



Teaching
Regulation
Agency

Mr Tariq Ali: Professional conduct panel outcome

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

August 2022

Contents

| | |
|--|----|
| Introduction | 3 |
| Allegations | 4 |
| Preliminary applications | 5 |
| Summary of evidence | 6 |
| Documents | 6 |
| Witnesses | 7 |
| Decision and reasons | 7 |
| Findings of fact | 9 |
| Panel's recommendation to the Secretary of State | 23 |
| Decision and reasons on behalf of the Secretary of State | 29 |

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

| | |
|-------------------------------|--|
| Teacher: | Mr Tariq Ali |
| Teacher ref number: | 8942512 |
| Teacher date of birth: | 3 February 1966 |
| TRA reference: | 17749 |
| Date of determination: | 1 to 3 August 2022 |
| Former employers: | Carleton High School, West Yorkshire and Parkwood E-ACT Academy, Sheffield |

Introduction

A professional conduct panel (“the panel”) of the Teaching Regulation Agency (“the TRA”) convened virtually via Microsoft Teams on 1 to 3 August 2022 to consider the case of Mr Tariq Ali.

The panel members were Ms Sue Davies (lay panellist – in the chair), Ms Victoria Jackson (teacher panellist) and Mr Duncan Tilley (lay panellist).

The legal adviser to the panel was Mr Delme Griffiths of Blake Morgan LLP, solicitors.

The presenting officer for the TRA was Mr Fraser Coxhill of counsel, instructed by Field Fisher LLP, solicitors.

Mr Ali was not present and was not represented.

The hearing took place in public and was recorded (with the exception of a limited part of the hearing, in which medical matters were addressed, heard in private).

Allegations

The panel considered the allegations set out in the notice of proceedings dated 1 June 2022.

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

1. Between January and July 2018, he contacted Pupil A and invited her to contact him via the school 'show my homework' platform regarding matters not related to homework;
2. On 12 January 2018 and 4 March 2018, he referred to Pupil A as 'chicken';
3. Between January and July 2018, he failed to report to the school his conversations with Pupil A regarding [REDACTED];
4. Between January and July 2018, he spoke to Pupil A about [REDACTED];
5. On 24 July 2018, he gave his personal email address to Pupil A and invited her to contact him;
6. On 24 July 2018, he met Pupil A at the school car park at home time whilst he was on sick leave;
7. By his conduct set out in the following paragraphs, he failed to observe a proper boundary appropriate to a teacher's professional position:
 - a. Paragraph 1
 - b. Paragraph 2
 - c. Paragraph 4
 - d. Paragraph 5
 - e. Paragraph 6
8. By his conduct set out in paragraph 3, he failed to take appropriate steps to safeguard the well-being of Pupil A.
9. He provided inaccurate and/ or misleading information in his application for employment to Parkwood E-ACT Academy, in that:
 - a. In his employment application form he stated that he had never been "dismissed from employment for a reason other than redundancy" when this was incorrect;

- b. In his employment application form he set out that he had never "been suspended or subject to disciplinary action in any employment" when this was incorrect;
- c. In his CV stated that he worked at Carleton Community High School from 2015 to 2019, when his contract of employment with Carleton Community High School was terminated on 27 November 2018.

10. His actions as described in paragraph 9 were dishonest.

The panel was presented with a document entitled 'Statement of Agreed Facts'. Within this document, Mr Ali set out various admissions in relation to the facts of certain allegations.

However, given the nature of this document and in the absence of hearing from Mr Ali, the panel did not accept these admissions as amounting to formal admissions for the purposes of the allegations, which were therefore treated as denied.

Preliminary application

Application to proceed in the absence of Mr Ali

The panel considered an application from the presenting officer to proceed in the absence of Mr Ali.

The panel accepted the legal advice provided in relation to this application and took account of the various factors referred to it.

The panel was satisfied that the Notice of Hearing had been sent in accordance with the Teacher Misconduct: Disciplinary Procedures for the Teaching Profession ("the Procedures") and that the requirements for service had been satisfied.

Mr Ali was aware of the proceedings and had engaged with the TRA, expressly confirming that he would not be attending the hearing.

The panel went on to consider whether to proceed in Mr Ali's absence or to adjourn, in accordance with Rule 4.29 of the Procedures.

The panel had regard to the fact that its discretion to continue in the absence of a teacher should be exercised with caution and with close regard to the overall fairness of the proceedings. The panel gave careful consideration to the fact that Mr Ali would not be in attendance and would not be represented at this hearing, should it proceed, and the extent of the disadvantage to him as a consequence.

On balance, the panel decided that the hearing should continue in the absence of Mr Ali for the following reasons in particular:

- The panel was satisfied that Mr Ali's absence was voluntary and he had waived his right to attend. Whilst there were references to [REDACTED] within the hearing papers, there was no recent medical evidence before the panel indicating he was unfit to attend the hearing and nor had that been suggested by Mr Ali.
- There was no indication that Mr Ali might attend at a future date. As such, the panel concluded that no purpose would be served by an adjournment, which had not been requested by Mr Ali.
- There is a public interest in hearings taking place within a reasonable time. These proceedings had been extant for a prolonged period and there was a need for finality. It was also in Mr Ali's benefit for these proceedings to now reach a conclusion.
- Witnesses were scheduled to give evidence and would be inconvenienced by an adjournment, as would the other participants in this hearing.

Having decided that it was appropriate to proceed, the panel would strive to ensure that the proceedings were as fair as possible in the circumstances, bearing in mind that Mr Ali would not be present or represented.

Summary of evidence

Documents

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

Section 1: Chronology, anonymised pupil list and list of key people – pages 1 to 2

Section 2: Notice of referral response, statement of agreed facts, notice of proceedings and response – pages 3 to 16

Section 3: Teaching Regulation Agency witness statements – pages 17 to 114

Section 4: Teaching Regulation Agency documents – pages 115 to 494

Section 5: Teacher documents – pages 495 to 564

Section 6: Draft Statement of Facts – pages 565 to 572

Witnesses

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

- Witness A [REDACTED]
- Witness B [REDACTED]

Decision and reasons

The panel announced its decision and reasons as follows:

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

Introduction

Mr Ali was formerly employed as a science teacher at Carleton High School, which was part of the Pontefract Academies Trust ("the School").

Mr Ali commenced work at the School on 1 September 2015.

On or around 5 July 2018, Mr Ali commenced a period of absence from the School as a result of [REDACTED].

Shortly afterwards, on 25 July 2018, a pupil at the School disclosed details of contact between the pupil and Mr Ali. It transpired that contact had occurred via the School's 'show my homework' platform ("the Platform") and, on one occasion, in person in the School's car park during his sickness absence. It was also alleged that Mr Ali gave the pupil his personal email address.

The pupil in question is referred to as Pupil A for the purposes of these proceedings. Pupil A was described as a vulnerable pupil [REDACTED] at the time of these events, when she was 12-13 years' old. Mr Ali was one of her teachers at the time.

Pupil A's disclosures led to the police being notified and a LADO referral was made. No further action was taken by the police.

On 10 August 2018, an investigation was initiated into Mr Ali's actions on behalf of the School. Witness A was appointed as the independent investigating officer.

On 27 November 2018, at the conclusion of Witness A's investigation, a disciplinary hearing was held, the outcome of which was unsuccessfully appealed by Mr Ali.

On 5 December 2018, Mr Ali was referred to the TRA by the School.

Subsequently, the TRA received a second referral from the Parkwood E-ACT Academy ("the Academy"). Mr Ali began work at the Academy in September 2020. The referral from the Academy concerned the circumstances of his application for the post of science teacher, whereby it was alleged he had provided information that was inaccurate or misleading.

Evidence considered by the panel

The panel carefully considered all of the written and oral evidence presented. It accepted the legal advice provided.

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

- Witness A [REDACTED]
- Witness B [REDACTED]

Mr Ali did not attend the hearing and nor was he represented.

Whilst witness statements were presented from the following witnesses, they were not called to give evidence:

- Individual A [REDACTED]
- Individual B [REDACTED]

Their evidence, together with other evidence relied upon by the TRA, including the account provided by Pupil A, was therefore admitted as hearsay evidence.

The panel was satisfied this did not give rise to any unfairness in the specific circumstances of this case. No objection was raised by or on behalf of Mr Ali and through his non-attendance he had waived the right to cross-examine any witnesses.

Nonetheless, the hearsay evidence presented was considered with appropriate caution. If and where this evidence was relied upon, this is addressed in the panel's reasons, below.

The same was true in relation to the information submitted by or on behalf of Mr Ali, which was very carefully considered in his absence.

Mr Ali has given a number of accounts, including:

- A statement for his disciplinary hearing dated 24 October 2018.
- Submissions via his union representative on 8 April 2021.

- A "mitigation statement" dated 11 November 2020.
- A further "statement to support" dated 20 May 2022.
- A statement for these proceedings dated 30 June 2022.

In addition, Mr Ali had made annotations to various documents within the bundle.

The panel was also presented with a document entitled 'Statement of Agreed Facts' ("the Agreed Statement") in which certain admissions were recorded. It was signed electronically by Mr Ali and the panel was notified it had been served, on his behalf, by his union representative on 24 May 2022.

Nonetheless, whilst this was taken into account, the panel proceeded with caution given the nature of the document and the manner in which Mr Ali's purported admissions were set out. In particular, given the nature of this document and in the absence of hearing from Mr Ali, the panel did not accept these admissions as amounting to formal admissions to the allegations.

It was clear that there were no known prior issues in relation to Mr Ali's practice from a regulatory perspective. He was, accordingly, a person of prior good character, which was a factor the panel considered.

Whilst there were references to opinions expressed during the course of the earlier investigation and subsequently, these were disregarded. The panel formed its own, independent view of the allegations based on the evidence presented to it.

Findings of fact

The findings of fact are as follows:

- 1. Between January and July 2018, you contacted Pupil A and invited her to contact you via the school 'show my homework' platform regarding matters not related to homework;**

The panel was informed that the Platform allows schools, pupils and parents to access homework.

As an additional aspect of the system, pupils and teachers can communicate via an online email/messaging service which appears on the Platform, said to have been intended as a means by which staff and pupils could communicate regarding homework.

It was apparent that Mr Ali did not dispute that he contacted Pupil A, via the Platform, and invited her to contact him, via the Platform.

However, Mr Ali did not accept that this contact addressed matters unrelated to homework. Further, his recorded position was that:

- Other teachers also used the Platform in this way, including the School's senior leadership team.
- The Platform was sanctioned by the School and therefore recorded and monitored.
- He communicated with many pupils on the Platform and in doing so offered support.
- His communications with Pupil A expressly alluded to the need for her to tell her mother what was being communicated and sought confirmation from Pupil A that she had done so.
- He spoke with Pupil A's mother at a parent meeting about the support he was providing and no issues were raised.

Excerpts of the messages were included in evidence and carefully considered by the panel.

Having regard to this evidence and Mr Ali's recorded admission, it was clear that messages were exchanged between Mr Ali and Pupil A between January 2018 and July 2018.

It was also clear, from the content of these messages, that they included reference to matters unrelated to homework. Not least, there were numerous messages, that were personal in nature, addressing matters that could be broadly categorised as wellbeing and [REDACTED] The messages were initiated by both Mr Ali and Pupil A and there were occasions when they were sent late at night and on non-school days.

On this basis, the panel found allegation 1 proved.

2. On 12 January 2018 and 4 March 2018, you referred to Pupil A as 'chicken';

The panel noted from the Agreed Statement that Mr Ali did not dispute the facts of allegation 2.

He accordingly accepted that he referred to Pupil A as 'chicken' in messages he sent to her on 12 January 2018 and 4 March 2018. This was readily apparent from the wording of the messages, which were included in evidence.

However, Mr Ali's position was that:

- This was consistent with the type of terms used by other staff towards pupils;

- This is a natural term that he uses, including at home with his own children, and did not mean anything specific; and
- He was being empathetic and showing care towards Pupil A.

Having regard to the messages and Mr Ali's recorded acceptance that he sent them, the panel found allegation 2 proved.

3. Between January and July 2018, you failed to report to the school your conversations with Pupil A regarding her [REDACTED];

It was apparent that Mr Ali denied the facts of allegation 3.

His position, as recorded, appeared to be that he had been told by other staff members at the School, not just Pupil A, that she was suffering from [REDACTED]. In any event, he claimed he did subsequently make reports in relation to Pupil A, the precise nature of which were unclear.

In relation to the latter issue, Mr Ali asserted he told various, named colleagues. The panel noted that this was not supported by the evidence gathered during the School's investigations. Those individuals spoken to as part of the investigation did not recall being told, by Mr Ali, about any communications he had with Pupil A in relation to her [REDACTED]. In Mr Ali's absence, the panel was unable to explore this issue with him further.

Mr Ali had a duty to make reports of safeguarding matters in relation to any pupil.

In this instance, Mr Ali was on clear notice of Pupil A's circumstances and he had a duty to ensure that the School was kept abreast of all material information concerning her wellbeing. That required formal reports to be made, including but not limited to what appeared to have been [REDACTED] at one point. It was not appropriate for Mr Ali to assume that the School was already aware of the information being relayed to him, by Pupil A, through their communications.

In terms of the manner in which reports were expected to be made, the School utilised the Child Protection Online Management System (CPOMS) as well as having in place relevant policies in relation to safeguarding requirements.

The panel was informed that CPOMS is an electronic platform for recording safeguarding concerns.

The School's policies required Mr Ali to make a report directly, himself, via CPOMS, or, alternatively, to complete what was termed an 'orange' form or, alternatively, make a report to the School's Designated Safeguarding Lead/Deputy Designated Safeguarding Lead.

On balance, the panel was satisfied that, in relation to Pupil A's [REDACTED] issues, Mr Ali did not do any of these things when he should have done. The panel was presented with evidence, albeit hearsay in nature, that enquiries made of the School's CPOMs system revealed that there was no evidence that Mr Ali reported/recorded any issues. This had never been challenged by Mr Ali.

Even if Mr Ali had general conversations with other staff members about Pupil A, which was unsubstantiated in any event, it followed that he did fail to report, to the School, his conversations with Pupil A [REDACTED].

The panel therefore found allegation 3 proved.

4. Between January and July 2018, you spoke to Pupil A about your mental [REDACTED];

The panel noted that Mr Ali did not dispute the facts of allegation 4.

Mr Ali accepted that, between January and July 2018, he spoke to Pupil A about his own [REDACTED], which he stated was a result of his own circumstances at the time and the fact that he was "*not thinking straight*".

The panel was also referred to the following message sent by Mr Ali to Pupil A on 21 July 2018:

"Hi [Pupil A]. You win. I lose. I am not well enough to be in school. The battle was too much. I am in the car park before and after school for [name redacted]. Maybe see you then. Keep strong and do not let it win."

Pupil A responded to this message in the early hours of the following morning, stating:

"oh no sir. I am so sorry to hear it. Don't let it ever fully take over please, we're both strong enough to get through this I promise. Are you not coming back at all then?"

In light of Mr Ali's recorded admission in relation to this allegation, which was consistent with the other evidence available, the panel found allegation 4 proved.

5. On 24 July 2018, you gave your personal email address to Pupil A and invited her to contact you;

Mr Ali has repeatedly acknowledged that he provided his Pupil A with his personal email address.

Specifically, this occurred on 24 July 2018 when he met with Pupil A after school in the School's car park. Mr Ali asserted that:

- He was not thinking straight at the time, as a consequence of his [REDACTED], and did not want to leave Pupil A without support. But for his own, ongoing [REDACTED], he would have made a different decision.
- He had no access to his school email account at the time.
- His intention was to provide support to Pupil A as a professional and nothing further.
- He did not send or receive any communications via this email address to/from Pupil A.

In relation to whether Mr Ali had access to his school email account at the time, the evidence before the panel indicated that if access was blocked, it happened subsequently.

In any event, the facts of allegation 5 were not in dispute and the panel accordingly found it proved.

6. On 24 July 2018, you met Pupil A at the school car park at home time whilst you were on sick leave;

Mr Ali did not challenge the facts of allegation 6, whereby he accepted meeting Pupil A in the School's car park on this date, at home time.

Mr Ali accepted that, on reflection, this interaction was "*ill-advised and regrettable*" albeit done with the best of intentions.

Mr Ali also asserted that:

- There was nothing "*sordid*" to his actions and he was only present because he was collecting his own daughter from school and she was with him at the time.
- He talked to several other parents and pupils.

In the light of Mr Ali's admission, which was consistent with the other evidence before the panel, it therefore found allegation 6 proved.

7. By your conduct set out in the following paragraphs, you failed to observe a proper boundary appropriate to a teacher's professional position:

- Paragraph 1**
- Paragraph 2**
- Paragraph 4**

d. Paragraph 5

e. Paragraph 6

Having found allegations 1, 2, 4, 5 and 6 proved, the panel went on to consider whether Mr Ali's actions were such that he failed to observe appropriate boundaries with Pupil A.

Mr Ali had a duty to maintain appropriate professional boundaries with all of his pupils at all times.

Mr Ali's position was that he had done so. He asserted that he behaved as he did because of his [REDACTED] but nevertheless did everything that he should have done and in the correct manner.

The panel took account of the fact that the evidence before it did indicate that Mr Ali was likely to have been motivated only by a desire to help Pupil A. There was no allegation before the panel that he was improperly motivated.

However, through his actions in relation to each of allegations 1, 4, 5 and 6, professional boundaries, that he had a duty to maintain, had become blurred.

In particular, it was inappropriate to enter into communications of this nature, to discuss his [REDACTED] and to provide his personal email address as he did during the course of his meeting with Pupil A on 24 July 2018. In each of these respects as found proved, Mr Ali crossed the line.

The panel therefore found allegation 7 proved in relation allegations 1, 4, 5 and 6.

However, in relation to allegation 2, the panel was not satisfied that Mr Ali's actions were such that he failed to observe a proper boundary appropriate to a teacher's professional position. Whilst perhaps not advisable, particularly on a formal platform, the term used was not inherently objectionable and was repeated on just two occasions. In isolation, it did not cross a professional boundary.

The panel therefore found allegation 7 not proved in relation to allegation 2.

8. By your conduct set out in paragraph 3, you failed to take appropriate steps to safeguard the well-being of Pupil A.

Having found the facts of allegation 3 proved, the panel went on to consider whether Mr Ali's actions were such that he failed to take appropriate steps to safeguard the well-being of Pupil A.

It was clear from the panel's findings in relation to allegation 3 that Mr Ali took it upon himself to seek to support Pupil A with aspects of [REDACTED] and wellbeing, despite

being aware that Pupil A was experiencing [REDACTED] issues. There was no evidence that he was appropriately qualified to adopt this role.

Mr Ali's actions risked undermining any wider efforts being taken, in Pupil A's best interests, by the School, her family and any other agencies involved. As well as behaving in a manner that risked Pupil A's best interests being compromised, Mr Ali also risked compromising his own position.

As one of her teachers and someone with specific knowledge of her circumstances and personal difficulties, including [REDACTED] in Pupil A's [REDACTED], Mr Ali had a duty to safeguard Pupil A. That included making appropriate reports and ensuring she was directed, where necessary, to appropriate care and support. His actions were such that he failed in that duty.

Pupil A was a vulnerable individual. In particular, it was suggested that the School may not have been aware of the apparent [REDACTED] in Pupil A's [REDACTED] that she relayed to Mr Ali. He should have reported this, even if only out of an abundance of caution, and failed to do so.

Against this backdrop, what Mr Ali did, and more importantly did not do in terms of making formal notifications, was such that he did fail to ensure Pupil A was safeguarded as far as was possible.

The panel therefore found allegation 8 proved.

- 9. You provided inaccurate and/ or misleading information in your application for employment to Parkwood E-ACT Academy, in that:**
- a. In your employment application form you stated that you had never been "dismissed from employment for a reason other than redundancy" when this was incorrect;**
 - b. In your employment application form you set out that you had never "been suspended or subject to disciplinary action in any employment" when this was incorrect;**
 - c. In your CV stated that you worked at Carleton Community High School from 2015 to 2019, when your contract of employment with Carleton Community High School was terminated on 27 November 2018.**

Following Mr Ali's unsuccessful appeal against the outcome of his disciplinary proceedings at the School, he brought proceedings against it in the Employment Tribunal.

This culminated in the parties entering into a settlement agreement dated 1 May 2019 ("the Settlement Agreement").

Subsequently, in July 2020, Mr Ali successfully applied for the post of science teacher at the Academy.

As part of the application process, Mr Ali provided a CV and completed an application/declaration form ("the Form"). It was alleged that in doing so he provided inaccurate and/or misleading information in each of the respects particularised in sub paragraphs (a) to (c).

The panel considered each in turn.

- a. In your employment application form, you stated that you had never been "dismissed from employment for a reason other than redundancy" when this was incorrect;**

The panel was presented with a copy of the Form, signed by Mr Ali, which included the following question:

"Have you ever been dismissed from employment for reason other than redundancy?"

Mr Ali's response was recorded as 'no'.

It was clear that Mr Ali was dismissed by the School. By indicating to the contrary, the information he provided was incorrect.

The panel therefore found the particulars of allegation 9(a) proved.

- b. In your employment application form you set out that you had never "been suspended or subject to disciplinary action in any employment" when this was incorrect;**

The Form also included the following question:

"Have you ever been suspended or subject to disciplinary action in any employment?"

Once again, Mr Ali's response was recorded as 'no'.

As documented at the outset of the panel's decision, Mr Ali was subject to disciplinary action by the School. By indicating to the contrary, the information Mr Ali provided was, therefore, incorrect in this respect.

The panel therefore found the particulars of allegation 9(b) proved on this basis. There was no evidence that Mr Ali was formally suspended at any point and the panel, therefore, did not find this element of allegation 9(b) proved.

c. In your CV stated that you worked at Carleton Community High School from 2015 to 2019, when your contract of employment with Carleton Community High School was terminated on 27 November 2018.

In the CV submitted by Mr Ali, it was recorded that he had been a science teacher at the School from 2015 to 2019 and 'inter-trust physics representative and co-ordinator' from 2015 to 2019. This was, clearly wrong, which Mr Ali readily accepted. He left the School in 2018.

Mr Ali therefore admitted the facts of allegation 9(c) and the panel found the particulars of this allegation proved.

Having found particulars (a) to (c) proved, the panel proceeded to consider the stem of allegation 9, whereby it was alleged that Mr Ali provided inaccurate and/or misleading information.

Mr Ali denied that he provided any inaccurate or misleading information in his application to the Academy.

Mr Ali's position was that:

- He believed he was unable to disclose details of the Settlement Agreement. Rather than being misleading, Mr Ali asserted he was simply following instructions not to say anything.
- As his employment claim was settled, he "*believed that this meant that the dismissal for gross misconduct was wrong and therefore retracted*".
- He "*genuinely thought that the settlement of [his] Employment Tribunal claim meant [he] had not been dismissed*".
- Due to the payment made to him by way of compensation, he thought he had been made redundant.

In relation to allegation 9(c), Mr Ali's position was that this was simply an error that was not in any way deliberate.

On behalf of the TRA, it was submitted that the information provided by Mr Ali was inaccurate and misleading as a straightforward question of fact.

Having considered the evidence before it, the panel agreed and concluded that, in each of the respects outlined, Mr Ali did provide information that was both inaccurate and misleading.

Mr Ali's explanations would need to be considered in relation to allegation 10, whereby the panel would have to make an assessment of his state of mind and/or belief at the point at which this information was provided to the Academy.

The panel therefore found allegations 9(a) to (c) proved.

10. Your actions as described in paragraph 9 were dishonest.

The panel went on to consider whether Mr Ali's actions in allegation 9 were dishonest.

In determining whether his conduct was dishonest, the panel considered Mr Ali's state of knowledge or belief as to the facts, before determining whether his conduct was dishonest by the standards of ordinary decent people.

Mr Ali denied that he was dishonest in any respect and his position is summarised above.

On behalf of the TRA, it was submitted that the appropriate inference to draw was that Mr Ali's actions were deliberate. The TRA's case was that the frequency and nature of the inaccurate/misleading information on the Form and CV were sufficient to lead the Panel to the conclusion that they were not genuine errors but dishonest entries designed to conceal his dismissal for gross misconduct and increase the chances of gaining employment at the Academy.

It was submitted that whilst the Settlement Agreement records that the existence and terms of it will remain confidential between the parties, it did not preclude anyone from revealing the reason for dismissal.

The agreement was said to be without liability and therefore did not amount to an admission by the School that Mr Ali was unfairly dismissed for gross misconduct.

As a starting point, the panel took into account the fact that the information Mr Ali was being asked, pursuant to the Form, was clear and unequivocal. There was no scope for confusion on his part and there was no suggestion that Mr Ali raised a query about it or sought advice in any way.

In relation to his CV, Mr Ali would similarly have been aware of the need to provide information that was truthful and accurate.

In addition, the panel had regard to the fact that Mr Ali had provided different explanations in relation to allegations 9(a) and (b), within which there were inconsistencies.

On the one hand, Mr Ali asserted that, in essence, he did not believe he needed to disclose this information. On the other hand, he suggested that he did not think he could disclose matters because of the existence of the Settlement Agreement.

Neither of these accounts was consistent with another suggestion made by Mr Ali, namely that within the application paperwork he was "open" with the Academy about the fact he had been dismissed.

In relation to allegations 9(a) and 9(b) the panel was not persuaded, on balance, by Mr Ali's suggestion that the circumstances in which he left his employment at the School were such that he genuinely thought he had not been dismissed, that he had been made redundant or that he had not been subject to disciplinary action. In summary, there was no evidence before the panel to suggest that Mr Ali had been completely exonerated or that he truly believed this to be the case.

The panel was also not persuaded by the suggestion that Mr Ali genuinely thought this was information he could not reveal. In his absence, the panel was unable to explore with him the source of that purported belief.

The Settlement Agreement and related documentation did not address this issue in a binary way.

On balance, the panel considered there was no obvious basis for arriving at a definitive conclusion that he could not disclose the fact he had been dismissed or subject to disciplinary action. The panel noted that his employment claim was not determined by the Employment Tribunal but was resolved by agreement on a without liability basis, which it was more likely than not Mr Ali would have been fully aware of. It was apparent that he was supported by union representation throughout this time.

In relation to these allegations, the panel therefore concluded it was more likely than not that Mr Ali's actions were deliberate, that he positively chose not to reveal this information despite knowing how pertinent it was. In addition to completing the Form, Mr Ali was subject to an interview, the notes of which record that he made no reference to the circumstances of his departure from the School. It followed that Mr Ali had adequate opportunity to raise the matter in a sensitive, discrete way. He did not do so, which supported the proposition that his actions were deliberate.

The panel arrived at the same conclusion in relation to allegation 9(c).

On balance, the panel was not persuaded by Mr Ali's explanation that this was an innocent error. The same error was repeated on two occasions and had the effect of concealing a period of time when Mr Ali appeared not to have been working at a school, following his dismissal. The panel concluded that it was implausible that Mr Ali would innocently make such a fundamental mistake, not once but twice.

In summary in relation to each of allegations 9(a) to (c), it was, therefore, more likely than not that at the point at which Mr Ali was responding to these very specific questions and providing information that was inaccurate, he was acting consciously. He thereby

positively and deliberately sought to mislead the Academy. This was dishonest by the standards of ordinary decent people.

The panel therefore found that Mr Ali's conduct in relation to allegations 9(a) to 9(c) was dishonest.

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

Having found all of the allegations proved with the exception of 7(b), 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 Mr Ali, in relation to the facts found proved, involved breaches of the Teachers’ Standards. The panel considered that, by reference to Part 2, Mr Ali 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

The panel also considered whether Mr Ali's conduct displayed behaviours associated with any of the offences listed on pages 12 and 13 of the Advice.

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 considered that the offence of fraud or serious dishonesty was relevant. The panel will need to make an assessment, in due course, as to the gravity of Mr Ali's behaviour in the specific circumstances of this case, recognising that there are different forms of dishonesty. For present purposes, the panel was satisfied that Mr Ali's dishonest conduct could not be regarded as trivial or inconsequential. With reference to the

misleading information provided in his application to the Academy, Mr Ali's conduct included elements that could be regarded as fraudulent.

Over and above these matters, Mr Ali held a position of trust and responsibility as an educator and as a prospective employee. It was incumbent upon him to be open and honest and to act with integrity at all times. He was also a role model to his future pupils.

In light of the panel's findings in relation to allegations 9 and 10, Mr Ali had clearly breached his obligations in this regard and the panel was satisfied that Mr Ali was guilty of unacceptable professional conduct in relation to those allegations, which were appropriately considered together.

In relation to allegations 1, 3, 4 and 5, together with allegations 7(a), 7(c), 7(d) and 8, the panel also took into account the fact that Mr Ali had received appropriate training and was on clear notice of the School's policies, procedures and expectations.

He was also fully aware of this pupil's vulnerability and [REDACTED].

The panel took into account that the evidence suggested that Mr Ali was motivated by a desire to help Pupil A and he [REDACTED] of his own. It was nevertheless satisfied that his conduct, in relation to each of these allegations, considered individually and together, amounted to misconduct of a serious nature which fell significantly short of the standards expected of the profession.

Mr Ali's actions amounted to an ongoing failure to maintain appropriate professional boundaries and included distinct failings. The panel was not considering an isolated incident but failings over a period of time, evidencing poor judgment on his part.

In relation to the messages exchanged, these were inappropriate in content, nature and, in some instances, the circumstances in which they were sent in terms of timing. It was clearly unacceptable for a teacher to discuss their [REDACTED] concerns with a pupil, particularly one who was vulnerable [REDACTED]. It was also, clearly, highly inappropriate for a teacher to offer their personal email address at any time, absent some specific and acceptable justification. There was no such justification in this case and this occurred at a point when Mr Ali was not teaching.

In overarching terms, Mr Ali's behaviour was such that he took actions outside his remit and for which he was not specifically trained. That resulted in a failure to take appropriate action by making a report and thereby failing to ensure Pupil A was effectively safeguarded.

Whilst Mr Ali may have had [REDACTED] at the time, the panel agreed with the TRA's submission that this did not absolve him of responsibility with reference to Pupil A and he was presumed to have been fit to remain in work up until his departure in early July 2018.

For these reasons, the panel was satisfied that Mr Ali was guilty of unacceptable professional conduct in relation to allegations 1, 3, 4, 5, 7(a), 7(c), 7(d) and 8. The panel was satisfied that the conduct of Mr Ali amounted to misconduct of a serious nature which fell significantly short of the standards expected of the profession.

However, in relation to allegation 2, the panel was not satisfied that Mr Ali's actions amounted to unacceptable professional conduct, whether considered in isolation or in conjunction with the other proven allegations. The panel repeats its findings in respect of allegation 7(b) in this regard.

Similarly, in relation to allegations 6 and 7(e), whilst, in context, this was an instance where a boundary was crossed, the panel was not persuaded that Mr Ali's actions amounted to unacceptable professional conduct, whether considered in isolation or in conjunction with the other proven allegations. The panel concluded that the principal issue of concern was the fact that, during the course of this interaction, Mr Ali provided Pupil A with his email address. Whilst Mr Ali's actions may have been inadvisable, there was no evidence that this was pre-planned or that there was anything secretive or otherwise untoward about what occurred.

In relation to whether Mr Ali's actions may bring the profession into disrepute, 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 took account of 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 that they behave.

In relation to allegations 2, 6 and 7(e), for the same reasons as outlined above, the panel was not satisfied that Mr Ali's actions were of a nature which may bring the profession into disrepute.

In relation to the remaining allegations, whilst Mr Ali may have been attempting to help Pupil A, he behaved inappropriately in relation to a vulnerable pupil, did not follow proper channels and acted outside his remit. He had also acted dishonestly.

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

The panel therefore found that Mr Ali's actions constituted conduct that may bring the profession into disrepute in relation to allegations 1, 3, 4, 5, 7(a), 7(c), 7(d), 8, 9 and 10, particularly when considered in totality.

In summary, having found the facts of allegations 1, 3, 4, 5, 7(a), 7(c), 7(d), 8, 9 and 10 proved, the panel further found that Mr Ali's conduct in relation to these allegations

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 protection of pupils and other members of the public;
- 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 Mr Ali, which involved a failure to maintain appropriate professional boundaries, a failure to take appropriate steps to safeguard a pupil and dishonesty, there was a strong public interest consideration in the protection of pupils and other members of the public.

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

The panel was also of the view that a strong public interest consideration in declaring proper standards of conduct in the profession was also present as the conduct found against Mr Ali was outside that which could reasonably be tolerated.

The panel also considered whether there was a public interest element in retaining Mr Ali in the profession. In general terms, there was a public interest in qualified, presumed competent teachers remaining in the profession and the allegations in this case did not directly concern Mr Ali's performance in the classroom.

However, whilst the panel had this in mind, it did not consider this public interest element was a particularly strong consideration in this case.

Whilst there was a suggestion that Mr Ali had been experiencing difficulties with his practice and deemed in need of support, this was not something the panel took into account. The precise circumstances were unclear and this evidence had not been tested. It was also unclear whether this was an aberration, in terms of his career as a whole, or whether and to what extent Mr Ali's [REDACTED] may have impacted on his performance.

However, there was similarly no evidence before the panel that Mr Ali was someone who ought to be regarded as an outstanding or exceptional practitioner. Mr Ali had not provided any information by way of character references or testimonials.

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 Mr Ali.

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 Mr Ali. 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 were relevant in this case were:

- serious departure from the personal and professional conduct elements of the Teachers' Standards;
- failure to act on evidence that indicated a child's welfare may have been at risk e.g. failed to notify the designated safeguarding lead and/or make a referral to children's social care, the police or other relevant agencies when abuse, neglect and/or harmful cultural practices were identified;
- failure in their duty of care towards a child, including exposing a child to risk or failing to promote the safety and welfare of the children (as set out in Part 1 of KCSIE);
- dishonesty or a lack of integrity, including the deliberate concealment of their actions or purposeful destruction of evidence, especially where these behaviours have been repeated or had serious consequences, or involved the coercion of another person to act in a way contrary to their own interests.

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

In the light of the panel's findings, it considered the following mitigating factors were present in this case:

- Mr Ali had an otherwise unblemished record in that there was no evidence he had been subject to any previous regulatory or disciplinary proceedings.
- Whilst his actions involved and concerned a pupil, his classroom competence has not been called into question through these proceedings, albeit the panel was not presented with any references or testimonials. It was apparent that Mr Ali continued to teach and was described within the papers as someone of above-average intelligence.
- There was evidence that Mr Ali was suffering from [REDACTED] and personal difficulties at the time of these events. Similarly, there was medical evidence that his own experiences were likely to have played some part in his behaviour with reference to Pupil A, albeit the panel was not presented with up to date medical information.
- However, whilst Mr Ali's personal circumstances may have had an impact, the panel concluded that this did not exculpate him from wrongdoing. He remained responsible for his own actions and behaviour. Further, the panel had in mind that these personal circumstances had no obvious relevance or bearing on his conduct in allegations 9 and 10.
- The panel accepted that Mr Ali was motivated by a desire to help Pupil A. There was no evidence that he was improperly motivated in any way.
- Mr Ali had engaged to some extent in these proceedings and made admissions in relation to many of the allegations.
- These proceedings have been extant for a long period, which would undoubtedly have had an impact upon Mr Ali.

Weighed against these matters, the panel considered there were some aggravating factors present, including:

- Mr Ali's actions amounted to a clear breach of the Teachers' Standards.
- Mr Ali's actions were deliberate and he was not acting under duress. In relation to the panel's findings in relation to allegations 1, 3, 4, 5, 7(a), 7(c), 7(d) and 8, this was a serious breach of professional boundaries in relation to which Mr Ali ignored his training and the School's policies and procedures.
- There was limited evidence of insight, particularly in Mr Ali's more recent accounts. Mr Ali has shown limited understanding of the impact of his actions or the risks it posed in relation to Pupil A, the School or the Academy. Whilst Mr Ali may have considered himself to be at least partially exonerated by the payment

he ultimately received from the School, that did not diminish the concerns his behaviour gave rise to and Mr Ali had shown limited understanding of this.

- Mr Ali had also shown limited regret and remorse. Mr Ali has not, for example, fully apologised for his actions or indicated that he recognised and accepted that he had fallen short of the standards expected of him in each of the respects found proved. At least to some extent, rather than address his own shortcomings, Mr Ali focussed upon the impact of events on him and his perception of how others had treated him.
- Whilst Mr Ali had engaged to some extent with the TRA, he had ultimately decided not to participate in this hearing for reasons that were unclear. That was regrettable and deprived the panel of the opportunity, in particular, to test his insight and what lessons he may have learned.
- Mr Ali had demonstrated an inadequate understanding of safeguarding issues and his actions posed a risk of harm to a vulnerable pupil, albeit the panel was not persuaded that said risk could be categorised as high.
- In relation to allegations 9 and 10, Mr Ali had behaved dishonestly and there was an element of premeditation. His actions deprived the Academy of the opportunity to fully test his employment history.
- Mr Ali was an experienced teacher and was in a position of responsibility, as a trusted employee and prospective employee, and a role model, including in relation to Pupil A. He ought to have known what was expected of him and conducted himself accordingly.
- The panel's findings spanned a period of time and involved distinct elements. This was not an isolated incident.

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 would be sufficient.

Having carefully considered the specific circumstances of this case and taking account of the mitigating and aggravating features present, 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.

The panel concluded that prohibition was both proportionate and appropriate. It decided that the public interest considerations outweighed the interests of Mr Ali.

The panel's findings of dishonesty were a significant factor in forming that opinion. The panel has concluded that this was an instance of dishonesty that could not be described

as trivial. This was deliberate conduct that was tantamount to deception. In Mr Ali's absence and a cogent, contrary explanation, the appropriate inference to be drawn was that Mr Ali was seeking to conceal the circumstances in which he left the School. There was no evidence of any insight, regret or remorse on the part of Mr Ali in relation to these matters.

Whilst Mr Ali had demonstrated some insight in relation to the panel's findings in relation to Pupil A, this was far from complete. To compound matters, Mr Ali had a very limited involvement in these proceedings. He had not taken full responsibility for his actions and continued to deny wrongdoing in various respects now found proved.

The panel did carefully consider the seriousness of its findings in relation to Pupil A. Mr Ali's actions presented some risk from a safeguarding perspective. However, the panel did not consider, on the facts, that the risk of harm his actions gave rise to could be categorised as high. There was no evidence of actual harm. There was some medical evidence that Mr Ali felt compelled to seek to help Pupil A in relation to [REDACTED] and wellbeing. There was no evidence that he was improperly motivated and no allegations were brought against him in that respect.

In that context, if the panel was only considering its findings of unacceptable professional conduct and conduct that may bring the profession into disrepute in relation to allegations 1, 3, 4, 5, 7(a), 7(c), 7(d) and 8, it may have concluded that an appropriate response, in this case, was to recommend no prohibition order. However, that would have been a finely poised decision.

Mr Ali's actions, in relation to these allegations, did raise serious concerns as regards his understanding of professional boundaries and safeguarding.

In relation to the latter issue, the effect of his actions was to ignore accepted good practice and the School's policies and procedures. There was no evidence that he fully understood this, never mind that he had sought to address his failings. That gave rise to a risk of the same or similar behaviour being repeated in the future. That risk was elevated by the absence of up to date medical evidence indicating that the triggers that may have prompted Mr Ali to behave as he did, with Pupil A, have been addressed or that strategies have been put in place to seek to reduce the risk of a repetition.

In any event, the panel was required to consider Mr Ali's actions in their entirety, which included its findings of dishonesty. In totality, the panel was satisfied that Mr Ali's actions were such that recommending that the publication of adverse findings would be sufficient would unacceptably compromise the public interest considerations present in this case, despite the severity of the consequences for Mr Ali of prohibition.

The panel went on to consider whether or not it would be appropriate for it to decide to recommend a review period of the order.

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 2 years.

The Advice indicates that there are behaviours that, if proved, would militate against the recommendation of a review period. None of the behaviours were relevant in this case.

The panel decided that it would be proportionate, in all the circumstances, for the prohibition order to be recommended with provision for a review period, for the following reasons in particular.

The panel had in mind, firstly, that prohibition orders should not be given in order to be punitive. Mr Ali had already been punished for his actions and these proceedings have been ongoing for a very long time. The panel's findings and decision would affect his professional reputation and future employment prospects.

Secondly, Mr Ali's conduct also took place in the wider context of an otherwise long and unblemished career. In that context and when the other mitigating factors were taken into account, the panel concluded that recommending no review period would not be appropriate and would be disproportionate.

Thirdly, the panel considered that, in time, it would be possible for Mr Ali to gain insight and demonstrate that he was suitable to return to the profession.

The panel proceeded to consider the minimum period before which an application could be made, by Mr Ali, to have the prohibition order reviewed and set aside.

The Advice indicates that where a case involves certain factors, it is likely that the public interest will have greater relevance and weigh in favour of a longer period before a review is considered appropriate.

These factors include fraud or serious dishonesty.

As the panel has already set out, this was not an instance of dishonesty that could be described as trivial or inconsequential. It was deliberate and was tantamount to deception. In context and whilst it could not be said to be amongst the most serious forms of dishonest conduct, it was nevertheless serious. Plainly it undermined the trust placed in him as an experienced educator, but not to an extent that warranted a longer period before a review is considered appropriate.

The panel concluded that a review period of two years was appropriate and proportionate in this case.

A period of two years will afford Mr Ali sufficient time and opportunity, should he wish to do so, to take steps to fully rehabilitate and remediate his conduct and seek to

demonstrate that he has gained insight into the nature, effect and implications of his conduct.

In the view of the panel, a period beyond two years would be disproportionate.

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 some of the allegations proven and found that those proven facts amount to unacceptable professional conduct and conduct that may bring the profession into disrepute. In this case, the panel has found some of the allegations not proven, including 7(b), and found that some allegations do not amount to unacceptable professional conduct or conduct likely to bring the profession into disrepute, including allegations 2, 6 and 7(e). I have therefore put those matters entirely from my mind.

The panel has made a recommendation to the Secretary of State that Mr Tariq Ali should be the subject of a prohibition order, with a review period of two years.

In particular, the panel has found that Mr Ali 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
 - 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

The panel was satisfied that the conduct of Mr Ali, involved breaches of the responsibilities and duties set out in statutory guidance Keeping children safe in education (KCSIE).

The panel finds that the conduct of Mr Ali fell significantly short of the standards expected of the profession.

The findings of misconduct include a finding of dishonesty, unprofessional conduct involving a vulnerable pupil. The panel found that Mr Ali failed to undertake steps to safeguard a pupil.

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 Mr Ali, and the impact that will have on the teacher, is proportionate and in the public interest.

In this case, I have considered the extent to which a prohibition order would safeguard pupils. The panel has observed, "In the light of the panel's findings against Mr Ali, which involved a failure to maintain appropriate professional boundaries, a failure to take appropriate steps to safeguard a pupil and dishonesty, there was a strong public interest consideration in the protection of pupils and other members of the public." 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, which the panel sets out as follows, "There was limited evidence of insight, particularly in Mr Ali's more recent accounts. Mr Ali has shown limited understanding of the impact of his actions or the risks it posed in relation to Pupil A, the School or the Academy. Whilst Mr Ali may have considered himself to be at least partially exonerated by the payment he ultimately received from the School, that did not diminish the concerns his behaviour gave rise to and Mr Ali had shown limited understanding of this." In my judgement, the lack of insight means that there is some risk of the repetition of this behaviour and this puts at risk the future wellbeing 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, "public confidence in the profession could be seriously weakened if conduct such as that found against Mr Ali were not treated with the utmost seriousness when regulating the conduct of the profession." I am particularly mindful of the finding of dishonesty and failure to take steps to safeguard 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 Mr Ali himself and the panel comment “there was similarly no evidence before the panel that Mr Ali was someone who ought to be regarded as an outstanding or exceptional practitioner. Mr Ali had not provided any information by way of character references or testimonials.” However I have also observed “Whilst his actions involved and concerned a pupil, his classroom competence has not been called into question through these proceedings, albeit the panel was not presented with any references or testimonials. It was apparent that Mr Ali continued to teach and was described within the papers as someone of above-average intelligence.”

A prohibition order would prevent Mr Ali from teaching. A prohibition order would also clearly deprive the public of his 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 proven, including “The panel has concluded that this was an instance of dishonesty that could not be described as trivial. This was deliberate conduct that was tantamount to deception. In Mr Ali’s absence and a cogent, contrary explanation, the appropriate inference to be drawn was that Mr Ali was seeking to conceal the circumstances in which he left the School. There was no evidence of any insight, regret or remorse on the part of Mr Ali in relation to these matters.”

I have also placed considerable weight on the lack of insight and remorse, particularly relating to Pupil A and have considered the following comments;

“Whilst Mr Ali had demonstrated some insight in relation to the panel’s findings in relation to Pupil A, this was far from complete. To compound matters, Mr Ali had a very limited involvement in these proceedings. He had not taken full responsibility for his actions and continued to deny wrongdoing in various respects now found proved.”

“Mr Ali had also shown limited regret and remorse. Mr Ali has not, for example, fully apologised for his actions or indicated that he recognised and accepted that he had fallen short of the standards expected of him in each of the respects found proved. At least to some extent, rather than address his own shortcomings, Mr Ali focussed upon the impact of events on him and his perception of how others had treated him.”

Mr Ali failed to demonstrate his understanding of safeguarding responsibilities and the risk of harm to a vulnerable pupil.

I have given less weight in my consideration of sanction therefore, to the contribution that Mr Ali 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, in light of the circumstances in this case, that is not backed up by full 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 2 year review period.

I have considered the panel's comments "A period of two years will afford Mr Ali sufficient time and opportunity, should he wish to do so, to take steps to fully rehabilitate and remediate his conduct and seek to demonstrate that he has gained insight into the nature, effect and implications of his conduct."

I agree with the panel that a two year review period is proportionate to satisfy the maintenance of public confidence in the profession.

This means that Mr Ali Tariq 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 11 August 2024, 2 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 Ali remains prohibited from teaching indefinitely.

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

Mr Tariq Ali 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.



Decision maker: Sarah Buxcey

Date: 5 August 2022

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