



Teaching  
Regulation  
Agency

# **Ms Shaila Hussain: Professional conduct panel outcome**

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

**February 2021**

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

<b>Teacher:</b>	Ms Shaila Hussain
<b>Teacher ref number:</b>	1260624
<b>Teacher date of birth:</b>	29 December 1993
<b>TRA reference:</b>	18778
<b>Date of determination:</b>	18 February 2021
<b>Former employer:</b>	The Downley School, Buckinghamshire

### Introduction

A professional conduct panel (“the panel”) of the Teaching Regulation Agency (“the TRA”) convened on 18 February 2021 by virtual hearing, to consider the case of Ms Shaila Hussain.

The panel members were Mr Chris Rushton (lay panellist – in the chair), Ms Sue Davies (lay panellist) and Ms Jasmin Choudhury (teacher panellist).

The legal adviser to the panel was Ms Rosie Shipp of Birketts LLP solicitors.

In advance of the meeting, after taking into consideration the public interest and the interests of justice, the TRA agreed to a request from Ms Hussain that the allegations be considered without a hearing. Ms Hussain provided a signed Statement of Agreed Facts and admitted unacceptable professional conduct and conduct that may bring the profession into disrepute. The panel considered the case at a meeting without the attendance of the presenting officer Mr Andrew Cullen of Browne Jacobson LLP, Ms Hussain or her representative, Mr Simon Pettet of the NASUWT.

The meeting took place in private save for the panel's decision which was announced in public and was recorded.

## Allegations

The panel considered the allegations set out in the Notice of Meeting dated 25 January 2021.

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

Whilst employed as a class teacher at The Downley School, in Buckinghamshire, from January 2017 – May 2019, she:

1. Provided false information to the school and/or other organisations in relation to her personal circumstances, including on the following occasions:
  - a. during conversations with Individual A, [redacted], when Ms Hussain stated that:
    - i. Individual D was terminally ill;
    - ii. Individual E and Individual F lived with her in order to help her care for individual G
    - iii. she had been diagnosed with cancer prior to the summer holidays in 2018;
    - iv. she had received chemotherapy during April/May 2018;
    - v. she had undergone surgery to remove a cyst on her ovary; and
    - vi. on her return to work in September 2018, she required further chemotherapy treatment and required time off.
  - b. during her occupational health assessment on or around the 28 August 2018, when she stated during a telephone consultation that she had stage 2 tubal cancer and that surgery was undertaken on the 4 August 2018;
  - c. during a meeting with Individual B, [redacted] in or around September 2018, when she stated that she had cancer;
  - d. during a meeting with Individual C, [redacted] in or around October 2018, when she stated she was having chemotherapy treatment for cancer;
  - e. during a capability meeting on the 13 March 2019, when she stated that Individual H had abused her;
  - f. during a capability meeting on the 20 March 2019, when she stated that Individual H was in police custody;

2. Falsified one or more documents in order to mislead the school as to the true status of her health, including the following documents:
  - a. a medical history report, which was provided to the school on or around the 29 April 2019;
  - b. a Macmillan cancer care support letter, which was provided to the school on or around the 1 May 2019; and
  - c. a statement of fitness for work document, which was provided to the school on or around the 7 May 2019.
3. Her actions as may be found proven at allegations 1 and 2 above were an attempt to halt and/or delay capability procedures.
4. Her actions as may be found proven at allegations 1 and 2 above lacked integrity and/or were dishonest.

Ms Hussain admitted the facts of allegations 1 to 4. She also accepted that her behaviour amounted to unacceptable professional conduct and conduct that may bring the profession into disrepute falling short of the standards of behaviour expected of a teacher. The case details were set out in the Statement of Agreed Facts signed by Ms Hussain on 8 December 2020.

## **Preliminary applications**

There were no preliminary applications.

## **Summary of evidence**

### **Documents**

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

- Section 1: Notice of Referral and response – pages 2 to 14
- Section 2: Statement of Agreed Facts and presenting officer representations – pages 16 to 23
- Section 3: Teaching Regulation Agency documents – pages 25 to 268
- Section 4: Teacher documents – pages 271 to 345

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

## **Statement of Agreed Facts**

The panel considered a Statement of Agreed Facts that was signed by Ms Hussain on 8 December 2020.

Ms Hussain admitted in the Statement of Agreed Facts that she provided false information to the Downley School (“the School”) and other professionals in relation to her personal circumstances.

Ms Hussain accepted that she had deliberately provided false information to Individual A in relation to Individual D being terminally ill and the care she provided to Individual G. Ms Hussain accepted that she lied to the occupational health professional and Individual A that she had been diagnosed with stage 2 tubal cancer and had chemotherapy in April to May 2018 and surgery to remove a cyst in August 2018.

Ms Hussain accepted that in two capability meetings on 13 March 2019 and 20 March 2019 she lied to the School about Individual H having abused her and that he was detained in police custody.

Ms Hussain accepted that she falsified (1) a medical history report provided to the School on or around 29 April 2019; (2) a Macmillan cancer care letter provided to the School on or around 1 May 2019; and (3) a statement of fitness for work document provided to the School on 7 May 2019.

Ms Hussain accepted that her conduct above was an attempt to halt or delay the capability proceedings that the School were bringing against her. She also accepted that her conduct demonstrated a lack of integrity and was dishonest, and that her actions failed to adhere to the standards expected of the teaching profession.

## **Decision and reasons**

The panel announced its decision and reasons as follows:

The panel carefully considered the case and reached a decision.

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

Ms Hussain was employed at the School as a newly qualified teacher on 23 January 2017.

Between 2017 and 13 March 2019 (prior to formal capability process commencing), Ms Hussain made a number of false personal disclosures to Individual A. These disclosures included that: Individual D was terminally ill; that Ms Hussain had a diagnosis of tubal cancer; had undergone surgery; and was receiving chemotherapy. Ms Hussain additionally told Individual A that she had to care for individual G due to individual D's illness and that Individual E and Individual F lived with her and assisted her with the care of individual G.

During an occupational health telephone consultation on 28 August 2018, Ms Hussain told an occupational health professional that she had been diagnosed with stage 2 tubal cancer and had undergone surgery on 4 August 2018. It was found that both of these disclosures were false.

In or around September 2018, Ms Hussain told Individual A that she had been diagnosed with cancer and had undergone surgery to remove a cyst on her ovary. She additionally told Individual A that she had received chemotherapy on or around April and May 2018 and that she required on-going treatment in the form of chemotherapy every 4 weeks. These disclosures were also false.

On 13 March 2019, Ms Hussain attended a capability meeting and she disclosed false information that Individual H had abused her. On or around 20 March 2019, Ms Hussain attended a second capability meeting in which she disclosed further false information that Individual H was in police custody.

Ms Hussain was suspended on 1 April 2019 and the School arranged an independent investigation into her conduct on 26 April 2019. On or around 29 April 2019, Ms Hussain provided the School with a medical history report in which she altered the information to state that she had cancer that had progressed to stage 4 and had surgery to remove her right fallopian tube.

On or around 1 May 2019, Ms Hussain provided the School with a fabricated Macmillan cancer care letter. On 7 May she provided a statement of fitness to work that had been falsified to make reference to her terminal ovarian cancer.

Ms Hussain resigned from her role on 24 May 2019.

## **Findings of fact**

The findings of fact are as follows:

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

**Whilst employed as a class teacher at The Downley School, in Buckinghamshire, from January 2017 – May 2019, you:**

**1. Provided false information to the school and/or other organisations in relation to your personal circumstances, including on the following occasions:**

**a. during conversations with Individual A, [redacted] when you stated that:**

- a. Individual D was terminally ill;**
- ii. Individual E and Individual F lived with you in order to help you care for individual E;**
- iii. you had been diagnosed with cancer prior to the summer holidays in 2018;**
- iv. you had received chemotherapy during April/May 2018;**
- v. you had undergone surgery to remove a cyst on your ovary;**
- vi. on your return to work in September 2018, you required further chemotherapy treatment and required time off.**

Ms Hussain admitted the allegations. The relevant factual background is set out in the Statement of Agreed Facts which was signed on 8 December 2020.

The evidence that the panel received is consistent with the admission and the allegations were found proven.

[Redacted]

**b. during your occupational health assessment on or around the 28 August 2018, when you stated during a telephone consultation that you had stage 2 tubal cancer and that surgery was undertaken on the 4 August 2018;**

On examination of the documents before the panel, including the occupational health professional's statement, and the admission of this allegation in the signed Statement of Agreed Facts, the panel was satisfied that the allegation was proven.

**c. during a meeting with Individual B, [redacted], in or around September 2018, when you stated that you had cancer;**

On examination of the documents before the panel, and the admission of this allegation in the signed Statement of Agreed Facts, the panel was satisfied that the allegation was proven.



**d. during a meeting with Individual C, [redacted] in or around October 2018, when you stated you were having chemotherapy treatment for cancer;**

On examination of the documents before the panel, and the admission of this allegation in the signed Statement of Agreed Facts, the panel was satisfied that the allegation was proven.

**e. during a capability meeting on the 13 March 2019, when you stated that Individual H had abused you;**

On examination of the documents before the panel, and the admission of this allegation in the signed Statement of Agreed Facts, the panel was satisfied that the allegation was proven.

**b. during a capability meeting on the 20 March 2019, when you stated that Individual H was in police custody;**

On examination of the documents before the panel, and the admission of this allegation in the signed Statement of Agreed Facts, the panel was satisfied that the allegation was proven.

**2. Falsified one or more documents in order to mislead the School as to the true status of your health, including the following documents:**

**a. a medical history report, which was provided to the school on or around the 29 April 2019;**

In the Statement of Agreed Facts, Ms Hussain accepted that she falsified the medical history report by adding the following entries:

- 'i. 23-Nov-2018 Ovarian Cancer (Stage 4, confirmed on TVUS Priority =1);*
- ii. 03-Aug-2018 Surgery (right fallopian tube removed PRIORITY=1);*
- iii. 12-Jun-2018 Tubal cancer (Stage 3, confirmed on biopsy results PRIORITY=1).'*

On examination of the documents before the panel, and the admission of this allegation in the signed Statement of Agreed Facts, the panel was satisfied that the allegation was proven.

**b. Macmillan cancer care support letter, which was provided to the school on or around the 1 May 2019;**

In the Statement of Agreed Facts, Ms Hussain admitted:

- i. That the stated author of the letter 'Individual J- Macmillan Cancer Support Worker' does not exist;*
- ii. That she forged the signature contained at the bottom of the letter;*
- iii. That she had not been diagnosed with terminal ovarian cancer which had progressed to Stage 4;*
- iv. That she had not been given a prognosis of 6 months to 1 year to live;*
- v. That she was not under the care of Individual I.*

On examination of the documents before the panel, and the admission of this allegation in the signed Statement of Agreed Facts, the panel was satisfied that the allegation was proven.

**c. a statement of fitness for work document, which was provided to the school on or around the 7 May 2019.**

In the Statement of Agreed Facts, Ms Hussain admitted that she altered this document by adding the words *'Terminal ovarian cancer'*.

On examination of the documents before the panel, and the admission of this allegation in the signed Statement of Agreed Facts, the panel was satisfied that the allegation was proven.

**3. Your actions as may be found proven at allegations 1 and 2 above were an attempt to halt and/or delay capability procedures.**

On examination of the documents before the panel, and the admission of this allegation in the signed Statement of Agreed Facts, the panel was satisfied that the allegation was proven.

**4. Your actions as may be found proven at allegations 1 and 2 above lacked integrity and/or were dishonest.**

The panel considered the cases of *Ivey v Genting Casinos (UK) Ltd t/a Crockford* [2017] UKSC 67, in which the test for dishonesty in criminal matters was set out as: *"irrespective of the defendant's belief about the facts, whether his conduct was honest or dishonest by the objective standards of ordinary decent people"* and *Wingate & Anor v The Solicitors Regulation Authority* [2018] EWCA Civ 366, in which Lord Justice Jackson clarified that integrity is about more than simply acting honestly.

The SRA's view is that integrity is a more expansive concept. In its Enforcement Strategy, the SRA states that conduct or behaviour that demonstrates a lack of honesty or integrity is at the "highest end of the spectrum" in a profession whose reputation

depends on trust. The panel took in to account this case related to solicitors as regulated professionals.

The panel noted that the evidence suggested that Ms Hussain deliberately and wilfully misled the School, over a prolonged period, regarding her health and personal circumstances. Some of the latter falsifying of information was an attempt to halt or delay the capability proceedings that the School were bringing against her. This was both dishonest by her own standards and those of ordinary and decent people.

Furthermore, the panel concluded that Ms Hussain's actions lacked integrity. [Redacted]. She then displayed a lack of integrity by not informing Individual A of Individual D's improved health.

On examination of the documents before the panel, and the admission of this allegation in the signed Statement of Agreed Facts, the panel was satisfied that the allegation was proven.

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

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

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

The panel was satisfied that the conduct of Ms Hussain in relation to the facts found proved, involved breaches of the Teachers' Standards. The panel considered that, by reference to Part 2, Ms Hussain 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;
- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach.

The panel was satisfied that the conduct of Ms Hussain fell significantly short of the standards expected of the profession. In particular, the panel noted that Ms Hussain's lies appear to have started prior to the capability process. It was not clear to the panel exactly what event (if any) led to Ms Hussain's lying and fabrication, which became more extreme and elaborate as time went on. Ms Hussain's actions were found to be deliberate, calculated and prolonged.

The panel were concerned to read that at her disciplinary panel, Ms Hussain's representative requested of the School that they did not refer the matter to the TRA.

Allegations 2.a. – c. relate to Ms Hussain’s falsification of documents from reputable organisations e.g. the NHS and Macmillan Nurses. The panel observed that at that stage Ms Hussain’s deception had escalated in that she deliberately and fraudulently fabricated documents to continue deceiving professionals.

Ms Hussain admits in the evidence provided to the panel that she was unable to manipulate the documents herself so asked somebody else to assist her, which the panel considered added weight to the conclusion that such actions were carefully planned and deliberate.

The panel also considered whether Ms Hussain’s conduct displayed behaviours associated with any of the offences listed on pages 10 and 11 of the Advice. The panel found that the offence of fraud or serious dishonesty was 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.

Accordingly, the panel was satisfied that Ms Hussain was guilty, taking all of the allegations both individual and collectively, of unacceptable professional conduct.

The panel took into account the way the teaching profession is viewed by others and considered the influence that teachers may have on pupils, parents and others in the community. The panel also noted the uniquely influential role that teachers can hold in pupils’ lives and the fact that pupils must be able to view teachers as role models in the way they behave. The panel considered that Ms Hussain’s actions were not “spur of the moment”, but were wilful, calculated and manipulative actions to misinform fellow professionals.

Furthermore, the panel observed that in the evidence submitted by Ms Hussain, it appeared that she had still not been transparent with her counsellors in explaining the real reasons as to why she left the School. Furthermore, some of Ms Hussain’s actions, notably the one concerning Individual H, had the potential to cause serious reputational damage, for which Ms Hussain has not demonstrated any understanding or appreciation.

The panel therefore found that Ms Hussain’s actions constituted conduct that may bring the profession into disrepute.

Having found the facts of particulars 1 to 4 proved, the panel further found that Ms Hussain’s conduct amounted to both unacceptable professional conduct and conduct that may bring the profession into disrepute.

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

Given the panel’s findings in respect of unacceptable professional conduct and conduct that may bring the profession into disrepute, it was necessary for the panel to go on to

consider whether it would be appropriate to recommend the imposition of a prohibition order by the Secretary of State.

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

The panel had regard to the particular public interest considerations set out in the Advice and, having done so, found a number of them to be relevant in this case, namely: the maintenance of public confidence in the profession and declaring and upholding proper standards of conduct.

In the light of the panel's findings against Ms Hussain, which involved serious dishonesty, there was a strong public interest consideration, in respect of the maintenance of public confidence in the profession, and declaring and upholding proper standards of conduct.

Similarly, the panel considered that public confidence in the profession could be seriously weakened if conduct such as that found against Ms Hussain were not treated with the utmost seriousness.

The panel decided that Ms Hussain's misconduct was outside that which could reasonably be tolerated, and there was a strong public interest consideration in declaring proper standards of conduct in the profession.

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 Ms Hussain.

In carrying out the balancing exercise, the panel had regard to the public interest considerations, both in favour of, and against, prohibition as well as the interests of Ms Hussain. The panel took further account of the Advice, which suggests that a prohibition order may be appropriate if certain behaviours of a teacher have been proved. In the list of such behaviours, those that are relevant in this case are:

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

There was evidence Ms Hussain's actions were deliberate and prolonged. There was no evidence to suggest that Ms Hussain was acting under duress, and, in fact, the panel found Ms Hussain's actions to be calculated and manipulative. Furthermore, she had not

demonstrated any reflection on or insight into the consequences of her actions on either her colleagues, other professionals, or her family.

The panel noted that since Ms Hussain's resignation from the School, she has since taught. However, there were no testimonials or character references within the bundle from any subsequent employer attesting to her contribution to the profession.

Even though some of the behaviour found proved in this case indicated that a prohibition order would be appropriate, the panel went on to consider the mitigating factors. Such factors may indicate that a prohibition order would not be appropriate or proportionate.

Ms Hussain had a previously good history in that her NQT report was positive and took place in the School. There was also evidence that she passed her induction period. The panel concluded that Ms Hussain may be able to contribute to the profession, if a suitable period of reflection takes place.

The panel further considered Ms Hussain's statement of mitigation in the bundle. Ms Hussain set out a number of personal and health issues she had undergone during the time of the incidents set out above. [redacted].

[Redacted]

However, the panel found that Ms Hussain had not been diagnosed with an illness that would relinquish her from responsibility for her misconduct.

The panel did not have sight of any support plan that was in place for Ms Hussain during her capability process. Ms Hussain notes within her evidence that she did not feel supported by the School and the panel accepted that this might have added pressure.

The panel first considered whether it would be proportionate to conclude this case with no recommendation of prohibition. They considered whether the publication of the findings made by the panel would be sufficient.

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

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 Ms Hussain. Accordingly, the panel made a recommendation to the Secretary of State that a prohibition order should be imposed with immediate effect.

The panel went on to consider whether or not it would be appropriate to recommend that a review period of the order should be considered. The panel was mindful that the Advice

states that a prohibition order applies for life, but there may be circumstances, in any given case, that may make it appropriate to allow a teacher to apply to have the prohibition order reviewed after a specified period of time that may not be less than two years.

The Advice indicates that there are behaviours that, if proved, would militate against the recommendation of a review period. One of these behaviours includes fraud or serious dishonesty. However, the panel concluded that given sufficient time, Ms Hussain may be able to demonstrate that she is suitable to teach again, particularly, once she has had time to reflect on and learn from her actions. The panel were particularly concerned that there was a lack of self-awareness and insight into her actions given the time that has since passed.

The panel decided 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 5 year review period.

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

I have given very careful consideration to this case and to the recommendation of the panel in respect of both sanction and review period.

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

In this case, the panel has found all of the allegations proven and found that those proven facts amount to unacceptable professional conduct and/or conduct that may bring the profession into disrepute.

The panel has made a recommendation to the Secretary of State that Ms Shaila Hussain should be the subject of a prohibition order, with a review period of 5 years.

In particular, the panel has found that Ms Hussain 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;
- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach.

The panel finds that the conduct of Ms Hussain fell significantly short of the standards expected of the profession.

The findings of misconduct are particularly serious as they include a finding of providing false information to the school and/or other organisations regarding personal circumstances, falsifying documents to mislead the school, in an attempt to halt and/or delay capability procedures, actions that lacked integrity and were dishonest.

I have to determine whether the imposition of a prohibition order is proportionate and in the public interest. In considering that for this case, I have considered the overall aim of a prohibition order which is to protect pupils and to maintain public confidence in the profession. I have considered the extent to which a prohibition order in this case would achieve that aim taking into account the impact that it will have on the individual teacher. I have also asked myself, whether a less intrusive measure, such as the published finding of unacceptable professional conduct and conduct that may bring the profession into disrepute, would itself be sufficient to achieve the overall aim. I have to consider whether the consequences of such a publication are themselves sufficient. I have considered therefore whether or not prohibiting Ms Hussain, and the impact that will have on her, is proportionate and in the public interest.

I have also taken into account the panel's comments on insight and remorse, which are sets out as follows, "she had not demonstrated any reflection on or insight into the consequences of her actions on either her colleagues, other professionals, or her family" and "The panel were particularly concerned that there was a lack of self-awareness and insight into her actions given the time that has since passed". In my judgement, the lack of insight means that there is some risk of the repetition of this behaviour and 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, "In the light of the panel's findings against Ms Hussain, which involved serious dishonesty, there was a strong public interest consideration, in respect of the maintenance of public confidence in the profession and declaring and upholding proper standards of conduct". 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 the public might regard a failure to impose a prohibition order as a failure to uphold those high standards. In weighing these considerations, I have had to consider the matter from the point of view of an "ordinary intelligent and well-informed citizen."

I have considered whether the publication of a finding of unacceptable professional conduct, in the absence of a prohibition order, can itself be regarded by such a person as being a proportionate response to the misconduct that has been found proven in this case.



I have also considered the impact of a prohibition order on Ms Hussain herself. The panel comment "The panel noted that since Ms Hussain's resignation from the School, she has since taught. However, there were no testimonials or character references within the bundle from any subsequent employer attesting to her contribution to the profession". Although I have also noted the following comments from the panel "Ms Hussain had a previously good history in that her NQT report was positive and took place in the School. There was also evidence that she passed her induction period".

A prohibition order would prevent Ms Hussain from continuing that work. A prohibition order would also clearly deprive the public of her contribution to the profession for the period that it is in force.

In this case, I have placed considerable weight on the panel's comments concerning the dishonesty found. The panel has said, "It was not clear to the panel exactly what event (if any) led to Ms Hussain's lying and fabrication, which became more extreme and elaborate as time went on. Ms Hussain's actions were found to be deliberate, calculated and prolonged".

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

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

I have gone on to consider the matter of a review period. In this case, the panel has recommended a 5 year review period.

I have considered the panel's comments "The Advice indicates that there are behaviours that, if proved, would militate against the recommendation of a review period. One of these behaviours includes fraud or serious dishonesty. However, the panel concluded that given sufficient time, Ms Hussain may be able to demonstrate that she is suitable to teach again, particularly, once she has had time to reflect on and learn from her actions. The panel were particularly concerned that there was a lack of self-awareness and insight into her actions given the time that has since passed".

I have considered whether a 2 year review period reflects the seriousness of the findings and is a proportionate period to achieve the aim of maintaining public confidence in the profession. In this case, due to the lack of either insight or remorse and the dishonesty found that means that a 2 year review period is not sufficient to achieve the aim of maintaining public confidence in the profession.

I consider therefore that a 5 year review period is required to satisfy the maintenance of public confidence in the profession.

**This means that Ms Shaila Hussain is prohibited from teaching indefinitely and cannot teach in any school, sixth form college, relevant youth accommodation or children's home in England.** She may apply for the prohibition order to be set aside, but not until 4 March 2026, 5 years from the date of this order at the earliest. This is not an automatic right to have the prohibition order removed. If she does apply, a panel will meet to consider whether the prohibition order should be set aside. Without a successful application, Ms Shaila Hussain remains prohibited from teaching indefinitely.

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

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

A handwritten signature in black ink, appearing to read 'S Buxcey', with a horizontal line underneath.

**Decision maker: Sarah Buxcey**

**Date: 1 March 2021**

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