forward an explanation as to his relationship with Pupil A that positively attempted to deflect away from the reality. Such behaviour could only be classed by the public as dishonest.

The panel therefore found this allegation proved.

The panel found the following particular of the allegations against you not proved, for these reasons:

**5. Between around September 2020 and October 2020, you contacted Pupil A through social media during the course of the TRA's investigation.**

The panel heard live evidence on this matter from Pupil A. She explained to the panel that Mr Thompson had initially tried to contact her via Instagram in, or around, September 2020 and sent her an 'emoji'.

Subsequently, the two of them began chatting again via Snapchat and Pupil A stated that, whilst there was no detailed discussion about the TRA's investigation in itself, he did tell her that he had left his role at the Academy and was tutoring.

Pupil A stated that Mr Thompson suggested that they 'meet up', which made her uncomfortable.

Mr Thompson denied that he had contacted Pupil A at this time.

As for the reasons given previously, the panel preferred the evidence from Pupil A over that of Mr Thompson. However, the panel also had consideration to the allegation, which was premised on Mr Thompson being a teacher at the Academy.

It was an accepted fact that Mr Thompson had resigned from his role at the Academy in October 2019 and, therefore, in the time-period stated in the allegation, the panel could not find it proved.

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

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

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

The panel was satisfied that the conduct of Mr Thompson, in relation to the facts found proved, involved breaches of the Teachers’ Standards. The panel considered that, by reference to Part 2, Mr Thompson was in breach of the following standards:

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

The panel considered whether Mr Thompson's conduct displayed behaviours associated with any of the offences listed on pages 10 and 11 of the Advice and determined that the offence of sexual activity to be present.

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 noted that the allegations took place outside the education setting and at a time when Pupil A was not a pupil at the Academy. However, this was a situation that originated as a result of the teaching relationship that was present up to summer 2018.

Were it not for that previous teacher and pupil knowledge, the panel considered it highly likely that the relationship would not have commenced. There was no suggestion, for example, that Mr Thompson and Pupil A knew anything about each other, at least at the start of the relationship, other than what was known from their time at the Academy.

Further, within the relationship itself, the language used by Mr Thompson, as found proved, made reference to a teacher / pupil scenario. There was no other reason for him

to tell her to call him 'Sir', other than to reinforce his status as a teacher, and his position of power in the relationship.

In the panel's view, and for the reasons given above, despite Mr Thompson's behaviour complained of taking place away from the teaching setting, and with someone who was no longer on the roll at the Academy, it was also behaviour that was inherently serious and that amounted to unacceptable professional conduct.

The panel took into account the way the teaching profession is viewed by others and 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.

The findings of misconduct are serious, and the conduct displayed would be likely to have a negative impact on the individual's status as a teacher, potentially damaging the public perception. This was clearly evident in the circumstances of how the relationship between Pupil A and Mr Thompson was raised to the Academy.

The panel therefore found that Mr Thompson's actions also constituted conduct that may bring the profession into disrepute.

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

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

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

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

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

In the light of the panel's findings against Mr Thompson, which involved him developing a sexual relationship with a former pupil, who had only recently left the Academy and for whom he had a pastoral, as well as teaching role, there was a strong public interest consideration in respect of the protection of pupils.

Similarly, the panel considered that public confidence in the profession could be seriously weakened if conduct such as that found against Mr Thompson was not treated with the utmost seriousness when regulating the conduct of the profession. As well as the relationship with Pupil A, Mr Thompson had been dishonest in the account that he gave to the Academy as to the real status of their relationship. Even when it is to their own detriment, teachers must be honest, and be seen to be honest, in their roles.

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 Thompson was outside that which could reasonably be tolerated.

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

In carrying out the balancing exercise, the panel had regard to the public interest considerations both in favour of, and against, prohibition as well as the interests of Mr Thompson. 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/or well-being of pupils, and particularly where there is a continuing risk;
- abuse of position or trust (particularly involving vulnerable pupils) or violation of the rights of pupils;
- dishonesty especially where there have been serious consequences, and/or it has been repeated and/or covered up;
- sexual misconduct.

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.

In the light of the panel's findings, Mr Thompson's actions were clearly deliberate and not undertaken with duress. On the contrary, the panel considered Mr Thompson's conduct to be calculated and motivated, not only in the circumstances of his relationship with Pupil A but also the deliberately false account he gave to the Academy.

Whilst the panel did note that Mr Thompson had a previously good history and, he stated (although there was no corroborative evidence of this), that OFSTED had been positive in its view of his teaching capabilities. Mr Thompson had not provided the panel with any character references, or references regarding his teaching abilities and, in the circumstances of the case, the panel gave Mr Thompson's teaching credentials little weight.

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

The panel was of the view that, applying the standard of the ordinary intelligent citizen, it would not be a proportionate and appropriate response to recommend no prohibition order. Recommending that the publication of adverse findings would be sufficient would unacceptably compromise the public interest considerations present in this case, despite the severity of the consequences for Mr Thompson of prohibition, although it also noted that he had no inclination to continue his teaching career.

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 Thompson.

Mr Thompson undertook a sexual relationship with a former pupil, who had only recently left the Academy, which arose from his professional position, and when questioned on this, Mr Thompson provided a dishonest account of matters. 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 behaviours that, if proved, would militate against the recommendation of a review period. One of these behaviours includes serious sexual misconduct, such as where the act was sexually motivated and resulted in, or had the potential to result in, harm to a person or persons, particularly where the individual has used his professional position to influence or exploit a person or persons.

In the panel's view, the behaviour of Mr Thompson was towards the most extreme end of the seriousness spectrum. Not only had he had a sexual relationship, over a number of months, with a former pupil soon after she had left, he had provided a false account to the Academy when given the opportunity to be honest. These were deliberate acts and, the panel considered, it would have been blatantly obvious to a newly qualified teacher, let alone a teacher with some experience as Mr Thompson had, that his conduct was manifestly incompatible with that of a teacher.

The panel did consider the content of the witness statement of Mr Thompson dated 13 August 2021, which it found to be self-serving, focused on his own issues, and how the proceedings had affected his health by their ongoing nature. The panel considered the reference to a murder case being concluded within 18-months as wholly irrelevant and unnecessary.

The witness statement from Mr Thompson demonstrated a categorical lack of insight into his actions, and nor did it suggest appreciation as to how his behaviour may have affected Pupil A, his colleagues at the Academy or the wider community. There was no indication as to whether Mr Thompson had, or would, be willing to remediate his conduct and, save for an apology for not attending the hearing before the panel, the statement was barren in terms of remorse being shown or felt.

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

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

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

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

In this case, the panel has found some of the allegations proven and found that those proven facts amount to unacceptable professional conduct and conduct that may bring the profession into disrepute. In this case, the panel has 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 Mr Mark Thompson should be the subject of a prohibition order, with no provision for a review period.

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

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

The panel finds that the conduct of Mr Thompson fell significantly short of the standards expected of the profession.

The findings of misconduct are particularly serious as they include developing a sexual relationship with a former pupil and dishonesty.

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 that may 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 Thompson, and the impact that will have on him, is proportionate and in the public interest.

I have also taken into account the panel's comments on insight and remorse, which the panel sets out as follows, "The witness statement from Mr Thompson demonstrated a categorical lack of insight into his actions, and nor did it suggest appreciation as to how his behaviour may have affected Pupil A, his colleagues at the Academy or the wider community. There was no indication as to whether Mr Thompson had, or would, be willing to remediate his conduct and, save for an apology for not attending the hearing." In my judgement, the lack of insight means that there is some risk of the repetition of this behaviour, and I have therefore given this element considerable weight in reaching my decision.

I have gone on to consider the extent to which a prohibition order would maintain public confidence in the profession. The panel observe, "In the light of the panel's findings



against Mr Thompson, which involved him developing a sexual relationship with a former pupil, who had only recently left the Academy and for whom he had a pastoral, as well as teaching role, there was a strong public interest consideration in respect of the protection of pupils.” 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, 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 Thompson himself and the panel comment “Whilst the panel did note that Mr Thompson had a previously good history and, he stated (although there was no corroborative evidence of this), that OFSTED had been positive in its view of his teaching capabilities. Mr Thompson had not provided the panel with any character references, or references regarding his teaching abilities and, in the circumstances of the case, the panel gave Mr Thompson's teaching credentials little weight.”

A prohibition order would prevent Mr Thompson 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 dishonesty and the impact on the profession “public confidence in the profession could be seriously weakened if conduct such as that found against Mr Thompson was not treated with the utmost seriousness when regulating the conduct of the profession. As well as the relationship with Pupil A, Mr Thompson had been dishonest in the account that he gave to the Academy as to the real status of their relationship. Even when it is to their own detriment, teachers must be honest, and be seen to be honest, in their roles.”

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

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

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

I have considered the panel's comments "In the panel's view, the behaviour of Mr Thompson was towards the most extreme end of the seriousness spectrum. Not only had he had a sexual relationship, over a number of months, with a former pupil soon after she had left, he had provided a false account to the Academy when given the opportunity to be honest. These were deliberate acts and, the panel considered, it would have been blatantly obvious to a newly qualified teacher, let alone a teacher with some experience as Mr Thompson had, that his conduct was manifestly incompatible with that of a teacher."

I have considered whether not allowing a review period reflects the seriousness of the findings and is a proportionate period to achieve the aim of maintaining public confidence in the profession. In this case, two factors mean that a 2 year review period is not sufficient to achieve the aim of maintaining public confidence in the profession. These elements are the lack of either insight or remorse and the dishonesty found.

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

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

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

Mr Mark Thompson has a right of appeal to the Queen's Bench Division of the High Court within 28 days from the date he is given notice of this order.



**Decision maker: Sarah Buxcey**

**Date: 18 August 2021**

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

