



Teaching
Regulation
Agency

Miss Nishi Shah: Professional conduct panel meeting outcome

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

July 2021

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

Teacher:	Miss Nishi Shah
Teacher ref number:	3836078
Teacher date of birth:	15 July 1989
TRA reference:	19097
Date of determination:	26 July 2021
Former employer:	The Harefield Academy, Uxbridge

Introduction

A professional conduct panel (“the panel”) of the Teaching Regulation Agency (“the TRA”) convened virtually on 26 July 2021 to consider the case of Miss Nishi Shah (“Miss Shah”).

The panel members were Melissa West (teacher panellist – in the chair), Maxine Cole (lay panellist) and Duncan Tilley (lay panellist).

The legal adviser to the panel was Carly Hagedorn of Eversheds Sutherland (International) LLP solicitors.

In advance of the meeting, after taking into consideration the public interest and the interests of justice, the TRA agreed to a request from Miss Shah that the allegations be considered without a hearing. The panel considered the case at a meeting without the attendance of the presenting officer, Miss Shah or her representative.

The meeting took place in private, save for the announcement of the panel’s decision, which was announced in public and recorded.

Allegations

The panel considered the allegations set out in the notice of proceedings dated 27 May 2021. The panel noted that one of the original allegations was removed from consideration. In an email dated 6 July 2021, the TRA confirmed their agreement to the removal of the original allegation 3a concerning Miss Shah's alleged concealment of her actions by informing the deputy headteacher that she had been told confidential information regarding the post of head of year by staff member A when in fact she obtained this information by other means. The panel accepted that this allegation had been removed from the TRA's case and therefore did not consider it further.

Therefore, the allegations that were considered at the meeting were as follows:

It was alleged that Miss Shah was guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute, in that whilst seeking employment at the school and/or whilst employed as an unqualified teacher at The Harefield Academy;

1. She stated in her employment application that she had obtained a degree at a higher level than she had in fact achieved;
2. She engaged in inappropriate use of school data and/or equipment on one or more occasions between May 2018 and July 2019, including by;
 - a) accessing the school network and/or email accounts of one or more members of staff without permission;
 - b) sending emails from the email account of Staff Member X and/or Staff Member Z without permission;
3. She sought to conceal her actions as may be found proven at allegations 2a and 2b, including by;
 - a) informing the Academy that she had not seen emails that had been sent from the email account of Staff Member X and/or Staff Member Z, when in fact she had accessed their email accounts and sent the emails;
 - b) deleting emails from her email account that she had sent to herself using the email account of Staff Member X;
4. Her conduct as may be found proven at 1 and/or 3 above lacked integrity and/or was dishonest;
5. Her conduct as may be found proven at 2 above lacked integrity.

Miss Shah admitted the facts of all of the above allegations. Miss Shah admitted that her conduct amounted to unacceptable professional conduct and/or conduct that may bring the profession into disrepute.

Preliminary applications

There were no preliminary applications.

Summary of evidence

Documents

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

Section 1: Chronology and anonymised pupil list – pages 2 to 3

Section 2: Notice of proceedings and response, statement of agreed facts, request for the case to be considered by way of a meeting and presenting officer representations – pages 5 to 193d

Section 3: Teaching Regulation Agency documents – pages 195 to 493

Section 4: Teacher documents – pages 495 to 535

The panel members confirmed that they had read all of the documents within the bundle, in advance of the meeting.

Statement of agreed facts

The panel considered a statement of agreed facts which was signed by Miss Shah on 17 April 2021.

Decision and reasons

The panel announced its decision and reasons as follows:

The panel carefully considered the case and reached a decision.

In advance of the meeting, the TRA and Miss Shah agreed for the allegations to be considered without a hearing. The panel had the ability to direct that the case be considered at a hearing if required in the interests of justice or in the public interest. The panel did not determine that such a direction was necessary or appropriate in this case.

Miss Shah worked as an unqualified inclusion teacher at The Harefield Academy (the “Academy”). Miss Shah was asked to retrospectively complete an application form for her role as an unqualified inclusion teacher. Miss Shah stated in her application form that she had received an upper second-class honours degree certificate. Miss Shah confirmed that she had misplaced her degree certificate and the Academy followed up with the awarding university. The university confirmed to the Academy that Miss Shah had been

awarded a third-class honours degree. The Academy undertook an investigation into this issue and a disciplinary hearing was held on 30 January 2019. The panel issued a sanction of a final written warning to be kept on Miss Shah's file for a period of 12 months from the date of the hearing.

During 2019, the deputy headteacher of the Academy became concerned through conversations with members of staff that Miss Shah appeared to have access to information that was not in the public domain and would have only been accessible to middle leaders within the Academy. There was a concern that this information may have been accessed inappropriately and potentially used to influence conversations with staff, students or parents. An investigation was carried out by the Academy and a disciplinary hearing was held on 14 October 2019.

On 17 October 2019, the Academy wrote to Miss Shah to confirm that her employment would be terminated without notice. Miss Shah appealed the decision, and the appeal hearing took place on 17 December 2019. On 20 December 2019, the Academy wrote to Miss Shah to confirm that the original decision to dismiss her was to be upheld.

The panel considered at the outset whether the TRA had jurisdiction to dispense with the case. The panel needed to ensure that Miss Shah's role as an unqualified teacher encompassed teaching work. Given Miss Shah's professional responsibilities which included planning and delivery of the curriculum as well as assessing pupil progress, the panel was satisfied that she was performing a teaching role.

Findings of fact

The findings of fact are as follows:

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

- 1. You stated in her employment application that you had obtained a degree at a higher level than you had in fact achieved;**

The panel considered Miss Shah's admission to this allegation.

Miss Shah acknowledged that she had completed an application form for the Academy on 30 October 2018. Miss Shah stated in the application that she had received a 2:1 (upper second-class honours degree). Miss Shah signed the declaration on the application form which stated:

"I understand that false or misleading information on this form will disqualify me from appointment and if appointed, may result in disciplinary action which could lead to my dismissal.

I declare that the information I have given is accurate and true."

Miss Shah confirmed that she had misplaced her degree certificate and the Academy followed up with the awarding university. The university confirmed to the Academy that Miss Shah had been awarded a third-class honours degree.

The panel found allegation 1 proved.

- 2. You engaged in inappropriate use of school data and/or equipment on one or more occasions between May 2018 and July 2019, including by;**
 - a) accessing the school network and/or email accounts of one or more members of staff without permission;**

The panel considered Miss Shah's admission to this allegation.

Miss Shah admitted that she accessed the Academy network and email account of Staff Member X without his or the Academy's permission on multiple occasions.

Miss Shah also admitted that she accessed the Academy network and email account of Staff Member Z without her or the Academy's permission on multiple occasions.

The panel found allegation 2a proved.

- 2. You engaged in inappropriate use of school data and/or equipment on one or more occasions between May 2018 and July 2019, including by;**
 - b) sending emails from the email account of Staff Member X and/or Staff Member Z without permission;**

The panel considered Miss Shah's admission to this allegation.

Miss Shah admitted that she engaged in inappropriate use of academy data and equipment between May 2018 and July 2019, by sending emails from the email account of Staff Member X and Staff Member Z without permission.

The panel had sight of the emails that Miss Shah forwarded from the email accounts of Staff Member X and Staff Member Z, without their permission or the Academy's permission.

The panel found allegation 2b proved.

- 3. You sought to conceal your actions as may be found proven at allegations 2a and 2b, including by;**
 - a) informing the Academy that you had not seen emails that had been sent from the email account of Staff Member X and/or Staff Member Z, when in fact you had accessed their email accounts and sent the emails;**

The panel considered Miss Shah's admission to this allegation.

Miss Shah admitted that she sought to conceal her actions as may be found proved at allegations 2a and 2b, by informing the Academy that she had not seen emails that had been sent from the email account of Staff Member X and Staff Member Z when in fact she had accessed their email accounts and had sent the emails.

Miss Shah acknowledged that as part of the Academy's investigation, she stated that she had no recollection of seeing the emails which were sent from Staff Member X and Staff Member Z's email accounts. Miss Shah accepted that her responses to the Academy were not true and were provided in an attempt to conceal her actions.

The panel found allegation 3a proved.

3. You sought to conceal your actions as may be found proven at allegations 2a and 2b, including by;

b) deleting emails from your email account that you had sent to yourself using the email account of Staff Member X;

The panel considered Miss Shah's admission to this allegation.

Miss Shah admitted that she sought to conceal her actions as may be found proved at allegations 2a and 2b, by deleting emails from her email account that she had sent to herself using the email account of Staff Member X.

Miss Shah acknowledged that, within approximately 24 hours of becoming aware of the Academy's investigation into her conduct, she deleted emails which she had sent from the email account of Staff Member X.

The panel found allegation 3b proved.

4. Your conduct as may be found proven at 1 and/or 3 above lacked integrity and/or was dishonest;

The panel considered Miss Shah's admission to this allegation.

The panel had regard to the legal adviser's advice when considering an allegation of dishonesty. The panel needed first to ascertain subjectively the actual state of Miss Shah's knowledge or belief as to the facts. Secondly, the panel needed to determine whether Miss Shah's state of mind was honest or dishonest by the application of the objective standards of the ordinary honest person.

The panel firstly turned its mind to the actual state of Miss Shah's knowledge or belief as to the facts. The panel had seen evidence from the Academy's investigation, specifically the interview with Miss Shah on 29 November 2018, where she had admitted to being aware that she had provided false information to her employer at the time of completing the application form. She further stated that she should have been honest.

During the Academy's investigation into allegations of inappropriate use of other staff members email accounts, Miss Shah stated that she had no recollection of seeing the emails which were sent from Staff Member X and Staff Member Z's email accounts. Miss Shah later accepted that her responses to the Academy were not true and were provided in an attempt to conceal her actions.

The panel considered Miss Shah's own admissions to deliberately conceal her conduct. Miss Shah had a clear intent to act in the manner she did, and therefore she had failed to act honestly. Furthermore, the panel found that these actions would be regarded by the standards of ordinary decent people to be dishonest.

When considering lack of integrity, the panel recognised that this allegation connotes adherence to the ethical standards of one's own profession that involves more than mere honesty. It is linked to the manner in which the profession professes to serve the public.

The panel recognised that in addition to Miss Shah acting dishonestly, Miss Shah acted in a way which gave rise to personal gain. For example, by stating on her application form that she had received a higher-class degree than she actually received, she hoped to be in a position to qualify as a teacher, increasing her earning power and status.

The panel considered that Miss Shah's behaviour did not adhere to the ethical standards of a teacher and was in contrast to the manner in which the profession professes to serve the public.

The panel therefore found allegation 4 proved.

5. Your conduct as may be found proven at 2 above lacked integrity.

The panel considered Miss Shah's admission to this allegation.

Again, when considering lack of integrity, the panel recognised that this allegation connotes adherence to the ethical standards of one's own profession that involves more than mere honesty. It is linked to the manner in which the profession professes to serve the public.

The panel recognised that Miss Shah acted in a way which gave rise to personal gain. For example, Miss Shah inappropriately accessed emails which included information which would have given her an unfair advantage in applying for the internal head of year position. Further, Miss Shah's actions resulted in her gaining unauthorised access to confidential pupil data, breaching Academy policy.

The panel considered that Miss Shah's behaviour did not adhere to the ethical standards of a teacher and was in contrast to the manner in which the profession professes to serve the public.

Therefore, the panel found allegation 5 proved.

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

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

In doing so, the panel had regard to the document Teacher Misconduct: The Prohibition of Teachers, which is referred to as “the Advice”.

The panel was satisfied that the conduct of Miss Shah in relation to the facts found proved, involved breaches of the Teachers’ Standards. The panel considered that, by reference to Part 2, Miss Shah 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
 - showing tolerance of and respect for the rights of others
- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach.
- Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities.

The panel was satisfied that the conduct of Miss Shah fell significantly short of the standards expected of the profession. The panel noted that Miss Shah had a complete disregard for the Academy’s ethos, policies and practices.

The panel also considered whether Miss Shah’s conduct displayed behaviours associated with any of the offences listed on pages 10 and 11 of the Advice.

The panel found that the offences of fraud or serious dishonesty were relevant.

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 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 they behave.

The findings of misconduct were serious, and the conduct displayed would be likely to have a negative impact on the individual's status as a teacher, potentially damaging the public perception.

The panel therefore found that Miss Shah's actions constituted conduct that may bring the profession into disrepute.

Having found the facts of all of the allegations proved, the panel further found that Miss Shah's conduct amounted to both unacceptable professional conduct and 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/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 two of them to be relevant in this case, namely the maintenance of public confidence in the profession and declaring and upholding proper standards of conduct.

In light of the panel's findings against Miss Shah, which involved falsification of her degree award, inappropriate use of school data and/or equipment, and concealment of her actions, there were strong public interest considerations for the panel to take into account at this stage.

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

The panel decided that a strong public interest consideration in declaring proper standards of conduct in the profession was also present as the conduct found against Miss Shah was significantly outside that which could reasonably be tolerated.

Notwithstanding 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 Miss Shah.

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 Miss Shah. 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 are relevant in this case are:

- serious departure from the personal and professional conduct elements of the Teachers' Standards, and;
- dishonesty especially where there have been serious consequences, and/or it has been repeated and/or covered up.

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.

Miss Shah's actions were deliberate. She had admitted to being aware that she had provided false information to her employer at the time of completing the application form during her investigation interview with the Academy on 29 November 2018. She further stated that she should have been honest.

In addition, during the Academy's investigation into allegations of inappropriate use of other staff members email accounts, Miss Shah stated that she had no recollection of seeing the emails which were sent from Staff Member X and Staff Member Z's email accounts. Miss Shah later accepted that her responses to the Academy were not true and were provided in an attempt to conceal her actions.

There was no evidence to suggest that Miss Shah was acting under duress.

The panel had sight of Miss Shah's character references and saw evidence of her good character. However, it was unclear whether the referees were aware of the allegations Miss Shah faced and there was limited information as to her abilities as a teacher.

The panel also recognised that Miss Shah went through a difficult period of time [redacted]. Nonetheless, the panel did not consider that these issues had any bearing at the time of the misconduct.

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 was sufficient would unacceptably compromise the public interest considerations present in this case, despite the severity of the consequences of prohibition for Miss Shah.

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 Miss Shah. Miss Shah's repeated dishonest conduct over a year, including whilst being under investigation by the Academy for the falsification of her degree class, was a significant factor in forming that opinion. Accordingly, the panel made a recommendation to the Secretary of State that a prohibition order should be imposed with immediate effect.

The panel went on to consider whether or not it would be appropriate to recommend that a review period of the order should be considered. 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. These behaviours include fraud or serious dishonesty. The panel found that Miss Shah acted dishonestly on multiple occasions and attempted to conceal her actions; her conduct was seriously dishonest. The panel noted that where a case involved fraud or serious dishonesty, a probation order with no review period should be considered. The panel also noted that a considerable amount of time had elapsed before Miss Shah admitted to her misconduct in respect of the allegations surrounding the inappropriate access to her colleagues email accounts and the concealment of her actions, namely deleting the emails she had forwarded to herself. The panel noted that Miss Shah had several opportunities to be honest and, on each occasion, made a conscious decision not to be honest.

The panel noted that Miss Shah failed to show remorse and take ownership of her conduct. The panel felt that although Miss Shah had expressed regret, it was not a genuine attempt to express sorrow and seek to mitigate the effects of her actions. The panel expressed concern as to the depth of Miss Shah's insight into her misconduct and the effect that it had on former pupils and colleagues. The panel was not convinced that Miss Shah fully understood the severity of her misconduct. The panel noted that Miss Shah failed to communicate her future intentions to refrain from acting dishonestly or with a lack of integrity.

The panel decided that the findings indicated that a review period would not be appropriate and decided that it would be proportionate in all the circumstances for the prohibition order to be recommended without provision 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 all of the allegations proven and found that those proven facts amount to unacceptable professional conduct and conduct that may bring the profession into disrepute.

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

In particular, the panel has found that Miss Shah 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
 - showing tolerance of and respect for the rights of others
- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach.
- Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities.

The panel was also "satisfied that the conduct of Miss Shah fell significantly short of the standards expected of the profession. The panel noted that Miss Shah had a complete disregard for the Academy's ethos, policies and practices."

The panel also "considered whether Miss Shah's conduct displayed behaviours associated with any of the offences listed on pages 10 and 11 of the Advice."

The panel "found that the offences of fraud or serious dishonesty were relevant."

The findings of misconduct are particularly serious as they include a finding of serious 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 Miss Shah, and the impact that will have on her, is proportionate and in the public interest.

In this case, I have considered the extent to which a prohibition order would protect children. The panel has observed that it, “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 they behave.”

A prohibition order would therefore prevent such a risk from being present in the future. I have also taken into account the panel’s comments on insight and remorse, which the panel sets out as follows, “that Miss Shah failed to show remorse and take ownership of her conduct. The panel felt that although Miss Shah had expressed regret, it was not a genuine attempt to express sorrow and seek to mitigate the effects of her actions. The panel expressed concern as to the depth of Miss Shah’s insight into her misconduct and the effect that it had on former pupils and colleagues. The panel was not convinced that Miss Shah fully understood the severity of her misconduct. The panel noted that Miss Shah failed to communicate her future intentions to refrain from acting dishonestly or with a lack of integrity.”

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

I have gone on to consider the extent to which a prohibition order would maintain public confidence in the profession. The panel observe that the “findings of misconduct were serious, and the conduct displayed would be likely to have a negative impact on the individual’s status as a teacher, potentially damaging the public perception.”

I am particularly mindful of the finding of serious 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 Miss Shah herself. The panel comment that it “had sight of Miss Shah’s character references and saw evidence of her good character. However, it was unclear whether the referees were aware of the

allegations Miss Shah faced and there was limited information as to her abilities as a teacher.”

The panel also recognised that “Miss Shah went through a difficult period of time [redacted]. Nonetheless, the panel did not consider that these issues had any bearing at the time of the misconduct.”

A prohibition order would prevent Miss Shah from teaching and would also clearly deprive the public of her 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, “found that Miss Shah acted dishonestly on multiple occasions and attempted to conceal her actions; her conduct was seriously dishonest.”

I have also placed considerable weight on the comments of the panel that it, “also noted that a considerable amount of time had elapsed before Miss Shah admitted to her misconduct in respect of the allegations surrounding the inappropriate access to her colleagues email accounts and the concealment of her actions, namely deleting the emails she had forwarded to herself. The panel noted that Miss Shah had several opportunities to be honest and, on each occasion, made a conscious decision not to be honest.”

I have given less weight in my consideration of sanction therefore, to the contribution that Miss Shah has made to the profession. In my view, it is necessary to impose a prohibition order in order to maintain public confidence in the profession. A published decision, in light of the circumstances in this case, that is not backed up by full remorse or insight, does not in my view satisfy the public interest requirement concerning public confidence in the profession.

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

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

I have considered the panel’s comments, “The panel expressed concern as to the depth of Miss Shah’s insight into her misconduct and the effect that it had on former pupils and colleagues. The panel was not convinced that Miss Shah fully understood the severity of her misconduct. The panel noted that Miss Shah failed to communicate her future intentions to refrain from acting dishonestly or with a lack of integrity.”

I have considered whether allowing for no review period reflects the seriousness of the findings and is proportionate and necessary to achieve the aim of maintaining public confidence in the profession. In this case, the factors which mean that allowing for no review period is necessary and proportionate and in the public interest are the

seriousness of the dishonesty, the extended time frame of the dishonesty and the lack of full remorse or insight.

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 Miss Nishi Shah 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 her, I have decided that Miss Nishi Shah shall not be entitled to apply for restoration of her eligibility to teach.

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

Miss Nishi Shah has a right of appeal to the Queen's Bench Division of the High Court within 28 days from the date she is given notice of this order.

A handwritten signature in blue ink, appearing to read 'Alan Meyrick', followed by a vertical line.

Decision maker: Alan Meyrick

Date: 27 July 2021

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