



National College for
Teaching & Leadership

Mr Kaldish Singh Mattu: Professional Conduct Panel outcome

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

February 2014

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

Teacher:	Mr Kaldish Singh Mattu
Teacher ref no:	8911629
Teacher date of birth:	3 January 1970
NCTL Case ref no:	0010449
Date of Determination:	24 February 2014
Former employer:	Warwickshire County Council

A. Introduction

A Professional Conduct Panel (“the Panel”) of the National College for Teaching and Leadership (“the National College”) convened on 24 February 2014 at 53-55 Butts Road, Earlsdon Park, Coventry, CV1 3BH to consider the case of Mr Kaldish Singh Mattu.

The Panel members were Mr Keith Jackson-Horner (Teacher Panellist– in the Chair), Ms Nicole Jackson (Lay Panellist) and Mr Melvyn Kershaw (Teacher Panellist).

The Legal Adviser to the Panel was Ms Eve Piffaretti of Morgan Cole LLP Solicitors.

The Presenting Officer for the National College was Lucy Alicea of Kingsley Napley LLP Solicitors.

Mr Mattu was neither present nor 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 13 December 2013.

It was alleged that Mr Mattu had been convicted of the following relevant offences:

On 13 November 2012, he was convicted at Coventry District Magistrates Court of the offence of common assault. He committed this offence on 24 March 2012. He was ordered to pay compensation of £200 and costs of £620. He was sentenced on 4

December 2012 to 26 weeks imprisonment wholly suspended for 18 months, a supervision requirement, an activity requirement to participate in Siada for 10 days and a Restraining Order – Protection from Harassment Until Further Order.

On 13 November 2012, he was convicted at Coventry District Magistrates Court of the offence of common assault. He committed this offence on 24 March 2012. He was ordered to pay compensation of £100. He was sentenced on 4 December 2012 to 16 weeks imprisonment wholly suspended for 18 months, a supervision requirement, an activity requirement to participate in Siada for 10 days and a Restraining Order – Protection from Harassment Until Further Order.

No admissions were made as to the facts or whether the alleged facts amounted to convictions, at any time, of a relevant offence.

C. Preliminary applications

Application to proceed in the absence of the Teacher

Mr Mattu was neither present nor represented. The Presenting Officer applied for the hearing to proceed in the absence of Mr Mattu. The Presenting Officer stated that the Notice of Proceedings dated 13 September 2013 had been sent to Mr Mattu's address and therefore more than 8 weeks' notice had been given of today's hearing. Enquiries had been made to ensure that the address to which the Notice was sent was the correct address. It was submitted therefore that the Panel could properly conclude that Mr Mattu was aware of the hearing today but had decided not to attend and therefore had voluntarily waived his right to attend. Furthermore no application for an adjournment had been made.

The Chair announced the decision of the Panel as follows:

"The Panel has decided that the hearing should proceed in the absence of Mr Mattu. The Panel is satisfied that the Notice of Proceedings has been properly served in accordance with Rule 4.10. The Panel is satisfied that Mr Mattu's case will not be prejudiced by his absence. Mr Mattu has not requested an adjournment and the Panel is satisfied that an adjournment would not resolve the matter. We are satisfied that Mr Mattu has waived his right to attend."

D. Summary of evidence

Documents

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

Section 1 Chronology, anonymised individual list

1-3

Section 2	Notice of Proceedings and Response	4-10
Section 3	National College for Teaching & Leadership Witness Statements	11-14
Section 4	National College for Teaching & Leadership Documents	15-84
Section 5	Teacher Documents	85

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

In addition, the Panel agreed to accept the following:

Email chain: National College for Teaching and Leadership and Senior investigator and Security Consultant with page numbers 84a and 84b.

Witnesses

No witnesses were called to give oral evidence. The Presenting Officer relied entirely on the documentary evidence to substantiate the allegations.

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.

Mr Mattu was employed by Warwickshire County Council as a member of the Specialist Instrumental Team, County Music Service. This case concerned allegations that on 24 March 2012, Mr Mattu committed 2 offences of common assault for which he was convicted on 13 November 2012 and sentenced on 4 December 2012 at Coventry District Magistrates Court. The National College alleged that these convictions are convictions for relevant offences.

Mr Mattu was referred to the Disclosure and Barring Service by the Senior HR Adviser at Warwickshire County Council on 14 May 2013.

The circumstances of the alleged offences ensued at Mr Mattu's home and involved a common assault on his wife and his child. Mr Mattu was charged with 2 cases of common assault to which he pleaded not guilty. He was found guilty on 13 November 2012 at Coventry District Magistrates Court.

Findings of Fact

Our findings of fact are as follows:

We have found the following particulars of the allegation against Mr Mattu proven, for these reasons:

On 13 November 2012, he was convicted at Coventry District Magistrates Court of the offence of common assault. He committed this offence on 24 March 2012. He was ordered to pay compensation of £200 and costs of £620. He was sentenced on 4 December 2012 to 26 weeks imprisonment wholly suspended for 18 months, a supervision requirement, an activity requirement to participate in Siada for 10 days and a Restraining Order – Protection from Harassment Until Further Order.

On 13 November 2012, he was convicted at Coventry District Magistrates Court of the offence of common assault. He committed this offence on 24 March 2012. He was ordered to pay compensation of £100. He was sentenced on 4 December 2012 to 16 weeks imprisonment wholly suspended for 18 months, a supervision requirement, an activity requirement to participate in Siada for 10 days and a Restraining Order – Protection from Harassment Until Further Order.

We have found the facts of both allegations proven based on the memoranda of conviction.

Findings as to conviction of a relevant offence

We have considered the nature and gravity of the offences and the relevant circumstances.

We are satisfied that the two convictions for common assault are convictions of a relevant offence. These were serious offences which took place in a domestic setting, with the victims being Mr Mattu's wife and child. The common assault of Mr Mattu's wife involved violence which included head butting, biting and elbowing. The common assault of Mr Mattu's wife took place in front of their son. The common assault involving Mr Mattu's son involved him being knocked off his feet by a plastic chair. The seriousness is reflected in the comments on the Memorandum of Conviction and the sentence imposed.

Part Two of the latest Teachers' Standards expects teachers to uphold public trust and confidence in the profession by maintaining high standards of ethics and behaviour, within and outside school. A teacher is expected to demonstrate consistently high standards of personal and professional conduct. The Panel believe that Mr Mattu's behaviour fell short of this standard and impacts on his suitability to teach.

Panel's recommendation to the Secretary of State

We have considered all of the evidence presented very carefully.

In the absence of any information from Mr Mattu, we have taken into account mitigating information set out in the case papers including mitigating circumstances set out at page 46.

Both offences were serious departures from the personal and professional conduct elements of the latest Teachers' Standards. The convictions involved serious violence, in front of and involving a child. This is not compatible with being a teacher and a role model for pupils. The risk of further offending cannot be discounted and we have received no evidence of rehabilitative steps taken by Mr Mattu or insight into his actions. Accordingly, we feel that in order to protect the public interest including, the protection of pupils and other members of the public, the maintenance of public confidence in the profession and the declaring and upholding proper standards of conduct, a Prohibition Order is necessary. The Panel is satisfied that this is appropriate and proportionate in this case.

The Panel considered carefully whether to make a recommendation as to the period of time when Mr Mattu may apply for the Prohibition Order to be set aside. Having regard to the seriousness of Mr Mattu's conduct which involved violence together with a lack of any evidence of insight, the Panel has decided that there should be no review period.

Decision and reasons on behalf of the Secretary of State

I have given due consideration to the panel's findings and recommendations in this case.

Mr Mattu was found guilty on two counts of common assault. The panel have judged that they amount to convictions of relevant offences. Mr Mattu was not present at the hearing, nor was he represented.

The panel have determined that both offences amount to serious departures from the personal and professional conduct elements of the latest Teachers' Standards. The convictions involve serious violence in front of and involving a child.

The panel have properly considered the public interest factors in this case and given they were unable to discount the possibility of further similar offending they have recommended the imposition of a prohibition order, without the opportunity to apply for the order to be set aside. I agree that in the circumstances this is an appropriate and proportionate sanction.

This means that Mr Kaldish Singh Mattu 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 allegation found proved against him, I have decided that Mr Kaldish Singh Mattu 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 Kaldish Singh Mattu 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, sweeping flourish at the end.

NAME OF DECISION MAKER: Paul Heathcote

Date: 26 February 2014

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