



Teaching  
Regulation  
Agency

# **Ms Sophie Rahman: Professional conduct panel outcome**

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

**June 2018**

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

<b>Teacher:</b>	Ms Sophie Rahman
<b>Teacher ref number:</b>	1785400
<b>Teacher date of birth:</b>	6 August 1975
<b>TRA reference:</b>	16550
<b>Date of determination:</b>	28 June 2018
<b>Former employer:</b>	Eton Community School, Ilford, Essex (formerly known as Ad-Deen Primary School).

### **A. Introduction**

A professional conduct panel (“the panel”) of the Teaching Regulation Agency (“the TRA”) convened on 25 to 28 June 2018 at 53 to 55 Butts Road, Earlsdon Park, Coventry CV1 3BH to consider the case of Ms Sophie Rahman.

The panel members were Mrs Kathy Thomson (teacher panellist – in the chair), Mr Phillip Riggon (teacher panellist) and Mr Maurice McBride (lay panellist).

The legal adviser to the panel was Mr Graham Miles of Blake Morgan LLP solicitors.

The presenting officer for the TRA was Mr Rory Dunlop, of counsel, instructed by Browne Jacobson LLP solicitors.

Ms Rahman was not present and was not represented.

The hearing took place in public and was recorded.

## B. Allegations

The panel considered the allegations set out in the Notice of Proceedings dated 24 April 2018.

It was alleged that Ms Rahman was guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute, in that whilst employed a headteacher at Eton Community School, formerly known as Ad-Deen Primary School ("the school") in Ilford:

1. she employed and/or engaged and/or permitted Khurum Butt to teach after-school classes at the school when she knew or ought to have known that he was unsuitable to teach at the school, given that she knew or ought to have known, or had reasonable opportunity to become aware both prior to and/or during his 4 month tenure at the school, any or all of the following about Mr Butt:
  - a. he was connected to members and former members of Al-Muhajiroun, an extremist jihadist organisation, including Individual S;
  - b. he had appeared on a nationally broadcast documentary, 'The Jihadist Next Door';
  - c. he did not have suitable qualifications or experience;
  - d. he had a caution for an offence of violence;
  - e. he provided no references from previous employers;
  - f. he indicated that he would not be able to provide a reference from his previous employers;
2. She employed and/or engaged and/or permitted Khurum Butt to teach after-school classes at the school without having conducted adequate checks in relation to his criminal record and employment history.
3. Having decided to employ and/or engage and/or permit Mr Butt to teach after-school classes at the school, in spite of the matters listed in 1(a)-(f), she failed adequately to supervise or at all to:
  - a. supervise Mr Butt's contact with pupils;
  - b. keep adequate records of which children attended Mr Butt's after-school classes.
4. She misled, or attempted to mislead, the police and/or the local authority by suggesting in communications she made between 8 and 26 June 2017, that only 6 children had attended Mr Butt's after-school classes at the school when in fact she

knew or ought to have known that other children, including [REDACTED], Child A, had attended Mr Butt's classes on one or more occasions.

5. She failed to provide, and/or delayed unreasonably in providing, the details of the children who attended Mr Butt's after-school classes at the school. In particular:
  - a. she received the following requests for the said details:
    - i. a request from the local authority in an email sent on 8 June 2017 for details of the 6 children she identified as attending Mr Butt's classes;
    - ii. a request from the local authority in an email sent on 12 June 2017 for details of the 6 children and any other children with whom Mr Butt had contact;
    - iii. a request from the local authority in an email sent on 13 June 2017 for details of the 6 children;
    - iv. a request at the strategy meeting of 10 July 2017 for details of all the children who had contact with Mr Butt;
    - v. a request from the local authority in an email sent on 10 July 2017 for details of all the children who had contact with Mr Butt;
  - b. in response, she did not supply the details of the 6 children she originally identified until 27 June 2017, a delay of 19 days from the original request. This delay was unreasonable given the urgency with which the information was required;
  - c. she failed to confirm at any stage any other children who may have had contact with Mr Butt when such knowledge was known to her or ought to have been known to her by virtue of the need to ensure accurate record keeping of the children in attendance at the school and/or because such children were under her care.
6. She misled, or attempted to mislead, the police about her knowledge of Individual S in that she told a police officer that she only knew Individual S through his role at the school and did not know him personally when in fact, she was, or had been, married to him and/or in a relationship with him, and/or she had one or more child(ren) with him.
7. By reason of allegations 1 – 6 above as may be found proven she failed to:
  - a. properly safeguard one or more pupils at the school;
  - b. fulfil her duty under Section 26 of the Counter-Terrorism and Security Act 2015 (the "Prevent duty");

- c. follow guidance related to the Prevent duty issued by Government departments;
  - d. meet any or all of the standards set in Regulation 7, 16(a) and/or (b) and 34 of The Education (Independent School Standards) Regulations 2014;
  - e. follow any or all of the guidance in Keeping Children Safe in Education, including but not limited to paragraphs 2, 7, 9, 14 - 15, 19, 28, 30, 71, 86, 94, 108 - 111, 122-123 and Annex A;
  - f. follow any or all of the guidance in the Working Together to Safeguard Children, including but not limited to paragraphs 10 - 16, 20 and Chapter 1, paragraphs 1, 22 – 24 and 57.
8. When applying for a role as a teacher at the Islamiyah Girls High School, Blackburn, in or around January to February 2018, she provided information which was misleading and/or sought to conceal and/or failed to disclose relevant information in that she:
- a. indicated or implied that she was merely a teacher at Eton Community School, as opposed to the headteacher;
  - b. failed to disclose she was the headteacher at Eton Community School;
  - c. identified Eton Community School as an employer reference without disclosing that this school had closed in August 2017.
9. Her conduct in respect of allegations 4 and/or 6 and/or 8 above, as may be found proven, was dishonest and/or demonstrated a lack of integrity.

No formal admissions of the alleged facts were made by Ms Rahman.

No admissions were made by Ms Rahman as to unacceptable professional conduct and/or conduct that may bring the profession into disrepute.

## **C. Preliminary applications**

### **Application to proceed in the absence of Ms Rahman**

In the absence of Ms Rahman, Mr Dunlop made an application to proceed with the hearing in her absence. After hearing submissions from Mr Dunlop and receiving legal advice, the chair announced the decision of the panel as follows:

'The panel has decided that the hearing should proceed in the absence of Ms Rahman for the following reasons:

- The Notice of Proceedings was sent to Ms Rahman in accordance with Rule 4.11 of the Teacher Misconduct: Disciplinary procedures for the teaching profession (“the Procedures”).
- Ms Rahman is fully aware of this hearing and has presented a written response to the allegations for the panel to consider. Ms Rahman has indicated that she is unable to attend without legal representation because she cannot afford such representation. The panel noted that at the beginning of these investigations, Ms Rahman did have access to legal advice from a firm of solicitors representing the Eton Community School and Ms Rahman, the headteacher and proprietor. Furthermore, Ms Rahman has been in correspondence with the National College for Teaching and Leadership (as it then was) from October 2017. Ms Rahman has had sufficient time to arrange legal representation. Furthermore, the panel noted that Ms Rahman was clearly capable and able of articulating her application in the case management hearing without legal representation. The panel also notes that the case management hearing and this hearing are chaired by the same person. Furthermore, although Ms Rahman expressed some difficulty in comprehending legal terminology, during the case management hearing, she was able to participate having had legal terms explained to her by the chair. In addition, Ms Rahman's application to the case management hearing included her request that the hearing be adjourned 'sine die', which was a technical term used by her. Taking all of these factors into account, the panel did not accept the assertion that Ms Rahman would not be able to attend the hearing in person without representation. The panel is satisfied that Ms Rahman has voluntarily waived her right to attend.
- Ms Rahman applied for an adjournment at the case management hearing, which was refused. Ms Rahman has not made a further application for an adjournment. The panel could not be confident that an adjournment would result in the attendance of Ms Rahman at a later date.
- There is a public interest in the proper regulation of the profession and the protection of the public and the need for hearings to take place within a reasonable time.'

## **Application to amend allegations**

The panel considered an application for amendment by Mr Dunlop. After hearing submissions from Mr Dunlop and receiving legal advice, the chair announced the decision of the panel as follows:

'The panel has considered an application by Mr Dunlop to amend the stem of the allegation to include the words, 'and thereafter'. The panel was informed that this proposed amendment was relevant to allegation 8 and was required because it is not part of the TRA's case that Ms Rahman was the headteacher at Eton Community School at the time that she applied for the post at Islamiyah Girls High School. The panel is

satisfied that this proposed amendment is to correct an obvious inaccuracy and does not cause any prejudice to Ms Rahman. Accordingly, the application for amendment is granted.'

## **Further amendment to the allegations**

At the instigation of the panel, an amendment was made to allegation 7.(d.) to correct references to The Education (Independent School Standards) Regulations 2014. The amendments consisted of replacing the word 'regulation' where it first appears, with the word 'paragraph' and replacing the word 'of' on the second line with the words 'in the schedule to'.

## **D. Summary of evidence**

### **Documents**

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

Section 1: Anonymised pupil list and individual list – pages 2 to 5

Section 2: Notice of Proceedings and Response – pages 7 to 20

Section 3: Teaching Regulation Agency evidence – pages 22 to 437

Section 4: Teacher documents – pages 439 to 446

Section 5: Bundle of guidance and legislation – pages 1A to 298A.

The panel members confirmed that they had read all of the documents in advance of the hearing.

In addition, at the outset of the hearing, the panel agreed to accept the following:

Email from Ms Rahman dated 24 June 2018 together with her written submissions, which were added to Section 4 of the bundle as pages 447 to 453.

An additional bundle of correspondence between Browne Jacobson LLP solicitors and Ms Rahman, which was added as Section 6 with pages B1 to B11.

After admitting these additional documents, the panel members confirmed that they read all of the additional documents before proceeding further with the hearing.

### **Witnesses**

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

- Witness A



- Witness B
- Witness C
- Witness D

## E. Decision and reasons

The panel announced its decision and reasons as follows:

The panel has carefully considered the case and reached a decision.

The panel confirms that it has read all the documents provided in the bundle in advance of the hearing.

Ms Sophie Rahman was the headteacher and proprietor of Eton Community School, formerly known as Ad-Deen Primary School ("the school") in Ilford. The school was an independent Muslim day school for pupils between three and 11 years of age. On Saturday 3 June 2017 the London Bridge terrorist attacks occurred. These attacks involved a van being deliberately driven into pedestrians on London Bridge and the three occupants subsequently stabbing members of the public in the Borough Market area. Eight people died and forty-eight people were injured. The three attackers were shot dead by police officers and were found to be wearing fake explosive vests. The panel heard that, by Monday 5 June 2017, it was widely publicised that one of the three attackers was Mr Khurum Butt.

On 8 June 2017, Ms Rahman sent an email to the Local Authority Designated Officer (LADO) in which she stated that Mr Butt had been a volunteer in an after-school club at the school. Ms Rahman reported that Mr Butt had approached the school in February 2017 for a voluntary position as an Arabic memorisation teacher in an after-school club at the school. Ms Rahman stated that Mr Butt had contact on a weekly basis with six children at the school. Ms Rahman also stated that the school had instructed its lawyers to conduct an investigation into how Mr Butt came to be a volunteer at the school and that the school would remain closed until this was complete.

There was an immediate request from the local authority asking Ms Rahman to provide the details of the six children concerned. Ms Rahman provided the names of five pupils five days later, after urgent requests. The name of the sixth pupil and details of all six pupils were not provided until 27 June 2017. A register of all of the pupils was eventually provided by solicitors instructed by Ms Rahman on 19 July 2017.

The school was closed in August 2017.

In December 2017, Ms Rahman applied for a position as a teacher at the Islamiyah High School for Girls, Blackburn. She taught at this school under supervision pending receipt

of references until February 2018 when she was informed that the school no longer wished to pursue her application for employment further.

The panel heard oral evidence from four witnesses. The panel found all of the witnesses to be credible, especially Witness B who helpfully, displayed a comprehensive knowledge of relevant areas, including the practice of the teaching of the Qur'an.

Although Ms Rahman has chosen not to attend this hearing, she submitted a final written response, dated 24 June 2018 (the day before the hearing), to each of the allegations, which the panel accepted and has carefully considered with due deliberation in making its determination.

## **Findings of fact**

The panel's findings of fact are as follows:

**It was alleged that you were guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute, in that whilst employed a headteacher at Eton Community School, formerly known as Ad-Deen Primary School ("the school") in Ilford and thereafter:**

- 1. you employed and/or engaged and/or permitted Khurum Butt to teach after-school classes at the school when you knew or ought to have known that he was unsuitable to teach at the school, given that you knew or ought to have known, or had reasonable opportunity to become aware both prior to and/or during his 4 month tenure at the school, any or all of the following about Mr Butt:**
  - a. he was connected to members and former members of Al-Muhajiroun, an extremist jihadist organisation, including Individual S;**

The panel was presented with evidence that Mr Butt was a member of Al-Muhajiroun, a proscribed extremist jihadist network. The panel also heard evidence from Witness B, [REDACTED] that Individual S is a former member of Al-Muhajiroun. Individual S had been the proprietor of the school. Witness B said that, in the context of making representations about the continued registration of the school, Individual S had admitted that he was a member of Al-Muhajiroun prior to it becoming proscribed organisation, but that he had then ceased to be a member of that organisation.

The panel was presented with social services records relating to Ms Rahman's children, which confirm that Individual S is the father of Ms Rahman's children.

Witness C, Local Operations Officer with the Metropolitan Police Service SO15 Counter Terrorism Command gave evidence that both Mr Butt and Individual S regularly attended the same gym in [REDACTED]. Witness B also said in his evidence that Mr Butt worked at the gym and led prayers there and that Individual S was part of the

management of the gym. He also stated that the three terrorists met at the gym shortly before the attacks.

It is, therefore, more likely than not that Mr Butt and Individual S were well known to each other.

The panel regarded it as significant that Ms Rahman chose not to undertake any enquires into Mr Butt's employment history despite the fact that he was not suitably qualified for the role and that he had a conviction for an offence of violence. The panel concluded that the only reasonable inference that could be drawn from these facts was that Mr Butt was a person who was known to Ms Rahman or who had been introduced to her by Individual S, the father of her children, who frequented the same gym as Mr Butt. Further support for this inference is drawn from Ms Rahman's inability to explain to Witness B how Mr Butt became aware that the school was seeking to appoint a person to teach at an after-school club. The panel would have liked the opportunity to question Ms Rahman about these matters and the panel has accepted the submission by the presenting officer, based on the judgement in *Iqbal v SRA* [2012] EWHC 3251, that there is a public expectation that a professional person will give an account of their actions when faced with a serious allegation.

The panel concluded that Ms Rahman's failure to attend and give evidence can only sensibly be attributed to her having no answer to this allegation or no answer that would stand up to questioning. The panel has, therefore, taken into account Ms Rahman's failure to attend and give evidence when evaluating all of the evidence presented in relation to this allegation.

The panel is satisfied, on the balance of probabilities, that Ms Rahman knew or ought to have known or had a reasonable opportunity to become aware that Mr Butt was connected to members or former members of Al- Muhajiround, including Individual S.

The panel finds 1.a. proved.

**b. he had appeared on a nationally broadcast documentary, 'The Jihadist Next Door';**

The panel was presented with evidence that, after the London Bridge terrorist attack on 3 June 2017, it was established that Mr Butt had appeared in a Channel 4 Documentary, 'The Jihadist Next Door', which was first broadcast nationally on 19 January 2016. The panel was not shown the documentary, but was presented with photographs from the documentary showing Mr Butt amongst a group of individuals praying in Regents Park under a black flag, which bore close resemblance to the flag of the Islamic State (IS). In his oral evidence, Witness B stated that Mr Butt appeared in the documentary for approximately two minutes and was not referred to by name.

Ms Rahman has stated in her written response that she had not seen the documentary and did not become aware of it until it was mentioned on television after the London

Bridge attacks and by one parent in a meeting that she held with parents on 7 June 2017.

The panel has found that, although Ms Rahman knew, or ought to have known, or had the opportunity to become aware that Mr Butt was connected to members or former members of Al-Muhajiroun, the panel recognised that, in order to find allegation 1b proved, it had to be satisfied, on the balance of probabilities, that Ms Rahman was not only aware of the existence of the documentary but also of the fact that Mr Butt had appeared in it.

Given the evidence that the documentary was broadcast over a year before Mr Butt approached the school, and that Mr Butt only appeared for a very limited period of time and was not named, the panel could not be satisfied that it is more likely than not that Ms Rahman was aware that Mr Butt had appeared in the documentary.

The panel finds 1.b. not proved.

**c. he did not have suitable qualifications or experience;**

Witness B stated that he spoke to Ms Rahman at the multi-agency strategy meeting on 10 July 2017 when he asked how Mr Butt came to be involved. Ms Rahman told him that some parents had previously suggested that they would like Qur'an classes for their children. However, Ms Rahman told Witness B that she did not know how Mr Butt became aware that the school was looking for someone to teach these classes.

Witness B also gave evidence that he asked Ms Rahman about Mr Butt's qualifications in relation for teaching the Qur'an. Ms Rahman confirmed that Mr Butt could not speak Arabic (the language of the Qur'an) and that he was not a Hafiz (a person who has memorized the Qur'an). Ms Rahman stated that Mr Butt was simply teaching the children the sounds of the words. Witness B said that when he asked about Mr Butt's religious background, Ms Rahman said that she had made no checks in relation to this. Ms Rahman said that she believed that Mr Butt attended a mosque [REDACTED], but she was unable to provide any further details. Witness B said that Ms Rahman gave no indication that Mr Butt had any prior experience in any similar role and she made no comment on Mr Butt's Tajweed (ability to recite the Qu'ran accurately), which Witness B regarded as a key skill for the role. He also stated that it was very unlikely for Ms Rahman not to ask what Islamic school of thought or tradition that Mr Butt came from unless she already knew him. Witness B said that he was aware that there are a considerable number of more qualified individuals offering Qur'an recitation, particularly in the area where the school was situated, and it was not, therefore, clear to him why Ms Rahman had chosen Mr Butt. The panel is satisfied that Mr Butt did not have suitable qualifications or experience for the role.

The panel finds 1.c. proved.

**d. he had a caution for an offence of violence;**

The panel considered a statement from Individual B, [REDACTED]. Individual B stated that the only DBS certificate issued in relation to Mr Khurum Butt was a standard disclosure certificate issued to the Security Industry Authority on 5 April 2016. This certificate confirmed that Mr Butt had been given a police caution on 27 December 2010 for an offence of assault occasioning actual bodily harm contrary to section 47 of the Offences Against the Persons Act 1861; this certificate was presented to Ms Rahman by Mr Butt when he volunteered his services in February 2017.

In her written response, Ms Rahman stated that the caution was spent under the Rehabilitation of Offenders Act 1974. The panel accepted the legal advice provided that, under the Rehabilitation of Offenders Act 1974 (Exceptions Order) 1975, cautions which are spent still have to be disclosed where a person is engaged in a regulated activity with children. This includes training or instruction of children, if carried out by the same person frequently, where that person is not under regular supervision. Given Mr Butt was in a regulated activity he was still required to declare his caution, despite it being spent. The 1975 Order was amended in 2013 with the effect that a caution becomes protected from disclosure if it was issued more than six years earlier, unless the caution was for a listed offence. The panel accepted the advice that assault occasioning actual bodily harm is a listed offence. Accordingly, Mr Butt's caution was not protected from disclosure despite being issued at least six years earlier. The panel is, therefore, satisfied that Mr Butt had a caution for an offence of violence which Ms Rahman should have taken into account in assessing Mr Butt's suitability.

The panel finds 1.d. proved.

**e. he provided no references from previous employers;**

In her written evidence to the panel, Ms Rahman stated that Mr Butt was provided with an application pack, which included safeguarding information and reference request forms. Ms Rahman said that Mr Butt stated that, as he was unemployed it would be difficult to obtain a reference. Ms Rahman accepted this without challenge. Ms Rahman now acknowledges that this was something that she should have explored further with Mr Butt.

The panel finds 1.e. proved.

**f. he indicated that he would not be able to provide a reference from his previous employers;**

For the same reasons given in relation to 1.e., the panel finds 1.f. proved.

Having found all of the factual particulars proved with the exception of 1b, the panel considered the wording in the stem of the allegation. Taking all of these findings into account, the panel is satisfied that Ms Rahman engaged or permitted Mr Butt to teach

after-school classes at the school when she knew or ought to have known or had reasonable opportunity to become aware that he was unsuitable to teach at the school.

The panel, therefore, finds allegation 1.a., c., d., e. and f. proved.

**2. You employed and/or engaged and/or permitted Khurum Butt to teach after-school classes at the school without having conducted adequate checks in relation to his criminal record and employment history.**

Witness D, LADO, stated that, as Ms Rahman was engaging or permitting Mr Butt to conduct a regulated activity without supervision, she should have applied directly to the DBS for an enhanced clearance certificate. The only DBS certificate in relation to Mr Butt seen by Ms Rahman was a standard disclosure certificate issued on 5 April 2016 which was provided by Mr Butt. Witness D told the panel that it was inadequate for Ms Rahman to rely upon Mr Butt's presentation of this certificate. Aside from the fact that it was not an enhanced certificate, it would not show any offence that might have been committed between April 2016 and February 2017. In addition, Witness D referred to the potential for fraudulent certificates being produced by applicants and hence, Ms Rahman should have applied for a new clearance from the DBS.

The panel accepted the evidence of Witness D that, as Mr Butt, seemingly out of the blue, approached the school seeking access to children for an after-school club, the index of concern should have been raised. A thorough assessment of his employment history was required. Instead, Ms Rahman obtained no reference from any previous employer and accepted Mr Butt's explanation that he would not be able to provide such a reference.

Ms Rahman acknowledged in her written responses that it was 'remiss of [her] not to complete [her] full due diligence.'

The panel is satisfied that Ms Rahman failed to conduct adequate checks in relation to Mr Butt's criminal record and employment history.

The panel finds allegation 2. proved.

**3. Having decided to employ and/or engage and/or permit Mr Butt to teach after-school classes at the school, in spite of the matters listed in 1(a)-(f), you failed adequately or at all to:**

**a. supervise Mr Butt's contact with pupils;**

Ms Rahman has admitted that Mr Butt was not supervised. The panel has found that Mr Butt was engaged or permitted to teach without Ms Rahman applying for an enhanced DBS certificate. The panel is satisfied that the absence of an enhanced DBS certificate, of itself, meant that there was a need for supervision. Taken together with the other

matters listed in 1.a., c., e. and f., it was imperative that Ms Rahman should closely supervise Mr Butt's contact with pupils. There was no supervision by her.

In her written response, Ms Rahman stated that Mr Butt was not teaching under her instruction. However, she accepts that 'governance in these specific areas...was (sic) [her] sole responsibility.'

The panel finds allegation 3.a. proved

**b. keep adequate records of which children attended Mr Butt's after-school classes.**

There is no evidence that Ms Rahman kept a register or any other record of children that attended Mr Butt's after-school classes. Indeed, at the strategy meeting on 10 July 2017, Ms Rahman acknowledged that it was possible that children may have attended the after-school classes without her knowledge and consequently any pupils at the school may have had contact with Mr Butt.

The panel noted that in previous Ofsted inspection reports, poor attendance record keeping had been noted as an area for improvement. In the light of this history of Ofsted concerns, Ms Rahman should have been particularly assiduous in her record keeping.

Ms Rahman accepts that she 'should have applied more due diligence in these key areas'.

The panel finds allegation 3.b. proved.

**4. You misled, or attempted to mislead, the police and/or the local authority by suggesting in communications you made between 8 and 26 June 2017, that only 6 children had attended Mr Butt's after-school classes at the school when in fact you knew or ought to have known that other children, including [REDACTED], Child A, had attended Mr Butt's classes on one or more occasions.**

On 8 June 2017, Ms Rahman sent an email to the LADO in which she stated that Mr Butt had been a volunteer in an after-school club at the school. Ms Rahman stated that Mr Butt had contact on a weekly basis with six unnamed children at the school. The panel has found that Ms Rahman did not keep any record of the pupils who attended Mr Butt's after-school classes and she acknowledged that it was possible that children may have attended Mr Butt's after-school club without her knowledge. The panel notes that Ms Rahman has never provided any explanation about how she determined that it was only six pupils attended or who those pupils were. Ms Rahman eventually sent by email the names of five pupils on 13 June 2017 to the LADO.

As to Ms Rahman's reference to Mr Butt's contact being on a weekly basis, this implied that he was only meeting with the children once per week. However, the panel was

presented with minutes of the strategy meeting on 26 June 2017 in which Ms Rahman stated that Mr Butt taught on Tuesdays, Wednesdays and Fridays, but that he did occasionally cancel sessions. Ms Rahman also confirmed that the last day that Mr Butt taught the children was Friday 2 June 2017 (the day before the attack). After this meeting, Ms Rahman sent the name of a sixth pupil. Furthermore, Witness D said that these lessons were for up to two hours a day for three days a week over the course of several months.

Witness C said, in his oral evidence, that when the pupils who were eventually identified by Ms Rahman were interviewed, three or four of them gave the names of other pupils who, they said, had attended the after-school classes. The panel is satisfied that it is more likely than not that more than six pupils attended the after-school classes. Indeed, Witness C said, 'it has never been possible to ascertain with absolute certainty all of the pupils who did have contact with Mr Butt, which is in itself a concern'. He added, 'this is information I would expect to be given by the school at the very start of our investigation, not left to estimate after many hours of speaking to dozens of pupils'.

As to the attendance of Ms Rahman's [REDACTED], the panel noted that Witness C was not allowed by Ms Rahman to speak to him. Child A was spoken to by a social worker at a later date. The social worker's record of that conversation was that Child A did not want to speak to her on his own and asked for his brother to be present. Child A told the social worker that he did not attend any after school clubs and that he went to and from school with his mother in her car. Ms Rahman also denied that Child A attended Mr Butt's after-school club. Against this, the panel noted that, in his evidence, Witness C said that three or four of the pupils, who were each spoken to separately, said that Child A did attend Mr Butt's after-school classes. The panel thought it unlikely that three or four pupils would be mistaken about this. The panel is satisfied that it is more likely than not that Child A had attended one or more of the after-school classes.

In her written submission, Ms Rahman points out that she was the person who initially brought Mr Butt's involvement with the school to the LADO's attention.

However, the panel is satisfied that there was no reasonable basis for Ms Rahman's initial report that only six pupils had attended the after-school club. This initial report was misleading, as were Ms Rahman's subsequent communications in which she failed to declare Child A as one of the pupils who had attended. Ms Rahman was aware, or should have been aware, that the number of pupils was more than six and that the pupils who attended included Child A. The panel has concluded that Ms Rahman's communications were deliberately misleading.

The panel finds allegation 4. proved.

**5. You failed to provide, and/or delayed unreasonably in providing, the details of the children who attended Mr Butt's after-school classes at the school. In particular:**



**a. you received the following requests for the said details:**

**i. a request from the local authority in an email sent on 8 June 2017 for details of the 6 children you identified as attending Mr Butt's classes;**

**ii. a request from the local authority in an email sent on 12 June 2017 for details of the 6 children and any other children with whom Mr Butt had contact;**

**iii. a request from the local authority in an email sent on 13 June 2017 for details of the 6 children;**

**iv. a request at the strategy meeting of 10 July 2017 for details of all the children who had contact with Mr Butt;**

**v. a request from the local authority in an email sent on 10 July 2017 for details of all the children who had contact with Mr Butt.**

The panel has been presented with copies of the emails referred to in particulars i, ii, iii and v and the panel is satisfied that Ms Rahman received these requests. As to particular iv, the panel has not been provided with the minutes of the strategy meeting on 10 July 2017. However, it was clear from the earlier email exchange that, before the strategy meeting on 10 July 2017, Ms Rahman was being asked to provide the details of all of the children who had contact with Mr Butt and it is more likely than not that this request was repeated at the strategy meeting on 10 July 2017, particularly as the request was reiterated in the email from the local authority of the same date.

The panel finds 5.a. i. to v. proved.

**b. in response, you did not supply the details of the 6 children you originally identified until 27 June 2017, a delay of 19 days from the original request. This delay was unreasonable given the urgency with which the information was required;**

The panel noted that Ms Rahman did not supply the names of the six pupils in her initial email to the LADO. The LADO responded by email the same day enclosing a referral form for Ms Rahman to complete. This email requested that, 'with consent of the parents, please provide details of the 6 children who had come into contact with Mr Butt during his time at the school and any other children that were not in his class but might have come into contact with him.' The panel recognised that this email might feasibly have given the impression that parental consent was required before the names of pupils could be provided. However, a further email was sent to Ms Rahman on 12 June 2017 by the Service Manager Safeguarding and Care Planning at the local authority. This email stated that 'a section 47 investigation was to be initiated and required...that the school provide details of all of the relevant children enrolled at the school so that contacts would

be made with their respective parents.' This made clear that the LADO required the names immediately and that contact with the parents would be made by social services and not by the school.

The same email referred to a telephone conversation with Ms Rahman that afternoon and stated, 'per our telephone conversation this afternoon please provide the full details of the identified children on the 13 June 2017.' This email indicates that Ms Rahman had agreed to provide the names of the pupils. Despite the agreement reached on 12 June 2017, a further email had to be sent to Ms Rahman on 13 June 2017 reiterating the request for the names of the six children, before Ms Rahman sent an email in which she provided the names of only five pupils. No explanation was provided by Ms Rahman as to why only five names had been provided. Furthermore, the details of the parents that had also been requested was not provided.

Witness D gave evidence that there was a LADO strategy meeting on 26 June 2017. He said that, although Ms Rahman attended this meeting, she did not attend ready to disclose the information that had been requested. It was not until an email from Ms Rahman on 27 June 2017 that the names of the six children were identified.

In her written evidence to the panel, Ms Rahman stated that she had 'complied with her statutory duty to obtain consent from the parents.' However, the panel noted that the issue of parental consent was not raised by her in her communications at the time. The panel also heard evidence from Witness D to the effect that no explanation was provided as to why there was a delay in providing this information.

The panel is satisfied that the delay in Ms Rahman providing the names of pupils was wholly unreasonable and unacceptable. Witness C said, 'It must be remembered that at that time one of the most high profile terrorist attacks the country had ever seen had just been perpetrated and we were working to understand whether one of the attackers had used his time at [the school] to radicalise or harm young children... there was a clear and obvious urgency to our enquires as we did not know what harm might have been done.' Witness C added that the imminent closure of the school for the summer break added urgency to the situation. The panel also noted that Mr Butt had been teaching the pupils the day before the attack and this further increased the urgency.

The panel finds allegation 5.b. proved.

- c. you failed to confirm at any stage any other children who may have had contact with Mr Butt when such knowledge was known to you or ought to have been known to you by virtue of the need to ensure accurate record keeping of the children in attendance at the school and/or because such children were under your care.**

As Ms Rahman has acknowledged, it was possible that any of the children who attended the school may have attended the after-school classes without her knowledge. The panel

has found that Ms Rahman did not keep a register or any record of those who attended. Although this failure may have inhibited her ability to identify the names of all of the pupils who had attended the after-school classes, she could have assisted by providing the details of all of the pupils that attended the school.

In her written submissions, Ms Rahman said, 'my thoughts at the time were the welfare of the children and, from my own thinking I believed the immediate danger with Mr Butts's death he could not harm any of the children'. Ms Rahman also stated that this was during the period of Ramadan and Eid when the school was closed for 10 days. However, Witness B advised the panel Ramadan does not prevent the use of email and telephone, both of which were used by Ms Rahman during Ramadan.

Witness B told the panel, 'That a delay of 41 days occurred between Mr Butt having been named publicly as a perpetrator of a high profile, major terrorist attack and Ms Rahman providing the details of the children with whom he may have had unsupervised contact... is to me clearly unacceptable'. He added that this was the longest delay with which he had been involved; the longest delay previously being only four days.

The panel finds 5.c. proved.

Having found 5.a., b. and c. proved, the panel also finds that the stem of the allegation is proved.

**6. You misled, or attempted to mislead, the police about your knowledge of Individual S in that you told a police officer that you only knew Individual S through his role at the school and did not know him personally when in fact, you were, or had been, married to him and/or in a relationship with him, and/or you had one or more child(ren) with him.**

Witness C said that he attended the multi-agency meeting on 10 July 2017 and he asked Ms Rahman about Individual S and she stated that she knew him as he had set up the school. The panel had sight of the typed notes of that meeting made by Witness B, which stated, 'Witness C, from SO15 spoke about [Individual S's] involvement with the school. Witness B asked RAHMAN if [Individual S] had referred Mr Butt to the school, RAHMAN stated not. RAHMAN stated she knew [Individual S], as he had set up the school.'

This note confirms Witness C's account of his conversation on that date with Ms Rahman. Witness C subsequently became aware, [REDACTED], that there was more to their relationship. When challenged by Witness C, Ms Rahman initially denied that she had previously said that she only knew Individual S through the school. Ms Rahman responded by saying, 'That she shouldn't need to tell [him] these things; you are police, you should have known that.'

In her written evidence to the panel, Ms Rahman said, '...police were well aware Individual S is the father of my children due to the ongoing support my family was being

provided by the children's (sic) services and YOT (youth offending team)' in relation to one of her sons.

The panel accepted the evidence of Witness C whom it regarded as a credible witness.

The panel finds allegation 6. proved.

- 7. By reason of allegations 1 – 6 above as may be found proven you failed to:**
- a. properly safeguard one or more pupils at the school;**
  - b. fulfil your duty under Section 26 of the Counter-Terrorism and Security Act 2015 (the "Prevent duty");**
  - c. follow guidance related to the Prevent duty issued by Government departments;**
  - d. meet any or all of the standards set in paragraph 7, 16(a) and/or (b) and 34 in the schedule to The Education (Independent School Standards) Regulations 2014;**
  - e. follow any or all of the guidance in Keeping Children Safe in Education, including but not limited to paragraphs 2, 7, 9, 14 - 15, 19, 28, 30, 71, 86, 94, 108 - 111, 122-123 and Annex A;**
  - f. follow any or all of the guidance in the Working Together to Safeguard Children, including but not limited to paragraphs 10 - 16, 20 and Chapter 1, paragraphs 1, 22 – 24 and 57.**

The panel read all of these pieces of legislation and guidance. The panel is satisfied that all of these applied to the school and to Ms Rahman as proprietor and headteacher. By her actions as found proved in allegations 1. to 6., the panel is satisfied that Ms Rahman failed to comply with her duty in relation to safeguarding and each element of the legislation and guidance identified above.

With specific reference to the Prevent duty, Ms Rahman said in her written evidence to the panel that, 'It is a leap of faith to lay any failings to comply with a racist, politicised and highly dubious policy at my door.' Ms Rahman further stated that, 'The Prevent Duty has been used to marginalise and silence Muslims from speaking out against State structured discrimination.'

It appeared to the panel from Ms Rahman's statements that she would be unlikely to implement requirements such as the Prevent duty and guidance of which she appears to so strongly disapprove.

The panel finds allegations 7.a. to f. proved.

**8. When applying for a role as a teacher at the Islamiyah Girls High School, Blackburn, in or around January to February 2018, you provided information which was misleading and/or sought to conceal and/or failed to disclose relevant information in that you:**

**a. indicated or implied that you were merely a teacher at the Eton Community School, as opposed to the headteacher;**

The panel has been provided with a copy of Ms Rahman's written application for employment at Islamiyah Girls High School dated 20 December 2017. In this application form, Ms Rahman stated that she had been employed at Ad-Deen School. This was the previous name of Eton Community School which Ms Rahman chose to use in her application. The school changed its name in 2016. The application form stated that Ms Rahman had been employed at Ad-Deen School from 2013 to December 2017. The panel noted from other documents in the hearing bundle Ms Rahman had signed letters in 2009 stating that she was the headteacher at Ad-Deen School.

The application form stated that Ms Rahman's job title was 'Teacher/ tutor'. No reference was made in the form to the fact that Ms Rahman was the headteacher of Ad-Deen School. The panel also heard evidence from Witness A, [REDACTED], on this particular allegation. The panel found Witness A to be a credible and reliable witness. Witness A stated that, during his interview of Ms Rahman for this position, no mention was made by her of the fact that she had been the headteacher at Ad-Deen School.

In her written evidence to the panel, Ms Rahman stated that she was applying for a teaching role and, therefore, described her teaching role at the school as being appropriate to the application. However, the panel noted that Ms Rahman included the words 'Teacher/ tutor' in the section headed 'Job Title', when her job title at the school was headteacher.

The panel is satisfied that it is more likely than not that Ms Rahman was seeking to conceal the fact that she had been the headteacher at the school.

The panel finds allegation 8.a. proved.

**b. failed to disclose that you were the headteacher at Eton Community School;**

For the same reasons as provided in relation to 8a, the panel finds allegation 8b proved.

**c. identified Eton Community School as an employer reference without disclosing that this school had closed in August 2017.**

The panel noted that the written application for employment stated that Ms Rahman was employed at the school between 2013 and December 2017. This was despite the fact that the school had closed in August 2017. In addition to these dates, Ms Rahman made

a handwritten endorsement on the form below the dates of her employment at the school, which stated, 'I have been employed since 2013 till present. Prior to that I was volunteering and tutoring.' The panel concluded that the inclusion of the words until present' implied that Ms Rahman was still employed at the school at the date of the application. Ms Rahman also identified the school on the application as an employer from whom a reference could be obtained, without disclosing the fact that the school had closed in August 2017.

Witness A gave evidence that, when interviewed, Ms Rahman confirmed that a reference would be provided by the school. There was then a four-week period during which Ms Rahman delivered supervised lessons. Witness A said that, at no time during this four week period, was there any indication from Ms Rahman that the school had closed, despite Ms Rahman being reminded of the need to provide the reference. Witness A said that he only became aware that the school had closed when he conducted some internet searches. Witness A stated that, on 6 February 2018, he asked his office to arrange an interview with Ms Rahman by telephone at 9am for a meeting at 11.35am that morning. At 9.41am the school received an email from [REDACTED] which contained the outstanding reference purporting to be from 'R Ahmed' who was listed on Ms Rahman's application form as 'Deputy Head, Line Manager' of Eton Community School.

The panel notes that the reference states that Ms Rahman's job title was 'EYFS Manager' and in reply to the question, 'Please can you supply the applicant's dates of employment and reasons for leaving', he replied, 'In her latest role since sept 2012'. The panel notes that no reason for leaving was stated. The panel further notes that the reference suggested that 'R Ahmed' was known Ms Rahman to be working in this role for four years. This appeared to the panel to be a further attempt to conceal the fact that Ms Rahman had been the headteacher at Eton Community School.

The panel finds allegation 8.c. proved.

Based on the findings made in 8.a. to c., the panel finds the stem of the allegation proved.

**9. Your conduct in respect of allegations 4 and/or 6 and/or 8 above, as may be found proven, was dishonest and/or demonstrated a lack of integrity.**

In considering whether Ms Rahman's conduct found proven in allegations 4. 6. and 8. was dishonest, the panel considered her state of knowledge or belief as to the facts before determining whether the conduct was dishonest by the standards of ordinary decent people.

In considering, whether Ms Rahman's conduct found proven in the same allegations demonstrated a lack of integrity, the panel considered whether Ms Rahman's conduct involved a failure to adhere to the ethical standards of the teaching profession.

The panel considered each of the allegations in turn.

In relation to allegation 4., the panel has found that Ms Rahman deliberately misled the police and/or local authority. The panel is satisfied that Ms Rahman's conduct was dishonest and involved a demonstration of lack of integrity.

In relation to allegation 6., the panel is satisfied that having initially stated that she only knew Individual S through the history of the school, Ms Rahman was deliberately attempting to conceal her relationship with Individual S, who was in fact the father of her children. The panel is satisfied that Ms Rahman's conduct was dishonest and involved a demonstration of lack of integrity.

In relation to allegation 8., the panel has found that Ms Rahman provided information which was deliberately misleading as to her professional status and was a calculated attempt to conceal that she was the headteacher at the school and the nature of her leaving that role. The panel is satisfied that Ms Rahman's conduct was dishonest and involved a demonstration of lack of integrity.

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

Having found a number of the allegations to have been proven, the panel has gone on to consider whether the facts of those proven allegations amount to unacceptable professional conduct and/or conduct that may bring the profession into disrepute.

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

The panel is satisfied that the conduct of Ms Rahman in relation to the facts found proven, involved breaches of the Teachers’ Standards. The panel considers that by reference to Part Two, Ms Rahman 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
  - having regard for the need to safeguard pupils’ well-being, in accordance with statutory provisions;
  - not undermining fundamental British values, including... the rule of law;
- Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities.

The panel has also considered whether Ms Rahman's conduct displayed behaviours associated with any of the offences listed on pages 8 and 9 of the Advice. The panel has found that the offence of serious dishonesty is 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 is satisfied that the conduct of Ms Raman amounts to misconduct of a serious nature, which fell significantly short of the standards expected of the profession.

Accordingly, the panel is satisfied that Ms Rahman is guilty of unacceptable professional conduct.

The panel has taken into account how 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 has taken account of the uniquely influential role that teachers can hold in pupils' lives and that pupils must be able to view teachers as role models in the way they behave.

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

The panel therefore finds that Ms Rahman's actions constitute 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 is 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 has to consider whether it is an appropriate and proportionate measure, and whether it is 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 has considered the particular public interest considerations set out in the Advice and having done so has 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 and declaring and upholding proper standards of conduct.

The panel recognised that there are circumstances in which it is in the public interest to retain exceptional teachers in the profession. However, no evidence has been presented to the panel to suggest that Ms Rahman is an exceptional teacher.

There is a strong public interest consideration in respect of the protection of pupils given the serious findings of failing to safeguard pupils.



In this context, the panel noted the evidence of Witness C who, in conjunction with social services, spoke to Child E and her younger sister, Child J, who had both attended Mr Butt's after-school club. Witness C stated that Child E was able to give a clear account of what she remembered from Mr Butt's lessons. This included Mr Butt saying that 'the worst creatures are the Kuffar (non-believers)' and that 'it was ok to lie to their parents under two circumstances: firstly, when they do not want to upset them and secondly when there is a state of war.' Witness C said that Child E's mother became more and more horrified about what Child E told him to the point that she became so distressed that she said she had to leave with her daughters. Witness C gained the impression from her reaction that she had not realised what her daughters were being taught by Mr Butt. In a subsequent interview, she told Witness C at some length that, 'these were not the kind of things she expected her eight year old daughter to be taught or spoken to about.' Witness C also said, 'Mention of the word war really alarmed me - if that is what Mr Butt was teaching there is no doubt he was referring to Jihad (holy war).'

In addition, Witness C was, 'uncomfortable with the reference to lying and to justifying lying (to parents). In my experience that is the type of language and manipulation that you might see from abusers who try to create trust and build unhealthy relationships with young people. I perceive it as potentially being grooming type behaviour.' The panel is in complete agreement with this analysis of the situation from an experienced professional. By her failure to safeguard her pupils' interests, Ms Rahman left them potentially vulnerable to grooming for radicalisation.

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

Throughout the relevant period, Ms Rahman displayed a complete lack of sense of urgency after she became aware that Mr Butt was an active participant in a major terrorist attack in the UK; for example, she informed the authorities of Mr Butt's involvement with the school and six pupils very soon after his involvement in the attack became public knowledge, but then took a further 41 days before complying, via her solicitors, with repeated requests by the authorities to produce a register of pupils and their details to the authorities. Her obfuscator behaviour was, in the view of the panel, calculated to frustrate the investigations by the local authority and the police. This was described by both Witness B and Witness C as, 'disguised compliance', and the panel agrees with this definition of her behaviour.

The panel considered that a strong public interest consideration in declaring proper standards of conduct in the profession was also present as the conduct found against Ms Rahman 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 Ms Rahman.

In carrying out the balancing exercise the panel has considered the public interest considerations both in favour of and against prohibition as well as the interests of Ms Rahman. 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 proven. 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;
- misconduct seriously affecting the...well-being of pupils, and particularly where there is a continuing risk;
- actions or behaviours that undermine fundamental British values of democracy, the rule of law, individual liberty, and mutual respect and tolerance of those with different faiths and beliefs; or that promote political or religious extremism. This would encompass deliberately allowing the exposure of pupils to such actions or behaviours, including through contact with any individual(s) who are widely known to express views that support such activity, for example by inviting any such individuals to speak in schools;
- a deep-seated attitude that leads to harmful behaviour;
- 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.

Even though there were behaviours that would point to a prohibition order being appropriate, the panel went on to consider whether or not there were sufficient mitigating factors to militate against a prohibition order being an appropriate and proportionate measure to impose, particularly taking into account the nature and severity of the behaviour in this case.

There is no evidence that Ms Rahman has been subject to any previous disciplinary proceedings. On that basis the panel treated Ms Rahman as having a previously good history.

However, there is no evidence that she was acting under duress. Furthermore, the panel had found that some of Ms Rahman's actions were deliberate and dishonest. No references or testimonials have been provided.

The panel considered that Ms Rahman's written submissions to the panel, presented one day before the hearing, demonstrated a complete lack of remorse or insight. In particular, Ms Rahman's comments about the Prevent duty indicated a complete rejection of the importance of and the need to implement the statutory duty under the Counter-Terrorism and Security Act 2015. The panel could not, therefore, be confident that these behaviours would not be repeated.

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 is sufficient.

The panel is of the view that applying the standard of the ordinary intelligent citizen recommending no prohibition order is not a proportionate and appropriate response. Recommending that publication of adverse findings is sufficient in the case would unacceptably compromise the public interest considerations present in this case, despite the severity of consequences for the teacher of prohibition.

The panel is of the view that prohibition is both proportionate and appropriate. The panel has decided that the public interest considerations outweigh the interests of Ms Rahman. Accordingly, the panel makes 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 them to decide to recommend that a review period of the order should be considered. The panel were mindful that the Advice advises 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 proven, would militate against a review period being recommended. These behaviours include serious dishonesty. The panel has found that Ms Rahman has been dishonest in three discrete allegations.

The panel felt 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 sanction and review period.

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

In this case, the panel has found the majority of the allegations proven and found that those proven facts amount to unacceptable professional conduct and conduct that may bring the profession into disrepute. Where the panel has found one of the particulars of one allegation not proven (1.b.), I have put that matter entirely from my mind. The panel has made a recommendation to the Secretary of State that Ms Rahman should be the subject of a prohibition order, with no provision for a review period.

In particular the panel has found that Ms Rahman 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
  - having regard for the need to safeguard pupils' well-being, in accordance with statutory provisions;
  - not undermining fundamental British values, including... the rule of law;
- Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities.

The panel has also considered whether Ms Rahman's conduct displayed behaviours associated with any of the offences listed on pages 8 and 9 of the Advice.

In this case, the panel has found that the offence of serious dishonesty is 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 findings of misconduct are particularly serious as they include a finding of dishonesty on the part of a headteacher.

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 or not 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 Ms Rahman, and the impact that will have on her, is proportionate.

In this case I have considered the extent to which a prohibition order would protect children. The panel has observed "There is a strong public interest consideration in respect of the protection of pupils given the serious findings of failing to safeguard pupils."

A prohibition order would therefore prevent such a risk from being present in the future. I have also taken into account the panel's comments on insight and remorse which the panel sets out as follows, "The panel considered that Ms Rahman's written submissions to the panel, presented one day before the hearing, demonstrated a complete lack of remorse or insight. In particular, Ms Rahman's comments about the Prevent duty indicated a complete rejection of the importance of and the need to implement the

statutory duty under the Counter-Terrorism and Security Act 2015. The panel could not, therefore, be confident that these behaviours would not be repeated.”

In my judgement the lack of insight means that there is some risk of the repetition of this behaviour and this risks the future safeguarding 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, “The findings of misconduct are serious and the conduct displayed would likely 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 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 failure to impose a prohibition order might be regarded by the public 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 Ms Rahman herself. She has no previous findings and the panel has treated her as having a previously good history. However the panel has also said that, “no evidence has been presented to the panel to suggest that Ms Rahman is an exceptional teacher.”

A prohibition order would prevent Ms Rahman from teaching and 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 concerning the lack of insight or remorse. The panel has also said, “Her obfuscatory behaviour was, in the view of the panel, calculated to frustrate the investigations by the local authority and the police. This was described by both Witness B and Witness C as, ‘disguised compliance’, and the panel agrees with this definition of her behaviour.

I have given less weight in my consideration of sanction therefore, to the contribution that Ms Rahman 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 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 aims which a prohibition order is intended to achieve.

I have gone on to consider the matter of a review period. In this case the panel has recommended that no review period should apply.

I have considered the panel's comments "The panel has found that Ms Rahman has been dishonest in three discrete allegations."

I have considered whether allowing for no review period reflects the seriousness of the findings and is a proportionate measure to achieve the aim of maintaining public confidence in the profession. In this case, there are three factors that in my view mean that allowing for no review period is proportionate and in the public interest and is necessary to maintain public confidence in the profession. These factors are, the three elements of dishonesty found, the lack of either insight or remorse, and the failure to comply with the investigations.

I consider therefore that allowing for no review period is required to satisfy the maintenance of public confidence in the profession.

**This means that Ms Sophie Rahman 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 Ms Sophie Rahman 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.

Ms Sophie Rahman 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.



**Decision maker: Alan Meyrick**

**Date: 29 June 2018**

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