



Teaching
Regulation
Agency

Mr Brahmo Chellakooty: Professional conduct panel 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 Brahmo Chellakootty
Teacher ref number:	0111968
Teacher date of birth:	17 August 1957
TRA reference:	18314
Date of determination:	22 November 2024
Former employer:	Colchester Academy, Essex via First Class Education Agency

Introduction

A professional conduct panel (“the panel”) of the Teaching Regulation Agency (“the TRA”) convened on 11 November to 22 November 2024 at Cheylesmore House, 5 Quinton Road, Coventry, CV1 2WT, to consider the case of Mr Brahmo Chellakootty (“Mr Chellakootty”).

The panel members were Ms Mona Sood (lay panellist – in the chair), Mrs Nicola Anderson (teacher panellist) and Mr Richard Young (lay panellist).

The legal adviser to the panel was Mrs Carly Hagedorn of Eversheds Sutherland (International) LLP solicitors.

The presenting officer for the TRA was Mr Lee Bridges of Kingsley Napley LLP solicitors.

Mr Chellakootty was present and was not legally represented. Following an earlier case management hearing (“CMH”) in February 2024, Mr Chellakootty was not permitted to directly question Pupil N, [REDACTED] and Colleague A. Therefore, the TRA appointed Mr Martin Jones, independent legal counsel, to question these witnesses.

The hearing took place in public, save for parts of the hearing heard in private and was recorded.

Allegations

The panel considered the allegations set out in the notice of proceedings dated 13 August 2024.

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

1. Between 2001 and 2019 he engaged in inappropriate physical contact with one or more pupils and/or colleagues and/or individuals, as set out in Schedule A.

Schedule A:

1. [REDACTED]
 - a. [REDACTED]
2. [REDACTED]
 - a. [REDACTED]
 - b. [REDACTED]
 - c. [REDACTED]
 - d. [REDACTED]
 - e. [REDACTED]
 - f. [REDACTED]
3. Between Easter and Summer 2018, at South Essex College, when alone in a room with Colleague A he took her hand, when he knew or ought reasonably to have known that this was unwanted.
4. In around March 2019, at Colchester Academy, in relation to Pupil N:
 - a. he kissed her on the cheek;
 - b. he gave her a prolonged hug;
 - c. he hugged her or allowed her to hug him on more than one occasion.
5. Between Autumn 2018 and March 2019, at Colchester Academy, in relation to Pupil O, he:
 - a. Touched her hand and/or arm;
 - b. Put his elbow between her breasts when correcting her typing;

- c. Grazed her thigh with his hand.
2. Between 2001 and 2019 he made inappropriate comments which were witnessed by or directed towards a number of pupils and/or colleagues, as set out in Schedule B.

Schedule B:

1. [REDACTED]
2. Between September and December 2017, at Eastbury Community School:
 - a. He said “you look nice in your jeans and that you have the shape for it” or words to that effect; and/or
 - b. He asked Pupil M her age.
3. Between Easter and Summer 2018, at South Essex College, he asked Colleague A several times to go out for a drink when she had told him that she did not want to do so;
4. In around March 2019, at Colchester Academy, in relation to Pupil N, he:
 - a. Called her “my lovely” [REDACTED], or words to that effect;
 - b. Said that she was very mature for her age;
 - c. Talked about coming to her house for a “braai” [barbecue];
 - d. Asked her how old she was;
 - e. Promised her extra “positives” if she stayed back late with him;
 - f. having hugged and/or kissed Pupil N, he told her not to say anything to her mum and dad.
5. Between Autumn 2018 and March 2019, at Colchester Academy, in relation to Pupil O, he:
 - a. Said, “If you stay late you will get extra pleasure from it”, or words to that effect;
 - b. Said he’d attend her restaurant and leave her a good tip, or words to that effect;
 - c. When Pupil O told a friend that she liked mature guys, he said that he was “mature and single” or words to that effect;
 - d. Said, “Do you like dark brown like my skin” or words to that effect;
 - e. Asked her to come to a revision class, stating, “I’ll pleasure you” or words to that effect;

3. [REDACTED]
 - a. [REDACTED]
 - b. [REDACTED]
4. In October 2019 he applied for a teaching role when he was subject to bail conditions prohibiting him from entering school premises.
5. His conduct at paragraph 1 and/or 2 was of a sexual nature and/or sexually motivated.
6. His conduct at paragraph 4:
 - c. Dishonest; and/or
 - d. Lacking in integrity.
7. [REDACTED]
8. On 11 January 2016, he accepted a police caution for fraud by false representation contrary to s.1(2)(a) and s.2 of the Fraud Act 2006.

On the first day of the hearing, Mr Chellakootty admitted the facts of allegation 2, Schedule B (2)(a), Schedule B 4(a), Schedule B 4(c), [REDACTED], [REDACTED] and allegation 8.

Mr Chellakootty denied the facts of the remaining allegations.

Mr Chellakootty denied that his conduct amounted to unacceptable professional conduct or conduct that may bring the profession into disrepute.

Preliminary applications

Discontinuance of Allegations

Allegation 1, schedule A (2) and Allegation 2, schedule B (1)

At the start of the hearing, the presenting officer made an application to discontinue allegation 1, schedule A (2) and allegation 2, schedule B (1). The presenting officer requested that these allegations be discontinued as the panel had decided at the earlier CMH on 4 November 2024 not to admit the hearsay evidence of Person X. The TRA acknowledged previously that this hearsay evidence was the sole and decisive evidence in respect of these allegations.

Mr Chellakootty did not object to this application.

The panel noted that paragraph 5.28 of the Teacher Misconduct: Disciplinary Procedures for the Teaching Profession 2020 (“the Procedures”) state that if the TRA decides not to proceed with an allegation that has been notified to the teacher, it will inform the teacher, the referrer and the teacher’s employer forthwith, and any such decision will not invalidate the Notice of Hearing.

The panel noted that as Person X’s hearsay evidence was not admitted at the previous CMH, which was the sole and decisive evidence in respect of these allegations, the panel agreed to discontinue allegation 1, schedule A (2) and allegation 2, schedule B (1) as it was fair and appropriate in the circumstances.

Allegation 1, schedule A 1(a) and Allegation 3

On the second day of the hearing, the presenting officer made an application to discontinue allegation 1, schedule A 1(a) and allegation 3. [REDACTED]

This application was made as a new document was provided by the teacher to the presenting officer and legal adviser at the start of the second day of the hearing. The new document was a letter from the ‘department for education and skills’ to Mr Chellakooty dated 25 January 2005 which included the following statement:

“The Secretary of State has decided that she will not, on this occasion, take any further action under the Education Act 2002 which empowers her to bar or restrict a persons employment as a teacher or worker with children and young persons on grounds of misconduct.”

The presenting officer sought instructions from the TRA following the provision of this letter and made an application to discontinue the allegations which pre-dated the date of the letter, namely allegation 1, schedule A 1(a) and allegation 3.

The application to discontinue these allegations was made on the basis that the letter was not previously considered by the TRA when formulating and drafting the allegations which pre-dated the date of the letter. On that basis, the TRA’s position was that it would be fair in the circumstances to discontinue the allegations which pre-dated this letter dated 25 January 2005.

The presenting officer stated that if allegation 1, schedule A 1(a) and allegation 3 are discontinued, the panel could fairly proceed as it is a professional panel, and was able to put extraneous matters out of its mind.

The teacher did not object to the application or the panel proceeding with the case if the allegations were to be discontinued.

Again, the panel noted that the contents of paragraph 5.28 of the Procedures which state that if the TRA decides not to proceed with an allegation that has been notified to the

teacher, it will inform the teacher, the referrer and the teacher's employer forthwith, and any such decision will not invalidate the Notice of Hearing.

The panel was provided with a copy of the letter dated 25 January 2005 and considered whether it was fair and appropriate in the circumstances to discontinue these allegations.

Following questioning by the panel, the presenting officer stated that the letter referred to Mr Chellakooty's conduct which pre-dated 25 January 2005 [REDACTED]. The panel noted the specific wording of the letter, referred to above, and considered that it was fair and appropriate in the circumstances of the case to discontinue allegation 1, schedule A 1(a) and allegation 3.

As these allegations had been discontinued, the panel went on to consider the potential prejudicial effect on itself, as an impartial panel, having had sight of the evidence relating to the discontinued allegations and the effect of this knowledge when considering the remaining allegations.

The panel noted that no oral evidence had been heard in respect of discontinued allegations at this point of the hearing.

The panel applied the test of whether the risk of prejudice was so grave that no direction, could reasonably be expected to remove that prejudice from the mind of the panellists, and whether the teacher's right to a fair hearing was compromised.

The panel noted that the teacher did not object to the hearing proceeding if the aforementioned allegations were discontinued. The panel noted the relevant considerations in respect of the teacher's right to a fair hearing in accordance with Article 6(1) of the European Convention on Human Rights.

The panel's focus over the course of this hearing was upon whether the evidence heard and admissible documents were sufficient to prove that it was more probable than not that the alleged facts occurred. That focus, combined with the likely directions to be given by the legal adviser for the panellists to put inadmissible evidence out of their minds will uphold the teacher's right to a fair hearing.

This is an experienced and trained panel, advised by an independent legal advisor and is well used to putting inadmissible evidence from its minds when reaching its decisions. For these reasons, the panel determined to proceed with the hearing.

Admissibility of Late Documents

Timeline Document

On the morning of the first day of the hearing (before commencement of the hearing), the presenting officer provided the teacher with a copy of a timeline document as part of his opening statement, which referred to parts of the evidence within the bundle in

chronological order. The presenting officer confirmed to the panel that the timeline document did not adduce any further evidence and, on that basis, was not going to make an application to admit the document.

The teacher objected to the inclusion of certain sections of the timeline as he stated that there was reference to allegations where the Secretary of State had previously determined that there was 'no case to answer' in respect of allegations dating between 2001 and 2002. The teacher also stated that the timeline document referred to redacted material. Mr Chellakootty did not, at that stage, apply to admit any evidence to corroborate these assertions.

The panel noted that paragraph 5.33 of the Procedures states that the panel may admit any evidence, if it is fair to do so, which may reasonably be considered to be relevant to the case.

The panel accepted that this document did not adduce new evidence as the timeline made reference to the evidence and page numbers within the bundle. The panel noted that this document was drafted to assist the panel to navigate the bundle accordingly. The panel did not accept that the timeline document referred to allegations where the Secretary of State had previously determined that there was 'no case to answer' given there was no evidence within the final bundle to support this. The panel noted that the first allegation in this case did refer to the teacher's conduct in 2001 and 2002, [REDACTED]. Further, the panel accepted the presenting officer's representations that the timeline document was drafted in accordance with the available evidence within the bundle, making reference to specific page numbers.

On the second day of the hearing, the timeline document was withdrawn by the presenting officer as two of the allegations which related to Mr Chellakootty's conduct prior to 2016 were discontinued.

The updated timeline document and written closing submissions were provided to the panel on the seventh day of the hearing. Mr Chellakootty had sight of the timeline document and the TRA's closing submissions on the sixth day of the hearing. Mr Chellakootty provided the panel with a closing submission document on the seventh day of the hearing.

Teacher Documents

On the second day of the hearing, the teacher applied to admit a letter dated 16 December 2008 from [REDACTED], a bundle of 87 pages consisting of Mr Chellakootty's correspondence with the TRA and a transcript of the 2021 court case, and a screenshot from Mr Chellakootty's Facebook page, displaying a friend request from Pupil N.

On the third day of the hearing, the teacher applied to admit a hand drawn floor plan of the classroom where he taught Pupil N.

Those documents were not served in accordance with the requirements of paragraph 5.37 of the Procedures, and as such the panel was required to decide whether those documents should be admitted under paragraph 5.34 of the Procedures at the discretion of the panel. The panel took into account the representations from the teacher and presenting officer. The presenting officer did not object to the admission of the letter dated 16 December 2008 and the bundle of 87 pages, but did object to the admission of the screenshot of Mr Chellakootty's Facebook page, on the basis that the screenshot was undated and should have been provided to the TRA in accordance with the timescale stated in the Procedures.

The presenting officer did not object to the admission of the hand drawn layout of the classroom where he had taught Pupil N.

Under paragraph 5.33 of the Procedures, the panel may admit any evidence, where it is fair to do so, which may reasonably be considered to be relevant to the case.

The panel was not satisfied that the letter dated 16 December 2008 from [REDACTED] could reasonably be considered to be relevant to the case because the allegation relating to Mr Chellakootty's alleged conduct at [REDACTED] was discontinued. Since the document did not meet the threshold of relevancy, it was unnecessary for the panel to consider the question of fairness.

The panel was satisfied that the bundle of 87 pages consisting of Mr Chellakootty's correspondence with the TRA and a transcript of the 2021 court case, and the screenshot from Mr Chellakootty's Facebook page, displaying a friend request from Pupil N may reasonably be considered to be relevant to the case. The 87 page bundle broadly consisted of:

- a) Mr Chellakootty's responses to the notices of referral and notice of proceedings forms;
- b) Correspondence between the TRA and/or the TRA's legal representatives and Mr Chellakootty; and
- c) Transcript of Proceedings from the Crown Court at Ipswich (R v Chellakootty) for the defence closing speech and summing up dated 17th and 18th June 2021

The panel noted that the original 875 page bundle constituted the TRA's case only. There were no written representations from Mr Chellakootty himself within this bundle. The panel considered that the documents tendered by Mr Chellakootty in the 87 page bundle were relevant to consider the consistency of Mr Chellakootty's response in respect of the allegations before the panel, and for contextual background and for the equality of arms. Further, on viewing the content it was apparent to the panel that Mr Chellakootty had made multiple requests to the TRA's legal representatives to include documents well before the required timescale of four weeks in advance of the hearing.

The panel noted that the transcript was relevant when considering the allegations relating to his alleged conduct whilst engaged by Colchester Academy.

The panel went on to consider the relevance of the screenshot from Mr Chellakooty's Facebook page. Mr Chellakooty referred to the request being made 31 weeks ago. The panel noted that Mr Chellakooty had previously informed the TRA on 7 May 2024 that Pupil N had made a friend request to Mr Chellakooty. The presenting officer confirmed that he had been informed of this, but had not been provided with any actual evidence of the same. As part of this correspondence, Mr Chellakooty had requested assistance from the TRA without specifying what was required.

Upon questioning, Mr Chellakooty confirmed that the screenshot had been created, by himself, on the second day of the hearing and did not contain any detail of when the friend request was made.

The panel noted the presenting officer's objections, regarding the late submission and the fact that the screenshot was undated, but considered that the screenshot from Mr Chellakooty's Facebook page was relevant context when considering the allegations which related to Mr Chellakooty's alleged conduct towards Pupil N.

The panel was also satisfied that the hand drawn layout of the classroom where Mr Chellakooty taught Pupil N was relevant to the allegations in respect of the alleged conduct towards Pupil N.

The panel considered that it was fair to admit the 87 page bundle and the screenshot as no objection was made on behalf of the TRA in relation to the 87 page bundle and the TRA was reasonably aware of the existence of the Facebook friend request to Mr Chellakooty some time ago in May 2024.

The panel also considered that it was fair to admit the hand drawn layout of the classroom where Mr Chellakooty had taught Pupil N as no objection was made on behalf of the TRA. The panel considered that the layout may help to assist the panel understand the context of where the alleged conduct towards Pupil N was said to have happened.

By reason of the above, the panel has decided to admit the 87 page bundle and the screenshot from Mr Chellakooty's Facebook page and these should be paginated as follows:

Section 5: Teacher Documents:

- Teacher document bundle (87 pages) – pages 876 to 962
- Screenshot from Mr Chellakooty's Facebook page – page 963
- Hand drawn layout of the classroom where Mr Chellakooty taught Pupil N – page 964

Letter from Department for Education and Skills

As previously explained, the letter from the 'department for education and skills' to Mr Chellakootty dated 25 January 2005 was provided by the teacher to the presenting officer and legal adviser at the start of the second day of the hearing. The letter was then provided to the panel as part of the application for discontinuance of allegation 1, schedule A 1(a) and allegation 3. The teacher did not object to the panel reviewing the letter for the discontinuance of these allegations.

On the fourth day of the hearing, the presenting officer stated that he wished to refer to a paragraph within the letter from the 'department for education and skills' to Mr Chellakootty dated 25 January 2005 as part of his cross examination of Mr Chellakootty. An application was made to the panel by the presenting officer to admit this letter. This letter was not served in accordance with paragraph 5.36 of the Procedures and as such the panel was required to decide whether this document should be admitted under paragraph 5.34 of the Procedures at the discretion of the panel. The panel took into account the representations from the teacher and presenting officer.

The presenting officer explained that the letter was relevant as the letter contained a statement in respect of Mr Chellakootty's potential future conduct. The presenting officer explained that the letter was originally provided by Mr Chellakootty as it was one of his documents that was provided to him earlier in the hearing and the panel had sight of the letter.

Mr Chellakootty objected to the admission of the letter as it was previously provided as part of the discontinuance of allegation 1, schedule A 1(a) and allegation 3. Mr Chellakootty stated that now the TRA wishes to "*use the letter against me*" by referring to "*certain parts*" of the letter.

Under paragraph 5.33 of the Procedures, the panel may admit any evidence, where it is fair to do so, which may reasonably be considered to be relevant to the case.

The panel considered that the paragraph of the letter in question was relevant in respect of Mr Chellakootty's alleged conduct in these proceedings. The panel then went on to consider whether it was fair in the circumstances to admit the letter. The panel noted that the letter was previously provided to the panel as context for the reasoning behind the TRA's discontinuance of allegation 1, schedule A 1(a) and allegation 3. It was noted that the teacher did not object to the panel reviewing the letter for that particular purpose.

The panel noted that the TRA had not previously included the letter within the bundle at an earlier stage nor applied to admit the document at an earlier stage in the hearing, when the presenting officer was provided with a copy of the letter on the second day of the hearing. The panel noted that the presenting officer could ask questions on the relevant topic without referring to this letter. For these reasons, the panel determined that it would not be fair at this stage to allow the application to admit the letter.

Character Statement

On the sixth day of the hearing, Mr Chellakootty applied to admit an unsigned character statement from a former colleague dated 14 August 2024, who had known Mr Chellakootty since 1980.

This document was not served in accordance with the requirements of paragraph 5.37 of the Procedures, and as such the panel was required to decide whether this document should be admitted under paragraph 5.34 of the Procedures at the discretion of the panel. The panel took into account the representations from the teacher and presenting officer. Initially, the presenting officer did not object to the admission of this character statement. Mr Chellakootty at that point had not informed the presenting officer that the open character statement was drafted for any teaching job application and that the author of the statement was not aware of the TRA proceedings or the allegations that Mr Chellakootty was currently facing.

When questioned, Mr Chellakootty explained that the author of the statement was aware of the [REDACTED] in place, some of the TRA allegations and that he was in frequent contact with the author of the statement. He confirmed that the author was not aware that the character statement would be used in the TRA proceedings. It came to light that the author of the statement had drafted the character reference in 2022, rather than 2024. Mr Chellakootty stated that he had requested that the author provide an updated character statement, but noticed that the author had simply redated the 2022 character statement to 14 August 2024.

The presenting officer subsequently objected to the admission of the statement as Mr Chellakootty was inconsistent with his explanation as to how the character reference had been originally held out. The presenting officer also noted that the statement was unsigned.

Mr Chellakootty confirmed that the character reference was solely drafted as an open job reference rather than to address any of the allegations before the panel in the TRA proceedings.

Under paragraph 5.33 of the Procedures, the panel may admit any evidence, where it is fair to do so, which may reasonably be considered to be relevant to the case.

The panel determined that the character reference was relevant to the case before them. Whilst the statement did not directly address the teacher's credibility or propensity to have carried out the alleged facts or the circumstances in which the teacher found himself, the panel noted that if the case proceeds to the sanction stage, the statement could be of direct relevance.

The panel noted the objection from the presenting officer but felt that it was fair in the circumstances to admit the document at this stage, bearing in mind that Mr Chellakootty was not legally represented.

By reason of the above, the panel decided to admit the unsigned character statement and should be paginated as follows:

Section 7: Unsigned character reference – pages 968 to 970.

On the seventh day of the hearing, Mr Chellakootty stated that he had obtained a signed version of the aforementioned character statement. The presenting officer did not object to the admission of the signed character statement, provided that a copy of the covering email from the author providing the signed statement could also be provided.

Mr Chellakootty agreed to provide the covering email in addition.

The panel agreed to admit the signed version of the aforementioned character statement and covering email for the previous reasons provided in respect of relevancy and fairness.

By reason of the above, the panel decided to admit the signed character statement and covering email. These documents should be paginated as follows:

Section 7: Signed character statement and covering email – pages 971 to 974.

Previous GTCE decision

On day ten of the hearing, after the panel had announced its findings of fact and decision on unacceptable professional conduct and conduct that may bring the profession into disrepute, the hearing progressed to the next stage of sanction. At that point, the presenting officer informed the panel of his intention to provide a previous decision of the General Teaching Council for England (“GTCE”) in respect of Mr Chellakootty’s previous misconduct dated 1 July 2011.

The presenting officer explained that the teacher had been provided with a copy of this document on 21 October 2022 at the “case to answer” stage. The presenting officer explained that Mr Chellakootty had subsequently been informed via email on 9 October 2024 from the TRA’s legal representatives which stated *“For the avoidance of doubt, the TRA will inform the Panel that you have a previous finding against you, namely the finding of the Professional Conduct Committee dated 1 July 2011, if any allegations are found proved and the case proceeds to the stage where the Panel consider whether to impose a prohibition order. The finding of the PCP dated 1 July 2011 has been removed from the Bundle which will go to the Panel at facts stage.”*

Mr Chellakootty responded to this correspondence on 15 October 2024. He stated *“My response to your queries is provided in red.”* The red wording below the aforementioned paragraph was *“Thank you.”*

The presenting officer’s position was that the document was not evidence.

Mr Chellakootty objected to its inclusion on the basis that he was not aware of the

document was going to be put before the panel and it was not relevant. This was in direct conflict with his response dated 15 October 2024 referred to above.

The panel did not consider the document to be evidence and decided to admit the document based on the fact that it was relevant at the stage of sanction and noted that the panel may take into account any previous disciplinary order imposed by the Secretary of State, the GTCE now abolished or other relevant body.

Excluding the public from part of the hearing

The panel previously determined in the CMH on 4 November 2024 that the public was not to be excluded from the entirety of the hearing. It was decided that to the extent it becomes necessary during the course of the hearing to discuss such matters, the panel could consider at that stage whether to exclude the public from a portion of the hearing only.

During the hearing a document was due to be shown to a vulnerable witness, where her name was visible. The panel determined to exercise its discretion under paragraph 11(3)(a) of the Teachers' Disciplinary (England) Regulations 2012 (the "Regulations") and paragraph 5.85(i) of the Procedures to exclude the public from this part of the hearing.

The panel took the general rule into account that hearings should be held in public and that it is generally desirable to maintain public confidence in the administration of these proceedings and also to maintain confidence in the teaching profession. The panel noted that any departure from the general rule has to be no greater than the extent reasonably necessary and that interference for a limited period of the hearing is preferable to a permanent exclusion of the public.

The panel noted that the exclusion of the public from a short and limited period for the purpose of protecting the anonymity of a vulnerable witness was in the interest justice, so the panel determined to exercise its discretion to exclude the public from this part of the hearing only.

Summary of evidence

Documents

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

Section 1: Chronology, ID key and list of key people – pages 10 to 13

Section 2: Notice of proceedings and response – pages 14 to 30

Section 3: Teaching Regulation Agency witness statements – pages 31 to 43

Section 4: Teacher documents – pages 44 to 875

The panel clarified the meaning of “Section 4: Teacher documents” within the bundle with the presenting officer. The presenting officer confirmed that section 4 did relate to the TRA’s own case, rather than that of the teacher.

In addition, the panel agreed to accept the following:

Section 5: Teacher documents – pages 876 to 964.

The panel agreed to add the updated anonymised pupil list to the end of the bundle.

Section 6: Anonymised pupil list – pages 965 to 967.

Section 7: Character Reference (signed and unsigned) and covering email – pages 968 to 974.

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 individuals who were called on behalf of the TRA:

- Witness A [REDACTED]
- Colleague A [REDACTED]
- Pupil N [REDACTED]
- Witness B [REDACTED]

Mr Chellakootty provided oral evidence at the hearing.

Decision and reasons

The panel announced its decision and reasons as follows:

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

Mr Chellakootty was employed as a teacher in England since from around 2001.

On 11 January 2016, Mr Chellakootty accepted a police caution for fraud by false representation.

Mr Chellakootty commenced work at Eastbury School, Essex via an agency. In January 2018, it was alleged that Mr Chellakootty made inappropriate comments towards a pupil.

Mr Chellakootty ceased working at Eastbury School and, in March 2018, Mr Chellakootty commenced work at South Essex College via an agency. Mr Chellakootty was employed via the agency as an associate lecturer between 28 March 2018 and 6 July 2018 and was then later employed directly, albeit on a probationary period, by South Essex College between 21 August 2018 and 9 October 2018 as a lecturer in engineering and construction. In October 2018, it was alleged that Mr Chellakootty had made inappropriate physical contact and comments towards a colleague. Mr Chellakootty ceased working at South Essex College in October 2018.

Mr Chellakootty was subsequently placed at Colchester Academy as a supply teacher by First Class Education Agency in 2019. It was alleged that whilst engaged at Colchester Academy, Mr Chellakootty made inappropriate physical contact and comments towards two pupils. Mr Chellakootty was arrested by Essex Police in relation to concerns at Colchester Academy and was placed on bail with conditions.

The following bail conditions were imposed:

- i. [REDACTED]
- ii. Not to enter or go within the boundary of Colchester Academy, Hawthorn Avenue, Colchester, CO4 3JL for any reason;
- iii. Not to have any unsupervised contact with any child under 18 and that the person supervising the contact must be aware of the allegation;
- iv. Not to enter within the grounds of any property which is registered as a school or college for any reason.

Mr Chellakootty applied for a teaching position in October 2019.

In June 2020, Mr Chellakootty was referred to the TRA by Essex Local Authority Designated Officer (“LADO”).

On 18 June 2021, Mr Chellakootty was found not guilty in respect of the alleged offences at Colchester Academy. Mr Chellakootty was therefore no longer subject to the aforementioned bail conditions.

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. Between 2001 and 2019 you engaged in inappropriate physical contact with one or more pupils and/or colleagues and/or individuals, as set out in Schedule A.**

Schedule A:

3. Between Easter and Summer 2018, at South Essex College, when alone in a room with Colleague A you took her hand, when you knew or ought reasonably to have known that this was unwanted.

Mr Chellakootty denied this allegation. He accepted in his oral evidence that he did take Colleague A's hand but denied that it was inappropriate.

Mr Chellakootty commenced work at South Essex College via an agency in March 2018. Mr Chellakootty was then later employed directly, albeit on a probationary period, by South Essex College between 21 August 2018 and 9 October 2018.

The panel had sight of a statement from Colleague A dated 4 October 2018 which stated *"After the GCSE Exam period in the first week of June, the timetables were collapsed and I was timetabled in several sessions with Brahma in order to supervise and assist with learners completing their outstanding units. This necessitated some re-rooming from the workshops etc. One such occasion we were in one of the gaming IT rooms on Level 4, Bay D. As the session wound up and the last learner handed in their work and left, Brahma came over to talk to me. I was sat typing on my laptop. He looked around to make sure the coast was clear and then he took hold of one of my hands in both of his saying, 'You don't mind if I hold your hand, do you?' along with some compliment and the usual would I go for a drink with him. Since I had already told him several times that I was not interested I found this quite unsavoury, embarrassing and rather creepy. What worried me more was the fact that he waited until he was alone in the room with me, putting himself between the door – the only exit – and me."*

Colleague A explained in oral evidence when describing the incident that Mr Chellakootty *"put himself between the door and me. That signals something to me as a female... He is a larger male. It was deliberate... The last learner left and Brahma came over to talk to me. He did check that no one was looking. He took one of my hands and said you don't mind if I hold your hand. That is not appropriate. If I told him my mother had died, potentially. But not in those circumstances. It was not nice. It really didn't feel nice."*

Colleague A stated that Mr Chellakootty *"distinctly took my hand in both of his hands"*. Colleague A said *"it wasn't aggressive or threatening. It was creepy and made the hairs on the back of my neck stand up."*

The panel noted that Colleague A did not report this to her line manager at the time as Colleague A explained that her line manager was not based in one campus and she wanted to speak to him about this matter face to face.

Colleague A described her ability to recognise predatory behaviour [REDACTED]. Colleague A used the word "obsessive" when referring to Mr Chellakootty's conduct towards her.

Mr Chellakootty accepted that he did take Colleague A's hand but did not consider the conduct to be inappropriate at the time. Mr Chellakootty stated that the action of taking

Colleague A's hand was a friendly, light-hearted gesture and there was no ulterior motive behind his conduct. He explained the differences between South African and British culture. Mr Chellakootty stated that he wouldn't have taken the hand of a complete stranger and that he came to a stage where he felt comfortable to approach Colleague A by taking her hand. He explained that was in his nature.

Mr Chellakootty said that he had developed a working relationship with Colleague A over a period of time. He stated that he wanted to be social and was trying to communicate with her. When asked about Colleague A's response to the hand holding, Mr Chellakootty stated *"well it wasn't one of distress, where I felt that she profusely objected to it. Nothing serious was said to me regarding that. She probably pulled her hand away and nothing said after."*

Mr Chellakootty stated, *"in retrospect I regret that it happened."*

The panel noted that Colleague A's account of this incident was consistent with what she had described previously. There was no evidence to suggest that Colleague A encouraged Mr Chellakootty's behaviour as the panel was aware of Mr Chellakootty's earlier conduct where he had asked Colleague A to go out for a drink with him on several occasions which she refused (as addressed separately in allegation 2, Schedule B, 3 below). As a result, the panel determined that Mr Chellakootty ought reasonably to have known that his conduct was unwanted.

The panel noted that despite Colleague A not reporting this incident to her line manager at the time, this did not excuse the panel's determination that Mr Chellakootty's conduct amounted to inappropriate physical contact with a colleague. The panel noted that such conduct did not uphold the professional duties and responsibilities expected of a teacher.

The panel found allegation 1, Schedule A (3) proved.

4. In around March 2019, at Colchester Academy, in relation to Pupil N:

a. You kissed her on the cheek

Mr Chellakootty denied this allegation.

The panel noted that this matter was considered before the Ipswich Crown Court previously. On 18 June 2021, Mr Chellakootty was found not guilty in respect of the alleged offences at Colchester Academy.

The panel had sight of the police Crime Report Print dated 27 March 2019, which recorded an incident from 22 March 2019. This report stated, *"It has been reported that on the 22/3 Pupil N attended class 5 minutes early and the suspect who is a teacher asked her to go into a room on her own which has a sign stating "No Students". Pupil N entered and the teacher followed her in. Suspect then hugged Victim [sic] and kissed her on the cheek. Suspect then said "don't tell your parents and I will give you extra reward points"*

The panel had sight of a police report which recorded the following statement:

“Pupil N went on to describe how she arrived early to a lesson in room G29 with the defendant on a Friday (known from other evidence to be 22nd March 2019). She had a pass which allowed her to move between classes 5 minutes early so there were no other students when she got there. She started helping him to put books out for the class when the defendant asked her into the back room where equipment etc was stored. In there the defendant asked her for a hug and a kiss. Awkwardly she said yes and hugged him and gave him a kiss on the cheek, he hugged her back and gave her a kiss on the cheek in return.”

The panel had sight of the transcript of Mr Chellakootty’s police interview dated 1 April 2019. Mr Chellakootty described the incident as follows:

“...I was in the vicinity of the back room. That is the machine area, when I was caught again by surprise, and she gave me a hug and also a peck on my cheek. On my left cheek. Gave me a little kiss on the left cheek. Again, I regarded it as quite innocent, and I did point out to her, ‘THAT IF SOMEBODY SAW YOU DOING THIS, IT WON’T LOOK GOOD...’”.

During the TRA hearing, Pupil N stated in oral evidence that Mr Chellakootty asked her for a kiss. She stated that it was *“extremely brief from my end.”* When questioned further, Pupil N stated *“he asked for a kiss. I gave him a peck on the cheek, and he gave me a peck on the cheek.”*

The panel asked Pupil N to describe this incident. Pupil N stated that she was asked by Mr Chellakootty to collect books from the backroom. The backroom had a sign on the door for “no student entry”. Pupil N stated that she had not been in that room before. The panel had sight of a hand drawn floor plan of the classroom (as listed in the bundle of evidence) and asked Pupil N to confirm her location in the backroom at the time of this incident. Pupil N stated that she had her back against the cupboard, and she was in front of the double doors, which contained some glass. Pupil N could not recall the location of the glass within the doors, but the panel had sight of the images of the doors within the bundle. The panel noted that the doors had a vertical panel of glass towards the central point of the double doors.

Pupil N stated that she had an arm full of books and Mr Chellakootty was standing in front of her and had his arms out. Pupil N stated that she couldn’t go anywhere when he asked her for a kiss. Pupil N stated that Mr Chellakootty held his cheek out expectantly.

She stated that he leaned in and she pecked him on the cheek. Pupil N stated that Mr Chellakootty then kissed her on the cheek. Pupil N stated that she thought that he had kissed her on the right cheek.

Mr Chellakootty flatly denied that he had kissed Pupil N on the cheek, but accepted that she had kissed him on the cheek. The panel noted that Mr Chellakootty had been consistent in his account.

The panel considered all of the evidence available and noted that it may have been difficult for Pupil N to reach Mr Chellakootty's cheek without him leaning towards her, given that she was aged 12 at the time and he is a grown man.

The panel asked Pupil N how long the kiss from Mr Chellakootty lasted. Initially, Pupil N stated that the kiss from Mr Chellakootty lasted "5 to 6 seconds". The chair of the panel counted to 5 to 6 seconds during the hearing. Pupil N then stated that the kiss was quite a long time and that it lasted for around 4 seconds.

The panel considered the screenshot of the friend request from Pupil N's Facebook account to Mr Chellakootty. The panel considered that this evidence had the potential to undermine Pupil N's evidence. Mr Martin Jones, independent legal counsel, on behalf of the teacher and the panel questioned Pupil N about the friend request during the hearing. When questioned about the friend request, Pupil N confirmed that it was her in the profile picture and that her profile picture was fairly recent. Pupil N stated that she was "*very sure that I didn't send it myself.*" She explained that she uses her phone with friends to play music. She said that her friends could have easily accessed her Facebook account when she had been playing music as she regularly gives out her passcode for her friends to unlock her phone. Pupil N said that sending a Facebook request to Mr Chellakootty was potentially something that her "*friends would do*". She also said that she "*hadn't always hung out with the best group of people*" and said "*friends in the past would have done this.*" She explained that her friends were aware of the criminal court case as it was in "*the news a while ago.*"

The panel noted that Pupil N did provide a valid explanation as to why the friend request may have been sent to Mr Chellakootty. The panel noted how distressed and emotional Pupil N appeared when giving evidence. Pupil N explained that she was "*scared to see him on the street, never mind add him on social media.*" Pupil N was visibly in tears at some points when giving evidence.

When considering all of the evidence available, the panel found that on balance, it was more likely than not that Mr Chellakootty had kissed Pupil N on the cheek. The panel considered this was highly inappropriate physical contact and a failure to maintain proper professional boundaries.

The panel found allegation 1, Schedule A (4)(a) proved on the balance of probabilities.

b. You gave her a prolonged hug

Mr Chellakootty denied this allegation.

The panel noted that the prolonged hug was alleged to have happened during the same set of surroundings and time as the kiss in allegation 1, Schedule A (4)(a) above.

The panel heard evidence which suggested that there were three hugs in question between Mr Chellakootty and Pupil N. Mr Chellakootty maintained that there were three hugs. Pupil N stated that there were two hugs between herself and Mr Chellakootty and denied knowledge of the second hug that Mr Chellakootty had referred to. The panel noted that the prolonged hug was the third hug which was alleged to have taken place.

The panel noted that this matter was considered before the Ipswich Crown Court previously. On 18 June 2021, Mr Chellakootty was found not guilty in respect of the alleged offences at Colchester Academy.

During the hearing, Pupil N was asked to describe this incident. Pupil N stated that she was asked by Mr Chellakootty to collect books from the backroom. The backroom had a sign on the door for “no student entry”. Pupil N stated that she had not been in that room before. The panel had sight of a hand drawn floor plan of the classroom and asked Pupil N to confirm her location in the backroom at the time of this incident. Pupil N stated that she had her back against the cupboard, and she was in front of the double doors, which contained some glass. Pupil N could not recall the location of the glass within the doors, but the panel had sight of the images of the doors within the bundle. The panel noted that the doors had a vertical panel of glass towards the central point of the double doors.

Pupil N stated that she had an arm full of books and Mr Chellakootty was standing in front of her and had his arms out. Pupil N stated that she couldn’t go anywhere when he asked her for a kiss and hug. Pupil N stated that Mr Chellakootty “*didn’t invite the hug, he asked for it.*” Pupil N stated that Mr Chellakootty’s arms were “*resting there*” and she “*felt kind of enclosed.*”

The panel asked Pupil N how long the hug from Mr Chellakootty lasted. Pupil N stated that the hug lasted between 3 to 8 seconds. Pupil N said “*it wasn’t a very long hug*”. The panel considered a hug lasting between 3 to 8 seconds is prolonged.

Mr Chellakootty stated that Pupil N had a habit of hugging. Pupil N said in evidence when questioned about this that she is a “*generally huggy person*”. However, she did not recall hugging any other teachers.

When considering all of the evidence available, the panel found that on balance, it was more likely than not that Mr Chellakootty had given Pupil N a prolonged hug. The panel considered this was highly inappropriate physical contact and a failure to maintain proper professional boundaries.

The panel found allegation 1, Schedule A (4)(b) proved.

c. You hugged her or allowed her to hug you on more than one occasion

Mr Chellakootty denied this allegation, but admitted that Pupil N had hugged him on more than one occasion.

Pupil N admitted giving Mr Chellakootty a hug. When asked why she give him a hug, Pupil N stated that it was [REDACTED]

The panel had sight of a police report whereby, Pupil N's mother had confirmed *"that her daughter told her about hugging the defendant in late February / early March and that she advised her daughter that it wasn't appropriate to do this with a teacher* [REDACTED]

The panel heard evidence which suggested that there were three hugs in question. The first two hugs appeared to have been instigated by Pupil N. Mr Chellakootty stated that it was a *"pleasant surprise"* when Pupil N hugged him. The panel noted that this statement was consistent to what Mr Chellakootty had previously stated in the transcript of the Ipswich Crown Court proceedings on 17 June 2021, where he stated *"I also highlighted the fact that it was a surprise to me, it was something new, it was, you know, a student, or a child after so many years of teaching showing appreciation for, you know, a good teacher helping her, or showing her something that she is interested in. And she making that request was something, you know, out of the blue and it didn't occur to me, didn't occur to me at all about my safeguarding training or anything like that. I just looked at her as a child who needed that support of saying "Listen, I'd like to hug you to say thank you." I'm not going to deny that."*

Mr Chellakootty said that his response to the hugging by Pupil N was that it was very nice of her to do that. He said *"I allowed her to do that. It was an innocent hug from a pupil."*

[REDACTED]

Mr Chellakootty explained to the panel that it wasn't until the third hug in the back room of the classroom where he explained to Pupil N that other students may get the wrong impression. The panel had also found that Mr Chellakootty had given Pupil N a prolonged hug, despite his persistent denials. The panel noted that there was evidence in the criminal court transcript that *"Well, she just embraced me. And I think I spontaneously - I think anybody here in this court, if somebody hugs you you spontaneously, you know, put your arms around them"*.

The panel considered that by hugging Pupil N and allowing Pupil N to hug him on at least three occasions was inappropriate physical contact with a pupil. Mr Chellakootty did not inform Pupil N that she must not hug him until after the third hug, which was a breach of his duties as a teacher to maintain a professional teacher-pupil relationship and his safeguarding duties. The panel also considered that his failure to disclose the physical contact with the appropriate individuals at the school was a further breach of safeguarding protocol.

The panel found allegation 1, Schedule A 4(c) proved.

5. Between Autumn 2018 and March 2019, at Colchester Academy, in relation to Pupil O, you:

b. Put your elbow between her breasts when correcting her typing

Mr Chellakootty denied this allegation but accepted that he was in close proximity with Pupil O when this alleged incident was said to have occurred.

The panel noted that this matter was considered before the Ipswich Crown Court previously. On 18 June 2021, Mr Chellakootty was found not guilty in respect of the alleged offences at Colchester Academy.

The panel considered the relevant evidence within the papers, including the police documentation, which included a taped interview with Pupil O dated 18 June 2019 and Pupil O's witness statement to the police 1 June 2021. The panel considered that the hearsay evidence in respect of this allegation was fair to admit on the basis that it was relevant, and no objection had been raised by Mr Chellakootty as to its inclusion.

The panel did not place a great deal of weight on the hearsay evidence in respect of this allegation. However, the panel did note that the transcript of pre-recorded evidence from the criminal court case was available in the papers where Pupil O had attested to the truth of her evidence.

Mr Chellakootty demonstrated what had happened at the time of this incident when he was correcting the work of Pupil O. Mr Chellakootty explained that he had noticed errors in Pupil O's work on the computer screen and approached the desk whilst Pupil O was sitting at it. Mr Chellakootty stated that the "*student was seated in proximity of his hand*" and that she had the opportunity to move her chair back or sideways. Mr Chellakootty explained that the computer screens were in fixed positions and so he had to approach Pupil O's desk. However, the panel noted from evidence available that the chairs in the classroom were not on wheels, and Mr Chellakootty explained in his evidence that the distance allowed his foot to be placed between the desk and Pupil O. The panel noted that from Mr Chellakootty's own demonstration of his positioning in relation to the desk that he would be in very close proximity to Pupil O.

The panel noted that in his police interview dated 27 June 2019, which the panel observed was closer in time to the alleged incident, Mr Chellakootty could not recall if he had made contact with Pupil O's chest when he was correcting her work.

In the criminal court case, Mr Chellakootty stated that "*if this is the keyboard here, that's the monitor and she is seated there, my elbow would be right, you know, by her chest.*" When considering all of the evidence available, the panel found that on balance, it was more likely than not that Mr Chellakootty had put his elbow between Pupil O's breasts when correcting her typing. The panel noted that this appeared to be accidental, based on the evidence available, rather than deliberate physical contact. The panel noted that as a teacher, Mr Chellakootty should have been aware that placing himself in close proximity with a student, in the knowledge that Pupil O was sitting down and he was leaning and/or by her side may have resulted in accidental physical contact with the pupil. The panel considered this was highly inappropriate physical contact with a pupil in

circumstances where there was no need for Mr Chellakootty to come into close proximity with Pupil O. The panel noted that Mr Chellakootty could have politely asked Pupil O to move back before approaching her desk.

The panel found allegation 1, Schedule A (5)(b) proved.

c. Grazed her thigh with your hand.

Mr Chellakootty denied this allegation but accepted that he did graze Pupil O's thigh, but this was purely accidental.

The panel noted that this matter was considered before the Ipswich Crown Court previously. On 18 June 2021, Mr Chellakootty was found not guilty in respect of the alleged offences at Colchester Academy.

Mr Chellakootty admitted that he grazed Pupil O's thigh in the criminal court case. The panel understood that Mr Chellakootty had grazed Pupil O's thigh when he was reaching for the drawers by his desk. The panel noted that this appeared to be accidental, based on the evidence available, rather than deliberate physical contact.

The panel noted that as a teacher, Mr Chellakootty should have been aware that placing his hand so close to Pupil O's thigh, which resulted in a graze of her thigh was completely unacceptable conduct for a teacher. The panel considered this was highly inappropriate physical contact with a pupil in circumstances where there was no need for Mr Chellakootty to come into contact with Pupil O. The panel noted that Mr Chellakootty could have politely asked Pupil O to move away before reaching for his drawers or waited until she had left the desk area. Mr Chellakootty did not explain his need to access the drawer at that particular moment.

The panel found allegation 1, Schedule A (5)(c) proved.

- 1. Between 2001 and 2019 you made inappropriate comments which were witnessed by or directed towards a number of pupils and/or colleagues, as set out in Schedule B.**

Schedule B:

- 3. Between Easter and Summer 2018, at South Essex College, you asked Colleague A several times to go out for a drink when she had told you that she did not want to do so;**

Mr Chellakootty initially denied this allegation but accepted that he had asked Colleague A to go for a drink on a number of occasions.

The panel had sight of a statement from Colleague A which stated that *“Between Easter and the end of the last Academic Year, commencing shortly after Brahma came to the college as a contracted lecturer for Engineering at Southend Campus, Brahma*

approached me on several occasions asking me if I would go out with him for a drink, which I politely declined..."

Colleague A stated during the hearing that she initially *"got the impression that he was trying to make friends."* She said that *"I had no issue with the first request. I thought he was trying to fit in and trying to find out how things worked."* Colleague A explained that there was a point when it became necessary to explain that she was in a relationship. She said that she needed to *"make clear that I wasn't available. I have strict rules. I do not mix business with pleasure."* [REDACTED]

Colleague A stated that Mr Chellakootty asked her to go for a drink *"numerous times"*. Colleague A said that when she later found out that Mr Chellakootty [REDACTED], *"it made it more unsavoury as he was attempting to have drinks with another female [REDACTED]"* Colleague A was emphatic in her evidence.

Mr Chellakootty explained in his oral evidence that he had asked Colleague A to go out for a drink purely for social reasons. The presenting officer asked Mr Chellakootty whether he could see that his conduct could be perceived as borderline harassing Colleague A, Mr Chellakootty replied "yes".

The panel took the view that Mr Chellakootty had asked Colleague A to go out for a drink on several occasions when Colleague A had told him repeatedly that she did not want to do so.

The panel found that by repeatedly asking a colleague to go out for a drink, when it is made clear that she did not want to do so, to the extent that she had to explain that she was in a relationship was inappropriate.

The panel found allegation 2, Schedule B (3) proved.

4. In around March 2019, at Colchester Academy, in relation to Pupil N, you:

a. Called her "my lovely" [REDACTED], or words to that effect;

Mr Chellakootty admitted this allegation.

The panel noted that Mr Chellakootty had admitted calling Person N *"my lovely"* in Afrikaans during questioning at the Ipswich Crown Court case on 17 June 2021. Mr Chellakootty was asked whether it was appropriate to speak to a child that he teaches in that manner. Mr Chellakootty responded *"it was done in the presence of an entire class. I didn't call her to one side and do it, you know."* [REDACTED]

[REDACTED]

The panel had sight of the full transcript of Pupil N's videotaped interview with the police dated 5 April 2019. During the interview, Pupil N stated that Mr Chellakootty would *"call me his lovely"* [REDACTED]. The panel noted from the transcript that Pupil N had stated

that Mr Chellakootty had only been teaching her for the past few weeks and stated that Mr Chellakootty was *“fairly new to me.”*

The panel also considered the other relevant evidence in respect of this allegation and noted that Pupil N had stated in oral evidence that Mr Chellakootty would call her *“my lovely”* [REDACTED].

Mr Chellakootty did not consider his conduct to be inappropriate because it was said when other pupils were around [REDACTED]

The panel considered that referring to any secondary school age pupil as *“my lovely”* was inappropriate. The panel noted that calling Pupil N ‘my lovely’ [REDACTED] was inappropriate because Mr Chellakootty [REDACTED] The panel took the view that it was irrelevant if he had said this in front of a class of pupils as his conduct singled her out [REDACTED]

The panel considered that Mr Chellakootty’s conduct was too familiar and failed to adhere to the professional teacher-pupil boundaries.

The panel found allegation 2, Schedule B 4(a) proved.

c. Talked about coming to her house for a “braai” [barbecue];

Mr Chellakootty admitted this allegation.

[REDACTED] Pupil N confirmed that Mr Chellakootty was suggesting this on the basis that he would be there with her family.

[REDACTED]

In the transcript of the Ipswich Crown Court proceedings dated 17 June 2021, Mr Chellakootty stated that *“it was purely a polite, you know, innocent chat, you know about - it was more of me being excited about the fact that here is [REDACTED] in my class after all these years of teaching.”*

The panel noted the differences in South African and British cultures as explained by Mr Chellakootty. However, the panel did not consider that it was appropriate as a teacher in England, particularly given Mr Chellakootty’s declared extensive safeguarding training over many years, to speak to Pupil N about coming to her house for a “braai” or barbecue. This suggestion had a real potential to blur the professional teacher-pupil boundary and therefore the panel considered that it was an inappropriate comment to make in the circumstances.

The panel found allegation 2, Schedule B 4(c) proved.

a. having hugged and/or kissed Pupil N, you told her not to say anything to her mum and dad

Mr Chellakootty denied this allegation.

The panel had sight of the police interview notes with Pupil N dated 5 April 2019. Pupil N described the incident in the backroom of the classroom with Mr Chellakootty, when she explained that he had hugged her and asked her for a kiss.

Pupil N said in the interview that after the incident, when she came out of the backroom, later on, *“he said “Just don’t tell your mum and dad,” or, “Just don’t tell anyone.”*”

When questioned about whether Mr Chellakootty had told her not to say anything to *“anyone else”*, or specifically her *“mum and dad”*, Pupil N said that he did tell her not to tell her mum and dad. Pupil N said this happened on the second occasion when they entered the backroom and *“that is when it clicked that what had happened wasn’t ok.”*

Mr Chellakootty denied saying this to Pupil N.

The panel noted that Pupil N did not have any reason to make up this allegation, and considered her evidence to be plausible.

The panel found allegation 2, Schedule B (4)(f) proved.

4. In October 2019 you applied for a teaching role when you were subject to bail conditions prohibiting you from entering school premises.

Mr Chellakootty denied this allegation but accepted that he did apply for a teaching role in October 2019. Mr Chellakootty repeatedly stated during the hearing that he did not breach his bail conditions by applying for teaching roles, however, the panel noted that this was not what the panel was being asked to determine when considering the wording of the allegation.

The panel had sight of the notes from the recruitment agency’s interactions with Mr Chellakootty. The notes showed that on 30 September 2019, Mr Chellakootty had spoken with an employee at the recruitment agency which stated *“Why looking: wants to get back into teaching.”*

There were many subsequent entries within the recruitment agency’s notes detailing the agency’s interactions with Mr Chellakootty. The panel noted the following:

- The entry from 2 October 2019 stated, *“spoke to him about hertford regional, told him he would need to do a micro teach if they go ahead and interview him and sounded interested”*.
- The entry from 17 October 2019 stated *“Interested in mechanical engineering role in London UTC. Wants to know which day he’s working, which level 1-3? Number of students? Units he’s covering. Happy to travel from Southend and has current DBS. Wants £200-£250 a day. Available in early November. Has recent certificate in the use of machinery.”*

- The entry from 18 October 2019 stated *“Talked to Brahmo to give him updates on mech eng role. Still interested but wants to visit the college for half a day and be paid for this. Wants me to ask questions about the appropriate PPE, what are they making, which machines are they using? Wants to interview after 23rd.”*

The panel also noted the entries from 28 October 2019 which stated *“He mentioned to me when going through App Decs that there were some unproven allegations from his previous role at Colchester Academy... He was not charged or convicted but the allegations are ongoing but he assured me that he is free to work.”*

Later that day, further entries were made in reference to an interview being arranged at London UTC at 3pm on 29 October 2019, whereby the employee of the agency outlined the directions to Mr Chellakootty, *“I outlined the journey and told him to change at Limehouse.”*

Subsequently, the agency requested references from Colchester Academy and South Essex College. On 29 October 2019, the entry within recruitment agency notes at 08:48am stated *“Interview cancelled, due to vetting issues.”*

By 09:02am on 29 October 2019, the recruitment agent recorded the following within the notes *“Spoke to Brahmo. Said he didn’t realise he couldn’t apply for or work while investigation was ongoing. Understands that we have had to cancel interview and won’t be going in to LD UTC.”*

The recruitment agency recorded the following entry on 31 October 2019 *“[REDACTED] from Police called in. Said they had been approached by some schools after we sent reference requests regarding Brahmo. Said he was currently on bail and as a result 100% not allowed to be applying for work. Explained he had told he was under investigation but there was nothing in place preventing from work. Explained that our process had flagged that there might be some issues as soon as we had started checks...”*

The panel also had sight of the bail to police station document outlining Mr Chellakootty’s bail conditions. The following bail conditions were imposed following the allegations raised by the pupils at Colchester Academy:

1. [REDACTED]
2. Not to enter or go within the boundary of Colchester Academy, Hawthorn Avenue, Colchester, CO4 3JL for any reason;
3. Not to have any unsupervised contact with any child under 18 and that the person supervising the contact must be aware of the allegation;
4. Not to enter within the grounds of any property which is registered as a school or college for any reason.

Mr Chellakootty was referred to the aforementioned recruitment agency notes during the hearing. Upon questioning, Mr Chellakootty explained that he did not breach his bail conditions by applying for a teaching job role. Mr Chellakootty was asked about whether he intended to attend the grounds or premises of a school when attending an interview. Mr Chellakootty explained that it was his intention to attend an interview at the school's premises to explain that he was awaiting a final hearing at the Crown Court in respect of allegations raised by pupils at Colchester Academy. Mr Chellakootty stated that he knew that he was going to be found not guilty because he knew that he was innocent. Mr Chellakootty stated that whilst he intended to attend school premises for an interview, he did not actually attend school premises and therefore did not breach his bail conditions.

Mr Chellakootty also stated that he *“didn't realise that his bail conditions would prevent me from applying for jobs and attending interviews”*.

The panel noted the inconsistencies within Mr Chellakootty's accounts.

Mr Chellakootty referred to the Covid-19 pandemic and that such interview may have been conducted remotely. The panel noted that the lockdown resulting from the Covid-19 pandemic was not in place within the UK until mid-March 2020. The panel took the view that interviews for teaching positions during October 2019 would not have been affected by the lockdown resulting from the Covid-19 pandemic.

The panel also noted the evidence from Witness A who explained that interviews with schools typically take place on school premises. Witness A stated, *“I haven't known any that don't take place face to face on school premises.”*

The panel was of the view that Mr Chellakootty was clearly aware that he could not attend school premises whilst on bail. The panel determined that Mr Chellakootty did apply for teaching roles when he was subject to bail conditions prohibiting him from entering school premises.

The panel found allegation 4 proved.

6. Your conduct at paragraph 4:

a. Dishonest; and/or

The panel considered this allegation in respect of proven allegation 4. Mr Chellakootty denied this allegation.

The panel had regard for the legal advisor's advice when considering an allegation of dishonesty. The panel needed first to ascertain subjectively the actual state of Mr Chellakootty's knowledge or belief as to the facts. Secondly, the panel needed to determine whether Mr Chellakootty's state of mind was honest or dishonest by the application of the objective standards of the ordinary honest person.

The panel firstly turned its mind to the actual state of Mr Chellakootty's knowledge or belief as to the facts. The panel noted that Mr Chellakootty was fully aware of his bail conditions in that he should not enter the premises of any school for any reason.

The panel noted that it was not alleged in allegation 4 whether Mr Chellakootty had breached his bail conditions. The panel was simply determining whether in October 2019 he applied for a teaching role when he was subject to bail conditions prohibiting him from entering school premises.

The panel considered the relevant evidence and noted that Mr Chellakootty held himself out to be imminently available for work, in the knowledge that the criminal court case, in respect of the allegations raised by pupils at Colchester Academy, had not taken place.

Mr Chellakootty stated that whilst he intended to attend school premises for an interview, he did not actually attend school premises and therefore did not breach his bail conditions. Mr Chellakootty also stated that he *"didn't realise that his bail conditions would prevent me from applying for jobs and attending interviews"*.

The panel noted the inconsistencies within Mr Chellakootty's accounts.

Mr Chellakootty referred to the Covid-19 pandemic and implied that such interview may have been conducted remotely. The panel noted that the lockdown resulting from the Covid-19 pandemic was not in place within the UK until mid-March 2020. The panel took the view that interviews for teaching positions during October 2019 would not have been affected by the lockdown resulting from the Covid-19 pandemic.

The panel also noted the evidence from Witness A who explained that interviews with schools typically take place on school premises. Witness A stated, *"I haven't known any that don't take place face to face on school premises."*

Mr Chellakootty also explained that it was his intention to attend school premises and explain to the interviewer the circumstances in which he found himself in respect of the upcoming criminal court case. Mr Chellakootty explained that an interview process takes a lot of time and he was trying to plan ahead as he knew he was going to be found innocent at court.

The panel was of the view that Mr Chellakootty was clearly aware that he could not attend school premises for any reason whilst on bail. Furthermore, the panel found that his actions would be regarded by the standards of ordinary, decent people to be dishonest.

The panel determined that as Mr Chellakootty applied for teaching roles when he was subject to bail conditions prohibiting him from entering school premises for any reason, he held himself out to be imminently available for work, in the knowledge that the criminal court case had not yet taken place and this conduct was dishonest.

The panel found allegation 6(a) proved.

b. Lacking in integrity

The panel considered this allegation in respect of proven allegation 4.

Mr Chellakootty denied that his conduct at allegation 4 lacked integrity. When considering lack of integrity, the panel recognised that this allegation connotes adherence to the ethical standards of one's own profession that involves more than mere honesty. It is linked to the manner in which the profession professes to serve the public.

The panel recognised that had the vetting checks not been completed, his actions had the potential to impact on the other teaching professionals and pupils in a new school environment. There was evidence to suggest that Mr Chellakootty would have been required to take part in a "*micro teach*" for one of the job roles. In the panel's experience, a "*micro teach*" is a short teaching session with a group of pupils as part of the interview process. The panel noted the risk involved if the vetting checks had not taken place and police had not stepped in to address the matter with the recruitment agency.

The panel considered that Mr Chellakootty's behaviour did not adhere to the ethical standards of a teacher and was in contrast to the manner in which the profession professes to serve the public.

The panel therefore found allegation 6(b) proved.

8. On 11 January 2016, you accepted a police caution for fraud by false representation contrary to s.1(2)(a) and s.2 of the Fraud Act 2006.

Mr Chellakootty admitted this allegation.

Mr Chellakootty stated in oral evidence that he had accepted a police caution because he had purchased a legitimate off-peak train ticket but travelled on a peak time train because the off-peak train ticket was cheaper than the peak time train ticket.

When questioned, Mr Chellakootty could not recall if he had travelled on a daily, weekly or monthly ticket. The panel heard Mr Chellakootty shift his position several times in regard to what ticket type he purchased in his oral evidence. He also attempted to make a distinction between forged and expired tickets.

The panel did not have sight of the signed caution document but did have sight of the police national computer ("PNC") record which stated that Mr Chellakootty was cautioned on 11 January 2016 for making a "*false representation to make gain for self or another or cause loss to other / expose other to risk.*" This was contrary to s.1(2)(a) and s.2 of the Fraud Act 2006.

The panel was provided with a copy of s.1(2)(a) and s.2 of the Fraud Act 2006.

The panel had sight of a letter from British Transport Police to the TRA's legal representatives dated 18 August 2022 which stated that "*On 11/01/2016 at around*

07.54am Mr Chellakooty was stopped at the gateline at Harlow Town Train station for a ticket inspection. He was seen to be in possession of a fake season ticket and when searched by officers was found to have several forged season tickets for travel on the railway. Mr Chellakooty was subsequently issued an adult caution for the offence of Fraud by False Representation”.

The panel also had sight of the police occurrence details document which stated that *“suspect was stopped at the gateline for ticket inspection and was seen to be in possession of a fake season ticket and when searched by officers was found to have several forged season tickets for travel on the railway.”*

The panel found allegation 8 proved.

The panel found the following particulars of the allegations against you not proved, for these reasons:

1. Between 2001 and 2019 you engaged in inappropriate physical contact with one or more pupils and/or colleagues and/or individuals, as set out in Schedule A.

Schedule A:

5. Between Autumn 2018 and March 2019, at Colchester Academy, in relation to Pupil O, you:

a. Touched her hand and/or arm;

Mr Chellakooty denied this allegation.

The panel noted that Pupil O was not called to give oral evidence at the hearing.

The panel considered the relevant evidence within the papers, including the police documentation, which included a taped interview with Pupil O dated 18 June 2019 and Pupil O’s witness statement to the police 1 June 2021. The panel considered that the hearsay evidence in respect of this allegation was fair to admit on the basis that it was relevant, and no objection had been raised by Mr Chellakooty as to its inclusion. The panel took into account Mr Chellakooty’s concerns that Pupil O was not called to give evidence at the hearing.

The panel did not place a great deal of weight on the hearsay evidence in respect of this allegation. However, the panel did note that the transcript of pre-recorded evidence from the criminal court case was available in the papers where Pupil O had attested to the truth of her evidence.

The panel determined to place greater weight on the evidence of Mr Chellakooty, which had been cross examined by the presenting officer and questioned by the panel in this hearing.

The panel was not satisfied by the strength of the evidence to make a finding on the balance of probabilities that he touched Pupil O's hand and/or arm.

The panel did not find allegation 1, Schedule A (5)(a) proved.

2. Between 2001 and 2019 you made inappropriate comments which were witnessed by or directed towards a number of pupils and/or colleagues, as set out in Schedule B.

Schedule B:

2. Between September and December 2017, at Eastbury Community School:

a. You said “you look nice in your jeans and that you have the shape for it” or words to that effect; and/or

Mr Chellakootty previously denied this allegation in his response to the notice of proceedings and at the outset of the hearing. When giving evidence, Mr Chellakootty explained that he only partially admitted the facts of this allegation in that he did say “*you look nice in your jeans*”, but did not admit saying “*you have the shape for it.*”

The panel considered the relevant evidence within the papers, including a typed statement from Pupil M. The panel considered that the hearsay evidence in respect of this allegation was fair to admit on the basis that it was relevant, and no objection had been raised by Mr Chellakootty as to its inclusion. The panel also noted that Witness B was called to give evidence around the creation of Pupil M's statement.

The panel had sight of a typed statement which stated “*On the 20th December 2017 (Non-uniform/last day), I was the last one in my engineering classroom trying to put my folder away. Mr Chellakootty came up to me saying I looked nice in my jeans and that I had the shape for it, he then asked my age and also saying if it was okay to say those things. It made [sic] feel really uncomfortable with what he said and now I really do not like going into that classroom when I actually used to enjoy being in there.*”

The statement did not confirm who had written it. A handwritten date of “10.1.18” was placed on the page, along with the handwritten sentence which stated “*I can confirm that this statement was written by myself and handed into [REDACTED].*”

Witness B confirmed that the aforementioned typed statement with the handwritten sentence was made by Pupil M.

Witness B provided a typed statement dated 10 January 2018. Witness B stated that Pupil M “*told me that on the last day of school, she ‘was wearing jeans and her teacher told her she looked nice and that she had the right shape for them’. She said this made her feel really uncomfortable so she ‘does not want to do [sic] to that class.’*”

The panel determined that there was little evidence to support this allegation, apart from the hearsay evidence within the bundle. The panel considered Mr Chellakootty's position

in that he admitted saying “*you look nice in your jeans*”, but did not admit saying “*you have the shape for it.*”

By way of explanation, Mr Chellakootty told the panel that in South Africa on non-uniform days pupils would take pride in their dress and he would pass complimentary comments. He stated that he never had an issue in South Africa. The panel noted that Mr Chellakootty had been teaching in England by this point for 16 years.

Mr Chellakootty said that Pupil M was never alone as she was always with her friends. Mr Chellakootty stated that if Pupil M was that distressed by the comment, she could have reported it immediately, however she waited until January 2018 to mention it to Witness B.

The panel noted in their findings that by making a comment to a pupil that “*you look nice in your jeans*” was inappropriate.

The panel considered the wording of the allegation and as there was little evidence to support the alleged wording “*that you have the shape for it,*” the panel did not find allegation 2, Schedule B (2)(a) proved.

b. You asked Pupil M her age

Mr Chellakootty denied this allegation.

Witness B confirmed that Pupil M was the same individual who made the allegation above, namely Allegation 2, Schedule B(i)(a). The panel considered the evidence as outlined in the allegation 2, Schedule B 2(a).

The panel noted that Witness B did not include in her typed statement dated 10 January 2018 that Pupil M had stated that Mr Chellakootty had asked her age. Witness B stated in oral evidence that she had only typed what Pupil M had spoken to her about.

The panel noted that Mr Chellakootty would have been aware of the ages of pupils which he taught.

On balance, the panel did not find allegation 2, Schedule B, 2(b) proved.

4. In around March 2019, at Colchester Academy, in relation to Pupil N, you:

b. Said that she was very mature for her age;

Mr Chellakootty denied this allegation.

Pupil N was questioned on whether Mr Chellakootty had stated that she was mature for her age. Pupil N stated that Mr Chellakootty did say that she was mature for her age and this arose because of how she held herself and that she would help out where she could. Pupil N could not recall if other pupils were around or the overall context.

Mr Chellakootty did not recall saying that Pupil N was mature for her age but accepted that it could have been said in relation to her work being advanced.

On balance, due the lack of supporting evidence, the panel did not find allegation 2, Schedule B 4(b) proved.

d. Asked her how old she was;

Mr Chellakootty denied this allegation.

Pupil N was questioned by Mr Martin Jones, independent legal counsel on behalf of the teacher, during the hearing. Pupil N stated that she did not recall Mr Chellakootty asking how old she was. She stated *“we were all the same ages or similar ages”* when referring to others in her class.

The panel noted that Mr Chellakootty would have been aware of the ages of pupils in Pupil N’s year group.

The panel did not find allegation 2, Schedule B 4(d) proved.

e. Promised her extra “positives” if she stayed back late with him;

Mr Chellakootty denied this allegation.

Pupil N referred to a *“positive points”* system, which she described as a reward system used at Colchester Academy by teachers who could provide positive and negative points in respect of each student.

Pupil N was asked whether Mr Chellakootty asked her to stay behind in any lesson. Pupil N said there was one time, *“that was because he said he needed to speak to me.”*

Pupil N stated that Mr Chellakootty offered positive points *“more because I was doing well in class.”*

The panel noted that there was no clear evidence to suggest that Mr Chellakootty had promised Pupil N extra positives if she stayed back late with him.

The panel did not find allegation 2, Schedule B 4(e) proved,

5. Between Autumn 2018 and March 2019, at Colchester Academy, in relation to Pupil O, you:

a. Said, “If you stay late you will get extra pleasure from it”, or words to that effect

Mr Chellakootty denied this allegation.

The panel noted that Pupil O was not called to give oral evidence at the hearing.

The panel considered the relevant evidence within the papers, including the police documentation, which included a taped interview with Pupil O dated 18 June 2019 and

Pupil O's witness statement to the police dated 1 June 2021. The panel considered that the hearsay evidence in respect of this allegation was fair to admit on the basis that it was relevant, and no clear objection had been raised by Mr Chellakootty as to its inclusion.

The panel did not place a great deal of weight on the hearsay evidence in respect of this allegation. However, the panel did note that the transcript of pre-recorded evidence from the criminal court case was available in the papers where Pupil O had attested to the truth of her evidence.

The panel determined to place greater weight on the evidence of Mr Chellakootty, which had been cross examined by the presenting officer and questioned by the panel in this hearing.

The panel was not satisfied by the strength of the evidence to make a finding on the balance of probabilities that he had said these words to Pupil O.

The panel did not find allegation 2, Schedule B (5)(a) proved.

b. Said you'd attend her restaurant and leave her a good tip, or words to that effect;

Mr Chellakootty denied this allegation.

Again, the panel noted that Pupil O was not called to give oral evidence at the hearing. The panel considered the relevant evidence within the papers, including the police documentation, which included a taped interview with Pupil O dated 18 June 2019 and Pupil O's witness statement to the police dated 1 June 2021. The panel considered that the hearsay evidence in respect of this allegation was fair to admit on the basis that it was relevant, and no clear objection had been raised by Mr Chellakootty as to its inclusion.

The panel did not place a great deal of weight on the hearsay evidence in respect of this allegation. However, the panel did note that the transcript of pre-recorded evidence from the criminal court case was available in the papers where Pupil O had attested to the truth of her evidence.

The panel determined to place greater weight on the evidence of Mr Chellakootty, which had been cross examined by the presenting officer and questioned by the panel in this hearing.

The panel was not satisfied by the strength of the evidence to make a finding on the balance of probabilities that he had said these words to Pupil O.

The panel did not find allegation 2, Schedule B (5)(b) proved.

c. When Pupil O told a friend that she liked mature guys, you said that you were “mature and single” or words to that effect;

Mr Chellakootty denied this allegation.

Again, the panel noted that Pupil O was not called to give oral evidence at the hearing.

The panel considered the relevant evidence within the papers, including the police documentation, which included a taped interview with Pupil O dated 18 June 2019 and Pupil O’s witness statement to the police dated 1 June 2021. The panel considered that the hearsay evidence in respect of this allegation was fair to admit on the basis that it was relevant, and no clear objection had been raised by Mr Chellakootty as to its inclusion.

The panel noted that the police officer who interviewed Pupil O repeatedly used the words “mature and single” in her questioning.

The panel did not place a great deal of weight on the hearsay evidence in respect of this allegation. However, the panel did note that the transcript of pre-recorded evidence from the criminal court case was available in the papers where Pupil O had attested to the truth of her evidence.

The panel determined to place greater weight on the evidence of Mr Chellakootty, which had been cross examined by the presenting officer and questioned by the panel in this hearing.

The panel was not satisfied by the strength of the evidence to make a finding on the balance of probabilities that he had said these words to Pupil O.

The panel did not find allegation 2, Schedule B (5)(c) proved.

d. Said, “Do you like dark brown like my skin” or words to that effect

Mr Chellakootty denied this allegation but stated that he may have used the words “*dark brown like my skin*” when referring to the colour of wood for a project, namely a wooden spice rack.

The panel noted that comparing a project to the colour of his skin would have been an inappropriate reference. The panel determined to place greater weight on the evidence of Mr Chellakootty, which had been cross examined by the presenting officer and questioned by the panel in this hearing.

The panel was of the view that he did not say the words “Do you like dark brown like my skin” to Pupil O.

The panel did not find allegation 2, Schedule B (5)(d) proved.

e. Asked her to come to a revision class, stating, “I’ll pleasure you” or words to that effect

Mr Chellakootty denied this allegation.

Again, the panel noted that Pupil O was not called to give oral evidence at the hearing.

The panel considered the relevant evidence within the papers, including the police documentation, which included a taped interview with Pupil O dated 18 June 2019 and Pupil O’s witness statement to the police dated 1 June 2021. The panel considered that the hearsay evidence in respect of this allegation was fair to admit on the basis that it was relevant and no clear objection had been raised by Mr Chellakootty as to its inclusion.

The panel did not place a great deal of weight on the hearsay evidence in respect of this allegation. However, the panel did note that the transcript of pre-recorded evidence from the criminal court case was available in the papers where Pupil O had attested to the truth of her evidence.

The panel determined to place greater weight on the evidence of Mr Chellakootty, which had been cross examined by the presenting officer and questioned by the panel in this hearing.

The panel was not satisfied by the strength of the evidence to make a finding on the balance of probabilities that he had said these words to Pupil O.
The panel did not find allegation 2, Schedule B (5)(e) proved.

5. Your conduct at paragraph 1 and/or 2 was of a sexual nature and/or sexually motivated.

The panel considered this allegation solely in respect of proven allegation 1, Schedule A (3), 4(a), 4(b), 4(c), 5(b), 5(c) and allegation 2, Schedule B (3) (4)(a), 4(c) and 4(f).

Mr Chellakootty denied this allegation.

The panel had regard for the legal advisor’s advice.

The panel noted that in the case of *Basson v GMC (2018)*, it stated that *“the state of a person’s mind is not something that can be proved by direct observation. It can only be proved by inference or deduction from the surrounding evidence”*.

It was also stated in this case that a sexual motive means the conduct was done either in pursuit of sexual gratification or in pursuit of a future sexual relationship.

The panel considered Mr Chellakootty’s words and actions in respect of his proven conduct in the aforementioned allegations 1 and 2.

The panel considered that whilst Mr Chellakootty's proven conduct in these allegations was completely inappropriate and contrary to the standards expected of a teacher, the panel did not consider that Mr Chellakootty's proven conduct was of a sexual nature and/or sexually motivated.

In particular, the panel noted that Mr Chellakootty's proven conduct in respect of Colleague A, Pupil N and Pupil O was overfamiliar, but the panel did not consider that the surrounding evidence supported a finding that his conduct was of a sexual nature and/or sexually motivated.

When referring to Mr Chellakootty's requests to go out for a drink, Colleague A stated in her written statement dated 4 October 2018 that *"whilst this unsolicited attention and most unwelcome request is hardly overt sexual harassment, if the member of staff still persists and makes another member of staff feel really uncomfortable, it is certainly not appropriate..."*

Mr Chellakootty explained during the hearing that his reasons for his conduct towards Colleague A was due to his social nature and South African heritage. He explained that there was no ulterior motive behind his conduct.

Mr Chellakootty explained that his conduct towards Pupil N [REDACTED] and that the hug was like a 'father and daughter' hug.

Mr Chellakootty explained that his conduct towards Pupil O was purely accidental and that there was no sexual motive behind the accidental contact with this pupil.

The panel asked itself whether on the balance of probabilities reasonable persons would think the words and actions found proven could be sexual, noting that some of the allegations found proven could be construed as sexual. The panel considered that in all the circumstances of the conduct in the case, there was a lack of evidence to suggest that the teacher's purpose of such words and actions were of a sexual nature or sexually motivated.

The panel did not find allegation 5 proved.

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 Chellakootty, in relation to the facts found proved, involved breaches of the Teachers' Standards. The panel considered that, by reference to Part 2, Mr Chellakootty was in breach of the following standards:

- Teachers uphold public trust in the profession and maintain high standards of ethics and behaviour, within and outside school, by
 - treating pupils with dignity, building relationships rooted in mutual respect, and at all times observing proper boundaries appropriate to a teacher's professional position
 - having regard for the need to safeguard pupils' well-being, in accordance with statutory provisions
 - ensuring that personal beliefs are not expressed in ways which exploit pupils' vulnerability or might lead them to break the law
- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach...
- Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities.

The panel was satisfied that the conduct of Mr Chellakootty, in relation to the facts found proved, involved breaches of Keeping Children Safe In Education ("KCSIE"). The panel considered that Mr Chellakootty was in breach of the following provision:

- Safeguarding and promoting the welfare of children is everyone's responsibility. Everyone who comes into contact with children and their families has a role to play. In order to fulfil this responsibility effectively, all practitioners should make sure their approach is child-centred. This means that they should consider, at all times, what is in the best interests of the child.

The panel was satisfied that the conduct of Mr Chellakootty, in relation to the facts found proved, involved breaches of Working Together to Safeguard Children. The panel considered that Mr Chellakootty was in breach of the following provisions:

- This child centred approach is fundamental to safeguarding and promoting the welfare of every child. A child centred approach means keeping the child in focus when making decisions about their lives and working in partnership with them and their families.
- Everyone who works with children has a responsibility for keeping them safe.

The panel was very conscious that the statutory guidance is directive in nature and limits any scope of discretion. The panel expressed considerable concern in relation to Mr Chellakootty's disregard and lack of understanding in respect of safeguarding. The panel was satisfied that the conduct of Mr Chellakootty fell significantly short of the standard of behaviour expected of a teacher. When considering the proven allegations,

the panel noted that the allegations were in relation to individuals that did not know each other. Mr Chellakootty confirmed this during the hearing.

The panel noted that Mr Chellakootty pursued a consistent pattern of overfamiliar behaviour over a number of years in three different schools. The panel noted that Mr Chellakootty's response to a great deal of his conduct was due to accident. The panel noted that Mr Chellakootty's conduct was mainly whilst employed at schools via agency. He left all posts without having the concerns drawn to his attention and that of the employment agency. This resulted in a lower threshold of scrutiny in the approach to Mr Chellakootty's conduct as a result, in comparison to direct employment by a school.

The panel noted that in a letter from South Essex College to Mr Chellakootty dated 8 October 2018, in reference to his conduct toward Colleague A, it was noted that Mr Chellakootty "*felt that the complaint was petty and did not understand why the member of staff was upset.*" This was a position Mr Chellakootty maintained whilst giving evidence.

The panel also considered whether Mr Chellakootty's conduct and acceptance of a caution displayed behaviours associated with any of the offences in the list that begins on page 12 of the Advice.

The panel found that the offences of harassment and fraud or serious dishonesty were relevant.

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

The panel noted that allegation 8 took place outside the education setting. The panel considered that his conduct in proven allegation 8 did affect the way in which he fulfilled his teaching role as pupils are expected to view teachers as role models in the way that they behave. The panel noted that accepting a caution for fraud by false representation was contrary to the high standards of ethics and behaviour that teachers are expected to maintain outside of school. The panel also noted the presenting officer's case in respect of this particular allegation in that if Mr Chellakootty had purchased an off peak ticket and was travelling on a peak train, it would be reasonably expected that Mr Chellakootty may have been simply asked to pay the difference in tickets, rather than being subject to a police caution for fraud by false representation contrary to s.1(2)(a) and s.2 of the Fraud Act 2006.

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

Disrepute

The panel took into account the way the teaching profession is viewed by others, the responsibilities and duties of teachers in relation to the safeguarding and welfare of pupils 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 also considered whether Mr Chellakootty's conduct and acceptance of a caution displayed behaviours associated with any of the offences in the list that begins on page 12 of the Advice.

The panel found that the offences of harassment and fraud or serious dishonesty were relevant.

The Advice indicates that where behaviours associated with such offences exist, a panel is likely to conclude that an individual's conduct would amount to conduct that may bring the profession into disrepute.

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. The panel noted that Mr Chellakootty pursued a consistent pattern of overfamiliar behaviour over a number of years in three different schools.

The panel considered that Mr Chellakootty's conduct could potentially damage the public's perception of a teacher.

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

Having found the facts of allegation 1, Schedule A (3), 4(a), 4(b), 4(c) 5(b), 5(c) and allegation 2, Schedule B (3), 4(a), 4(c), 4(f), allegation 4, allegation 6(a) and 6(b) and allegation 8 proved, the panel further found that Mr Chellakootty'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 is appropriate, the panel had to consider the public interest, the seriousness of the

behaviour and any mitigation offered by Mr Chellakootty and whether a prohibition order is necessary and proportionate. Prohibition orders should not be given in order to be punitive, or to show that blame has been apportioned, although they are likely to have punitive effect.

The panel had regard to the particular public interest considerations set out in the Advice and, having done so, found a number of them to be relevant in this case, namely, the safeguarding and wellbeing of pupils and the protection of other members of the public, the maintenance of public confidence in the profession and declaring and upholding proper standards of conduct.

In the light of the panel's findings against Mr Chellakootty, which involved inappropriate conduct towards pupils and a colleague and a finding of dishonesty and lack of integrity in respect of applying for a teaching role whilst he was on a bail condition not to enter school premises for any reason, there was a strong public interest consideration in respect of the safeguarding and wellbeing of pupils, given the serious findings of inappropriate conduct towards pupils and a colleague.

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

Although the panel had no reason to doubt Mr Chellakootty's ability as an educator, beyond his own testimony, there was a lack of peer evidence to corroborate this over the course of his 18 year career as a teacher in England. Therefore, the panel considered that the adverse public interest considerations above outweigh any interest in retaining Mr Chellakootty in the profession, since his behaviour fundamentally breached the standard of conduct expected of a teacher.

The panel considered carefully the seriousness of the behaviour, noting that the Advice states that the expectation of both the public and pupils, is that members of the teaching profession maintain an exemplary level of integrity and ethical standards at all times. The panel noted that a teacher's behaviour that potentially undermines their position of trust should be viewed very seriously in terms of its potential influence on pupils and be seen as a possible threat to the public interest.

The panel took further account of the Advice, which suggests that a panel will likely consider a teacher's behaviour to be incompatible with being a teacher if there is evidence of one or more of the factors that begin on page 15. In the list of such factors, those that were relevant in this case were:

- serious departure from the personal and professional conduct elements of the Teachers' Standards;

- the commission of a serious criminal offence, including those that resulted in a ... caution, ...;
- misconduct seriously affecting the education and/or safeguarding and well-being of pupils, and particularly where there is a continuing risk;
- abuse of position or trust (particularly involving vulnerable pupils);
- failure in their duty of care towards a child, including exposing a child to risk or failing to promote the safety and welfare of the children (as set out in Part 1 of KCSIE);
- a deep-seated attitude that leads to harmful behaviour;
- dishonesty or a lack of integrity, including the deliberate concealment of their actions ..., especially where these behaviours have been repeated or had serious consequences, ...;

Even though some of the behaviour found proved in this case indicated that a prohibition order would be appropriate, taking account of the public interest and the seriousness of the behaviour and the likely harm to the public interest were the teacher be allowed to continue to teach, the panel went on to consider whether there were mitigating circumstances.

There was evidence that Mr Chellakootty's actions were deliberate.

There was no evidence to suggest that Mr Chellakootty was acting under extreme duress, e.g. a physical threat or significant intimidation. The panel noted that Mr Chellakootty had cited reference to his financial hardship which influenced his decision making on occasions.

There was evidence to suggest that Mr Chellakootty did not have a previously good history. The panel did not accept that the proven conduct was out of character as the panel identified a pattern of behaviour.

Again, the panel noted at this stage that Mr Chellakootty's conduct was mainly whilst employed at schools via agency. He left all posts without having the concerns drawn to his attention and that of the employment agency. This resulted in a lower threshold of scrutiny in the approach to Mr Chellakootty's conduct as a result, in comparison to direct employment by a school. The panel saw evidence that showed that Mr Chellakootty was previously subject to proceedings before the GTCE in 2011 where a sanction was imposed in relation to issues of dishonesty.

The panel had sight of the reference from a former colleague who had worked with Mr Chellakootty in South Africa dated 14 August 2024. Mr Chellakootty confirmed that the former colleague had drafted the reference in 2022 and applied a recent date on the reference. The panel noted that the former colleague stated "*I have known Brahma for*

the past forty years. From an intellectual point of view, I have no doubt that he is high calibre, an exceptional student at the Springfield College of Education who would win scholarships chiefly on the basis of an outstanding intellect. He is indeed an academic of rare intellect, testimony of which is borne out by his scholastic and literary attainments.”

The panel did not have sight of any recent character reference from Mr Chellakootty's former employer and/or colleagues from his career in the UK spanning across approximately 18 years. It appeared that during this time Mr Chellakootty had not been directly employed by a school and hence had not benefited from consistent professional oversight.

The panel expressed grave concerns for Mr Chellakootty's lack of insight. The panel was of the view that Mr Chellakootty had a disregard and lack of understanding in respect of safeguarding, particularly the practical application of his safeguarding training. The panel noted that Mr Chellakootty pursued a consistent pattern of overfamiliar behaviour over a number of years in three different schools. The panel asked Mr Chellakootty questions to consider whether he could understand how he would change his behaviour going forward if he were to teach again, given that he had faced criminal court proceedings previously in respect of his conduct at Colchester Academy. The panel was not satisfied with Mr Chellakootty's responses as he simply said he would not put himself in this type of position again and if a child hugged him, he would respond with an emphatic no, but showed no wider understanding of any aspect of KCSIE. The panel noted that his answers were centred on the impact of the allegations on his own wellbeing, rather than making any reference to the safeguarding of children. The panel further noted that Mr Chellakootty had expressed limited remorse for his conduct.

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 Chellakootty 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 Chellakootty. Mr Chellakootty's inappropriate and overfamiliar conduct towards pupils and a colleague was a significant factor in forming that opinion, coupled with his limited insight as to where ongoing concerns arose and the seriousness of them. 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 cases involving certain conduct where it is likely that the public interest will have greater relevance and weigh in favour of a longer period before a review is considered appropriate. One of these cases includes fraud or serious dishonesty. The panel found that Mr Chellakootty was responsible for serious dishonesty and a lack of integrity when he applied for a teaching role in October 2019 when subject to bail conditions which prohibited him from entering the grounds of a school for any reason. Mr Chellakootty also accepted a police caution for fraud by false representation contrary to s.1(2)(a) and s.2 of the Fraud Act 2006. The panel noted that this misconduct linked to the listed case of fraud or serious dishonesty where it is likely that the public interest will have greater relevance and weigh in favour of a longer period before a review is considered appropriate.

The panel expressed grave concern in respect Mr Chellakootty's lack of understanding for safeguarding protocol. There was evidence during the hearing that Mr Chellakootty failed to recognise hence report incidents of concern to any member of the leadership team, thereby breaching safeguarding procedures that had consolidated over the 18 years of his teaching in England. The panel noted that Mr Chellakootty did not show during the hearing that his position on safeguarding has changed, despite previous proceedings.

Mr Chellakootty maintained a stance that his conduct was accidental, and struggled to perceive his role in preventing the events that occurred. By his own evidence, he did not consider safeguarding and made no reference to it unless in response to a specific prompt under affirmation. Whilst acknowledging in retrospect that his conduct was inappropriate, he continued to minimise the concerns throughout the hearing. Mr Chellakootty commented that facing allegations from pupils in relation to their conduct was something teachers have to go through. He continued to believe that policy could be circumvented in favour of an amicable solution.

The panel noted that Mr Chellakootty's conduct was mainly whilst employed at schools via agency. He left all posts without having the concerns drawn to his attention and that of the employment agency. This resulted in a lower threshold of scrutiny in the approach to Mr Chellakootty's conduct as a result, in comparison to direct employment by a school. Coupled with his limited professional profile and willingness to travel across a wide geography for supply assignments, it made recognition of the pattern of various concerns at different schools more challenging.

There was no evidence that his reflection was subject to peer review and hence was very limited in its nature. Throughout the hearing, Mr Chellakootty demonstrated an over reliance on systemic factors to identify and mitigate his actions. He repeated a position

that his conduct had not been brought to his attention, but this would also have been dependent upon his own volition to share practice.

Despite numerous formal proceedings over nearly two decades, which Mr Chellakootty described as traumatic, the panel considered he lacked insight into this obvious omission and the wider gaps in his professional practice, thereby the panel considered that there was a real risk of repetition. Therefore, the panel determined that a review period would not be appropriate.

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

Decision and reasons on behalf of the Secretary of State

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

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

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

In this case, the panel has also found some of the allegations not proven. I have therefore put those matters entirely from my mind.

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

In particular, the panel has found that Mr Chellakootty is in breach of the following standards:

- Teachers uphold public trust in the profession and maintain high standards of ethics and behaviour, within and outside school, by
 - treating pupils with dignity, building relationships rooted in mutual respect, and at all times observing proper boundaries appropriate to a teacher's professional position
 - having regard for the need to safeguard pupils' well-being, in accordance with statutory provisions
 - ensuring that personal beliefs are not expressed in ways which exploit pupils' vulnerability or might lead them to break the law

- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach...
- Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities.

The panel was satisfied that the conduct of Mr Chellakootty involved breaches of the responsibilities and duties set out in statutory guidance 'Keeping children safe in education' (KCSIE) and involved breaches of 'Working Together to Safeguard Children'.

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

The findings of misconduct are particularly serious as they include inappropriate physical contact with pupils, making repeated unwanted advances to a colleague as well as behaviour that demonstrated dishonesty and a lack of integrity.

I have to determine whether the imposition of a prohibition order is proportionate and in the public interest. In considering that for this case, I have considered the overall aim of a prohibition order which is to protect pupils and to maintain public confidence in the profession. I have considered the extent to which a prohibition order in this case would achieve that aim taking into account the impact that it will have on the individual teacher. I have also asked myself, whether a less intrusive measure, such as the published finding of unacceptable professional conduct and conduct that may bring the profession into disrepute, would itself be sufficient to achieve the overall aim. I have to consider whether the consequences of such a publication are themselves sufficient. I have considered therefore whether or not prohibiting Mr Chellakootty, and the impact that will have on the teacher, is proportionate and in the public interest.

In this case, I have considered the extent to which a prohibition order would protect children and safeguard pupils. The panel has observed the following:

“In the light of the panel’s findings against Mr Chellakootty, which involved inappropriate conduct towards pupils and a colleague and a finding of dishonesty and lack of integrity in respect of applying for a teaching role whilst he was on a bail condition not to enter school premises for any reason, there was a strong public interest consideration in respect of the safeguarding and wellbeing of pupils, given the serious findings of inappropriate conduct towards pupils and a colleague.”

A prohibition order would therefore prevent such a risk from being present in the future.

I have also taken into account the panel’s comments on insight and remorse, which it sets out as follows:

“The panel expressed grave concerns for Mr Chellakootty’s lack of insight. The panel was of the view that Mr Chellakootty had a disregard and lack of understanding in respect of safeguarding, particularly the practical application of his safeguarding

training. The panel noted that Mr Chellakootty pursued a consistent pattern of overfamiliar behaviour over a number of years in three different schools. The panel asked Mr Chellakootty questions to consider whether he could understand how he would change his behaviour going forward if he were to teach again, given that he had faced criminal court proceedings previously in respect of his conduct at Colchester Academy. The panel was not satisfied with Mr Chellakootty's responses as he simply said he would not put himself in this type of position again and if a child hugged him, he would respond with an emphatic no, but showed no wider understanding of any aspect of KCSIE. The panel noted that his answers were centred on the impact of the allegations on his own wellbeing, rather than making any reference to the safeguarding of children. The panel further noted that Mr Chellakootty had expressed limited remorse for his conduct."

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

I have gone on to consider the extent to which a prohibition order would maintain public confidence in the profession. The panel 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. The panel noted that Mr Chellakootty pursued a consistent pattern of overfamiliar behaviour over a number of years in three different schools.

The panel considered that Mr Chellakootty's conduct could potentially damage the public's perception of a teacher."

I am particularly mindful of the finding of dishonesty in this case and the serious negative 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 that may bring the profession into disrepute, in the absence of a prohibition order, can itself be regarded by such a person as being a proportionate response to the misconduct that has been found proven in this case.

I have also considered the impact of a prohibition order on Mr Chellakootty himself. The panel notes having seen a reference attesting to his intellect and academic abilities. However, I have placed greater weight on the following observations:

“There was evidence to suggest that Mr Chellakootty did not have a previously good history. The panel did not accept that the proven conduct was out of character as the panel identified a pattern of behaviour.

Again, the panel noted at this stage that Mr Chellakootty’s conduct was mainly whilst employed at schools via agency. He left all posts without having the concerns drawn to his attention and that of the employment agency. This resulted in a lower threshold of scrutiny in the approach to Mr Chellakootty’s conduct as a result, in comparison to direct employment by a school. The panel saw evidence that showed that Mr Chellakootty was previously subject to proceedings before the GTCE in 2011 where a sanction was imposed in relation to issues of dishonesty.”

A prohibition order would prevent Mr Chellakootty 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 serious nature of the misconduct found by the panel, which spanned a number of years and schools. I have also reflected upon the lack of evidence of full insight and remorse on the teacher’s part, and the risk this raises of repetition and consequent jeopardy to the future wellbeing of pupils.

I have given less weight in my consideration of sanction therefore, to the contribution that Mr Chellakootty 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.

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.

In doing so, the panel has referred to the Advice which indicates that there are cases involving certain conduct where it is likely that the public interest will have greater relevance and weigh in favour of a longer period before a review is considered appropriate. One of these cases includes fraud or serious dishonesty.

In making my decision, I have noted the panel’s further comments regarding Mr Chellakootty’s attitude towards safeguarding practice:

“The panel expressed grave concern in respect Mr Chellakootty’s lack of understanding for safeguarding protocol. There was evidence during the hearing that Mr Chellakootty failed to recognise hence report incidents of concern to any member of the leadership team, thereby breaching safeguarding procedures that had consolidated over the 18 years of his teaching in England. The panel noted that Mr Chellakootty did not show during the hearing that his position on safeguarding has changed, despite previous proceedings.”

I have also weighed the panel's concluding remarks in my deliberations:

“Despite numerous formal proceedings over nearly two decades, which Mr Chellakootty described as traumatic, the panel considered he lacked insight into this obvious omission and the wider gaps in his professional practice, thereby the panel considered that there was a real risk of repetition. Therefore, the panel determined that a review period would not be appropriate.

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

I have considered whether not allowing a review period reflects the seriousness of the findings and is a proportionate period to achieve the aim of maintaining public confidence in the profession.

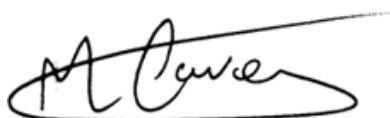
It is my conclusion that, given the lack of evidence found by the panel of insight and remorse, and what appears to be a continued inability on Mr Chellakootty's part to grasp the importance of either following proper safeguarding procedures or observing professional standards of conduct and behaviour despite having worked as a teacher in England for a number of years, that allowing for a review period would be contrary both to the best interests of pupils and maintaining the reputation of the profession.

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



Decision maker: Marc Cavey

Date: 27 November 2024

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