



Teaching
Regulation
Agency

Mr Bhavik Solanki: Professional conduct panel meeting 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

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| Teacher: | Mr Bhavik Solanki |
| Teacher ref number: | 1244945 |
| Teacher date of birth: | 19 March 1990 |
| TRA reference: | 20970 |
| Date of determination: | 28 November 2023 |
| Former employer: | Langland Community School, Milton Keynes |

Introduction

A professional conduct panel ('the panel') of the Teaching Regulation Agency ('the TRA') convened on 28 November 2023 by way of a virtual meeting, to consider the case of Mr Bhavik Solanki.

The panel members were Mrs Gemma Hutchinson (teacher panellist – in the chair), Mr Peter Barnsley (teacher panellist) and Mrs Jackie Hixon (lay panellist).

The legal adviser to the panel was Mrs Samantha Cass of Birketts LLP solicitors.

In advance of the meeting, after taking into consideration the public interest and the interests of justice, the TRA agreed to a request from Mr Bhavik Solanki that the allegations be considered without a hearing. Mr Bhavik Solanki provided a signed statement of agreed facts and admitted unacceptable professional conduct and/or conduct that may bring the profession into disrepute. The panel considered the case at a meeting without the attendance of the presenting officer, Ms Louise Murphy-King of Kingsley Napley LLP, Mr Bhavik Solanki or any representative on behalf of Mr Bhavik Solanki.

The meeting took place in private by way of a virtual meeting.

Allegations

The panel considered the allegations set out in the notice of meeting dated 17 November 2023.

It was alleged that Mr Solanki was guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute, in that whilst working as a teacher at Langland Community School:

1. On or around March 2022, he:
 - a) Grabbed and/or held Student A by his jumper and/or wrist and/or arm; and
 - b) Pulled Student A by his jumper and/or wrist and/or arm.
2. His conduct at allegation 1 above involved the use of inappropriate and/or unnecessary force.
3. His conduct at allegation 1 above caused distress to Student A, resulting in Student A crying.
4. On or around 10 June 2022, he accepted a police caution in relation to the incident involving Student A on 18 March 2022.

Mr Solanki admitted the facts of allegations 1a, 1b, 2, 3 and 4 as set out in the statement of agreed facts, signed by Mr Solanki on 18 September 2023.

Preliminary applications

There were no preliminary applications.

The panel did however hear legal advice on proceeding with a meeting without the attendance of the presenting officer, Ms Louise Murphy-King of Kingsley Napley LLP, Mr Solanki or any representative on behalf of Mr Solanki. The Panel noted that the TRA had agreed to a request from Mr Solanki for the allegations to be considered without a hearing.

The panel therefore concluded that it was appropriate to proceed in the circumstances taking into account Mr Solanki's admission of the allegations, request for such a meeting and the interests of justice or public interest in proceeding.

Summary of evidence

Documents

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

- Section 1: Chronology and list of key people – pages 4 to 7
- Section 2: Notice of referral, response and notice of meeting – pages 7 to 15
- Section 3: Statement of agreed facts – pages 16 to 20
- Section 4: TRA documents – pages 21 to 171
- Section 5: Teacher documents – pages 172 to 226

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

Statement of agreed facts

The panel considered a statement of agreed facts which was signed by Mr Solanki on 18 September 2023, and subsequently signed by the presenting officer on 19 September 2023.

Decision and reasons

The panel carefully considered the case and reached the following decision and reasons:

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

Mr Solanki was employed as a class teacher at Langland Community School ('the School') between November 2021 and July 2022.

On 18 March 2022, an incident occurred between Mr Solanki and Student A. [Redacted], allegedly reported to [Redacted] at the School, that she had witnessed Mr Solanki physically pull Student A.

On the same day, CCTV footage was viewed, and the matter was referred to the LADO. Mr Solanki was suspended as a result.

On 21 March 2022, an investigating officer was appointed to investigate the incident and the allegations.

On 23 March 2022 a LADO and managing allegations meeting was held.

On 4 May 2022, Mr Solanki was interviewed by the police, and on 10 June 2022 he received and signed a police caution.

On 5 July 2022 a disciplinary hearing was conducted.

On 18 July 2022, the School referred the matter to the TRA.

Findings of fact

The findings of fact are as follows:

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

- 1. On or around March 2022, you:**
 - a) Grabbed and/or held Student A by his jumper and/or wrist and/or arm; and**
 - b) Pulled Student A by his jumper and/or wrist and/or arm**
- 2. Your conduct at allegation 1 above involved the use of inappropriate and/or unnecessary force.**
- 3. Your conduct at allegation 1 above caused distress to Student A, resulting in Student A crying.**

The panel considered the witness statement of Student A, dated 22 March 2022.

Student A explained that on the day of the incident he was underneath a table, located upstairs near [Redacted] classroom. He stated that [Redacted] then came, and said she wasn't happy, and told him that by the time she came out of his classroom he needed to be back in the class. Student A submitted that [Redacted] told him if he was not back in the classroom, he would be given a warning. He stated that [Redacted] then went into the other classroom, came out and then said she would call his mum.

Student A stated that he was sat next to the laptop holder, and [Redacted] came back up to him saying she had called his mum and she was not happy. He stated that [Redacted] then left, and Mr Solanki came out and put a 5-minute timer on the table and went back into his classroom.

Student A submitted that the timer ran out, and he was hiding behind the desk. He stated Mr Solanki came out of his classroom and shouted "*you have to get back into class now!*", and as he wasn't going, Mr Solanki pulled both his arms.

Student A showed how he was grabbed during the meeting on his mother, where he gripped her under her right arm and over her left arm just above the wrists.

Student A stated that Mr Solanki was still pulling him, and he ended up on the [Redacted] sofa, where he managed to escape. Student A explained that he was screaming a little

bit and started to shout "*I hate you, I hate you Mr Solanki*" to which Mr Solanki told him he didn't care.

Student A submitted that Mr Solanki told him he was on another warning and continued holding onto him. He stated that Mr Solanki then went back into class and shut the door.

Student A explained that [Redacted] had come out of the classroom, and he was crying when he was shouting at Mr Solanki.

Student A stated that [Redacted] came up to him and said that his mother was coming, and that it was time to go into his classroom. Student A stated that he did not go, and it was then break time, where he went with [Redacted] to the learning mentors.

The panel considered the witness statement of [Redacted], who stated that on Friday 18 March at approximately 10am, Mr Solanki came into [Redacted] classroom and asked her to watch his class for a few seconds.

[Redacted] explained that she went into Mr Solanki's classroom, and student B was reading some work to her, when she heard Mr Solanki shout Student A's name.

[Redacted] submitted that she looked up towards the open classroom door and saw Mr Solanki pulling Student A by his arms. She stated that Student A had his right arm stretched out straight and Mr Solanki was gripping his wrist with his other hand under Student A's left armpit, between the middle of his torso.

[Redacted] explained that Mr Solanki was pulling Student A with strength as Student A was resisting. She stated that Student A then screamed at the top of his lungs "*I hate you*". [Redacted] submitted that this was in front of the laptop cage behind the table.

[Redacted] stated that all of the children in the classroom were disturbed and asking who it was, to which she told them to carry on with their learning.

[Redacted] explained that Mr Solanki and Student A were then behind the wall near the sofa, but she had not seen them move as she was focusing on the class. [Redacted] submitted that Student A was distraught at this point, crying and repeatedly shouting "*I hate you*".

[Redacted] stated that Mr Solanki then came back into the classroom and seemed very agitated, he shut the door behind him, and Student A was left outside. [Redacted] stated that Mr Solanki carried on teaching and she left the classroom, where she saw Student A sitting on the [Redacted] sofa with his arms crossed, looking flushed. She stated that Student A did not look at her, and she did not speak to him.

[Redacted] explained that she went straight to [Redacted] who was in the office and asked to speak to her. [Redacted] stated that she was crying, and as soon as she mentioned Mr Solanki's name [Redacted] went to get [Redacted]. [Redacted] submitted

that [Redacted] took her to her office, and she explained the incident and demonstrated where Mr Solanki had held Student A.

[Redacted] stated that the incident on Student A was unprovoked as he was sat outside the classroom and was not disrupting anyone's learning.

The panel noted the witness statement of Mr Solanki, who stated that Student A had come into class in good spirits and left the classroom in a good place at around 9am. He stated that at around 9:15am, he noticed that Student A had not come back in, so he went outside the classroom to check where he was and noticed him slumped down outside [Redacted] classroom. Mr Solanki explained that he could see Student A wasn't ready to learn and he had a big frown on his face, so he got down to his level and asked him what was wrong, to which Student A aggressively started shouting "*I don't like learning, I don't like the School*".

Mr Solanki submitted that he then used the behaviour policy and set a 5-minute timer and went back into the classroom to teach. Mr Solanki stated that after 5 minutes he came out of the classroom again and got down to Student A's level, and asked if he was ready to come back into the classroom. Mr Solanki submitted that Student A said "*I don't care about anything, I just want to go home*", so he gave him a second warning and set another 5 minute timer.

Mr Solanki explained that when he came out again after 5 minutes, Student A was laying on the floor in front of the cupboard, so he tried to call the learning mentors but his walkie-talkie was out of charge. Mr Solanki stated that the [Redacted] classroom door was open so he asked [Redacted] to watch his class, and he went down to the learning mentor's room but it was closed. Mr Solanki stated that he tried a technique he had remembered a learning mentor using, but Student A screamed at him that he was not going back into the classroom.

Mr Solanki submitted that he then had a momentary lapse of control, and he used his arms to bring Student A across the corridor, off the floor and onto the sofa. He stated that it was about 30 seconds, and he knew instantly that he had overstepped the mark. Mr Solanki explained that Student A was trying to resist for the first 5/10 seconds, but then he managed to move him, and then let go because he realised that he was doing something wrong. Mr Solanki stated that he went back into class and Student A was sat on the sofa shouting "*No I don't want to go into the classroom*", so he left the door open to make sure he was safe. Mr Solanki explained that [Redacted] was in the classroom until playtime.

The panel noted that there was contemporaneous CCTV footage (albeit not viewed by the panel themselves) and an adult witness to the incident. Also, the panel noted that Mr Solanki had admitted the allegations within an agreed statement of facts and had

accepted a police caution. The panel found that the evidence provided corroborated the same version of events.

The panel found allegations 1a, 1b, 2 and 3 proven.

4. On or around 10 June 2022, you accepted a police caution in relation to the incident involving Student A on 18 March 2022.

The panel noted the police caution document that was supplied in the bundle. Mr Solanki signed the police caution on 10 June 2022, which set out that on 18 March 2022, he had assaulted Student A by beating him contrary to section 39 of the Criminal Justice Act 1988.

The panel found allegation 4 proven.

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

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

In doing so, the panel had regard to the document Teacher misconduct: The prohibition of teachers, which is referred to as 'the Advice'.

The panel was satisfied that the conduct of Mr Solanki, in relation to the facts found proved, involved breaches of the Teachers' Standards. The panel considered that, by reference to Part 2, Mr Solanki 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; and
 - showing tolerance of and respect for the rights of others.
- 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 Solanki fell significantly short of the standards expected of the profession.

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

The panel found that none of these offences was relevant although it did consider that Mr Solanki had demonstrated an isolated degree of violence with his actions towards Student A. Whilst the panel noted that Mr Solanki had not been convicted, the panel did consider that Mr Solanki had accepted a caution as a result of the incident with Student A.

The Advice indicates that where behaviours associated with such an offence exist, a panel is more likely to conclude that an individual's conduct would amount to unacceptable professional conduct.

The panel considered page 15 of the Advice when considering Mr Solanki's compatibility with being a teacher. The panel considered that Mr Solanki had departed from the requisite personal and professional conduct teaching standards which affected the wellbeing of Student A and compromised Student A's safeguarding. The panel considered that this also amounted to an abuse of trust and a violation of the rights of Student A.

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

The panel took into account the way the teaching profession is viewed by others and considered the influence that teachers may have on pupils, parents and others in the community. The panel also 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 they behave.

The findings of misconduct were 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 Solanki's actions constituted conduct that may bring the profession into disrepute.

Having found the facts of particulars 1a, 1b, 2, 3 and 4 proved, the panel further found that Mr Solanki's conduct amounted to both unacceptable professional conduct and conduct that may bring the profession into disrepute.

Panel's recommendation to the Secretary of State

Given the panel's findings in respect of unacceptable professional conduct and conduct that may bring the profession into disrepute, it was necessary for the panel to go on to consider whether it would be appropriate to recommend the imposition of a prohibition order by the Secretary of State.

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

The panel had regard to the particular public interest considerations set out in the Advice and, having done so, found a number of them to be relevant in this case, namely: the safeguarding and wellbeing of pupils and the protection of other members of the public; the maintenance of public confidence in the profession; declaring and upholding proper standards of conduct; and that prohibition strikes the right balance between the rights of the teacher and the public interest, if they are in conflict.

In the light of the panel's findings against Mr Solanki, which involved grabbing and pulling Student A by his jumper and/or wrist and/or arm, using inappropriate/unnecessary force and accepting a police caution, the panel considered that public confidence in the profession could be seriously weakened if conduct such as that found against Mr Solanki were not treated with the utmost seriousness when regulating the conduct of the profession.

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

The panel decided that there was not a particularly strong public interest consideration in retaining the teacher in the profession, especially as Mr Solanki had voluntarily left the teaching profession and was not therefore currently able to make a significant contribution to the education sector.

Notwithstanding the clear public interest considerations that were present, the panel considered carefully whether or not it would be proportionate to impose a prohibition order, taking into account the effect that this would have on Mr Solanki. The panel was mindful of the need to strike the right balance between the rights of the teacher and the public interest.

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 Solanki. The panel took further account of the Advice, which suggests that a prohibition

order may be appropriate if certain behaviours of a teacher have been proved. In the list of such behaviours, those that are relevant in this case are:

- serious departure from the personal and professional conduct elements of the Teachers' Standards;
- the commission of a serious criminal offence, including those that resulted in a conviction or caution, paying particular attention to offences that are 'relevant matters' for the purposes of The Police Act 1997 and criminal record disclosures.
- misconduct seriously affecting the education and/or well-being of pupils, and particularly where there is a continuing risk;
- abuse of position or trust (particularly involving pupils);
- 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); and
- violating of the rights of pupils.

Although the panel did not find that Mr Solanki had been dishonest in respect of the incident with Student A, the panel did note that Mr Solanki had not reported this himself and it had been firstly instead been reported by the [Redacted].

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 Solanki's actions were not deliberate.

There was no evidence to suggest that Mr Solanki was acting under extreme duress, and, in fact, the panel found Mr Solanki's actions to be calculated and motivated.

The panel noted the mitigation Mr Solanki mentioned in his witness statement regarding [Redacted].

Mr Solanki explained that he found out year 5 were doing the NTRA tests that week, and being maternity cover, he felt the kids needed to do well to increase his chances of being kept on.

Mr Solanki stated that he momentarily lost control, and he has relived the event every day since. He submitted that in 9/10 years of teaching, he has never done anything like this, and he has always been professional. He stated that he does not believe there were any marks on Student A.

Mr Solanki stated that he is still [Redacted] because he does not want anything like this to happen again. He submitted that he apologises to Student A and the School, and when giving his witness statement Mr Solanki requested the opportunity to apologise to Student A and his mother when appropriate.

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 was sufficient would unacceptably compromise the public interest considerations present in this case, despite the severity of the consequences for Mr Solanki 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 Solanki. The proximity of the caution as well as Mr Solanki's propensity to display previous abusive behaviour in his domestic setting was a significant factor in forming that opinion. Accordingly, the panel made a recommendation to the Secretary of State that a prohibition order should be imposed with immediate effect.

The panel went on to consider whether or not it would be appropriate to recommend that a review period of the order should be considered. The panel was mindful that the Advice states that a prohibition order applies for life, but there may be circumstances, in any given case, that may make it appropriate to allow a teacher to apply to have the prohibition order reviewed after a specified period of time that may not be less than 2 years.

The Advice indicates that there are behaviours that, if proved, would militate against the recommendation of a review period. The panel found none of these behaviours to be relevant.

The Advice also indicates that there are behaviours that, if proved, would have greater relevance and weigh in favour of a longer review period. The panel found that none of these behaviours were relevant.

Although the panel considered Mr Solanki's previous behaviour and conduct, the panel did note that he had demonstrated a degree of insight into his actions. The panel was keen to encourage Mr Solanki to continue to focus on his [Redacted] and reflect on the

motivations and triggers for any violent behaviour to reduce the chance of reoccurrence. The panel found that 2 years should give Mr Solanki an appropriate time for him to be able to gain further insight/remorse into his actions and continue to work on stabilising his [Redacted] as much as possible in order to reduce any possibility of recurring similar behaviour. The panel acknowledged that Mr Solanki had shown evidence of some element of remorse, however, the triggers and motivations should remain key considerations for Mr Solanki to address in the future. The panel considered that a 2 year review period would give Mr Solanki an opportunity to demonstrate a sustained period of improvement in his conduct and behaviour and insight into the same before an alternative panel.

The panel decided that the findings indicated a situation in which a review period would be appropriate and, as such, decided that it would be proportionate in all the circumstances for the prohibition order to be recommended with provision for a review period of 2 years.

Decision and reasons on behalf of the Secretary of State

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

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

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

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

In particular, the panel has found that Mr Solanki 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; and
 - showing tolerance of and respect for the rights of others.

- 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 Solanki fell significantly short of the standards expected of the profession.

The findings of misconduct are serious as they include using inappropriate/unnecessary force with a student.

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 Solanki, 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/or safeguard pupils. The panel has observed, “The panel considered page 15 of the Advice when considering Mr Solanki’s compatibility with being a teacher. The panel considered that Mr Solanki had departed from the requisite personal and professional conduct teaching standards which affected the wellbeing of Student A and compromised Student A’s safeguarding. The panel considered that this also amounted to an abuse of trust and a violation of the rights of Student A.” 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, “Although the panel considered Mr Solanki’s previous behaviour and conduct, the panel did note that he had demonstrated a degree of insight into his actions. The panel was keen to encourage Mr Solanki to continue to focus on his [Redacted] and reflect on the motivations and triggers for any violent behaviour to reduce the chance of reoccurrence.” I have therefore given this element considerable weight in reaching my decision.

I have gone on to consider the extent to which a prohibition order would maintain public confidence in the profession. The panel observe, “In the light of the panel’s findings against Mr Solanki, which involved grabbing and pulling Student A by his jumper and/or

wrist and/or arm, using inappropriate/unnecessary force and accepting a police caution, the panel considered that public confidence in the profession could be seriously weakened if conduct such as that found against Mr Solanki were not treated with the utmost seriousness when regulating the conduct 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 and conduct that may 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 Solanki himself and the panel comment “Mr Solanki stated that he momentarily lost control, and he has relived the event every day since. He submitted that in 9/10 years of teaching, he has never done anything like this, and he has always been professional.” The panel went on to say, “The panel decided that there was not a particularly strong public interest consideration in retaining the teacher in the profession, especially as Mr Solanki had voluntarily left the teaching profession and was not therefore currently able to make a significant contribution to the education sector.”

A prohibition order would prevent Mr Solanki 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 following comment, “The panel considered page 15 of the Advice when considering Mr Solanki’s compatibility with being a teacher. The panel considered that Mr Solanki had departed from the requisite personal and professional conduct teaching standards which affected the wellbeing of Student A and compromised Student A’s safeguarding. The panel considered that this also amounted to an abuse of trust and a violation of the rights of Student A.”

I have also placed considerable weight on the finding, “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 Solanki. The proximity of the caution as well as Mr Solanki’s propensity to display previous abusive behaviour in his domestic setting was a significant factor in forming that opinion.”

I have given less weight in my consideration of sanction therefore, to the contribution that Mr Solanki 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, 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 comment "The panel acknowledged that Mr Solanki had shown evidence of some element of remorse, however, the triggers and motivations should remain key considerations for Mr Solanki to address in the future. The panel considered that a 2 year review period would give Mr Solanki an opportunity to demonstrate a sustained period of improvement in his conduct and behaviour and insight into the same before an alternative panel."

I agree with the panel and have decided a two year review period is proportionate and in the public interest.

This means that Mr Bhavik Solanki 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 6 December 2025, 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 Solanki remains prohibited from teaching indefinitely.

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

Mr Solanki 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.



Decision maker: Sarah Buxcey

Date: 30 November 2023

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