



National College for
Teaching & Leadership

Mr Mohammad Mustafa: Professional Conduct Panel outcome

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

October 2014

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Professional Conduct Panel decision and recommendations, and decision on behalf of the Secretary of State

Teacher: Mr Mohammad Mustafa

Teacher ref no: 06/37443

Teacher date of birth: 25 October 1970

NCTL Case ref no: 11984

Date of Determination: 27 October 2014

Former employer: Not applicable

A. Introduction

A Professional Conduct Panel (“the Panel”) of the National College for Teaching and Leadership (“the National College”) convened on 27 October 2014 at 53-55 Butts Road, Earlsdon Park, Coventry, CV1 3BH to consider the case of Mr Mohammad Mustafa.

The Panel members were Mr Melvyn Kershaw (Teacher Panellist – in the Chair), Ms Nicolé Jackson (Lay Panellist) and Mr Colin Parker (Teacher Panellist).

The Legal Adviser to the Panel was Mr Nick Leale of Blake Morgan Solicitors.

The Presenting Officer for the National College was Ms Fiona Butler of Browne Jacobson Solicitors.

Mr Mustafa was not present and was not represented.

The meeting took place in private. The decision was announced in public.

B. Allegations

The Panel considered the allegations set out in the Notice of the meeting dated 13 October 2014.

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

1. During 2014, provided fraudulent information when applying for work via Engage Education Recruitment and Athona Education in that he;
 - a. falsified an employment reference from Mediprospects Training Centre;
 - b. falsified his degree certificate so that it appeared he had obtained QTS;
 - c. provided false information on his CV; and
2. in doing so his actions were dishonest.

By way of a Statement of Agreed facts, signed by Mr Mustafa on 14 September 2014 and the Presenting Officer on 22 September 2014, Mr Mustafa admitted all of the facts alleged and the overall allegation of unacceptable professional conduct and/or conduct that may bring the profession into disrepute.

C. Preliminary Applications

There were no preliminary applications to consider.

D. Summary of evidence

Documents

In advance of the hearing, the Panel received a bundle of documents which include:

1. Notice of Referral, response and Notice of Meeting (pages 5-12b);
2. Statement of Agreed Facts and Presenting Officer Representations (pages 14-17);
3. NCTL Documents (pages 19-55);
4. Teacher Documents (pages 57-73).

The Panel Members confirmed that they had read all of the documents in advance of the hearing.

Witnesses

The Panel did not hear any oral evidence as the case was dealt with by way of a Meeting.

E. Decision and reasons

The Panel announced its decision and reasons as follows:

We have now carefully considered the case before us and have reached a decision.

We confirm that we have read all the documents provided in the bundle in advance of the hearing.

This case relates to a teacher who dishonestly presented to the agency 'Engage Education' and 'Athona Education' that he had achieved a degree in Education with QTS from the University of Lancaster, had worked as a Tutor at a private school for over 7 years and could present a positive reference from the private school at which he had worked. He made repeated false assertions and produced false documents purporting to support the above statements and experience.

Findings of Fact

Our findings of fact are as follows:

We have found the following particulars of the allegations against you proven, for the reasons that follow:

1. During 2014, you provided fraudulent information when applying for work via Engage Education Recruitment and Athona Education in that you;

a. falsified an employment reference from Medipropects Training Centre;

b. falsified your degree certificate so that it appeared you had obtained QTS;

c. provided false information on your CV; and

2. in doing so your actions were dishonest.

All of the above particulars were admitted by Mr Mustafa by way of the Statement of Agreed Facts, signed by him on 14 September 2014. We accept and take into account the entirety of the content of that document. We were further assisted by the documents in the bundle which corroborated the allegations and admissions made. We were particularly assisted by Mr Mustafa's CV at pages 24-25; the Candidate Registration Form – most particularly page 27; the false reference document at page 41 and false Degree Certificate at page 46.

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

Having found all of the alleged facts proved we have further concluded that those facts amount to unacceptable professional conduct, that is misconduct of a serious nature that falls significantly short of the standard of behaviour expected of a teacher; and conduct that may bring the profession into disrepute.

Such conduct demonstrates clear breaches of Part Two of the 'Teachers' Standards'. It fails to uphold public trust in the profession and high standards of ethics and behaviour. Furthermore it demonstrates disregard for the ethos, policies and practices of the relevant school and a failure to act within relevant statutory frameworks.

Mr Mustafa has wholly failed to demonstrate consistently high standards of personal and professional conduct.

Fraudulent production of academic qualifications were used by Mr Mustafa in an attempt to gain employment in a teaching role for which he was not qualified, thus damaging the public's perception of the profession and bringing it into disrepute. Such lack of integrity strikes at the heart of the need for teachers to act as role models in the way that they behave.

Mr Mustafa has demonstrated repeated dishonesty by producing three different false documents. His dishonest conduct was sustained, consistent and clearly pre-meditated. We consider it to be serious dishonesty. Mr Mustafa's behaviour was such that it can clearly be associated with behaviours involved in serious criminal offences of dishonesty.

Such conduct is damaging to the public perception of the teaching profession.

It is clear that Mr Mustafa has historically suffered from mental health issues. However there was no strong evidence available to the Panel that, at the relevant time, Mr Mustafa was suffering from any health issue that affected, in any significant way, the way in which he conducted himself. His behaviour was pre-meditated, repeated and subjectively and objectively dishonest at its core.

Panel's recommendation to the Secretary of State

The Panel went on to consider the issue of prohibition. The Panel recommends to the Secretary of State that a Prohibition Order be imposed. The Panel further recommends that Mr Mustafa's Prohibition Order be imposed with no provision for him to apply for it to be set aside.

The Panel carefully considered mitigation put forward and concluded that Mr Mustafa's actions were deliberate, repeated and did not take place under any form of duress. The Panel took account of the fact that there was no evidence of previous similar acts.

However, as stated above, the misconduct demonstrated was particularly serious in this case and involved repeated dishonest acts.

In the Panel's view a Prohibition Order with no opportunity to review is an appropriate and proportionate measure in this case. It is the only course that fully protects pupils from Mr Mustafa's conduct; properly protects the public interest; ensures the maintenance of public confidence in the profession and declares and upholds proper standards of conduct in the teaching profession. Mr Mustafa's behaviour demonstrates widespread departures from Part Two of the 'Teachers' Standards'.

The public have a right to expect that all teachers possess appropriate qualifications and have completed appropriate training. The well-being of pupils is not otherwise properly safeguarded and their interests not fully protected. The public expect teachers to demonstrate a high standard of honesty. Mr Mustafa showed complete disregard for such standards of ethics and behaviour by holding himself out as qualified in the way that he did.

In our view, such behaviour should be marked by lifetime exclusion from teaching.

Decision and reasons on behalf of the Secretary of State

I have given careful consideration to the findings and recommendations of the panel in this case.

The panel have found all the allegations proven and Mr Mustafa has admitted all the facts. The panel have determined that those facts amount to unacceptable professional conduct and conduct that may bring the profession into disrepute.

Mr Mustafa has falsified information and documentation when applying for teaching work. In doing so his actions were dishonest. His actions were deliberate, repeated and did not take place under duress. His behaviour demonstrates widespread departures from the Teachers' Standards.

In the circumstances I agree with the panel's recommendation that Mr Mustafa should be prohibited from teaching with no provision for him to apply to have the order set aside.

This means that Mr Mohammad Mustafa 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 Mohammad Mustafa 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 Mohammad Mustafa 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.

A handwritten signature in black ink, appearing to read 'P Heathcote', with a large, stylized flourish at the end.

NAME OF DECISION MAKER: Paul Heathcote

Date: 28 October 2014

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