



Teaching
Regulation
Agency

Miss Fisun Ahmet: Professional conduct panel outcome

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

July 2024

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

Teacher: Miss Fisun Ahmet

Teacher ref number: 1047014

Teacher date of birth: 21 July 1984

TRA reference: 0022319

Date of determination: 19 July 2024

Former employer: Knightsfield School, Welwyn Garden City

Introduction

A professional conduct panel ('the panel') of the Teaching Regulation Agency ('the TRA') convened on 17 to 19 July 2024 by way of a virtual hearing, to consider the case of Miss Fisun Ahmet.

The panel members were Mr Paul Millett (lay panellist – in the chair), Mrs Lynn Seal (teacher panellist) and Mrs Pamela Thompson (lay panellist).

The legal adviser to the panel was Ms Maddie Taylor of Birketts LLP solicitors.

The presenting officer for the TRA was Miss Matilda Heselton of Browne Jacobson LLP solicitors.

Miss Ahmet was present but was represented by Ms Emma Thomas of the National Association of Schoolmasters Union of Women Teachers (NASUWT).

The hearing took place by way of a virtual hearing in public and was recorded.

Allegations

The panel considered the allegations set out in the notice of proceedings dated 11 April 2024, as amended during the hearing.

It was alleged that Miss Ahmet was guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute, in that whilst employed as a Teacher of ICT at the Knightsfield School between January 2014 and March 2023:

1. In respect of the OCR Cambridge Nationals in Creative iMedia Qualification in or around November 2022, she provided one or more pupils with improper and/or excessive assistance, in that she provided one or more pupils with;
 - a. the live set assessment scenario and/or detailed instructions for completing the tasks for the assessment;
 - b. a PowerPoint containing headings, and/or points to address in answering the live assessment.
2. She provided false and/or misleading information to OCR in relation to their investigation regarding the OCR Cambridge Nationals in Creative iMedia Qualification, in that on or around 4 January 2023 she provided to OCR a less detailed version of her teaching resource(s) than which was originally produced and/or used by her.
3. Her conduct as may be found proven at allegation 1 and/or 2 above lacked integrity and/or was dishonest.

In a Statement of Agreed Facts, Miss Ahmet admitted allegations 1(a), 1(b) and 2. She did not admit allegation 3, nor did she accept that the admitted allegations amounted to unacceptable professional conduct or conduct that may bring the profession into disrepute.

Preliminary applications

Application to amend allegations

The presenting officer made an application to amend the stem of the allegations. The current drafting of the stem indicated that Miss Ahmet's employment at Knightsfield School ("the School") had ended in February 2024. However, throughout the evidential

gathering process of the TRA, it became clear that Miss Ahmet had in fact left the School in March 2023.

Accordingly, the TRA proposed to amend the stem of the allegations to change “*February 2024*” to “*March 2023*”.

The panel was advised that it had the power to amend allegations in accordance with paragraph 5.83 of the 2020 Procedures.

The panel considered that the proposed amendments would not change the nature and scope of the allegations in that the allegations would remain the same, and the proposed amendment would merely clarify a previous typographical and administrative error. As such, the panel considered that the proposed amendments did not amount to a material change to the allegations.

The legal adviser drew the panel’s attention to the case of *Dr Bashir Ahmedsowida v General Medical Council [2021] EWHC 3466 (Admin), 2021 WL 06064095* which held that the lateness of amendments did not necessarily mean they were unjust, as acknowledged in the previous case of *Professional Standards Authority v Health and Care Professions Council and Doree [2017] EWCA Civ 319 at [56]*.

The panel was of the view that granting the application for the proposed amendments would not cause unfairness and/or prejudice to Miss Ahmet. Miss Ahmet was present at the hearing and therefore was aware of the proposed amendment. When given the opportunity to respond to the application by way of submissions from her representative, Miss Ahmet supported the proposed amendment.

Accordingly, the panel granted the application and considered the allegations with the updated stem, as set out above.

Application to admit additional documents

The panel considered a preliminary application from the presenting officer for the admission of additional documents.

The presenting officer’s additional documents were as follows:

- Statement of Agreed Facts, signed by the presenting officer and Miss Ahmet.
- Client brief for album cover teaching resource.
- File format table template teaching resource.
- OCR Information for teachers on using referencing and on acceptable levels of guidance to students.

- Email from the Knightsfield School.
- [REDACTED]

These documents were presented as a 23-page bundle entitled “Supplementary Bundle”, and had not been served in accordance with the requirements of paragraph 5.37 of the 2020 Procedures. Therefore, the panel was required to decide whether the documents should be admitted under paragraph 5.34 of the 2020 Procedures.

The panel heard representations from the presenting officer and the teacher’s representative in respect of the application. The panel also took legal advice.

The panel noted that there was no objection from the teacher’s representative to the admission of the new documents. In particular, the presenting officer and the teacher’s representative agreed that the admission of the Statement of Agreed Facts would be fundamental in ensuing a fair and efficient hearing.

The panel considered whether it would be fair to admit the documents, and if the documents were relevant to the case.

The panel considered the additional documents were relevant to the issues it had to determine. The documents spoke directly to the root of the allegations, and provided important clarity on which aspects of the allegations were disputed by the teacher. Some of the new documents were in fact referred to in the main evidence bundle, but had not been produced until after the main evidence bundle was finalised. The panel concluded it would be helpful, if appropriate, to have actual copies of the documents as part of the evidence, rather than just references to the documents.

The panel concluded that the documents were relevant.

The panel then considered if the documents should be admitted in the interests of a fair hearing. The panel noted that the new documents did not raise new factual matters with specific reference to the allegations. The panel heard from the presenting officer that the reason for the lateness of the documents was that obtaining the documents was beyond the control of the TRA, and they had only received them from the School and/or OCR after the main evidence bundle was finalised. With respect to the Statement of Agreed Facts, this had only been agreed with and signed by the teacher on 15 July, two days before the hearing began.

The panel were compelled by the teacher’s own support for the admission of the new documents and concluded that there were no concerns regarding fairness, and that it would be in the interests of a fair hearing to admit the documents.

Accordingly, the application was granted, and the documents admitted.

Summary of evidence

Documents

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

- Section 1: Preliminary Documents – pages 7 to 9.
- Section 2: Notice of proceedings, response and statement of agreed and disputed facts – pages 11 to 22.
- Section 3: TRA witness statements – pages 24 to 391.
- Section 4: TRA documents – pages 393 to 511.
- Section 5: Teacher documents – pages 513 to 590.

In addition, the panel agreed to accept the 23-page Supplementary Bundle, containing:

- Statement of Agreed Facts, signed by the presenting officer and Miss Ahmet.
- Client brief for album cover teaching resource.
- File format table template teaching resource.
- OCR Information for teachers on using referencing and on acceptable levels of guidance to students.
- Email from the Knightsfield School ('the School').
- [REDACTED]

The panel members confirmed that they had read all of the documents within the bundle, in advance of the hearing and the additional documents that the panel decided to admit.

Witnesses

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

- [REDACTED]

The panel heard oral evidence from the teacher.

Decision and reasons

The panel announced its decision and reasons as follows:

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

On 1 January 2014 Miss Ahmet commenced employment as an ICT teacher at Knightsfield School (“the School”).

On the 7 November 2019, Miss Ahmet created a PowerPoint resource with the file name ‘graphics LO1 template’ (‘the PowerPoint Template’).

On the 13 January 2022, Miss Ahmet underwent OCR iMedia training.

In April 2022, Miss Ahmet was accepted as an OCR moderator.

On the 23 November 2022, the School received a letter from OCR notifying suspicions of malpractice in the Cambridge Nationals Centre iMedia R082/02 examinations.

On the 4 January 2023, Miss Ahmet amended the contents of the PowerPoint template by reducing the contents on the file before submitting it to the OCR.

On the 12 January 2023, OCR provided questions in relation to the existence of two versions of the PowerPoint Template, and the reason(s) for submitting the less detailed version on 4 January 2023. OCR requested any other existing versions of the PowerPoint Template to be provided.

On the 13 January 2023 Miss Ahmet admitted that she uploaded an example into a shared folder for the pupils, and admitted that she amended the PowerPoint resource.

On the 18 January 2023, Miss Ahmet resubmitted a more detailed version of her PowerPoint Template to the OCR.

On the 31 February 2023 Miss Ahmet ceased her employment at Knightsfield School.

The matter was referred to the TRA on the 20 July 2023.

Findings of fact

The findings of fact are as follows:

- 1. In respect of the OCR Cambridge Nationals in Creative iMedia Qualification in or around November 2022, you provided one or more pupils with improper and/or excessive assistance, in that you provided one or more pupils with;**
 - a. The live set assessment scenario and/or detailed instructions for completing the tasks for the assessment;**
 - b. a PowerPoint containing headings, and/or points to address in answering the live assessment.**

The panel noted that Miss Ahmet had admitted allegation 1(a). However, the panel was aware that it had a duty to undertake an investigative exercise to satisfy itself of the facts and establish that the allegation was factually proven.

Having reviewed all the documentary evidence, the key documents the panel considered with respect to allegation 1(a) were: a two-page document titled “OCR Cambridge Nationals in Creative iMedia: Unit R082 – Creating digital Graphics”; a one-page document titled “Title: LO2 Planning the creation of my album cover”; and, a one-page document titled “LO1 – File formats”.

The panel also considered a selection of documents collected or created as part of the OCR investigation into Miss Ahmet’s alleged malpractice.

The panel received legal advice on how to approach and consider the evidence contained in the bundle pertaining to the OCR malpractice investigation. The panel were aware that while it could consider the evidence, it needed to reach its own conclusions and agreed that it would not be unduly led or influenced by any of the decisions made in the OCR investigation.

The panel encountered a significant degree of confusion as to what exactly was meant by “the live set assessment scenario”. This was exacerbated by an inconsistent use of jargon and language between Miss Ahmet, the TRA’s allegations, the presenting officer, the OCR guidance and regulation documents, and [REDACTED]. This included ambiguity around how the qualification was assessed, such as by coursework or by examination assessments, and the structure of the qualification.

Ultimately, the panel concluded that the “live set assessment scenario” – regardless of what it actually was – must have been provided to the candidates, in order to allow them to complete the assessed pieces of work which are at the heart of these allegations. The candidates could not have completed a “live set assessment” without a “scenario”.

Additionally, the panel noted that the allegation was admitted by the teacher in its entirety and accepted that the panel’s inability to determine the exact form of the “live set assessment scenario” did not prevent it from concluding that Miss Ahmet had provided it to the students, as set out in the allegations.

The panel therefore concluded that Miss Ahmet had provided pupils with the live set assessment scenario.

The panel then considered what was meant by “detailed instructions”.

The panel were shown the document titled “Title: LO2 Planning the creation of my album cover”. This document had five headings including “*What are the client requirements?*” and “*Who is the target audience?*”.

Under each heading were between two and four subheadings including *“My client is a music band...”*, *“I will make the cover... So that it is eye catching for...”* and *“For the printed version I will use... file format”*.

The panel were also shown the document titled “LO1 – File formats”. This document showed a table with a list of file formats in the left-hand column, such as “JPEG” and “GIF”. The headings of the remaining five columns included “File type”, “Suitable for print?” and “Description”.

In oral evidence, Miss Ahmet confirmed that both of these documents were available to the pupils when preparing their work.

The panel considered the level of detail on these documents to be significant. The documents included sentence starters and prompt questions, which the panel took as directions for pupils to use when navigating the creation of the piece of work to be produced.

The panel concluded that the two documents constituted detailed instructions, and Miss Ahmet accepted in both her witness statement and her oral evidence that she had provided those documents – and therefore detailed instructions – to the pupils.

The panel then considered if the provision of the live set assessment scenario and the detailed instructions that Miss Ahmet provided to pupils constituted improper and/or excessive assistance.

In doing so, the panel compared the level of assistance Miss Ahmet’s pupils had by virtue of the documents she had provided, to a hypothetical candidate who had had no additional assistance whatsoever. The panel concluded that there was a significant difference in the level of assistance.

The panel were of the view that the level of instruction that Miss Ahmet provided in these documents was so detailed that it would have been sufficient for someone who had no experience of the course, to at least attempt the assessment.

The panel considered the context in which Miss Ahmet was employed, in that the pupils she taught were deaf and many had additional learning difficulties. The panel accepted that some adjustments and additional assistance would have been appropriate to ensure those pupils could fully access the course and qualification. The panel accepted that this may have included some of the types of instructions Miss Ahmet provided, such as sentence starters which the panel understood were an important tool used to assist deaf individuals with their memory recall. Any such assistance would still have needed to have been disclosed to OCR but may have fallen within the scope of proper and appropriate assistance.

The panel heard from [REDACTED] in his oral evidence and noted from OCR guidance in the bundle that, while OCR did permit teachers to provide alternative or additional assistance to candidates if appropriate, they “*must give details of any additional assistance on the appropriate record form(s)*” assistance prior to the marking process. This would negate the risk of the assistance been deemed improper or excessive, or at least allow proper moderation and accurate grading of the work as it would take into account the additional assistance the pupil had received. The panel noted that no disclosures had been made by Miss Ahmet to OCR regarding the additional assistance the pupils had received.

The panel considered the OCR guidance on delivery of the Creative iMedia course which stated at paragraph 4.3: “*work must be carried out with a level of supervision sufficient to ensure that the work submitted can be confidently authenticated as the learner’s own work*” and “*you must not give detailed advice and suggestions to individual or the class as a whole as to how the work may be improved in order to meet the marking criteria*”.

In his evidence, [REDACTED] confirmed that whilst the OCR malpractice committee considered that it was acceptable for Miss Ahmet to tailor her teaching methods to deaf candidates, it was not proper for her to have provided prompts and directions on completing the assessment to the extent that she did.

The panel concluded that there was no situation in which the level of assistance Miss Ahmet provided would have been permissible. The level of detail and number of prompts and sentence starters were plainly improper and excessive.

The panel accordingly found allegation 1(a) proven.

The panel noted that Miss Ahmet had admitted allegation 1(b). However, the panel was aware that it had a duty to undertake an investigative exercise to satisfy itself of the facts and establish that the allegation was factually proven.

The key document the panel considered with respect to allegation 1(b) was a PowerPoint template of 23 slides containing headings to provide structure for the presentation ‘Graphics LO1 template’.

The panel noted that the slides within this template had extensive directions as to the points pupils should be making and the questions they should be answering under the heading on some of the slides. Across the entire PowerPoint, there were 30 bullet points for pupils to consider, under 13 separate headings.

The panel found in providing the template, Miss Ahmet had provided pupils with 13 headings and 30 points to address – or, at the very least, consider – when preparing the work.

The panel considered the contemporaneous written statements of Pupils A, B, C, D, E, F, G, H and I, and noted that although many pupils could not remember the support they were given during the exam, those who could mentioned PowerPoint slides (and sentence starters, which stands as evidence in support of both allegation 1(a) and 1(b)).

Miss Ahmet admitted in her witness statement and her oral evidence that she had provided pupils with the PowerPoint.

The panel applied the same approach as with allegation 1(a) when considering if the provision of the PowerPoint constituted improper and/or excessive assistance. This included comparison of the assistance Miss Ahmet's pupils received with a hypothetical pupil receiving no assistance, consideration of the guidance issued by OCR referred to above, and also noting the context of the special educational needs of Miss Ahmet's pupils.

Ultimately, the panel concluded that the provision of the PowerPoint slides to pupils was improper and excessive assistance.

The panel therefore found allegation 1(b) proven.

Having viewed the documentation which Miss Ahmet confirmed the candidates had access to when producing their work, the panel were satisfied that the level of assistance provided in those documents went far beyond an acceptable level i.e. beyond "general guidance".

The panel therefore concluded that in providing documents which included detailed instruction and the PowerPoint slides, she had provided them with improper and excessive assistance in approaching the live set assessment scenario.

The panel therefore found the allegations 1(a) and 1(b) proven.

2. You provided false and/or misleading information to OCR in relation their investigation regarding the OCR Cambridge Nationals in Creative iMedia Qualification, in that on or around 4 January 2023 you provided to OCR a less detailed version of your teaching resource(s) than which was originally produced and/or used by you.

The panel noted that Miss Ahmet had admitted allegation 2. However, the panel was aware that it had a duty to undertake an investigative exercise to satisfy itself of the facts and establish that the allegation was factually proven.

The panel considered the oral evidence and written statement of [REDACTED], who stated that in around November 2022, an OCR moderator raised concerns of potential improper assistance in the work of pupils taught by Miss Ahmet at the School. OCR

requested that the School prepare a report as part of its investigation into the malpractice allegations.

[REDACTED] stated that on 4 January 2023, the School submitted its initial report together with resources purportedly provided by Miss Ahmet to the pupils. He stated that amongst the resources was a PowerPoint document named 'Graphics LO1 template', containing 23 slides, each with a heading to provide students with a structure for their presentation.

However, [REDACTED] explained in his evidence that a different version of the PowerPoint had been retrieved from a candidate's work portfolio. The version retrieved from the candidate's work portfolio contained significantly more direction for completing the assessment than the version that was submitted to OCR on the 4 January 2023 (note: this was the PowerPoint described at allegation 1(b)). He stated that the template Miss Ahmet sent to OCR as part of the investigation was created on the 7 November 2019 by Miss Ahmet and but was last modified by Miss Ahmet on the 4 January 2023 - the same day the School submitted its report to OCR.

[REDACTED] stated that on 12 January 2023 the School was instructed to complete a new investigation as OCR had concerns regarding the independence of the report due to it having been prepared by Miss Ahmet's line manager, [REDACTED] stated that the School's re-investigation report on 18 January 2023 found Miss Ahmet to have tampered with the template submitted to OCR.

Miss Ahmet admitted in her evidence that, when asked to provide relevant documents as part of the School's investigation, she changed the content of the PowerPoint before sending it across.

She accepted that she removed a significant number of the bullet points (or 'points to address', as they are described in allegation 1(b)). The original version of the PowerPoint, which pupils had access to when completing the work had around 30 bullet points, whereas the edited version Miss Ahmet submitted as part of the School's investigation had only six. The panel concluded that six bullet points is significantly less than the original 30, and therefore that this constituted a 'less detailed version' than the resource Miss Ahmet had originally produced and/ or used.

The panel considered whether the provision of the less detailed (i.e. edited) version of the PowerPoint constituted providing false and/or misleading information.

Miss Ahmet's evidence as to why she edited the document before submitting it as part of the School's investigation on behalf of OCR was that it was an "*impulse decision*" and she recalled thinking "*I need to delete this or I'll be in trouble*". Miss Ahmet described in oral evidence the intense "*fear*" she was experiencing in that moment, and that she was not given the opportunity to consider her next steps. She was asked to submit the

documents, as she was leaving the School for the day, and therefore on very short notice.

The panel took these comments as significant indicators that Miss Ahmet was aware that OCR would have concerns about the original document if they saw it, and that is why she edited it. The panel concluded that Miss Ahmet wanted OCR to accept that the edited PowerPoint was what she had provided to the pupils. She did not want OCR to know that the original version existed.

Accordingly, the panel concluded that in providing the edited PowerPoint, Miss Ahmet did in fact provide false and misleading information to OCR. It was false in that it was not an accurate representation of the resources the pupils had had access to, and it was misleading as Miss Ahmet had changed the document only moments before submitting it as she hoped to lead OCR to the conclusion that it was an original document and had not been edited.

The panel therefore found allegation 2 proven.

3. Your conduct as may be found proven at allegation 1 and/or 2 above lacked integrity and/or was dishonest.

The panel firstly considered whether Miss Ahmet had failed to act with integrity. The panel considered the case of *Wingate & Anor v The Solicitors Regulation Authority*, and that 'integrity' can be a "*useful shorthand to express the higher standards which society expects*" from teachers.

The panel were satisfied that Miss Ahmet would and/or should have had a full understanding of the standards expected of her in her role as a teacher. She had been employed at the School since 2014, and had been admitted as an OCR moderator in the spring of 2022.

The panel considered that, as Miss Ahmet admitted what she had done was wrong and further admitted that she had known at the time that what she was doing was wrong – both in respect of providing the improper and excessive assistance, and in editing the PowerPoint slides to be submitted as part of OCR's investigation – she ought to have behaved differently, or admitted to what she had done.

Additionally, the panel was mindful that professionals are not expected to be "*paragons of virtue*".

However, the panel concluded that while Miss Ahmet undoubtedly faced challenges in her working environment, these did not justify, explain or excuse her decisions and actions. Miss Ahmet had nearly a decade of teaching experience and had been admitted as a moderator for OCR. The panel concluded that, as a result, she should have been

aware of the expectations of her, and should have behaved in a manner consistent with those expectations.

The panel were satisfied that Miss Ahmet had acted in contravention of OCR's guidance, which in turn amounted to a clear failure to act within the high standards expected of a teacher. In addition, Miss Ahmet took active steps to amend a document which was to be provided as part of an investigation into her own suspected malpractice. The panel was therefore satisfied that Miss Ahmet's conduct, as found proven, lacked integrity.

The panel then considered whether Miss Ahmet had acted dishonestly. In reaching its decision on this, the panel considered the case of *Ivey v Genting Casinos (UK) Ltd t/a Crockford*.

The panel firstly sought to ascertain the actual state of Miss Ahmet's knowledge or belief as to the facts.

The panel considered allegation 1, which it had found proven. The panel concluded that Miss Ahmet knew that the assistance she had given to be improper and/or excessive and indeed she had admitted that to be the case. The OCR guidance is clear that such assistance is not permitted and Miss Ahmet either knew or ought to have known what was in the guidance and what she was required to do. Taking that together, the panel was of the view that an ordinary decent person looking at the facts found proven and considering the extent of Miss Ahmet's knowledge at the time, would conclude that her actions at allegation 1 were dishonest.

The panel therefore found dishonesty proven in relation to the facts found proven in allegation 1.

In relation to allegation 2, the panel concluded that, given Miss Ahmet's experience and the fact that she admitted to editing the PowerPoint before providing it to OCR on the 4 January 2023 in an attempt to conceal the level of assistance she had provided to pupils, there could be no doubt that Miss Ahmet knew what she was doing. Again, applying the test of what an ordinary decent person would say about Miss Ahmet's actions, the panel concluded that such a person would say that they were dishonest.

The panel therefore found dishonesty proven in relation to the facts found proven in allegation 2.

For completeness, in reaching its findings in relation to allegations 1(a), 1(b), 2 and 3, the panel took into account Miss Ahmet's [REDACTED] as she described in her evidence. The panel further considered the culture of the School and its exacerbating effect on Miss Ahmet's [REDACTED]. The panel accepted that these factors may have contributed to Miss Ahmet's actions.

Nevertheless, the panel decided that Miss Ahmet's [REDACTED] and the environment in which she worked were not sufficient reasons to justify the actions that she was found to have undertaken with respect to the allegations.

Therefore, the panel found allegation 3 proven.

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

Having found all the allegations proven, the panel went on to consider whether the facts of the 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 Miss Ahmet, in relation to the facts found proven, involved breaches of the Teachers' Standards. The panel considered that, by reference to Part 2, Miss Ahmet was in breach of the following standards:

- 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 Miss Ahmet amounted to misconduct of a serious nature which fell significantly short of the standards expected of the profession.

The panel also considered whether Miss Ahmet'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.

Accordingly, the panel was satisfied that Miss Ahmet 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 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 were particularly compelled by the fact that, as a

consequence of Miss Ahmet's conduct, the work of all 10 affected pupils was rejected and allocated 0 marks.

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

Having found the facts of allegations 1(a), 1(b), 2 and 3 proven, the panel further found that Miss Ahmet'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.

The panel was aware that 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 a punitive effect.

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

Similarly, the panel considered if public confidence in the profession would be seriously weakened if conduct such as that found against Miss Ahmet was not treated with the utmost seriousness when regulating the conduct of the profession.

The panel was of the view that a public interest consideration in declaring proper standards of conduct in the profession could also be present as the conduct found against Miss Ahmet may have been outside that which could reasonably be tolerated.

The panel also considered if there was a public interest consideration in retaining Miss Ahmet in the profession, since no doubt had been cast upon her abilities as an educator and she may still be able to make a valuable contribution to the profession. In fact, the

panel concluded that Miss Ahmet held immense potential to make a significant and valuable contribution to the profession as an educator in the future.

In view of the clear public interest considerations that were present, the panel considered carefully whether it would be proportionate to impose a prohibition order, taking into account the effect that this would have on Miss Ahmet. 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 Miss Ahmet. 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 proven. 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 of pupils.
- dishonesty or a lack of integrity, including the deliberate concealment of their actions or purposeful destruction of evidence, especially where these behaviours have been repeated or had serious consequences.
- collusion or concealment including:
 - lying to prevent the identification of wrongdoing.
- deliberate action in serious contravention of requirements for the conduct of an examination or assessment leading to an externally awarded qualification or national assessment (or deliberate collusion in or deliberate concealment of such action) particularly where the action had, or realistically had the potential to have, a significant impact on the outcome of the examination assessment.
- knowingly manipulating a school's data to benefit and/or enhance a school's exam results.

Even though some of the behaviour found proven 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.

The panel found there was no evidence that Miss Ahmet's actions were not deliberate.

Miss Ahmet explained that when [REDACTED] became the new headteacher at the School in 2017 many changes occurred, including staff being constantly watched by cameras and monitored. Miss Ahmet stated that her confidence as a teacher began to decline [REDACTED].

Miss Ahmet explained that expectations of students' grades were increased and unrealistic to achieve. She stated that in October 2019, during her line management meeting with [REDACTED], she was told that the grades in iMedia were not good enough and that she should provide guides and templates and include prompts so that the students knew what to write. The panel saw emails confirming that [REDACTED] had encouraged this type of support for students.

Miss Ahmet stated that in October 2021, her [REDACTED] and impacted her confidence as a teacher. She stated that this resulted in her having an informal conversation with the head where she was blamed for the poor results and told that she "*must be a rubbish teacher*". Miss Ahmet submitted that this resulted in her taking time off work due to her [REDACTED], and that she [REDACTED]. The panel saw character references which showed a similar account of Miss Ahmet's presentation at that time.

Miss Ahmet stated she had to contact her union in 2021 regarding problems that she believed to be bullying in nature, and was twice advised to submit a grievance. She stated that due to fear and her understanding that staff were not generally successful in having their grievances upheld, she did not have the courage or strength at that time to continue with any formal complaints. The panel noted that while Miss Ahmet would have been afforded anonymity and protection, due to the School being so small, the senior leadership team would undoubtedly have ascertained that it was Miss Ahmet who had submitted the grievance or complaint. Accordingly, the panel accepted that Miss Ahmet was scared of potential repercussions if she were to pursue a formal process.

Miss Ahmet stated that she was not offered any support and that due to [REDACTED] lack of confidence, she developed a genuine fear of speaking to the headteacher. She stated that the headteacher was not prepared to listen to her and that on occasions, when it was necessary to speak to her, Miss Ahmet [REDACTED].

Miss Ahmet stated that she deeply regretted the decisions she made to provide the templates and teaching resources to students, and to alter the documents prior to sending them to OCR as part of their investigation. [REDACTED]. She now understands that such rash decisions and impulsive actions are common in those [REDACTED]. The panel accepted that Miss Ahmet was [REDACTED] at the time, and was genuinely scared she would be in trouble either with the senior leadership team if she did not follow instructions to provide pupils with supporting materials and achieve the expected grades and/or with OCR if she sent through the original documents she had provided pupils with.

The panel determined that the working environment Miss Ahmet was experiencing at the School at the time of the relevant conduct put her in such a position that she felt she had no choice but to behave as she did. The panel also noted the particular impact the working environment and culture within the School had on Miss Ahmet given her [REDACTED]. The panel accepted that the environment and culture had exacerbated Miss Ahmet's conditions.

The panel therefore concluded that there was significant evidence that Miss Ahmet was acting under duress at the time she committed the conduct as found proven in allegations 1(a), 1(b), 2 and 3. The panel resolved to consider this point of mitigation in deciding whether to recommend a prohibition order.

The panel considered the oral evidence and written statement of Miss Ahmet where she stated that she always wanted to work with special needs children and has a great passion for the sector. She stated that she became aware of her own learning difficulties when she was younger and that she had worked exceptionally hard to gain her teaching qualifications.

The panel had no doubt around Miss Ahmet's passion for working in the education sector, and particularly in a SEN environment. This was demonstrated in both documentary and live evidence.

Having received relevant legal advice, the panel reviewed a number of character references in the bundle. These references came from a range of individuals, including an ex-headteacher for whom Miss Ahmet had worked, current colleagues, personal associates, and ex-students.

The character references painted a clear picture that Miss Ahmet is a well-liked teacher who participates fully in school life, particularly since beginning employment at a new school in March 2023. Miss Ahmet has been candid in her disclosure of the conduct connected with these allegations, [REDACTED]. She alerted the new school and other exam boards, all of whom were happy to proceed with her administering qualifications under different exam boards.

The panel considered Miss Ahmet's end-of-probation review form having completed 6 months of employment at her new school. In the 20 categories on which Miss Ahmet was assessed on a scale from "under achieving" to "exceeding", she obtained a mark of "exceeding" in all 20.

The written assessment of Miss Ahmet's probation explained that she was willing to work on any concerns that were raised, and that she had gained confidence and settled in as a teacher at the new school. The assessor – who was headteacher of the new school until May 2023 – stated she was proud to have Miss Ahmet "*on our team*".

Miss Ahmet explained in oral evidence how she had lost her confidence while employed at the School, but that now she had regained it at the new school, she was truly thriving.

It was clear to the panel that Miss Ahmet is seen by her peers as a "*great teacher and a kind and conscientious person to the people around her*".

Having identified that [REDACTED] and a difficult working environment were triggers for Miss Ahmet's conduct, the panel asked Miss Ahmet what measures she had in place to

prevent such conduct from recurring if her present circumstances changed and she found herself in the same position once more.

The panel were compelled by Miss Ahmet's explanation that she would simply resign from the role, as she has no interest in remaining in an environment which is unhealthy for her and creates opportunities for things to go wrong as they had at the School. The panel found Miss Ahmet to be credible, sincere and categoric in this explanation and had no doubt that, having been through this experience, the risk of her allowing it (or anything similar) to happen again were so remote as to be negligible. The panel concluded that, despite plainly being a challenging ordeal for Miss Ahmet, this experience had ultimately made her better equipped to deal with issues in a professional setting and that she is now aware of her own strength and would have the confidence to take action and make good decisions.

The panel concluded that Miss Ahmet had a genuine understanding of what she did and that it was wrong, and that she is a different person now she has left the School's environment.

The panel therefore concluded that there was evidence that Miss Ahmet demonstrates exceptionally high standards in both personal and professional conduct, and has contributed significantly to the education sector. The panel resolved to consider this point of mitigation when deciding whether to recommend a prohibition order.

The panel 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, the recommendation of no prohibition order would be both a proportionate and an appropriate response. The panel received legal advice on the guidance from **Wallace v Secretary of State for Education [2017] EWHC 109 (Admin)**, which found that there may be circumstances in which there is a positive public interest in retaining a teacher. Such circumstances included where "*the misconduct, although very serious, fell at the lower end of the scale of severity which might justify a prohibition order*". The panel concluded that this point was directly applicable to the facts of this case.

Given that the nature and severity of the behaviour were at the less serious end of the possible spectrum and, having considered the mitigating factors that were present, the panel determined that a recommendation for a prohibition order would not be appropriate in this case. The panel considered that the publication of the adverse findings it had made was sufficient to send an appropriate message to the teacher and profession as to the standards of behaviour that are not acceptable, and the publication would meet the public interest requirement of declaring proper standards of the profession.

Accordingly, the panel made a recommendation to the Secretary of State that no prohibition order should be imposed in this case and that to do so would not be appropriate or proportionate, nor would it be in the public interest.

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 sanction.

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 the findings of unacceptable professional conduct and/or conduct likely to bring the profession into disrepute should be published and that such an action is proportionate and in the public interest.

In particular, the panel has found that Miss Ahmet is in breach of the following standards:

- 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 Miss Ahmet fell significantly short of the standards expected of the profession.

The findings of misconduct are serious as they include providing pupils with excessive assistance in their work towards a national qualification, as well as acting in a way that lacked integrity and was dishonest.

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 Miss Ahmet, 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 does not record any evidence that Miss Ahmet's behaviour directly endangered the safety and wellbeing of the children that she taught. I note however that the panel records that Miss Ahmet's actions resulted in the work of 10 of her pupils being voided and am mindful that this could well have caused them a degree of worry and distress. 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:

"Miss Ahmet stated that she deeply regretted the decisions she made to provide the templates and teaching resources to students, and to alter the documents prior to sending them to OCR as part of their investigation. [REDACTED]. She now understands that such rash decisions and impulsive actions are common in those [REDACTED]."

In my judgement, the insight and remorse demonstrated by Miss Ahmet, along with the mitigating factors identified by the panel in this case, means that there is a limited risk of the repetition of this behaviour. I have 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 observes that: "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." I am particularly mindful of the finding of dishonesty in this case and the negative impact that such a finding 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 it 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.

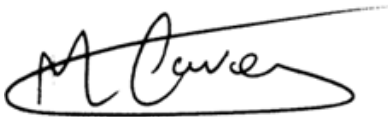
I have also considered the impact of a prohibition order on Miss Ahmet herself. I note that she has subsequently secured a new teaching post in which she appears to be operating very successfully. I have also taken into account of and given weight to the panel's

conclusion that "...Miss Ahmet held immense potential to make a significant and valuable contribution to the profession as an educator in the future." and have noted the positive character evidence submitted.

A prohibition order would prevent Miss Ahmet from teaching. A prohibition order would also clearly deprive the public of her contribution to the profession for the period that it is in force.

In this case, I have placed considerable weight on the panel's comments concerning the fact that, while Miss Ahmet's actions were deliberate, she was acting under a degree of duress and working in an environment which exacerbated her existing [REDACTED]. I have also noted the panel's comments regarding the significant degree of insight that Miss Ahmet has developed, its comments as to the positive contribution that she can make to the profession in the future, and its assessment that the misconduct found was "at the less serious end of the possible spectrum."

For these reasons, I have concluded that a prohibition order is not proportionate or in the public interest. I consider that the publication of the findings made would be sufficient to send an appropriate message to the teacher as to the standards of behaviour that were not acceptable and that the publication would meet the public interest requirement of declaring proper standards of the profession.

A handwritten signature in black ink, appearing to read 'M. Cavey', enclosed within a large, loopy oval stroke.

Decision maker: Marc Cavey

Date: 23 July 2024

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