



Teaching
Regulation
Agency

Mr Elkas Mohammed: Professional conduct panel hearing outcome

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

November 2024

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

Teacher:	Mr Elkas Mohammed also known as Mr Mohammed Elkas Rahman ('Mr Mohammed')
Teacher ref number:	0216251
Teacher date of birth:	16 November 1979
TRA reference:	19339
Date of determination:	6 November 2024
Former employer:	Brampton Manor Academy, London

Introduction

A professional conduct panel ('the panel') of the Teaching Regulation Agency ('the TRA') convened on 4 to 6 November 2024 by way of a virtual hearing, to consider the case of Mr Mohammed.

The panel members were Mrs Pamela Thompson (lay panellist), Mrs Diana Barry (teacher panellist) and Mrs Shabana Robertson (lay panellist – in the chair).

The legal adviser to the panel was Ms Rebecca Hughes of Birketts LLP solicitors.

The presenting officer for the TRA was Mr Adam Slack of Capsticks LLP solicitors.

Mr Mohammed was not present and was not represented.

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 14 August 2024 and as amended by the preliminary application referred to below.

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

1. On or around 2009 to 10 July 2019, whilst working at Brampton Manor Primary School he submitted any (or all) of the false invoices detailed at Schedule 1.
2. When applying for employment between July 2019 and June 2020, he submitted a CV that misrepresented his educational history;
3. On or around 19 September 2019, he submitted false references to Cumberland School.
4. On or around July 2019 to April 2020, he submitted false references to Oak Wood School.
5. On or around April 2020 to 2 June 2020, he submitted false references to Oasis Academy.
6. His conduct at any or all of paragraphs 1, 2, 3, 4, and 5 above was dishonest.

Schedule 1

1.1 – Invoice “MRA100619”.

1.2 – Invoice “100719MRA/BMA”.

1.3 – Invoice “Invoice for DJ at Brampton Prom”.

1.4 – Invoice “180719”.

Mr Mohammed made no admissions in respect of the allegations, and did not provide the TRA with any formal response in respect of this matter.

The panel noted it had sight of a change of name deed dated 2004 whereby the teacher changed his name from Mr Eklasur Rahman to Mr Mohammed Elkas Rahman. The panel referred to him as Mr Mohammed throughout this decision document as this was the name used by the TRA. The panel also noted that the teacher had also referred to himself in application forms as Mr Mohammed

Preliminary applications

Application to proceed in the absence of the teacher

Mr Mohammed was not present at the hearing nor was he represented. The presenting officer made an application to proceed in the absence of Mr Mohammed.

The panel accepted the legal advice provided in relation to this application and took account of the various factors referred to it, as derived from the guidance set down in the case of *R v Jones [2003] 1 AC 1* (as considered and applied in subsequent cases, particularly *GMC v Adeogba*).

The panel was satisfied that the Notice of Proceedings had been sent to Mr Mohammed in accordance with the Teacher misconduct: Disciplinary procedures for the teaching profession May 2020 (the '2020 Procedures').

The panel was referred to a Service Bundle, which contained details of attempts by the TRA and presenting officer firm, Capsticks LLP, to contact Mr Mohammad by post and email [REDACTED].

The panel noted an image showing a read receipt email evidencing that an email had been delivered to the email address [REDACTED] on 16 September 2024.

The panel noted the email from the TRA to the Teacher Pensions requesting information regarding Mr Mohammed, including his postal address and last employer. The address confirmed by the Teachers' Pension confirmed that Mr Mohammed resided [REDACTED], which matched the address to which the Notice of Proceedings and other correspondence had been sent.

The panel noted the presenting officer's firm, Capsticks LLP undertook a Level 2 tracing to locate Mr Mohammed, and the response confirming that he did reside at the above address, which they had concluded following making various enquiries by open-source trace databases and discreet telephone enquiries with a relative who resides at the same address.

The panel noted the image showing a package had been posted to the above address but returned due to the "*addressee [having] gone away,*"

The panel concluded that Mr Mohammed's lack of engagement in the proceedings was voluntary and that it was likely he was aware that the matter would proceed in his absence.

The panel noted that Mr Mohammed had not sought an adjournment to the hearing and the panel did not consider that an adjournment would procure his attendance at a

hearing, due to the lack of his engagement. There was no medical evidence before the panel that Mr Mohammed was unfit to attend the hearing.

The panel considered that it was in the public interest for the hearing to take place. It also considered the effect on the witnesses of any further delay.

Having decided that it was appropriate to proceed, the panel agreed to seek to ensure that the proceedings were as fair as possible in the circumstances, bearing in mind that Mr Mohammed was neither present nor represented.

Application to amend allegations

The presenting officer made an application to amend allegation 4 to change “*Oakswood School*” to “*Oak Wood School*”.

The panel noted that Mr Mohammed had not been informed of the proposed change to the allegation.

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 amendment would not change the nature and scope of the allegations in that this was a clarification of the name of Oak Wood School and was a minor typographical error. As such, the panel considered that the proposed amendment 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 also of the view that granting the application for the proposed amendment would not cause unfairness and/or prejudice to Mr Mohammed because the change was extremely minor in nature.

Accordingly, the panel did grant this application and considered the amended allegations, which are set out above.

Summary of evidence

Documents

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

- Section 1: Chronology, anonymised pupil list and list of key people – pages 4 to 6
- Section 2: Notice of proceedings and response – pages 7 to 27
- Section 3: TRA witness statements – pages 28 to 88
- Section 4: TRA documents – pages 89 to 350

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

- Service bundle - pages 351 to 400

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

Witnesses

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

- Witness A
- Witness B
- Witness C
- Witness D
- Witness E
- Witness F

Decision and reasons

The panel announced its decision and reasons as follows:

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

In 2009, Mr Mohammed was employed as an assistant headteacher at Brampton Manor Academy ('the School'). He was promoted to the role of vice principal in 2016.

On 10 July 2019, Mr Mohammed resigned from his role at the School.

On 20 April 2020, Mr Mohammed began his new role as assistant head and a teacher at Oak Wood School ('Oak Wood').

In May 2020, Witness A, [REDACTED], became aware that the teacher had applied for a deputy principal role at Oasis Academy ('Oasis') to commence in September 2020. Mr Mohammed informed Witness A that he would be resigning on 31 August 2020.

On 1 June 2020, Mr Mohammed spoke with Witness A and denied that he had accepted a role at Oasis. Witness A received a call from Witness F, [REDACTED], who informed him that Mr Mohammed had accepted a role at Oasis to commence on 1 September 2020. Witness F stated that he had not received a reference from Oak Wood but had received one from St Hilda's East Community Centre ('St Hilda's') and the School.

Witness A raised a safeguarding concern with [REDACTED] Person A as he was concerned that Mr Mohammed had not named Oak Wood as a reference in line with Safer Recruitment Good Practice Guidance. Witness A contacted Witness E, [REDACTED], who informed him that St Hilda's was not a School but a community centre and that Person B is not a headteacher at St Hilda's.

Witness A contacted Witness C at the School, who confirmed that he would not have provided a reference as it came to light that on 10 July 2019, when Mr Mohammed resigned, he had submitted a number of false invoices, which he then authorised for payment himself. The School claimed some of these back through Mr Mohammed's salary.

On 2 June 2020, Witness F at Oasis informed Witness C that Mr Mohammed had provided a reference to Oasis, which he purported to be from Witness C and was sent by [REDACTED], Witness D, via email. Witness C confirmed that he had not provided the reference and that the email account did not belong to his [REDACTED].

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 2009 to 10 July 2019, whilst working at Brampton Manor Primary School you submitted any (or all) of the false invoices detailed at Schedule 1.**

The panel considered Schedule 1, which lists the following invoices:

- Invoice “MRA100619”.
- Invoice “100719MRA/BMA”.
- Invoice “Invoice for DJ at Brampton Prom”.
- Invoice “180719”.

The panel considered the copies of each of the above invoices provided within the bundle:

- Invoice “MRA100619” totalling £1,550.00 for 290 copies of the yearbook, camera and photography booth and 290 keyrings, dated 14 May 2019.
- Invoice “100719MRA/BMA” totalling £250 for a photo booth and sweets cart, dated 24 June 2019.
- Invoice “Invoice for DJ at Brampton Prom” totalling £650 dated 21 June 2019.
- Invoice “180719” totalling £1,425 for food, signed on 5 July 2019.

The panel noted that all invoices were dated between 2009 and 10 July 2019.

The panel considered the oral evidence and written statement of Witness C, [REDACTED].

Witness C submitted that Mr Mohammed was in charge of organising the Year 11 prom, and as part of his role, he was to arrange for the DJ to play at the prom event. On the day of the prom, Witness C was informed by Person C that the scheduled DJ had dropped out and could not play. Following this, Witness C contacted Mr Mohammed to find out what was going on. Mr Mohammed found an alternative DJ, Person D, [REDACTED].

Witness C submitted that it later transpired that Mr Mohammed presented a £250 invoice in Person D's name for his DJ services to the finance office. Witness C spoke to Person E, who confirmed that the invoice had not come from Person D, which she had confirmed with Person D.

The panel considered invoice 100719MRA/BMA, which was submitted by Mr Mohammed on behalf of Person D. The invoice stated, "*Photo Booth and Sweets Cart*". The panel considered Witness C's written statement which confirmed that he had spoken to Person D, who denied that he would provide a photo booth or sweet cart.

In his oral evidence, Witness C stated that Mr Mohammed later admitted that Person D had not provided the invoice.

Witness C said in his oral evidence that he had requested for Mr Mohammed to arrange for a refund of £650 from the DJ who cancelled. The panel also considered the Lloyds Balance and Transaction Report dated 24 July 2020, which showed the sum of £650 credit from reference "*Elkas Mohammed "Refund DJ"*". Witness C said when he questioned Mr Mohammed, he stated that the DJ had paid him cash, which he then transferred to the School. The panel considered that it was unlikely for a DJ to have paid Mr Mohammed in cash without any refund receipt or documentation.

The panel considered Witness C's written statement, in which he stated that Mr Mohammed had submitted another invoice that had been paid for by the school. The invoice was for yearbooks, key rings, and memorabilia with 'Brampton Manor'. These items were to be handed out at the Year 11 prom. At the prom, Mr Mohammed was asked where the key rings were, and he said he had changed his mind and was not going to hand them out on the evening of the prom; instead, he said he was going to hand them out when the students collected their GCSE results in August 2019. However, on the GCSE results day, the key rings were not handed out. In his oral evidence, Witness C confirmed that no camera or photograph booth was provided either.

The panel considered invoice MRA100619, which included a reference to key rings. The panel noted that the address at the top of the invoice did not match the address at the bottom of the invoice. The panel also noted that the bank details on the invoice were for an individual account name instead of Last Minute Print, which was the name on the invoice.

In his oral evidence, Witness C confirmed that he contacted all the suppliers of the invoices mentioned above, including Last Minute Print regarding invoice 180719, and all suppliers confirmed that the invoices were fake.

In his written statement, Witness C stated that they usually have a celebration at the end of each year, and Mr Mohammed was in charge of it. He said that because of the School's religious diversity, it has to be halal when they purchase meat. Witness C stated

that as Mr Mohammed was Muslim, it gave him confidence that he would purchase the correct items.

Witness C submitted that following Bramptonational, their international cultural diversity event, Mr Mohammed had asked a member of staff to keep the food and reserve it for the sixth form alumni event that was taking place a few days later, even though he had invoiced the School separately for this event. He stated that the food displayed at this event was the same as that at the end-of-year event.

Witness C stated that he found significant sums of money had been spent, and the fish and meat displayed at the event were not the same as what was spent.

During his oral evidence, Witness C also submitted that the food provided by Mr Mohammed was of poor quality and not enough food had been provided.

The panel found Witness C to be a credible witness.

The panel considered Invoice 180719, which had a header for “519 *Eurika Cash and Carry Ltd.*” The bank details on the invoice were for c/o Person B instead of in the company name.

Due to the reasons set out above, the panel concluded that Mr Mohammed had submitted all of the invoices detailed in Schedule 1 and that these were false. The panel considered that these invoices were submitted by Mr Mohammed whilst he was working at the School, and therefore, the panel found allegation 1 to be proven.

2. When applying for employment between July 2019 and June 2020, you submitted a CV that misrepresented your educational history;

The panel considered the copy of Mr Mohammed’s CV provided within the bundle of documents, which stated that between 1999-2002 he attended Lancaster University, St Martins College, where he was awarded a BA (Hons) Education/Science/English with QTS 2:1.

The panel noted an email dated 19 August 2021 from Lancaster University stating they could not find anyone on the system with the information provided.

The panel considered the oral evidence and written statement of Witness B, [REDACTED].

In his written statement, Witness B confirmed that Mr Mohammed had applied for a position at Forest Gate Community School and had been interviewed on 19 July 2019. However, he was not selected for this position. Still, as Cumberland needed additional support, he was offered a role temporarily from 1 September 2019 until 31 December

2019, which was then extended until spring 2020. Mr Mohammed did not commence his role until 16 September 2019.

In his written statement, Witness B referred to Mr Mohammed's employment documents, which included the CV provided within the bundle referred to above.

Witness B confirmed that the reference was provided by St Hilda on 25 July 2019 and by Witness C on 13 September 2019.

The panel, therefore, concluded that on the balance of probabilities, Mr Mohammed had, when applying for the role with Forest Gate Community School, submitted a CV which misrepresented that he had attended Lancaster University, St Martins College.

The panel found allegation 2 proven.

3. On or around 19 September 2019, you submitted false references to Cumberland School.

The panel considered the oral evidence and written statement of Witness B, [REDACTED], who stated that they received a reference from Witness C on 13 September 2019 from the email address [REDACTED]. He said they had no safeguarding concerns, so Mr Mohammed was offered employment at Cumberland.

Witness B stated that on 10 March 2020, they provided a reference to Oak Wood. He stated that around a month and a half later, he received a call [REDACTED], Witness A raising concerns about the abruptness of his departure. Witness B stated that they had a brief conversation about why Mr Mohammed had left, but he cannot remember exactly what he said but that he said that Mr Mohammed had left in a very abrupt, surprising way.

Witness B stated that he recalled the headteacher stating that he had not seen Mr Mohammed since lockdown in early March 2020 [REDACTED].

Witness B also stated that he received a reference from St Hilda's East on 25 July 2019. The panel considered the reference provided in the bundle of documents, which had the printed name "*Person B*", with the position stated as Senior Line Manager – Senior Leadership Team. The panel noted that the organisation's name was listed as "*St. Hildas East Community Centre and Boundary School.*" The panel further noted the reference to the salary scale "*JNC scale 32*" and that the position allegedly held by Mr Mohammed was "*Head of Learning and Teaching and Head of Exams / Informal Education – Youth Work*"

The panel considered the oral evidence and written statement of Witness E, [REDACTED]. Witness E stated that Mr Mohammed had worked as a Youth Project Leader on a part-time basis for 10 hours per week and that his responsibilities included

supporting the youth and training coordinator and interacting with children and young people. Witness E said that Person B was employed at the time in the role of Youth Training Coordinator.

Witness E said that Mr Mohammed and Person B worked together, but there was no evidence that Mr Mohammed had access to Person B's inbox.

The panel also considered the oral evidence from Mr Witness E, who confirmed that St Hilda was not a school and that this could not be confused as it had never been a school.

The panel concluded that the reference provided to Cumberland contained false information.

The panel considered the reference's contents and, in particular, the way in which it was worded to include information specific to the education sector; there were education specific abbreviations, pay scales and Mr Mohammed's teaching experience, which the panel concluded had some influence from a teacher, given how it was written.

The panel also considered the oral evidence and written statement of Witness A. Witness A stated in his written statement that he asked the HR officer to obtain Mr Mohammed's file so he could check his application and referees. Mr Mohammed had provided a reference from St Hilda's. The panel noted that this reference also had Person B as the referee and his post as Head of Learning. The panel noted that as outlined above, Witness E had stated that Person B had been employed in the role of Youth Training Coordinator, not Head of Learning.

The panel considered the Oak Wood School Teaching Staff Application Form, which had been completed by Mr Mohammed on 22 February 2020. The panel noted that Person B had been stated as the first referee with the occupation "*Headteacher*".

The panel considered the Leadership Application Form for Oasis completed by Mr Mohammed and dated 6 May 2020, which also stated Person B as a referee, with the job title "*Senior Manager*" and the organisation as "St Hildas East Community Centre School".

The panel also considered the reference request form for Oasis allegedly completed by Person B, dated 25 May 2020, with Person B's name printed and signed. The panel considered this reference provided by Person B within the bundle of documents and noted that its length and overall spelling, grammar, and tone differed from the reference provided to Cumberland.

The panel considered Mr Mohammed's pattern of misrepresenting his experience and the recurrence of providing false information.

The panel considered that, on the balance of probabilities, Mr Mohammed either wrote and sent the reference for Person B or influenced it, resulting in false information being provided. Given their close working relationship at St. Hilda's, Mr Mohammed had the opportunity to have this influence. The panel noted that Mr Mohammed would have been familiar with the procedure for teachers to provide references due to his education experience as he would have had knowledge and experience of the recruitment process. Therefore, Mr Mohammed would have had an understanding that providing the referee's details, could then lead to them submitting a reference.

The panel concluded that Mr Mohammed could have instructed or influenced Person B to submit false references to Cumberland School on his behalf, despite knowing the information was untrue. Mr Mohammed provided the referee details, knowing they would then submit false information on his behalf.

The panel found allegation 3 proven.

4. On or around July 2019 to April 2020, you submitted false references to Oak Wood School.

The panel considered the reference form and relevant email correspondence regarding the reference from St Hilda's to Oak Wood for Mr Mohammed. The panel noted that Mr Mohammed's role was stated to be head of learning and that the referee named was Person B. The reference was dated 5 March 2020.

The panel further noted the reference form and corresponding emails from Cumberland, completed by Witness B.

The panel considered the email chain between Witness A and Witness C regarding Mr Mohammed. It noted that Witness C had explained that Mr Mohammed was employed at the School between 2009 and 2019, and that Witness C was of the view that in respect of St Hilda's, Mr Mohammed had close involvement with Person B, who was also one of his referees for the School.

The panel considered the oral and written evidence of Witness A, who stated that he asked the HR officer to obtain Mr Mohammed's file so that he could check his application and referees. He stated that Mr Mohammed provided a reference from St Hilda's and one from Cumberland School.

Witness A stated that the reference from St Hilda's was signed for by the 'headteacher', Person B, but from a Google search, he found that St Hilda's was not a school but a community centre, and Person B was not the headteacher.

Witness A stated that the Cumberland reference stated that Mr Mohammed had been there from September 2019 to April 2020 and that he took this position as a lead practitioner until he found a role elsewhere.

The panel considered the oral evidence and written statement of Witness E, [REDACTED]. Witness E stated that on 2 June 2020, he spoke with Witness A, who informed him that he had received references from the centre in the name of Person B in relation to Mr Mohammed and 2 other individuals who had applied for roles at Oak Wood. Witness E stated that Person B was cited on the reference as headteacher, and Mr Mohammed was cited as head of learning, which was incorrect.

Witness E stated that he received an email from Witness A on 3 June 2020, saying that he had suspended Mr Mohammed and referred the incidents to the LADO and the police as a safeguarding issue. Witness E stated that they did not have the references sent by Person B as they were sent from his email.

Witness E stated that on 5 June 2020, he received a further email from Mr Mohammed asking that St Hilda's not contact him as he was on furlough.

Witness E stated that on 5 June 2020, Person B's emails from 1 April 2019 were reviewed, with a focus on employment references and that Mr Mohammed's employment reference stated that St Hilda's was a school, which is incorrect.

The panel considered the oral evidence and written statement of Witness C, who stated that on 1 June 2020, he received an email from Witness A asking to speak to him urgently about Mr Mohammed. He stated that he called Witness A, who informed him that Mr Mohammed had been appointed as "*a Head Teacher at Oak Wood School*" and he had concerns after going through his file, as he could not find a reference from the School.

Witness C submitted that Witness A also had concerns with his reference from St Hilda's. They had now come to realise that Mr Mohammed used fake references from St Hilda's.

The panel concluded that on the balance of probabilities, Mr Mohammed had submitted the Oak Wood School Reference Form, which contained fake information, including his role as head of learning, the nature of the organisation, Person B was listed incorrectly as Head of Learning, which he was not employed as and he ticked the box "strong" in areas such as "subject knowledge" and "manages behaviours for learning" and has good relationships with "students", despite St Hilda's not being a school.

The panel found allegation 4 proven.

5. On or around April 2020 to 2 June 2020, you submitted false references to Oasis Academy.

The panel considered the references provided to Oasis and noted that one was dated 22 May 2020 and had been signed by Witness C. It stated that Mr Mohammed was an executive headteacher who met targets and was part of two Ofsted inspections.

In the email addressed to Person F from Witness D sent from the email address [REDACTED], it stated that the school had a network and server problem and that she was sending out the reference as requested.

The panel considered the oral and written evidence from Witness D, who confirmed she did not send the reference and that the email sent from [REDACTED] was not from her email account.

The panel further considered the reference from Person D to Oasis, dated 25 May 2020.

The panel considered the email chain between Witness C, Witness F and Witness D. It noted that Witness C had emailed Witness F stating, "*It was nice speaking to you earlier regarding the reference (purportedly from Brampton Manor) that Mohammed submitted to your school.*"

The panel considered the oral and written evidence of Witness A. He said that on 18 May 2020, the Head of Science approached him and asked if he knew that Mr Mohammed had applied for another role in another school.

Witness A stated that on 31 May 2020, Mr Mohammed submitted his resignation by email and provided that the reason for this was that [REDACTED], and he was going to go to Bangladesh.

Witness A stated that on 1 June 2020, he called the principal of Oasis to ask if Mr Mohammed had attended an interview and if he had been appointed for a role. Witness A stated that he asked Mr Mohammed whether he had accepted a role at Oasis Academy, to which he said, "*How dare Witness A accuse him of this!*"

Witness A stated that Witness F called him and said that Mr Mohammed had been appointed deputy principal to start on 1 September 2020 at Oasis. Witness A stated that he had not been asked for a reference under the safer recruitment policy. Witness F confirmed that they had only received references from the School and St Hilda's.

The panel considered the oral evidence and written statement of Witness C. He stated that Witness F wrote to him on 2 June 2019, asking him to give him a call, so he did. He stated that he asked if he had provided a reference for Mr Mohammed, to which he said that he was 99% sure that he hadn't, but he could not be sure as he might have sent a reference confirming that he had worked at the School from 2009 - 2019. Witness C stated that Witness F asked if a "*proper reference*" had been sent, to which he informed him that he had 100% not sent this and guaranteed that it did not come from the School.

Witness C stated that Witness F sent him the reference from Mr Mohammed, and he could see that Mr Mohammed had created a fake email account, and the email stated that there was a problem with the servers at the School which was not true. He stated that the reference was completely fake, and so was the email account.

Witness C submitted that the reference stated that Mr Mohammed had met his targets, which was not true.

The panel considered the oral evidence and written statement of Witness F, [REDACTED]. Witness F stated that as part of the recruitment process Oasis requests 2 references from a person, one from their most recent employer and the other from an educational setting or character reference.

Witness F stated that on his application form, Mr Mohammed stated that his most recent place of employment was the School, and he then went abroad. He stated that during the interview they did not ask about his current employment, as far as they were aware, he was not employed so could start work at Oasis immediately.

Witness F stated that following the offer letter being sent to Mr Mohammed, they requested references. He stated that they received references from the School and St Hilda's.

Witness F stated that he noticed that the School's referee email address on Mr Mohammed's application form was different to the School's email address contained on the reference. He stated that the referee's email address Mr Mohammed included on the application form was [REDACTED] but on the reference he provided the email address was [REDACTED].

Witness F stated that they emailed the email address ending in '.org' after noticing this but did not receive a response, but they did from the '.co.uk'. He stated that he did not have a record of an email exchange from the email address ending in '.co.uk', but he remembered calling the School and speaking to the headteacher.

Witness F stated in his written statement that it later came to their attention that Mr Mohammed had "*fraudulently made and used the '.co.uk' email address*".

Witness F submitted that on 1 June 2020, Witness A called him and asked if Mr Mohammed had been offered a position at Oasis. He confirmed that he had. He stated that Witness A then made him aware that he was working at Oak Wood.

Witness F stated that he called Mr Mohammed to speak about the situation, and Mr Mohammed said that he received a temporary contract from Oak Wood but he did not sign or agree to it, and he had never been in the building as he was working remotely due to the pandemic.

Witness F stated that he called Witness A and informed him of what Mr Mohammed had told him, to which he was adamant that Mr Mohammed had a contract and had accepted it. He stated that he informed Witness A that he would contact the School to discuss the issue.

The panel noted that in oral evidence Witness A confirmed that Mr Mohammed had been paid by Oak Wood and that he had attended a Senior Leadership Team meeting.

Witness F stated that on 2 June 2020, he called Witness C, and asked whether he had written a reference for Mr Mohammed, to which he said he had never written one. He stated that Witness C then emailed him to confirm that the reference provided to Oasis from the School was not legitimate.

The panel concluded that on the balance of probabilities, Mr Mohammed had submitted the false reference to Oasis.

The panel found allegation 5 proven.

6. Your conduct at any or all of paragraphs 1, 2, 3, 4, and 5 above was dishonest.

Having found all of the allegations proven, the panel went on to consider whether Mr Mohammed had acted dishonestly in relation to the proven facts of allegations 1, 2, 3, 4 and 5. In reaching its decision on this, the panel considered the case of *Ivey v Genting Casinos (UK) Ltd t/a Crockford*.

The panel first sought to ascertain the actual state of Mr Mohammed's knowledge or belief as to the facts. The panel considered that Mr Mohammed had deliberately and knowingly provided false references to Cumberland, Oak Wood and Oasis and submitted a CV that misrepresented his educational history by putting a false university and degree qualification when applying for employment. The panel also considered that Mr Mohammed had knowingly submitted false invoices.

The panel considered Witness C's oral evidence that Mr Mohammed apologised to him for the breach of trust when confronted with submitting false invoices.

The panel concluded that there could be no doubt that Mr Mohammed knew that his actions were wrong and were not in accordance with what is expected of a teacher. In particular, the panel noted that Mr Mohammed would have put together his own CV and that he had not made a simple mistake but had instead added a university degree from a university he had not attended.

Next, the panel considered whether Mr Mohammed's conduct was dishonest by the standards of ordinary decent people. The panel found that Mr Mohammed was objectively dishonest by including misleading and false information on his CV and by submitting false references and invoices. It was dishonest to fail to provide a reference from the School and to submit false references.

The panel found that Mr Mohammed was dishonest by deliberately failing to disclose correct information and submitting false references.

The panel found allegation 6 proven.

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

Having found a number 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 Mohammed, in relation to the facts found proved, involved breaches of the Teachers’ Standards. The panel considered that, by reference to Part 2, Mr Mohammed 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
 - having regard for the need to safeguard pupils’ well-being, in accordance with statutory provisions.
- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach....
- Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities.

The panel considered that Mr Mohammed had failed to maintain high ethical standards and that his actions had not had regard to the policies of the schools to which he applied. The panel considered that given Mr Mohammed's over ten years of experience in the education setting and his position within the schools he was employed by, he would have been aware of the recruitment practices and processes. The panel was satisfied that Mr Mohammed had provided false information.

The panel was satisfied that the conduct of Mr Mohammed amounted to misconduct of a serious nature which fell significantly short of the standards expected of the profession. In particular, the panel considered the number of occasions and the period when Mr Mohammed provided the false information. The panel also considered the complexity of how Mr Mohammed had been dishonest, in that to provide the false invoices, he would have had to manufacture them and provide differing bank details, and he also appeared to have created fake email addresses to give the false references. The panel considered the likely financial advantage Mr Mohammed would have obtained by providing false information on his references, as these assisted him in securing jobs.

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

The panel found that the offence of serious dishonesty was relevant. 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 received legal advice as to the possibility of findings being cumulated in accordance with guidance given in the judgment of *Schodlok v General Medical Council [2015]*. However, as the panel concluded that each of the allegations 1, 2, 3, 4, 5 and 6 based on the particulars found proved in respect of each allegation, amounted to unacceptable professional conduct, the panel did not need to determine whether it would be appropriate to cumulate any of those allegations.

Accordingly, the panel was satisfied that Mr Mohammed 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 panel considered the serious impact the misconduct could have on a pupil and the duty of teachers to safeguard the welfare of pupils.

The panel concluded 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.

The panel considered that Mr Mohammed had held senior positions whilst he had been a teacher and that, therefore, the public would expect a person in such an influential position not to lie to obtain a position that he may not have been qualified to obtain. The panel also considered that the public would likely have a negative perception of a teacher who had shown this level of dishonesty.

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

Having found the facts of allegations 1, 2, 3, 4, 5 and 6 proved, the panel further found that Mr Mohammed'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 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...;
- the maintenance of public confidence in the profession;
- declaring and upholding proper standards of conduct;
- that prohibition strikes the right balance between the rights of the teacher and the public interest, if they are in conflict.

In light of the panel's findings against Mr Mohammed, which involved deliberately and knowingly providing false references, submitting a CV that misrepresented his educational history and knowingly submitting false invoices, there was a strong public interest consideration in declaring and upholding proper standards of conduct.

On this point, the panel considered that Mr Mohammed's serious dishonesty in misrepresenting his education history, demonstrated by allegation 2 having been proven, could have risks around the safeguarding and well-being of pupils.

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

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

The panel also considered that Mr Mohammed's dishonesty in his deliberate decision to provide a false narrative in relation to his references, would significantly impair public confidence in the profession.

In view of the clear public interest considerations that were present, the panel considered carefully whether or not it would be proportionate to impose a prohibition order, taking into account the effect that this would have on Mr Mohammed. 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 Mohammed. The panel took further account of the Advice, which suggests that a prohibition order may be appropriate if certain behaviours of a teacher have been proved. In the list of such behaviours, those that were relevant in this case were:

- serious departure from the personal and professional conduct elements of the Teachers' Standards;
- abuse of position or trust...;
- dishonesty or a lack of integrity, including the deliberate concealment of their actions or purposeful destruction of evidence, especially where these behaviours have been repeated or had serious consequences, or involved the coercion of another person to act in a way contrary to their own interests;
- collusion of concealment including:
 - any activity that involves knowingly substantiating another person's statements where they are known to be false;
 - encouraging others to break rules;
 - lying to prevent the identification of wrongdoing.

The panel considered that the conduct as found proved demonstrated a serious departure from the Standards, as set out in its findings of facts.

The panel had established as a matter of fact that Mr Mohammed had behaved dishonestly with respect to the provision of misleading and inaccurate information during his applications to work at the schools.

The panel noted that the list of behavioural considerations in the Advice was not exhaustive, but it did not identify any additional behaviours of concern.

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.

The panel noted that Mr Mohammed did not attend the hearing. The panel concluded that this was regrettable as it meant it was not furnished with any potential mitigation evidence Mr Mohammed may have been able to provide to further inform the panel.

There was no evidence that Mr Mohammed's actions were not deliberate; in fact, the panel considered his actions to be calculated.

Additionally, there was no evidence to suggest that Mr Mohammed was acting under extreme duress. Upon consideration of the documentary evidence and in the absence of any alternative innocent explanation being presented by Mr Mohammed, the panel determined that he had acted entirely of his own volition with respect to all of the allegations.

The panel noted that there was no evidence that Mr Mohammed demonstrated exceptionally high standards in both personal and professional conduct and has contributed significantly to the education sector. The panel considered the written statement of Witness C, where he stated that at the time Mr Mohammed was the teacher managing modern foreign languages department the School received their worst ever results in this department and that he was removed from this position, as the staff had lost confidence in him.

As set out above, Mr Mohammed did not attend the hearing nor did he provide any documents for the hearing. The panel, therefore, had no evidence on which to base its conclusions regarding Mr Mohammed's level of insight and remorse in connection with the allegations. The panel, therefore, concluded that Mr Mohammed had not demonstrated any insight and/or remorse into the allegations.

A key part of the panel's deliberations in respect of its recommendations to impose a prohibition order, was the panel's conclusion that there was a significant risk of repetition in respect of potentially all of the behaviours forming part of the allegations found proven at this hearing.

The panel first considered whether it would be proportionate to conclude this case with no recommendation of prohibition, considering whether the publication of the findings made by the panel would be sufficient.

The panel was of the view that, applying the standard of the ordinary intelligent citizen, it would not be a proportionate and appropriate response to recommend no prohibition order. Recommending that the publication of adverse findings would be sufficient would unacceptably compromise the public interest considerations present in this case, despite the severity of the consequences for Mr Mohammed 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 Mohammed. The serious nature of the dishonesty found proved, the repeated false information provided by and on behalf of Mr Mohammed, the calculating and escalating nature in which the false information was provided; the absence of mitigating factors; and, the lack of demonstrable insight and/or remorse from Mr Mohammed were significant factors in forming that opinion.

Accordingly, the panel made a recommendation to the Secretary of State that a prohibition order should be imposed with immediate effect.

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

The Advice indicates that there are behaviours that, if proved, would militate against the recommendation of a review period. The panel found that there was no evidence of any of these behaviours.

The Advice also indicates that there are behaviours that, if proved, would have greater relevance and weigh in favour of a longer review period. One of these behaviours includes serious dishonesty. The panel found that Mr Mohammed was responsible for submitting false invoices, submitting false references to 3 schools, and misrepresenting his educational history on his CV when applying for employment between July 2019 and June 2020. That misconduct undoubtedly had the potential to result in harm to pupils, and there was a significant risk of future repetition, given the number of times Mr Mohammed had demonstrated dishonesty and the period over which the allegations took place. The panel also considered that Mr Mohammed used false references to obtain jobs to his own advantage.

The panel noted that these behaviours indicated a recommendation for a longer review period might be appropriate. However, the panel decided that a prohibition with a longer review period was not appropriate, given the significant risk of future repetition and that despite Mr Mohammed having been confronted with regards to the fake invoices submitted at allegation 1, he had then gone on to submit further false information and, therefore, the panel concluded he had not learnt from his actions. Therefore, the panel decided that, on balance, the findings indicated a situation in which a review period would not be appropriate and, as such, decided that it would be proportionate, in all the circumstances, for the prohibition order to be recommended without provisions for a review period.

Decision and reasons on behalf of the Secretary of State

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

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

In this case, the panel has found 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 Elkas Mohammed should be the subject of a prohibition order, with no provision for a review period.

In particular, the panel has found that Mr Mohammed 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
 - having regard for the need to safeguard pupils' well-being, in accordance with statutory provisions.
- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach....
- Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities.

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

The findings of misconduct are particularly serious as they include findings which involved deliberately and knowingly providing false references, submitting a CV that misrepresented educational history and knowingly submitting false invoices.

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 or conduct likely to bring the profession into disrepute, would itself be sufficient to achieve the overall aim. I have to consider whether

the consequences of such a publication are themselves sufficient. I have considered therefore whether or not prohibiting Mr Mohammed, 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/safeguard pupils. The panel has observed, “the panel considered that Mr Mohammed’s serious dishonesty in misrepresenting his education history, demonstrated by allegation 2 having been proven, could have risks around the safeguarding and well-being of 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 the panel sets out as follows, “The panel noted that Mr Mohammed did not attend the hearing. The panel concluded that this was regrettable as it meant it was not furnished with any potential mitigation evidence Mr Mohammed may have been able to provide to further inform the panel.” In my judgement, the lack of evidence of insight or remorse 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 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 considered that public confidence in the profession could be seriously weakened if conduct such as that found against Mr Mohammed was not treated with the utmost seriousness when regulating the conduct of the profession.” The panel went on to say, “Mr Mohammed’s dishonesty in his deliberate decision to provide a false narrative in relation to his references, would significantly impair public confidence in the profession.” I am particularly mindful of the finding of dishonesty in this case and the impact that such a finding has on the reputation of the profession.

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

I have considered whether the publication of a finding of unacceptable professional conduct 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 Mohammed himself and the panel comment “The panel noted that there was no evidence that Mr Mohammed demonstrated exceptionally high standards in both personal and professional conduct

and has contributed significantly to the education sector. The panel considered the written statement of Witness C, where he stated that at the time Mr Mohammed was the teacher managing modern foreign languages department the School received their worst ever results in this department and that he was removed from this position, as the staff had lost confidence in him.”

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

In this case, I have placed considerable weight on the panel’s comments concerning insight or remorse. The panel has said, “Mr Mohammed did not attend the hearing nor did he provide any documents for the hearing. The panel, therefore, had no evidence on which to base its conclusions regarding Mr Mohammed’s level of insight and remorse in connection with the allegations. The panel, therefore, concluded that Mr Mohammed had not demonstrated any insight and/or remorse into the allegations.”

I have also placed considerable weight on the finding of the panel that “A key part of the panel’s deliberations in respect of its recommendations to impose a prohibition order, was the panel’s conclusion that there was a significant risk of repetition in respect of potentially all of the behaviours forming part of the allegations found proven at this hearing.”

I have given less weight in my consideration of sanction therefore, to the contribution that Mr Mohammed 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 any evidence of 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 that no provision should be made for a review period.

I have considered the panel’s comments “the panel decided that a prohibition with a longer review period was not appropriate, given the significant risk of future repetition and that despite Mr Mohammed having been confronted with regards to the fake invoices submitted at allegation 1, he had then gone on to submit further false information and, therefore, the panel concluded he had not learnt from his actions. Therefore, the panel decided that, on balance, the findings indicated a situation in which a review period would not be appropriate.”

In this case, factors mean that allowing a review period is not sufficient to achieve the aim of maintaining public confidence in the profession. These elements are the dishonesty found, the lack of evidence of either insight or remorse, and the risk of repetition.

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

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

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

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

A handwritten signature in black ink, appearing to read 'S Buxcey', with a horizontal line underneath.

Decision maker: Sarah Buxcey

Date: 11 November 2024

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