



National College for  
Teaching & Leadership

# **Mr Amir Munir: Professional conduct panel outcome**

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

**September 2015**

## Contents

A. Introduction	3
B. Allegations	4
C. Preliminary applications	4
D. Summary of evidence	6
Documents	6
Witnesses	6
E. Decision and reasons	6
Panel's recommendation to the Secretary of State	12
Decision and reasons on behalf of the Secretary of State	15

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

**Teacher:** Mr Amir Munir

**Teacher ref number:** 9844730

**Teacher date of birth:** 17 June 1972

**NCTL case reference:** 11992

**Date of determination:** 22 September 2015

**Former employer:** Turnford School and Goffs School, Hertfordshire

### **A. Introduction**

A professional conduct panel (“the panel”) of the National College for Teaching and Leadership (“the National College”) convened on 21 and 22 September 2015 at 53 to 55 Butts Road, Earlsdon Park, Coventry CV1 3BH to consider the case of Mr Amir Munir.

The panel members were Mr John Pemberton (teacher panellist – in the chair), Mr Martin Greenslade (lay panellist) and Councillor Gail Goodman (teacher panellist).

The legal adviser to the panel was Eszter Horvath-Papp of Eversheds LLP.

The presenting officer for the National College was Ms Samantha Paxman of Browne Jacobson solicitors.

Mr Amir Munir 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 5 June 2015.

It was alleged that Mr Munir was guilty of unacceptable professional conduct in that:

1. Whilst employed at Turnford School and/or Goffs School during 2007-13, he failed to maintain appropriate professional boundaries with pupils including but not limited to the following:
  - a. making inappropriate comments to and/or about pupils;
  - b. engaging in communication with pupils via social media and text message;
  - c. smoking cannabis with a pupil outside of school;
  - d. arranging to meet up with pupils outside of school;
  - e. having images of Turnford pupils on his Goffs School laptop;
2. Whilst employed at Goffs School, Cheshunt during 2013, he:
  - a. informed the principal that there were no serious reasons why he left his previous employment at Turnford School when in fact he had been in receipt of a written warning and been subject to a further disciplinary investigation;
  - b. in so doing, the conduct at allegation 2.a was dishonest in that he knowingly concealed relevant information from his employer about his previous disciplinary record.

In the absence of a response by Mr Munir to the Notice of Proceedings, the allegations were taken to have not been admitted.

## **C. Preliminary applications**

The panel considered an application by the presenting officer to proceed with the hearing in the absence of Mr Munir.

The panel was satisfied that NCTL had complied with the service requirements of paragraph 19 (a) to (c) of the Teachers' Disciplinary (England) Regulations 2012 (the "Regulations"). The panel was also satisfied that the notice of proceedings complied with paragraphs 4.11 and 4.12 of the Teacher Misconduct: Disciplinary Procedures for the Teaching Profession, (the "Procedures").

The panel determined to exercise its discretion under Paragraph 4.29 of the Procedures to proceed with the hearing in the absence of the teacher. The panel understood that its discretion to commence a hearing in the absence of the teacher had to be exercised with the utmost care and caution, and that its discretion was a severely constrained one.

In making its decision, the panel noted that the teacher may waive his right to participate in the hearing. The panel took account of the various factors drawn to its attention from the case of *R v Jones [2003] 1 AC1*. In particular, the panel noted the confirmations of delivery of the Notice of Proceedings and the letter dated 6 July 2015 which confirmed the rescheduled hearing dates (pages 11 to 14 of the bundle). In addition, the panel was content with the presenting officer's explanation that Mr Munir had been sent a number of other pieces of correspondence, the final one being on 26 August 2015, and none of this correspondence was returned. The panel was therefore persuaded that Mr Munir had received actual and sufficient notice of the hearing. The panel therefore considered that Mr Munir had waived his right to be present at the hearing in the knowledge of when and where the hearing was taking place.

The panel had regard to the requirement that it was only in rare and exceptional circumstances that a decision should be taken in favour of the hearing taking place in the absence of a teacher. However, the panel was of the view that there was no indication that an adjournment might result in the teacher attending the hearing at a later date.

The panel also had regard to the extent of the disadvantage to Mr Munir in not being able to give his account of events, taking into account the nature of the evidence against him. However, the panel had the benefit of some written representations by Mr Munir (at pages 299 to 307 of the bundle), as well as contemporaneous records of meetings with Mr Munir (eg, pages 55 to 59 and 295 to 296). The panel also noted that all witnesses relied upon had been called to give evidence and the panel could test that evidence in questioning those witnesses, considering such points as would be favourable to the teacher, as were reasonably available on the evidence. The panel was also of the view that it would be able to exercise vigilance in making its decision, taking into account the degree of risk of the panel reaching the wrong decision as a result of not having heard the teacher's account.

The panel also noted that there were a number of witnesses present at the hearing, including two headteachers, who were prepared to give evidence, and that it would be inconvenient for them to return again.

The panel had regard to the seriousness of this case, and the potential consequences for the teacher and accepted that fairness to the teacher was of prime importance. However, it considered that in light of the teacher's waiver of his right to appear; by taking such measures referred to above to address that unfairness insofar as is possible; and taking

account of the inconvenience an adjournment would cause to the witnesses; that on balance, these are serious allegations and the public interest in this hearing proceeding within a reasonable time is in favour of this hearing continuing today.

## **D. Summary of evidence**

### **Documents**

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

Section 1: Chronology and anonymised pupil list – pages 1 to 4

Section 2: Notice of Proceedings and response – pages 5 to 14

Section 3: NCTL witness statements – pages 15 to 28

Section 4: NCTL documents – pages 29 to 297

Section 5: Teacher documents – pages 299 to 307

In addition, the panel decided to admit an additional document confirming delivery of the NCTL's letter dated 26 August 2015. This was added to the bundle as Section 6, page 308.

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

### **Witnesses**

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

Witness A – Headteacher, Turnford School

Witness B – Principal, Goffs School

Witness C – HR officer, Goffs School

No witnesses were called on behalf of Mr Munir.

## **E. Decision and reasons**

The panel announced its decision and reasons as follows:

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

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

Mr Munir had been employed at Turnford School since September 2007 as a maths teacher. He was appointed subject leader for maths in 2009. He was an excellent teacher and the pupils liked him. In January 2013 he made a comment in class about masturbating on snow days, which led to a stage 2 disciplinary letter being placed on his file on 9 May 2013 (the “stage 2 letter”). Later in May 2013, there were some conflicts between Mr Munir and some of his colleagues, which led to a second disciplinary investigation being undertaken (the “second investigation”). On 18 June 2013, the report arising from the second investigation was completed and it found the allegations against Mr Munir proven. Before any further disciplinary action was taken as a result of the second investigation report, Mr Munir left Turnford School. In September 2013, he started at Goffs School initially as a supply teacher, through a supply agency. In November 2013, when Witness B of Goffs School was considering appointing Mr Munir on a permanent basis, she became aware of the stage 2 letter. After a meeting with the principal, Mr Munir left Goffs School. It was not in dispute that Mr Munir was [redacted] which may have had an impact on his behaviour.

## **Findings of fact**

The panel’s findings of fact are as follows:

The panel has found the following particulars of the allegations against Mr Munir proven, for these reasons:

**1. Whilst employed at Turnford School and/or Goffs School during 2007-13, he failed to maintain appropriate professional boundaries with pupils including but not limited to the following:**

**a. making inappropriate comments to and/or about pupils;**

The panel was satisfied on the balance of probabilities that Mr Munir had made inappropriate comments to pupils on several occasions. In particular:

- He made a comment about masturbating on snow days in open class. Whilst all the evidence relating to this was hearsay, the panel was satisfied that there was sufficient corroboration from the evidence available to it. Specifically, Mr Munir did not deny this allegation in his interview with the school’s investigator (page 34), and he accepted the stage 2 letter by way of a warning. Witness B also gave live evidence to describe his embarrassment about the comment. Mr Munir’s written submissions did not specifically address this particular comment, and the panel was conscious of Mr Munir’s absence from the hearing. However, the panel was of the view that on balance, he did make the comment and it was inappropriate.

- He tweeted Pupil A “well stop wanking and get to sleep!!” (page 104). This comment was evidenced by the printout of Mr Munir’s tweets, as discovered by Goffs School on 12 November 2013. Again, while Mr Munir did not specifically address this tweet in his submissions, the panel was satisfied that he did send the tweet and that it was inappropriate.
- He messaged Pupil B with messages including “love you you gorgeous girl xxxxx”. When Pupil B messaged with “we can sort out our wedding plans”, he responded with “you know I love you got that xx” (page 253). The panel considered that such messages were highly inappropriate, given his position of trust and the romantic nature of the messages with an impressionable young girl.
- He exchanged messages with Pupil C about smoking cannabis (pages 134-135). The panel noted Mr Munir’s submissions that Pupil C had texted him a few times about cannabis and he did not remember what he said but that he “did make a joke of it just to get on his side” (page 302). The panel considered that even if the messages were meant to be a joke, these were highly inappropriate and risked encouraging drug use by an impressionable young person.

In addition to the evidence outlined above, the panel noted Mr Munir’s own submissions where he acknowledged that “I make jokes all the time and tread a thin line with regards to being inappropriate” (page 302). The panel was concerned to note that Mr Munir deliberately engaged in behaviour that risked being inappropriate and the panel was therefore satisfied that he had failed to maintain appropriate professional boundaries with pupils.

On that basis, the panel was satisfied that allegation 1.a was proven.

**b. engaging in communication with pupils via social media and text message;**

The panel saw extensive printouts of Mr Munir’s Twitter feed and followers (pages 72 to 104), as well as his text messages (pages 108 to 136). It was quite evident from this that Mr Munir was active on social media and texting. Both Witness A and Witness B confirmed in oral evidence that some of the Twitter followers were pupils or former pupils of their respective schools. Similarly, the text messages had been found on Mr Munir’s phone, as described in Witness B’s evidence. In addition, the panel noted the record of a police interview with one pupil who confirmed that “when [Mr Munir] left his role, he gave his contact details to the whole class and also made contact with them afterwards to states *[sic]* that he missed them” (page 288). Further, Mr Munir’s own submissions confirmed that he had joined Twitter and that “it was good for my health to stay in touch with students, ex-students” etc (page 301). The panel was therefore satisfied that Mr Munir had engaged in communication with pupils via social media and text messages.



Moreover, the panel was satisfied that such engagement demonstrated that he had failed to maintain appropriate professional boundaries with students. This was underlined by a pupil's comment to the police that "the pupils viewed him as a friend rather than as a teacher" (page 288). The panel was of the view that Mr Munir was well aware of both schools' policies regarding the use of social media and contact with pupils outside of the classroom. Turnford School's "Internet Acceptance Use & Data Security Policy" from 2011 stated at paragraph 4.5 that "staff must not engage in any online activity that may compromise their professional responsibilities. For their own protection, staff should only communicate with students and parents/carers using school systems. Use of personal communication systems could be misconstrued" (page 262). In addition, Witness A described in her oral evidence how a specific incident with another member of staff at Turnford School involving social media had led to a special training session to all staff on the use of social media. Similarly, when Mr Munir started at Goffs School, he was provided with a copy of the school's "Acceptable Use Agreement / Code of Conduct", which included the following requirements: "I will ensure that all electronic communications with pupils and staff are compatible with my professional role. I will not give out my own personal details, such as mobile phone number and personal email address, to pupils." (page 71)

It was therefore clear to the panel that Mr Munir was fully aware that communications via personal social media accounts and text messages were strongly discouraged as a matter of policy, but he nevertheless proceeded to engage with pupils via Twitter and text messages. On that basis, the panel was satisfied that allegation 1.b was proven.

#### **c. smoking cannabis with a pupil outside of school;**

The panel noted that the evidence relating to this allegation was entirely hearsay, and that Mr Munir categorically denied this in his submissions. However, the panel was of the view that it was more likely than not that Mr Munir had smoked cannabis with Pupil C. In particular, the panel considered that the text message exchange between Mr Munir and Pupil C at pages 134 to 136 indicated that they were discussing smoking cannabis, but not in a joking way as submitted by Mr Munir at page 302. The panel also took into account the record of Pupil C's interview with the police (page 289) where he was clearly concerned about getting Mr Munir or himself into trouble, but nevertheless admitted that "he was smoking cannabis and was joined by Mr Munir". The panel considered that there was no reason for this young person to fabricate this story about Mr Munir, particularly given his concerns around getting him into trouble. On that basis, the panel was satisfied that allegation 1.c was proven.

#### **d. arranging to meet up with pupils outside of school;**

The panel noted that Mr Munir's submissions admitted that he had met up with Pupil C outside of school and had given Pupil C his number in order to pass onto his step-brother (page 302). The panel did not consider it relevant Mr Munir's submission that he never met Pupil C on his own. The panel was of the view that meeting a pupil in the presence

of a former pupil did not militate against the meeting evidencing behaviour that failed to maintain appropriate professional boundaries.

In addition, as confirmed in Witness A's statement (paragraph 18) and confirmed in contemporaneous internal emails (pages 250-251), pupils at Turnford school had been overheard talking about going for a drink with Mr Munir. Some parents also confirmed meeting Mr Munir with their children for a meal during the holidays (page 251). Whilst the panel noted the presence of parents at some of Mr Munir's meeting with pupils outside the school setting, the panel was of the view that these meetings were not part of a school activity and represented a failure to maintain appropriate professional boundaries with pupils.

On that basis, the panel was satisfied that allegation 1.d was proven.

**e. having images of Turnford pupils on his Goffs School laptop;**

The document bundle included a large number of pictures of Turnford pupils (pages 137 to 249), which according to Witness B had been recovered from Mr Munir's school laptop (page 27, para 20). The panel was therefore satisfied that there had been images of Turnford pupils on his Goffs School laptop. The panel was also satisfied that this amounted to a failure by Mr Munir to maintain appropriate professional boundaries, as there was no reason for Mr Munir to keep such images of former pupils on his new school's laptop. On that basis, the panel was satisfied that allegation 1.e was proven.

**2. Whilst employed at Goffs School, Cheshunt during 2013, he:**

**a. informed the principal that there were no serious reasons why he left his previous employment at Turnford School when in fact he had been in receipt of a written warning and been subject to a further disciplinary investigation;**

The panel heard live oral evidence from Witness B, the principal of Goffs School. Witness B explained that she had specifically spoken to Mr Munir when he first joined the school in September 2013, because she was interested in finding out how such an excellent maths teacher was suddenly available on the market, via a supply agency. Witness B explained that this was her second headship and she was alive to issues around why staff might leave their previous employment. She was clear that she had specifically asked Mr Munir about his previous disciplinary record and he had categorically stated that there were no major issues which led to his leaving Turnford School, but that "it had always been his dream to work at Goffs School".

The panel found Witness B a very convincing and credible witness. The panel was satisfied on the balance of probabilities that Witness B had specifically asked Mr Munir about his disciplinary history and Mr Munir had not disclosed the stage 2 letter or the second investigation in response. On that basis, the panel found allegation 2.a proven.

**b. in so doing, the conduct at allegation 2.a was dishonest in that he knowingly concealed relevant information from his employer about his previous disciplinary record.**

The panel considered the two limbs of the dishonesty test set out in the case of *Ghosh*. Firstly, the panel was of the view that a reasonable and honest teacher, when asked about their disciplinary history, would have disclosed both the stage 2 letter and the second investigation, as both are matters that a reasonable and honest teacher would appreciate are relevant to their new employment. Therefore, by failing to do so, Mr Munir was dishonest on an objective basis.

The panel then turned its mind to whether the subjective element of the test was met, i.e. whether Mr Munir himself knew that his conduct was dishonest by the standards of a reasonable and honest teacher. On the balance of probabilities, the panel was of the view that he did. In particular, the panel noted Witness B's oral evidence that, when confronted about the stage 2 letter, Mr Munir was initially very reluctant to talk about it, and was then embarrassed about the circumstances that led to it. In the panel's view, this clearly demonstrated that Mr Munir knew that the disclosure was potentially detrimental to his chances of securing a permanent position at Goffs School and he was actively trying to conceal it.

The panel noted Mr Munir's submission that "my warnings were expunged on the 1<sup>st</sup> of September so I had a clean record. I don't think I was being dishonest when I said my record was clean (I certainly didn't have any intention of being dishonest)" (page 304). However, the panel did not find this credible. It would have been obvious to Mr Munir from his initial discussion with Witness B that she was specifically interested in the reasons behind his leaving Turnford School and whether this was due to any disciplinary issues. Even if his warnings had been expunged, he would have known that both the stage 2 letter and the findings of the second investigation went to the heart of Witness B's queries, and he must have known that he was being dishonest.

In light of this, the panel was satisfied that Mr Munir's conduct found proven at allegation 2.a was dishonest.

### **Findings as to unacceptable professional conduct**

Having found all of the allegations to have been proven, the panel went on to consider whether the facts of those proven allegations amount to unacceptable professional conduct. In doing so, the panel has had regard to the document *Teacher Misconduct: The Prohibition of Teachers*, which will be referred to as "the Advice".

The panel was satisfied that the conduct of Mr Munir in relation to the facts found proven, involved breaches of the Teachers' Standards. The panel considered that by reference to Part Two of the Advice, Mr Munir was in breach of the following standards:

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

In light of the cumulative effect of the allegations found proven, the panel was satisfied that the conduct of Mr Munir fell significantly short of the standards expected of the profession.

The panel has also considered whether Mr Munir’s conduct displayed behaviours associated with any of the offences listed on pages 8 and 9 of the Advice. Whilst the panel did find that Mr Munir had been dishonest, the panel considered that this was at the lower end of the scale and therefore did not amount to serious dishonesty envisaged by the Advice. Therefore, the panel found that none of the offences listed on pages 8 and 9 of the Advice were relevant.

The panel noted that allegations 1.a, 1.b, 1.c, and 1.d, took place wholly or partly outside of the education setting. The panel was satisfied that the conduct found proven affected the way Mr Munir fulfilled his teaching role. In particular, Mr Munir’s desire to be friends with the pupils resulted in his failure to maintain appropriate professional boundaries, which undermined his credibility and position of trust as a role model.

Accordingly, the panel was satisfied that Mr Munir was guilty of unacceptable professional conduct.

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

Given the panel’s findings in respect of unacceptable professional conduct, it was necessary for the panel to go on to consider whether it would be appropriate to recommend the imposition of a prohibition order by the Secretary of State.

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

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

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

In light of the panel's findings against Mr Munir, which involved a failure to maintain appropriate professional boundaries with pupils and dishonesty in respect of his disciplinary history, the panel was of the view that there was a strong public interest consideration in:

- ensuring that pupils are protected in the future from inappropriate contact with Mr Munir;
- maintaining public confidence in the profession, by ensuring that teachers who do not behave appropriately with pupils and who are dishonest, are subject to sanctions; and
- declaring and upholding proper standards of conduct, but re-affirming the importance of appropriate professional boundaries and of being honest about previous disciplinary history.

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

In carrying out this balancing exercise, the panel considered the public interest considerations both in favour of and against prohibition as well as the interests of Mr Munir. The panel took further account of the Advice, which suggested that a prohibition order may be appropriate if certain behaviours of a teacher have been proven. In the list of such behaviours, those that the panel considered relevant in this case were:

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

The panel was of the view that Mr Munir's conduct did amount to a serious departure from the elements of the Teachers' Standards, but that his dishonesty was not at the serious end of the scale. The panel therefore noted that the Advice indicated that a prohibition order may be appropriate.

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. The panel considered that there was one mitigating factor — by all accounts, Mr Munir appears to have been an excellent teacher and his results demonstrated this. The document bundle included two glowing references (pages 297 and 306), which specifically confirm the dramatic improvement in pupils' results while Mr Munir was subject leader for maths, as well as feedback from a parent regarding Mr Munir's positive influence on their child (page 307). He was described by Witness A as being joyous and passionate and a "gifted maths teacher". The panel considered that it would be disappointing if the teaching profession were deprived of such an inspiring and engaging teacher.

In terms of other mitigating factors, the panel was of the view that Mr Munir's had not been acting under duress and that his actions were deliberate.

The panel was mindful of the evidence before it which indicated that Mr Munir was experiencing significant personal problems at the time of the various events forming the background to the findings against him, [redacted]. In particular, it appeared to the panel that Mr Munir's experiences [redacted] may have had an impact on his behaviour, as it was confirmed by Witness A that she had noticed a significant deterioration in his behaviour during his last year at Turnford School. However, the panel noted that there was no medical evidence before it which could support Mr Munir's submissions that [redacted] contributed to his behaviour.

In light of the above factors, the panel was of the view that prohibition was both proportionate and appropriate. The panel decided that the public interest considerations outweighed the interests of Mr Munir. Mr Munir's consistent history of "treading a thin line with regards to being inappropriate" (page 302) was a significant factor in forming that opinion. Accordingly, the panel made a recommendation to the Secretary of State that a prohibition order should be imposed with immediate effect.

The panel went on to consider whether or not it would be appropriate for it to decide to recommend that a review period of the order should be considered. The panel was mindful that the Advice said 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 indicated that there were behaviours that, if proven, would militate against a review period being recommended. These behaviours included serious dishonesty. However, as noted above, the panel did not consider that Mr Munir's conduct at 2.b amounted to serious dishonesty.

In addition, the panel was of the view that Mr Munir had not shown sufficient insight into his actions. In particular, he stated “if I made inappropriate jokes this was how I have always been at Turnford School, I did nothing I hadn’t done before ... It was partly my personality and partly [redacted]” (page 303). On the basis of Witness A’s evidence as well as Mr Munir’s own submissions, the panel was satisfied that Mr Munir’s persona of wanting to be friends with pupils was a consistent message throughout his career. This was reinforced by Witness A’s evidence that “he was incredibly enthusiastic and this tended to trip over to friendship” and that he was reminded not to be a friend to the pupils. The panel felt that this was the underlying cause of the difficulties he encountered and [redacted] may have exacerbated it, Mr Munir ultimately was lacking in his ability to maintain appropriate professional boundaries with pupils.

However, given the excellent feedback on his teaching skills, the panel felt that Mr Munir would benefit from a period of time during which he could reflect on the events, and work on improving his skills in dealing with pupils in an appropriate and professional manner in order to demonstrate that he is fit to return to the teaching profession.

The panel therefore concluded that the findings indicated a situation in which a review period would be appropriate and as such decided that it would be proportionate in all the circumstances for the prohibition order to be recommended with provisions for a review period of 4 years.

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

I have carefully considered the findings and recommendations of the panel in this case.

The panel has found all the allegations proven and judges that the facts amount to unacceptable professional conduct.

Mr Munir has failed to maintain appropriate boundaries with pupils and has been dishonest in not declaring previous disciplinary investigations to a prospective employer. The panel did not find this dishonesty to be at the serious end of the scale.

In considering whether to recommend a prohibition order, the panel considered the particular public interest considerations set out in the Advice and having done so found a number of them to be relevant in this case, namely:

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

Whilst Mr Munir appears to have been an excellent teacher, there was no evidence to suggest he was acting under duress nor that his actions were anything other than

deliberate. I agree with the panel recommendation that prohibition is an appropriate and proportionate sanction.

The panel have judged that Mr Munir would benefit from a period of time during which he could reflect on the events, and work on improving his skills in dealing with pupils in an appropriate and professional manner in order to demonstrate that he is fit to return to the teaching profession.

The panel has concluded that the findings indicate a situation in which a review period would be appropriate and I agree with its recommendation that Mr Munir should be allowed to apply to have the order set aside after a minimum period of 4 years has elapsed.

**This means that Mr Amir Munir is prohibited from teaching indefinitely and cannot teach in any school, sixth form college, relevant youth accommodation or children's home in England.** He may apply for the prohibition order to be set aside, but not until 2 October 2019, 4 years from the date of this order at the earliest. This is not an automatic right to have the prohibition order removed. If he does apply, a panel will meet to consider whether the prohibition order should be set aside. Without a successful application, Mr Amir Munir remains prohibited from teaching indefinitely.

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

Mr Amir Munir 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.

**Decision maker: Paul Heathcote**

**Date: 25 September 2015**

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