



Teaching
Regulation
Agency

Mr Aqib Khan Professional conduct panel meeting outcome

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

March 2024

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

Teacher: Mr Aqib Khan

Teacher ref number: 1847631

Teacher date of birth: 9 July 1993

TRA reference: 21592

Date of determination: 15 March 2024

Former employer: Harborne Academy, Birmingham

Introduction

A professional conduct panel (“the panel”) of the Teaching Regulation Agency (“the TRA”) convened virtually on Microsoft Teams, to consider the case of Mr Aqib Khan.

The panel members were Mr Ian McKim (lay panellist in the chair), Ms Laura Flynn (teacher panellist) and Mrs Val Simpson (lay panellist).

The legal adviser to the panel was Mr Jermel Anderson of Blake Morgan 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 Khan that the allegations be considered without a hearing. Mr Khan provided a signed statement of agreed facts and admitted unacceptable professional conduct and conduct that may bring the profession into disrepute.

The panel considered the case at a meeting without the attendance of the presenting officer, Emma Dowd of Capsticks LLP, or Mr Khan.

The meeting took place in private.

Allegations

The panel considered the allegations set out in the notice of meeting dated 13 March 2024.

It was alleged that Mr Aqib Khan was guilty of unacceptable professional conduct and conduct that may bring the profession into disrepute in that:

You are guilty of unacceptable professional conduct and/ or conduct that may bring the profession into disrepute in that, while employed as a teacher at Harborne Academy ("the School") between May 2021 and March 2023:

1. You made one or more comments, as listed within Schedule 1, on a Microsoft Teams group chat which included pupil(s) from the School.
2. You made one or more of the comments as listed within Schedule 2.
3. You failed to maintain professional boundaries with pupil(s) in one or more of the following ways:
 - a. Discussed dating and/or how to "get girls";
 - b. Discussed your personal life;
 - c. You showed Student H a topless photo of yourself and/or a photo of you "flexing your muscles"

Schedule 1 Reads:

20.09 at 19:33

"Also, practically, because she's a girl she's lucky. If she marries a good guy she can work or not work –its her choice. Her husband will support her either way. It'll take pressure off of her to pick a career."

"Find a good guy to marry (girls in their early 20s find this easiest) – then you'll the (sic have the freedom to work not work. So it'll take pressure off of finding a career and you can choose to do it at your own pace" (107)

25.11 at 14:40

Teacher:" Yeah but I think its because of this // What ruined him // Why you don't marry a modern girl [youtube link]"

Pupil: "Sir why u going pak just get one here // Takes forever"

Teacher: "Half are nuts and the other half don't like me." (100)

29.11 at 16:23-16:25

Pupil: my bad sir // Inshallah I'll be in for ur class next time ye"

Teacher: "Was good went after feminism today Thursday ill finish em" (111)

29.11 at 17:40

"Natural selection increasing our numbers as a result.

[image]

By 2050 the whole of UK, France and Germany will look like Birmingham" (106)

29.11 at 18:57

"The number of Muslims went up 44% in 10 years. Everyone else is falling or growing at a snail's pace. Traditional values > liberalism" (101)

01.12 at 20:05

"White women enjoying life under shariah lol" under a picture of a news article which states "Alcohol ban helps female fans enjoy hassle-free football in Qatar". (102)

29.11 to 01.12

"they're trying to stop us, but its inevitable.

[news article titled "Sweden's selective ban on religious schools singles out Islamic ones"].

[Statistics titled "Religion of Birmingham residents, 2021"]

They have to cope with it, we can pour their tears into our karak cha". (101)

03.12 at 13:14

"Feminism was designed to make women work instead of having a husband and children // Because that way the government can tax them and make money...Modern society is designed to get girls and turn them into this for the governments and banks: [picture of battery]"

"...Just remember this. Just stick to our values – and let them believe in their beliefs and were just going to replace everyone else even faster". (103)

03.12 at 13:36

"Feminism teaches women are equal and discourages motherhood and being a wife"

"Islam teaches women are x3 more valuable than men if they're good mothers and wives (and they can work if they want to)" (105)

05.12 at 00:22

"More religious girls have more kids, are happier and sleep with their partners more"

"Girls in their 30s are 10x more likely to have a kid born with autism than of(sic) they're 25 // At 30 you're ½ as likely to have a kid than if you're 25 // Just don't leave it late if you're a girl // Knew a girl that was a doctor and 30 // She couldn't get married for that reason // For guys 25-30 is ideal // sperm quality dips near 40 I think" (105)

05.12

"Be quiet you low caste" (119)

"...don't ever attack a girl. EVER. Verbally emotionally. You're meant to treat them like queens as long as they're good girls. If they're westernized lunatics just ignore them." (119)

"were you the product of a sibling marriage" (123)

"...nothing we ever do is good enough. Look at this chart by the UN. Suicide rates by religion. Muslims have by far the world's lowest suicide rates. Islam is literally good for your mental health. But if you show a liberal they'll make..." (121)

"Asians (33%) are more likely to be earning over £1000 a week than white people (29%)" (120)

Schedule 2 read:

- a) Said words to the effect of “if you believe in feminism, if you believe in aborting babies, in man and man and woman being married, if you believe in working until you are 35 years old and not having any children. If you believe all this stuff, that’s fine, believe in it. But I am telling you one fact, you’re going to get replaced by Muslims even faster, they will replace you even faster”. (136)
- b) Said words to the effect of “girls can become doctors, but just make sure in those years, you get married. Because after that, no more guys will find you attractive, and then you are just left in the stands” (138)
- c) Said words to the effect of “right, you probably know this yeah, but if you ever walk through Birmingham have you seen how many shops and businesses are owned by Asians, do you know how we do it, our secret?...we look after our parents, listen. I live with my mom and dad yeah, I’m paying for them, all the money I make every month, I’m saving it. If I moved out, that moneys going on rent or a mortgage.” (138)
- d) Said words to the effect of, “girls, if you are 35 and having a child that child is 10 times more likely to be born disabled than if at 25...if you are 30, the chances of you having a kid goes down by half than if you are 25. That’s why guys find girls more attractive...most girls marry guys older than them, it’s just biology.” (139)
- e) Said words to the effect of, “women claim they got certain benefits. Why are they doing that? They are promoting this on purpose, don’t get married, don’t have kids because that way you have to work and that way the government can tax you. If you are married, your husband can support you, you don’t have to work. They don’t like that. There’s your answer.” (140)
- f) In response to comments made by pupils regarding:
 - i) woman paying for child care and/or
 - ii) individuals “sleeping around”you said this was “haram” or words to that affect.
- g) Said words to the effect of, “women want a man who can dominate them and look after them as they can’t look after themselves.”
- h) Said words to the effect of, “In Saudi Arabia, women are 10x less likely to be raped than in America.” (155)
- i) Said words to the effect of, “love marriages are more likely to end in divorces than arranged marriages.” (155)
- j) Said words to the effect of, “a baby over 30 was worse than a cousin marriage and that the child will most likely have disabilities”. (155)

k) Said words to the effect of “if a girl sleeps with one guy before marriage the divorce rate is 25% and if she sleeps with three guys before marriage, this went up to 75%” (156)

l) Said words to the effect of, “One time, [the Teacher] told us that he rejected a woman doctor who was the same age as him because she earned about 70k and he can’t be with a woman who earns more than him.” (155)

Preliminary applications

There were no preliminary applications.

Summary of evidence

Documents

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

Section 1: Chronology and anonymised pupil list – pages 4 to 6

Section 2: Notice of proceedings and response – pages 7 to 32

Section 3: Teaching Regulation Agency witness statements – pages 33 to 40

Section 4: Teaching Regulation Agency documents – pages 41 to 283

Section 5: Teacher documents – pages 284 to 288

Statement of agreed facts

The panel considered a statement of agreed facts which was signed by Mr Khan on 27 February 2024.

Decision and reasons

The panel announced its decision and reasons as follows:

The panel carefully considered the case and reached a decision.

In advance of the meeting, the TRA agreed to a request from Mr Khan 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.

The panel were provided with a bundle by the TRA in advance of the hearing. The bundle included a chronology, a statement of agreed facts, and representations of the TRA. The TRA also provided the referral form in addition to multiple employment related documents. Transcripts of audio recordings pertaining to incidents within the classroom were also provided. The recordings were also supplemented by relevant referral documentation. The panel were also provided with representations made by Mr Khan in relation to these proceedings.

Mr Khan started his job at Harborne Academy in December 2020 where he was employed as an English Teacher. He also ran an afterschool club for pupils. He was reported to the school by a member of staff who recorded concerns about his conduct with students on the school's safeguarding portal, MyConcern. The school subsequently conducted an internal investigation, which was lead by [REDACTED] who is the [REDACTED]. The School interviewed several pupils and noted that his conduct included the suggestion of inappropriate religious views as well as harmful comments that pertain to dating and relationships. The School also found significant evidence of this through Microsoft Teams messages exchanged between Mr Khan and several pupils. The matter was subsequently referred to the TRA.

Findings of fact

The findings of fact are as follows:

The Panel found Allegation 1, Allegation 2, Allegation 3a, Allegation 3b and Allegation 3c proved.

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

The allegations were admitted and was supported by evidence presented to the panel within the bundle, the allegations were therefore, found proved.

The considerations made by the panel were as follows:

You are guilty of unacceptable professional conduct and/ or conduct that may bring the profession into disrepute in that, while employed as a teacher at Harborne Academy (“the School”) between May 2021 and March 2023:

1. You made one or more comments, as listed within Schedule 1, on a Microsoft Teams group chat which included pupil(s) from the School.

The panel had sight of Schedule 1 which set out the Microsoft Teams chats. It also considered the statement of agreed facts, and representations made by Mr Khan. The panel felt, given the statement of agreed facts and also the messages within Schedule 1,

they could find on balance of probabilities that this allegation occurred.

Accordingly the panel found Allegation 1 proved.

2. You made one or more of the comments as listed within Schedule 2

The panel reviewed Schedule 2. It also considered the statement of agreed facts, and representations made by Mr Khan. The panel acknowledged that there were multiple sources for these messages and had particular regard for the transcripts that they were provided with. The panel felt that given their consistency with the admissions, it could afford significant weight to the transcripts. It therefore found it more likely than not that these comments were made.

Accordingly the panel found Allegation 2 proved.

3. You failed to maintain professional boundaries with pupil(s) in one or more of the following ways:

- a. Discussed dating and/or how to “get girls”;**
- b. Discussed your personal life;**
- c. You showed Student H a topless photo of yourself and/or a photo of you “flexing your muscles”**

The panel took consideration of all 3 sub-limbs of this allegation at the same time. It considered that the statement of agreed facts supported the allegation, given the other corroborative evidence. The panel also saw broad discussions which pertained to the topics referred to in the sub-limbs reflected within the evidence. The panel had direct regard for the subject matter expressed throughout Mr Khan’s communication with pupils and felt that the subjects of dating and romantic life were consistent throughout the evidence. In addition to this, the panel were satisfied that the evidence showed advice from Mr Khan to pupils on how to “get girls”. The panel were also satisfied it was more likely than not that he had shown images to Student H including a topless photo of himself.

The panel therefore found Allegation 3 proved.

Findings as to unacceptable professional conduct and 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 Khan in relation to the facts found proved, involved breaches of the Teachers’ Standards. The panel considered that, by reference to Part 2, Mr Khan 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
 - showing tolerance of and respect for the rights of others
 - not undermining fundamental British values, including democracy, the rule of law, individual liberty and mutual respect, and tolerance of those with different faiths and beliefs
 - ensuring that personal beliefs are not expressed in ways which exploit pupils’ vulnerability or might lead them to break the law
- 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 Khan fell significantly short of the standards expected of the profession.

The panel also considered whether Mr Khan’s conduct displayed behaviours associated with any of the offences listed on pages 10 and 11 of the Advice.

The panel found that none of these offences was relevant.

The panel found that Mr Khan’s actions 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 they behave.

The panel therefore found that Mr Khan's actions constituted conduct that may bring the profession into disrepute.

Having found the facts of particulars of all allegations proved, the panel found that Mr Khan'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 and declaring and upholding proper standards of conduct.

In the light of the panel's findings against Mr Khan which involved multiple instances of crossing professional boundaries through inappropriate communication with students, the panel found that there was a strong public interest consideration in all of the public interest factors as identified.

There was a strong public interest consideration in respect of the protection of pupils given the acceptance by Mr Khan that he had transgressed the appropriate boundaries with pupils.

Similarly, the panel considered that public confidence in the profession could be seriously weakened if conduct such as that found against Mr Khan 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 Khan was outside that which could reasonably be tolerated.

The panel considered that there may be a public interest in any young hardworking teacher remaining within the profession. It accepted that this may be an appropriate way to characterise Mr Khan, based upon his representations. However, the panel felt that Mr Khan's behaviour had undermined the suggestion that he was currently in a position to make a valuable contribution to the profession, as it did not consider that he was demonstrating sufficient reflection and insight in relation to his conduct. Additionally, the panel were mindful of the other public interest considerations in the case and it felt that they significantly outweighed any public interest that there may be in retaining Mr Khan within the profession.

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

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 Khan. 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;
- misconduct seriously affecting the education and/or safeguarding and well-being of pupils, and particularly where there is a continuing risk;
- abuse of position or trust (particularly involving pupils);
- Undermining fundamental British values including individual liberty, mutual respect and tolerance of those with different faiths and beliefs.

Mitigation – as per the list in the Teacher Misconduct – The Prohibition of Teachers Advice

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 Khan's actions were not deliberate.

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

The panel did consider Mr Khan's workload and the fact that, as he addressed through his representations, he was working in particularly stressful conditions. It was also

mindful of the fact that it had been shown no evidence by the TRA that he was subject to any prior disciplinary or investigatory proceedings.

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 Khan 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 Khan. The risk of safeguarding to pupils was of significant concern, given the panel's view that there was a lack of appreciation of the potential for harm to pupils shown within Mr Khan's representations. 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. However, none of these behaviours were present.

The panel also considered the material within The Advice that indicates that there are factors that are likely to demonstrate that the public interest will have greater relevance and weigh in favour of a longer period before a review is considered appropriate. However, none of these factors were present. The panel therefore found that this indicated that a shorter review period is appropriate.

The panel felt that Mr Khan had shown a degree of insight into his actions within the representations that he provided. It felt concerned however, that he was to some degree seeking to justify behaviours that clearly crossed professional boundaries, by providing explanations that seemed somewhat implausible. It was particular concerned by his insistence that his inappropriate remarks were contextually linked to texts that the class were being taught. Accordingly, the panel felt that Mr Khan still has some work to do in terms of reflecting upon his conduct and taking the appropriate steps to remedy his behaviour.

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

The panel determined that a 2 year review period would be appropriate and proportionate.

Decision and reasons on behalf of the Secretary of State

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

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

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

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

In particular, the panel has found that Mr Khan 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
 - showing tolerance of and respect for the rights of others
 - not undermining fundamental British values, including democracy, the rule of law, individual liberty and mutual respect, and tolerance of those with different faiths and beliefs
 - ensuring that personal beliefs are not expressed in ways which exploit pupils' vulnerability or might lead them to break the law
- 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 Khan fell significantly short of the standards expected of the profession.

The findings of misconduct are serious as they include a breach of professional boundaries with pupils.

I have to determine whether the imposition of a prohibition order is proportionate and in the public interest. In assessing 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 Khan, 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 acceptance by Mr Khan that he had transgressed the appropriate boundaries with pupils." 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 it sets out as follows:

"The panel felt that Mr Khan had shown a degree of insight into his actions within the representations that he provided. It felt concerned however, that he was to some degree seeking to justify behaviours that clearly crossed professional boundaries, by providing explanations that seemed somewhat implausible. It was particular concerned by his insistence that his inappropriate remarks were contextually linked to texts that the class were being taught. Accordingly, the panel felt that Mr Khan still has some work to do in terms of reflecting upon his conduct and taking the appropriate steps to remedy his behaviour.

In my judgement, the lack of evidence of full insight means that there is some risk of the repetition of this behaviour and this puts at risk the future wellbeing of pupils. I have therefore given this element considerable weight in reaching my decision.

I have gone on to consider the extent to which a prohibition order would maintain public confidence in the profession. The panel observe:

“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 panel therefore found that Mr Khan’s actions constituted conduct that may bring the profession into disrepute.”

I am particularly mindful of the nature of Mr Khan’s communications as considered under allegations 1 and 2, and the potential negative impact that the sentiments expressed could have on the reputation of the profession.

I have had to consider that the public has a high expectation of professional standards of all teachers and that the public might regard a failure to impose a prohibition order as a failure to uphold those high standards. In weighing these considerations, I have had to consider the matter from the point of view of an “ordinary intelligent and well-informed citizen.”

I have considered whether the publication of a finding of unacceptable professional conduct 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 Khan himself. The panel note that it “...did consider Mr Khan’s workload and the fact that, as he addressed through his representations, he was working in particularly stressful conditions. It was also mindful of the fact that it had been shown no evidence by the TRA that he was subject to any prior disciplinary or investigatory proceedings.” Elsewhere, the panel note that Mr Khan could be characterised as a “hard-working young teacher”. However, the panel do not record having seen evidence that Mr Khan has made an outstanding contribution to the profession.

A prohibition order would prevent Mr Khan 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 regarding the lack of evidence that Mr Khan has attained full insight into his behaviour which clearly breached professional boundaries.

I have given less weight in my consideration of sanction therefore, to the contribution that Mr Khan has made to the profession. In my view, it is necessary to impose a prohibition order in order to maintain public confidence in the profession. A published decision, in light of the circumstances in this case, that is not backed up by full remorse or insight,

does not in my view satisfy the public interest requirement concerning public confidence in the profession.

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

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

I have considered the panel's comments:

"The panel also considered the material within The Advice that indicates that there are factors that are likely to demonstrate that the public interest will have greater relevance and weigh in favour of a longer period before a review is considered appropriate. However, none of these factors were present. The panel therefore found that this indicated that a shorter review period is appropriate."

The panel go on to record that it "...decided that the findings indicated a situation in which a review period would be appropriate and, as such, decided that it would be proportionate in all the circumstances for the prohibition order to be recommended with provisions for a review period."

I have considered whether a two-year review period reflects the seriousness of the findings and is a proportionate period to achieve the aim of maintaining public confidence in the profession. In this case, I agree with the panel that a two-year review period would be sufficient to achieve the aim of maintaining public confidence in the profession.

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

This means that Mr Aqib Khan 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 18 March 2026, two 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 Khan remains prohibited from teaching indefinitely.

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

Mr Aqib Khan 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: Marc Cavey



Date: 18 March 2024

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