



Teaching
Regulation
Agency

Mr Anshu Taneja: Professional conduct panel outcome

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

November 2023

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

Teacher:	Mr Anshu Taneja
Teacher ref number:	1664431
Teacher date of birth:	28 December 1979
TRA reference:	19605
Date of determination:	16 November 2023
Former employer:	Beal High School, Ilford, Essex

Introduction

A professional conduct panel (“the panel”) of the Teaching Regulation Agency (“the TRA”) convened on 13 to 16 November 2023 at Cheylesmore House, 5 Quinton Road, Coventry, CV1 2WT, to consider the case of Mr Anshu Taneja.

The panel members were Mr Paul Hawkins (lay panellist – in the chair), Mrs Dawn Hawkins (teacher panellist) and Mrs Georgina Bean (teacher panellist).

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

The presenting officer for the TRA was Miss Leah Redden of Browne Jacobson LLP solicitors.

Mr Taneja was present and was represented by Mr Jonathan Storey of Counsel, instructed by Thompsons LLP solicitors.

The hearing took place in public and was recorded.

Allegations

The panel considered the allegations set out in the notice of proceedings dated 19 July 2023.

It was alleged that Mr Anshu Taneja was guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute, in that, whilst employed as a Teacher at Beal High School ('the School') between 1 September 2016 and 17 July 2020:

1. Between January 2020 – February 2020, he failed to maintain appropriate professional boundaries with Pupil A, including by:
 - a. Obtaining Pupil A's personal number;
 - b. Attempting to call and/or text Pupil A on her personal number;
 - c. Asking Pupil A whether she was free out of School hours on one or more occasions;
 - d. Made inappropriate comments to the effect of:
 - i. 'You're a very attractive girl'
 - ii. 'You look nice in your uniform'
 - iii. 'Even in your school uniform I still find you attractive'
 - iv. 'I'm never going to speak to you, alone am I?'
 - e. Meeting with Pupil A one to one on one or more occasions;
 - f. Attempted to conceal and/or encouraged Pupil A to conceal his communications with Pupil A by:
 - i. Telling her 'You're a kid, this could end my career. I don't want to end up in a newspaper and shit' or made a comment to this effect;
 - ii. Telling her he would only be able to call her on a withheld number or words to that effect;
 - iii. Asking her whether she would tell her friends what he had discussed or words to that effect;
 - iv. Asking her if her [REDACTED] was 'the type to beat someone up?' or made a comment to this effect;
 - v. Saying 'I can't do anything risky here, are these cameras?' or made a comment to this effect;
 - vi. Asking her to move away from a CCTV camera to speak to him;
 - vii. Moving away to avoid being seen when he was approached by another member of staff.
2. In or around January 2020, he failed to maintain appropriate professional boundaries with one or more pupils, including by looking up pupil records/photographs on SIMS and/or allowing other pupils to view these, which included confidential and personal information.
3. His conduct as may be found proven at Allegations 1 and/or 2 was sexually motivated.

Mr Taneja admitted the facts alleged in allegations 1a, 1b (on the basis that Mr Taneja attempted to call rather than text), 1c and 1dii. He denied the remaining allegations. He also denied that his conduct amounted to unacceptable professional conduct.

Preliminary applications

Application to admit late evidence

Mr Storey made an application to admit late evidence, comprising a witness statement of Mr Taneja, some character references and training certificates. Miss Redden did not object to the admission of these documents. The panel agreed to admit them on the basis that the evidence was relevant and that it would not be unfair to admit them. The documents were added to section 5 of the bundle at pages 383 to 415.

Application to treat Pupil C as a vulnerable witness

The panel considered an application by Miss Redden that Pupil C be treated as a vulnerable witness under paragraph 5.102 of Teacher Misconduct: Disciplinary Procedures for the Teaching Profession 2020 ('the procedures'). It was submitted that the quality of Pupil C's evidence was likely to be adversely affected on the basis that she was the alleged victim of conduct which was the subject of an allegation against the teacher of a sexual nature. Miss Redden acknowledged that Pupil C was not the subject of allegation 1, but that allegation 2 was relevant to her. The conduct in allegation 2 was alleged to have been sexually motivated. The special measures sought were that Pupil C should:

1. be permitted to give evidence behind a screen;
2. have a witness supporter; and
3. not be questioned directly by Mr Taneja.

Mr Storey opposed the application. He submitted that Pupil C was not the alleged victim of an allegation of a sexual nature.

After considering the submissions and receiving legal advice, the panel determined that no special measures should be made in relation to Pupil C. Having regard to the allegations and evidence, including the witness statement of Pupil C, the panel was not satisfied that Pupil C was the alleged victim of an allegation of a sexual nature. Accordingly, she could not be treated as a vulnerable witness. The panel determined that she was not a child at this time. As Pupil C was not a vulnerable witness, the panel did not have discretion to direct that any special measures should be implemented. However, given that Mr Taneja was represented by Mr Storey, there would be no direct questioning

of Pupil C by Mr Taneja in any event. Furthermore, although no direction would be given in relation to the involvement of a witness supporter, given that the hearing was taking place in public, Pupil C could be accompanied to the hearing by a person who could sit as an observer.

Application for Pupil C to give evidence remotely

On the second day of the hearing, Miss Redden made an application that Pupil C be permitted to give evidence by virtual means rather than by attendance in person at the hearing. Miss Redden said that Pupil C had given notice on Sunday 12 November 2023 that she was ill and not able to attend the hearing. This was before the panel's decision in relation to special measures had been communicated to her. Application was now being made that Pupil C should be permitted to give evidence by virtual means because of her inability to attend the hearing due to illness and not because it was claimed that she was a vulnerable witness. Mr Storey confirmed that Mr Taneja did not object to Pupil C giving evidence in this way. The panel was satisfied that it was appropriate to direct that Pupil C should be permitted to give evidence by virtual means pursuant to the powers to determine the procedure at a hearing under paragraph 5.77 of the procedures.

Application by presenting officer to admit further evidence

On the second day of the hearing, Miss Redden made an application to admit further evidence comprising an email from Pupil A dated 13 November 2023 and a screenshot from a Facebook notification centre, which stated that Mr Taneja had sent a friend request to Pupil A at 19:18 on 13 November 2023 following her giving evidence that day. The email from Pupil A stated that she had found the receipt of the friend request from Mr Taneja to be 'distressing and intimidating'. Mr Storey did not object to the admission of this additional evidence, but said that Mr Taneja would provide an explanation when he gave evidence. The panel agreed to admit the additional evidence. The panel was satisfied that the additional documents should be admitted on the basis that the evidence was relevant and that it would not be unfair to admit them.

Application to admit further evidence on behalf of Mr Taneja

On the second day of the hearing, Mr Storey made an application to admit an additional document consisting of a screenshot from Mr Taneja's mobile phone. This depicted a photograph of a maths question which Mr Taneja showed the time and date as 30 January 2020 at 16:11. It was submitted that this was a screenshot of the question that Pupil C had given to Mr Taneja on 30 January 2020 and which contained Pupil C's writing. Miss Redden confirmed that there was no objection to the admission of this additional document. The panel was satisfied that the additional document should be

admitted on the basis that the evidence was relevant and that it would not be unfair to admit it.

Summary of evidence

Documents

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

Section 1: Anonymised pupil list and chronology – pages 6 to 7

Section 2: Notice of hearing – pages 9 to 13

Section 3: Teaching Regulation Agency witness statements – pages 15 to 45

Section 4: Teaching Regulation Agency documents – pages 47 to 349

Section 5: Teacher documents – pages 351 to 415

The panel was also provided with CCTV clips of the Art Foyer at the School for the following dates and times:

(a) 30 January 2020 – 16:12 to 16:20

(b) 31 January 2020 – 16:08 to 16:50

The panel members confirmed that they had read all documents within the bundle, in advance of the hearing, including the additional documents that the panel decided to admit. The panel members also confirmed that they had viewed the CCTV clips in advance of the hearing.

Witnesses

The panel heard oral evidence from Pupil A, Pupil B, Pupil C (all former pupils of the School), Witness A, previous [REDACTED] at the School and Mr Anshu Taneja.

Decision and reasons

The panel carefully considered this case and reached a decision.

Mr Anshu Taneja commenced employment at Beal High School ('the School') from 1 September 2016 as a trainee teacher of Mathematics and then as a qualified teacher of Mathematics from 1 September 2017. He was also a Year 13 Form Tutor.

It was alleged that, between January 2020 and February 2020, Mr Taneja failed to maintain appropriate professional boundaries with a pupil at the School, Pupil A, who was [REDACTED] old at that time. The allegations in this case arise from specific incidents on 30 and 31 January 2020. However, in the days leading up to those incidents, it was alleged that Mr Taneja had spoken to Pupil A on several occasions in circumstances which Pupil A had considered unusual. Pupil A said that Mr Taneja first spoke to her in the School canteen on 24 January 2020. She said that when she walked into the canteen, Mr Taneja stopped her and asked her who her Maths teacher was and what her predicted grade was. Pupil A responded, but wondered why Mr Taneja had approached her and not the friend that she was with. Pupil A said that when she was in the canteen on another occasion waiting in the queue, Mr Taneja gave her his orange juice as he said he did not want it and he then walked off. Pupil A said that she thought that this was strange and so she had mentioned it to another teacher, Witness A, but he had told her that he did not think that it was odd. Pupil A said that there was another occasion when she was in the canteen when one of her friends was tying Pupil A's shoelaces and Mr Taneja approached to make a joke about this. On another occasion, Pupil A said that she was walking into the canteen on the side that was farthest away from Mr Taneja, but he then moved to the same side as her and made another joke about her shoelaces.

On Thursday 30 January 2020, Pupil A said that she had finished a [REDACTED] at about 4pm and that she and some friends, including Pupil C, were standing in an area at the bottom of the stairs close to doors leading to the Art foyer. Pupil A said that Mr Taneja came down the stairs, walked past them and then indicated for Pupil A to follow him. Pupil A said that she followed Mr Taneja through the doors into the Art foyer and around the corner. Pupil A said that Mr Taneja then asked, "*Do I make you feel uncomfortable ?*". Her initial response was to laugh because she felt it was awkward. When he asked her the question again, she said 'no'. Pupil A said that Mr Taneja then asked her, "*If I talk to you will it be in private or will you tell your friends?*", to which Pupil A said she responded, "*Private*". Pupil A said she was confused by the conversation as she did not really know Mr Taneja. That was the end of the conversation and Mr Taneja then walked away.

Pupil A said that after school the following day (31 January 2020), her friend, Pupil C had arranged for Mr Taneja to help her with her Maths. Pupil A said that she went with Pupil C and others, including Pupil B, to wait for Pupil C. Pupil A said that, when they were in Mr Taneja's room, he started to look up their details on the School management system (SIMS) and made comments. This included making a comment about where Pupil A lived, saying that he had a friend who lived on the same road, and also referring to her [REDACTED], whose details were linked to hers. Pupil A said that Mr Taneja was also trying to be funny about their School photos. Pupil A said that, after they left the classroom, Mr Taneja did the same as the day before, when Pupil A and her friends were congregating at the bottom of the stairs Mr Taneja beckoned her away from her friends to

the Art foyer. Pupil A said that in the conversation that followed, Mr Taneja spoke to her using the words described in allegation 1, or words to that effect. Pupil A said that after her conversation with Mr Taneja, she spoke to Pupil B and Pupil C and told them what had happened. She said that during her discussion with them, she made some notes on her phone about what Mr Taneja had said to her. She then reported the matter to Witness A, who spoke to the [REDACTED] and the [REDACTED]. Pupil A said that she and Pupil B and Pupil C were then asked to make written statements which they made before they left the School that day.

As a result of the disclosures made, the matter was reported to the police and Mr Taneja was interviewed under caution on 20 February 2020 in the presence of a solicitor. There were no criminal charges, but the School subsequently conducted a disciplinary investigation and the matter was referred to the Teacher Regulation Agency.

Mr Taneja denied most of the factual allegations against him. He did not dispute that he had spoken to Pupil A alone on 30 and 31 January 2020. His position was that he had become conscious of the fact that Pupil A and her friends had been hanging around, including making several visits to his classroom, and staring at him. When he saw the group of pupils waiting as he left to go home on 31 January 2020, he decided that he needed to speak to Pupil A for two reasons. One, was to find out why Pupil A had been staring at him and the second was to establish whether she wanted tuition as she had previously expressed an interest. Mr Taneja said that he asked Pupil A if he made her feel uncomfortable, and she responded that he did not. Mr Taneja said that, based on Pupil A's response, he decided not to pursue that question any further and he moved on to ask her about tuition. Mr Taneja maintained that any conversation that followed was in the context of offering Pupil A tuition. He disputed Pupil A's account of the conversation between them.

The panel heard evidence at this hearing from Pupils A, B and C and Witness A, all called by the presenting officer. The panel also heard evidence from Mr Taneja. In addition, the panel considered CCTV clips of the Art foyer at the School for 30 and 31 January 2020.

A further development in this case occurred after Pupil A had given evidence on the first day of the hearing. The panel was concerned to note that Mr Taneja had sent a Facebook friend request to Pupil A at 19:18 on 13 November 2023. Pupil A stated in an email that she had found the receipt of this friend request from Mr Taneja to be '*distressing and intimidating*'. In his oral evidence, Mr Taneja stated that he had attempted to look at Pupil A's Facebook page to see if she had referred to the case. He said that, in the course of doing so, he had inadvertently made a friend request, which he had withdrawn as soon as he had realised his error.

The panel acknowledged that extreme caution was required when considering the memories of witnesses. The panel adopted the approach of testing the evidence of

witnesses, in the first instance, by reference to objective facts and, where available, contemporaneous documents. The panel avoided making any initial general assessment of the credibility of any witness by reference to their demeanour and confined its analysis to the specific allegations and consistency or lack of consistency with other evidence. In the absence of contemporaneous documents, the panel felt that it was able to attach some weight, where appropriate, to demeanour.

Findings of fact

The findings of fact are as follows:

It was alleged that you are guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute, in that, whilst employed as a Teacher at Beal High School ('the School') between 1 September 2016 and 17 July 2020:

1. Between January 2020 – February 2020, you failed to maintain appropriate professional boundaries with Pupil A, including by;

a. Obtaining Pupil A's personal number;

Mr Taneja admitted this allegation. He said that he had asked Pupil A for 'a' number in order to arrange tuition, which Pupil A had enquired about. Mr Taneja said that it transpired that the number that Pupil A had provided was hers. He said that the intention of obtaining the number was to discuss with Pupil A's parents whether he could start tuition the next day as he had an availability at 3pm after an earlier tuition that had already been arranged with another pupil from the School. However, this explanation conflicted with the account that Mr Taneja gave during his police interview. He then said that he had told Pupil A, *'If you're interested in tuition then can I take your number'*. Furthermore, in his oral evidence at this hearing, Mr Taneja acknowledged that he knew that it was Pupil A's number when he had obtained it from her. It was a breach of the School's Employee Code of Conduct to exchange personal contact details or use student contact details other than for agreed purposes.

The panel found 1a proved.

b. Attempting to call and/or text Pupil A on her personal number;

Mr Taneja admitted this allegation on the basis that he had attempted to call the number provided by Pupil A. He denied that he had ever attempted to text her. Mr Taneja said that he called the number provided to him from his phone in his car on the way home at around 17:30 on 31 January 2020. Mr Taneja said that he tried to ring on one occasion but the call did not connect.

The panel found 1b proved.

c. Asking Pupil A whether she was free out of School hours on one or more occasions;

Mr Taneja admitted this allegation. He said that, when he spoke to Pupil A on 31 January 2020, he had asked her if she was able to attend for tuition the next day. He denied that he had ever asked Pupil A to meet up with him socially over the half term. He accepted that he may have mentioned half term, but said that this would have been in the context of offering tuition. However, when interviewed by the police, Mr Taneja's account was that he had arranged an afternoon tuition for the Saturday and that he was bringing [REDACTED]. He told the police that he had said to Pupil A, "*Do you wanna meet in the park?*", which he said was a throwaway comment.

The panel noted that there was a significant difference between Mr Taneja's account of his conversation with Pupil A, and Pupil A's account. Pupil A's evidence was that when Mr Taneja spoke to her on 31 January 2020, he said to her, "*Are you free on Saturday around 3 or 4 or the half term*". Pupil A denied that this was in the context of offering her tuition. The panel noted that Pupil A had made a written account of her conversation with Mr Taneja on 31 January 2020 before she had left the School that day. Her oral evidence was consistent with this contemporaneous written account. The panel preferred the evidence of Pupil A about this allegation to that of Mr Taneja.

It was significant to note that Pupil A's evidence was that there was no reference made to tuition by Mr Taneja in his conversations with her on 30 or 31 January 2020. Furthermore, when questioned, Mr Taneja was unable to explain why he had chosen to speak to Pupil A to the exclusion of Pupil C about the offer of tuition. The evidence presented was that Pupil C had expressed interest in receiving tuition.

The panel found 1c proved.

d. Made inappropriate comments to the effect of:

i 'You're a very attractive girl'

Mr Taneja denied this allegation. He said that he would not have used the word 'attractive' as he was a religious person and the word 'attractive' was reserved for God (whom he called Krishna, meaning the 'all-attractive').

In her written statement made on 31 January 2020, Pupil A recorded that Mr Taneja had said to her, "*You're a very attractive girl. I don't need to tell you that*". Pupil B and Pupil C both confirmed that Pupil A reported to them immediately after her conversation with Mr Taneja that this is what Mr Taneja had said to her.

The panel was satisfied that it was more likely than not that Mr Taneja had made the alleged comment, which was entirely inappropriate and a clear failure to maintain a professional boundary, particularly in the context of Mr Taneja having created the situation in which he was alone with Pupil A.

The panel found 1di proved.

ii. 'You look nice in your uniform'

In the contemporaneous statement made by Pupil A on 31 January 2020, there was no reference to this phrase being used by Mr Taneja. Rather, Pupil A referred to the wording in allegation 1diii.

The panel found 1dii not proved.

iii. 'Even in your school uniform I still find you attractive'

In her written statement made on 31 January 2020, Pupil A recorded that Mr Taneja had said to her, "*Even in your school uniform, I still find you attractive*". For the same reasons as given in relation to allegation 1di, the panel found 1diii proved.

iv. 'I'm never going to speak to you, alone am I?'

Mr Taneja denied this allegation. However, he did say that it was possible that that Pupil A was referring to his explanation that his tuition was not done alone and that it would be in a group or at her parents' home.

In her written statement made on 31 January 2020, Pupil A recorded that Mr Taneja had said to her, "*I'm never going to speak to you alone am I?*". For the same reasons as given in relation to allegation 1di, the panel preferred Pupil A's account to that of Mr Taneja.

The panel found 1div proved.

e. Meeting with Pupil A one to one on one or more occasions;

Mr Taneja denied this allegation. He said that the only time that he had recalled having a one to one encounter with Pupil A was on Friday 31 January 2020 when he was leaving at the end of the day. He said that Pupil A and her two friends had been hanging around as he was exiting the school and that he had spoken to Pupil A for a maximum of six minutes. He said that the conversation had not been planned at all, but that he had asked Pupil A if he made her feel uncomfortable in any way and if she still wanted the tutoring she had asked about earlier in the week. Mr Taneja said that he had not recalled speaking to Pupil A alone on Thursday 30 January 2020. However, he acknowledged that the CCTV footage showed that he had a brief encounter alone with Pupil A that day. He said that this had also occurred after he had passed the same three pupils who were loitering in the area that he would use to leave the school. He said that there had been a fleeting encounter with Pupil A that day, which was no longer than 20 seconds. He denied that he ever had a 'meeting' with Pupil A.

The panel noted that Mr Taneja did not dispute that he had spoken to Pupil A on her own on both 30 and 31 January 2020. He disputed that these were 'meetings'. The panel noted that a dictionary definition of 'meeting' is 'a situation in which two or more people meet, by chance or

arrangement'. The panel was satisfied that Mr Taneja's interactions with Pupil A on 30 and 31 January could appropriately be regarded as meetings within this definition.

The panel found 1e proved.

f. Attempted to conceal and/or encouraged Pupil A to conceal your communications with Pupil A by:

i. Telling her 'You're a kid, this could end my career. I don't want to end up in a newspaper and shit' or made a comment to this effect;

In her written statement made on 31 January 2020, Pupil A recorded that Mr Taneja had said to her, "*You're a kid – this could end my career. I don't want to end up in newspapers and shit*". Pupil A's evidence was that these words had been said by Mr Taneja after Witness A had been seen (as referred to in allegation 1fvii) which Pupil A said had caused Mr Taneja to move in an attempt to avoid being seen. Pupil A's evidence about this allegation was not merely based upon her contemporaneous account when the matter was still fresh in her mind, the alleged language of Mr Taneja was consistent with Witness A coming into view and with Mr Taneja's admitted attempt to avoid being seen by Witness A. The panel was satisfied that the words used by Mr Taneja were for the purpose of encouraging Pupil A to conceal his communications with her.

The panel found 1fi proved.

ii. Telling her you would only be able to call her on a withheld number or words to that effect;

In her written statement made on 31 January 2020, Pupil A recorded that Mr Taneja had said to her, "*I'll only be able to call you on a withheld number*". Pupil A said that this was in the context of Mr Taneja taking her phone number. She said that Mr Taneja did not save her phone number into his phone, but he memorised her number instead. The panel was satisfied that Mr Taneja's actions were for the purpose of concealing his communications with Pupil A and that in saying these words to her, he was encouraging her to participate in these concealed communications.

The panel found 1fii proved.

iii. Asking her whether she would tell her friends what you had discussed or words to that effect;

In her written statement made on 31 January 2020, Pupil A recorded that Mr Taneja had said to her on 30 January 2020 "*If I talk to you will it be in private or will you tell your friends?*". In the same written statement Pupil A recorded that Mr Taneja had said on 31 January 2020, "*I'm never going to talk to you alone am I?*" and "*I feel awkward talking to you in front of your friends in case they notice anything*". The panel was satisfied that in saying

these things to Pupil A, Mr Taneja was actively encouraging her to conceal her communications with him.

The panel found 1fiii proved.

iv. Asking her if her [REDACTED] was ‘the type to beat someone up?’ or made a comment to this effect;

Mr Taneja denied this allegation. He said that the only reference that had been made to Pupil A's [REDACTED] was when he had been walking away from Pupil A after his conversation with her. He had then said, "*how's your [REDACTED]* ", to which Pupil A had replied something like "*okay*" as she continued to walk away. In her written statement made on 31 January 2020, Pupil A recorded that Mr Taneja had said to her on 30 January 2020 "*your [REDACTED] is he the type to beat someone up?*". Pupil A said that Mr Taneja had said this as a parting comment and she had responded by laughing. The panel preferred the evidence of Pupil A, which was consistent with her contemporaneous record. However, the panel was not satisfied that these particular words were expressed for the purpose of encouraging Pupil A to conceal Mr Taneja's communications with her.

The panel found 1fiv not proved.

v. Saying ‘I can't do anything risky here, are these cameras?’ or made a comment to this effect;

In her written statement made on 31 January 2020, Pupil A recorded that Mr Taneja had said to her on 31 January 2020 "*I can't do anything risky here are there any cameras?*". Mr Taneja denied this allegation and denied that he had ever looked at or pointed to cameras.

The panel had the benefit of viewing the CCTV footage in the Art foyer on 30 and 31 January 2020. In relation to 30 January 2020, contrary to Mr Taneja's assertion, it was clear to the panel that he had looked directly at the camera as he came through the doors into the Art foyer and then moved to his right to a position in which he was standing behind a pillar. The CCTV footage for 31 January 2020 similarly showed that Mr Taneja moved to the corridor area which was beyond the range of the camera in the Art foyer.

The panel was satisfied that it was more likely than not that Mr Taneja used the words that were recorded by Pupil A. In addition to Pupil A's oral evidence being supported by a contemporaneous written account, the words were entirely consistent with Mr Taneja's actions as observed by the panel on the CCTV footage. The panel was satisfied that Mr Taneja was attempting to conceal his communications with Pupil A and also encouraging her to do so.

The panel found 1fv proved.

vi. Asking her to move away from a CCTV camera to speak to you;

Mr Taneja denied this allegation. He said that Pupil A had followed him out of the internal doors to the Art foyer and that he had then indicated to the pupil that they should move a matter of a couple of metres down the corridor. He said that he had done this as he did not feel it was appropriate to speak to Pupil A within the earshot of her two friends. He denied that he was trying to evade the cameras. However, this contradicted the account given by Mr Taneja during his police interview. He then said, *“I tried to move away from the camera because I thought, if someone was to watch this and it was to go further, then they’ll think, what’s going on here?”*

In her written statement made on 31 January 2020, Pupil A recorded that Mr Taneja had said to her on 31 January 2020 *“Even right now there’s a camera there”* when Mr Taneja pointed at a camera and then he said, *“can we go outside?”* The panel was satisfied that it was more likely than not that Mr Taneja had asked Pupil A to move away from a CCTV camera in order to speak to him. The panel was satisfied that Mr Taneja’s conduct was designed to conceal his communications with Pupil A and encourage her to conceal them.

The panel found 1fvi proved.

vii. Moving away to avoid being seen when you were approached by another member of staff.

Mr Taneja denied this allegation. He denied that he had been ‘approached’ by another member of staff. He said that Witness A had only seen him from a distance and had never approached him. Mr Taneja said that, during his conversation with Pupil A on 31 January 2020 he saw a member of staff, whom he believed to be Witness A come into view, so he took one step backwards. He said that he had done this as he was not wearing ‘school uniform’ and school had ended for the week and the weekend had started. He thought Witness A may have considered the scene to be odd and he had moved to avoid Witness A thinking anything odd. Mr Taneja accepted in hindsight that it would have been better if he had just stayed in view and had the conversation with Pupil A.

The panel heard evidence from Witness A who said that, at the end of the school day on 31 January 2020, he came out of his classroom to play basketball in the hall. As he left the classroom, he saw Mr Taneja speaking to Pupil A in the outside corridor which led into the School. He said that, as he stepped out of his classroom, Mr Taneja saw him. He stated that Mr Taneja was standing close to a wall and Mr Taneja backed behind the wall. Witness A said that it appeared as if Mr Taneja was attempting to avoid being seen by him. He also saw Pupil A look back towards him and then she also walked closer to the wall, although did not go behind it.

In her written statement made on 31 January 2020, Pupil A recorded that Mr Taneja had said to her on 31 January 2020 *“Whose [sic] that teacher?”*. She also recorded that this was referring to Witness A and that Mr Taneja had moved backwards to avoid being seen.

Mr Taneja appeared to dispute this allegation on the basis that Witness A did not approach him. The panel noted that, after coming into view when he stepped out of his classroom, Witness A did not walk any further towards Mr Taneja. However, the panel noted that a dictionary definition of 'approach' is 'come near or nearer to someone or something in distance or time'. The panel was satisfied that, when Witness A exited his classroom and came into view, he had moved nearer to Mr Taneja and Pupil A and that this was within the scope of the definition of 'approach'. By his own admission, Witness A's coming into view was the catalyst for Mr Taneja moving in an attempt to avoid being seen.

The panel found Mr Taneja's reference to him not wearing school uniform as an explanation for not wishing to be seen as wholly implausible. The panel was satisfied that Mr Taneja's actions were for the purpose of concealing his communication with Pupil A and to encourage her to conceal them.

The panel found 1fvii proved.

In relation to all individual particulars found proved in allegation 1, the panel was satisfied that the conduct of Mr Taneja represented a failure to maintain appropriate professional boundaries with Pupil A.

2. In or around January 2020, you failed to maintain appropriate professional boundaries with one or more pupils, including by looking up pupil records/photographs on SIMS and/or allowing other pupils to view these, which included confidential and personal information.

Pupil A said that on 31 January 2020, she and Pupil B had accompanied Pupil C to Mr Taneja's classroom at the end of the school day. This was because Pupil C had arranged for Mr Taneja to help her with Maths. Pupil A said that, when they were in Mr Taneja's room, he started to look up their details on the School system and made comments. This included making a comment about where Pupil A lived, saying that he had a friend who lived on the same road, and also referring to her [REDACTED], whose details were linked to hers. Pupil A said that Mr Taneja was also trying to be funny about their School photos.

Mr Taneja denied this allegation. However, in his written statement he accepted that, on 31 January 2020, in the presence of Pupils A, B and C, he had looked up the photograph of a boy who had been involved in a fight at the School to see if he had previously taught him. Upon seeing the photograph, he realised that he had. Mr Taneja said that, after he had looked up the photo of the boy, Pupil C had walked to his side of the laptop and said, "yes, *that's him*". After this, he said that Pupils A and C had asked him to look up their photos on SIMS. Mr Taneja denied that the pupils had viewed any confidential information. However, later in his written statement, he acknowledged that he had been far too casual in his use of SIMS in looking up pictures of Pupils A and B and said that he regretted this and that he would never break data or student confidentiality again.

In his oral evidence, Mr Taneja agreed that when viewing a pupil's individual photograph on the School's version of SIMS, additional confidential information such as parents' contact information would be visible.

The panel was satisfied that Mr Taneja's conduct represented a failure to maintain appropriate professional boundaries with the pupils.

The panel found allegation 2 proved.

3. Your conduct as may be found proven at Allegations 1 and/or 2 was sexually motivated.

The panel then considered whether the conduct found proved in allegations 1 and/or 2 was sexually motivated. The panel recognised that, in order to find allegation 3 proved, the panel had to be satisfied, having regard to the primary facts found proved together with the surrounding circumstances, that the appropriate inference to draw was that Mr Taneja's conduct was in pursuit of a future sexual relationship with Pupil A. The panel was mindful of the burden of proof on the TRA and that it was not for Mr Taneja to prove that his actions were not sexually motivated.

The panel had regard to the following findings of fact. Mr Taneja had taken steps on two consecutive days to separate Pupil A from her friends and speak to her alone. Although there had not been any inappropriate physical contact with Pupil A, Mr Taneja had told her that he had found her attractive and made personal comments about her appearance in School uniform. In her written statement made on 31 January 2020, Pupil A recorded that Mr Taneja had also said to her on 31 January 2020 "*I know you've seen me looking at you*", supporting the evidence of Pupils A, B and C about the unusual interest that Mr Taneja had shown in Pupil A in the days leading up to 30 January 2020. The evidence presented suggested an element of infatuation with Pupil A. In this context, the panel considered it relevant that Mr Taneja had made a Facebook friend request to Pupil A after she had given evidence at this hearing.

Mr Taneja's explanation that he had spoken to Pupil A on 31 January 2020 to establish if she wanted tuition from him was implausible and not supported by the evidence presented. If that had been his intention, it was not necessary to speak to Pupil A on her own. He could have made the offer of tuition to other pupils, including Pupil C, who had already expressed an interest. Instead, he chose to focus on Pupil A in a way that sought to isolate her from her friendship group and conceal his communications with Pupil A from others, including members of staff. The panel found that Mr Taneja had obtained Pupil A's personal mobile number as a means of communicating with her and that he attempted to make arrangements to meet her out of School hours and out of the School environment, including inviting her to meet him in the park. The panel has also found that Mr Taneja had said to Pupil A, "*You're a kid, this could end my career. I don't want to end up in a newspaper and shit*", or words to that effect and, "*I can't do anything risky here,*

are these cameras?” The panel felt that, in using such language, Mr Taneja was reflecting the potential consequences of an inappropriate relationship between a teacher and a pupil being discovered.

The panel concluded that it was more likely than not that Mr Taneja’s conduct in allegation 1 was in pursuit of a future sexual relationship with Pupil A. In relation to the conduct found proved in allegation 2, the panel was not satisfied that, in isolation, this conduct was sexually motivated.

The panel, therefore, found allegation 3 proved in relation to the conduct in allegation 1.

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

Having found allegations 1a, 1b, 1c, 1d i, iii and iv, 1e, 1f i, ii, iii, v, vi, and vii, 2 and 3 proved, the panel went on to consider whether the facts of those proven 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 Taneja, in relation to the facts found proved, involved breaches of the Teachers’ Standards. The panel considered that, by reference to Part 2, Mr Taneja 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...
- Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities.

The panel was satisfied that the conduct of Mr Taneja amounted to misconduct of a serious nature which fell significantly short of the standards expected of the profession.

The panel also considered whether Mr Taneja’s conduct displayed behaviours associated with any of the offences listed on pages 12 and 13 of the Advice, but

recognised that this was not an exhaustive list. The panel found that the offence of abuse of position of trust, in the context of his pursuit of a future sexual relationship, 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.

The panel, therefore found that Mr Taneja's conduct amounted to 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 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.

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 Taneja's actions constituted 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, the maintenance of public confidence in the profession, declaring and upholding proper standards of conduct.

In the light of the panel's findings against Mr Taneja, there was a strong public interest consideration in respect of the protection of pupils, given the serious findings of failures to maintain appropriate professional boundaries with a pupil in pursuit of a future sexual relationship.

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

The panel was 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 Taneja was outside that which could reasonably be tolerated.

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

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 Taneja. 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;
- misconduct seriously affecting the education and/or safeguarding and well-being of pupils, and particularly where there is a continuing risk;
- abuse of position of trust (particularly involving pupils);
- an abuse of any trust, knowledge, or influence gained through their professional position in order to advance a romantic or sexual relationship with a pupil or former pupil;
- sexual misconduct, e.g. involving actions that were sexually motivated or of a sexual nature and/or that use or exploit the trust, knowledge or influence derived from the individual's professional position;
- a deep-seated attitude that leads to harmful behaviour;
- collusion or concealment including:
 - ..., defending inappropriate actions or concealing inappropriate actions;
 - encouraging others to break rules;
 - lying to prevent the identification of wrongdoing;

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. Mitigating factors may indicate that a prohibition order would not be appropriate or proportionate.

There was no evidence that Mr Taneja's actions were not deliberate.

There was no evidence to suggest that Mr Taneja was acting under duress, and, in fact, the panel found his actions to be calculated and motivated.

Mr Taneja did have a previously good history. Mr Taneja presented several character references, including one from [REDACTED] who said:

"I understand that Anshu has taught tennis for over 20 years and his reputation at [REDACTED] is one of being professional, reliable, extremely knowledgeable and intensely passionate about the sport. I have never had a complaint against Anshu in all the time he has been a member at [REDACTED], but did regularly receive positive comments about him."

The panel noted that no references were provided about his teaching practice in a school environment.

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.

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 would be sufficient would unacceptably compromise the public interest considerations present in this case, despite the severity of the consequences for Mr Taneja 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 Mr Taneja. His sexually motivated conduct in relation to a [REDACTED] old pupil, with associated attempts at concealment, were significant factors in forming that opinion. Accordingly, the panel made a recommendation to the Secretary of State that a prohibition order should be imposed with immediate effect.

The panel went on to consider whether or not it would be appropriate for it to decide to recommend 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 two years.

The Advice indicates that there are behaviours that, if proved, would militate against the recommendation of a review period.

These behaviours include:

- serious sexual misconduct e.g. where the act was sexually motivated and resulted in, or had the potential to result in, harm to a person or persons, particularly where the individual has used their professional position to influence or exploit a person or persons;
- any sexual misconduct involving a child;

The panel found that Mr Taneja was responsible for abusing his position of trust as a teacher to pursue a future sexual relationship with a pupil.

Mr Taneja continued to deny the majority of allegations at this hearing and demonstrated little or no insight into seriousness of the allegations or the potential impact on Pupil A. Despite having presented the panel with evidence of completing safeguarding training over the last four years, when questioned by the panel, he failed to demonstrate the required understanding of safeguarding. The panel was also concerned that, after Pupil A had given evidence at this hearing, Mr Taneja had attempted to make contact with her via social media. In the panel's view, the combination of these factors demonstrated an ongoing risk of Mr Taneja repeating his actions.

The panel decided that the findings indicated a situation in which a review period would not be appropriate and, as such, decided that it would be proportionate, in all the circumstances, for the prohibition order to be recommended without provisions for a review period.

Decision and reasons on behalf of the Secretary of State

I have given very careful consideration to this case and to the recommendation of the panel in respect of 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 allegations 1dii and 1fiv, and allegation 3 in relation to allegation 2). I have therefore put those matters entirely from my mind.

The panel has made a recommendation to the Secretary of State that Mr Anshu Taneja should be the subject of a prohibition order, with no provision for a review period.

In particular, the panel has found that Mr Taneja 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...
 - Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities.

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

The findings of misconduct are particularly serious as they include a finding of failures to maintain appropriate professional boundaries with a pupil in pursuit of a future sexual relationship.

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 likely to 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 Taneja, 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 protect children and safeguard pupils. The panel has observed, "there was a strong public interest consideration in respect of the protection of pupils, given the serious findings of failures to maintain appropriate professional boundaries with a pupil in pursuit of a future sexual relationship." A prohibition order would therefore prevent such a risk from being present in the future.

I have also taken into account the panel's comments on insight and remorse, which the panel sets out as follows, "Mr Taneja continued to deny the majority of allegations at this hearing and demonstrated little or no insight into seriousness of the allegations or the potential impact on Pupil A. Despite having presented the panel with evidence of completing safeguarding training over the last four years, when questioned by the panel, he failed to demonstrate the required understanding of safeguarding. The panel was also concerned that, after Pupil A had given evidence at this hearing, Mr Taneja had

attempted to make contact with her via social media. In the panel's view, the combination of these factors demonstrated an ongoing risk of Mr Taneja repeating his actions." In my judgement, the lack of insight and understanding of safeguarding 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 Taneja were not treated with the utmost seriousness when regulating the conduct of the profession." I am particularly mindful of the finding that "Mr Taneja was responsible for abusing his position of trust as a teacher to pursue a future sexual relationship with a pupil." I am also mindful of the finding that Mr Taneja sought to conceal his behaviour.

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 and conduct likely to bring the profession into disrepute, 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 Taneja himself. The panel has noted that Mr Taneja had a previously good history and that he presented several character references although none of these were about his teaching practice in a school environment.

A prohibition order would prevent Mr Taneja 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 that Mr Taneja "demonstrated little or no insight into seriousness of the allegations or the potential impact on Pupil A."

I have also placed considerable weight on the findings of the panel that Mr Taneja had abused a position of trust in pursuit of a future sexual relationship with a pupil and that he had attempted to conceal his behaviour.

I have given less weight in my consideration of sanction therefore, to the contribution that Mr Taneja 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 insight and remorse, 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 no provision should be made for a 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. These behaviours include: serious sexual misconduct e.g. where the act was sexually motivated and resulted in, or had the potential to result in, harm to a person or persons, particularly where the individual has used their professional position to influence or exploit a person or persons; any sexual misconduct involving a child. The panel found that Mr Taneja was responsible for abusing his position of trust as a teacher to pursue a future sexual relationship with a pupil."

The panel has also said it was concerned about the on-going risk of Mr Taneja repeating his actions given his lack of insight into the seriousness of the allegations, his failure to demonstrate the required understanding of safeguarding, and his attempt to make contact with the pupil via social media after the pupil had given evidence at the hearing.

The panel has therefore recommended that it would be proportionate for there to be a prohibition order without provision for a review period. I have considered whether this reflects the seriousness of the findings and is proportionate to achieve the aim of maintaining public confidence in the profession. In this case, factors mean that allowing a review period is not sufficient to achieve the aim of maintaining public confidence in the profession. These elements are the very serious nature of Mr Taneja's sexually motivated conduct in relation to a [REDACTED] pupil, the lack of full insight and his attempts at concealment.

I consider therefore that allowing for no review period is necessary to maintain public confidence and is proportionate and in the public interest.

This means that Mr Anshu Taneja is prohibited from teaching indefinitely and cannot teach in any school, sixth form college, relevant youth accommodation or children's home in England. Furthermore, in view of the seriousness of the allegations found proved against him, I have decided that Mr Taneja shall not be entitled to apply for restoration of his eligibility to teach.

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

Mr Taneja has a right of appeal to the King's Bench Division of the High Court within 28 days from the date he is given notice of this order.

A handwritten signature in black ink, appearing to read 'D Oatley', written in a cursive style.

Decision maker: David Oatley

Date: 20 November 2023

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