



Teaching  
Regulation  
Agency

# **Mr Vevekanand Singh Professional conduct panel outcome**

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

**December 2024**

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

<b>Teacher:</b>	Mr Vevekanand Singh
<b>Teacher ref number:</b>	3332958
<b>Teacher date of birth:</b>	23 July 1974
<b>TRA reference:</b>	19010
<b>Date of determination:</b>	19 December 2024
<b>Former employer:</b>	Hunters Hall Primary School, Dagenham (the “School”)

### **Introduction**

A professional conduct panel (“the panel”) of the Teaching Regulation Agency (“the TRA”) convened virtually on 18 and 19 December 2024 consider the case of Mr Vevekanand Singh.

The panel members were Mrs Jane Gotschel (teacher panellist – in the chair), Dr Sian Rees-Evans (lay panellist) and Mr Richard Young (lay panellist).

The legal adviser to the panel was Miss Elizabeth Gilbert of Eversheds Sutherland (International) LLP solicitors.

The presenting officer for the TRA was Mr Michael Bellis of Capsticks Solicitors LLP.

Mr Singh was not present and was not represented.

The hearing took place in public and was recorded.

## Allegations

The panel considered the allegations set out in the notice of proceeding dated 19 September 2024.

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

1. On or around 19 April 2019, Mr Singh:
  - a) Did not report receipt of a Category A indecent video of a child ('the Video') from Person A on Facebook, to:
    - i) The Police, and/or
    - ii) Hunters Hall Primary School, and/or
    - iii) Facebook;
  - b) messaged Person A on Facebook and:
    - i) in replying to Person A, uploaded a copy of the Video to Facebook;
    - ii) made one or more of the comments set out in Schedule A.

### Schedule A

Statement or words to the effect

1. This look like one little child
2. Being fucked

Mr Singh was not present at the hearing. As such, the facts of the allegations and that he was guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute was treated as not admitted.

## Preliminary applications

### Applicable procedures

The panel noted the allegations against Mr Singh were referred to the TRA on 6 January 2020. As such, the 2018 version of the Teacher misconduct: Disciplinary procedures for the teaching profession (the "Procedures") applied in this case.

Notwithstanding the above, the panel acknowledged that the notice of proceeding dated 19 September 2024 referred Mr Singh to certain provisions in the 2020 version of the Procedures.

The panel considered paragraph 1.6 of the 2020 version of the Procedures, which stated the 2018 version of the Procedures will apply to the case unless, in the interests of justice or the public interest, the TRA or the panel directs otherwise.

As the notice of proceeding referred Mr Singh to the provisions of the 2020 versions of the Procedures, the panel considered that it was in the interests of justice for the 2020 version of the Procedures to apply in this case.

The panel noted that no objections to the application of the 2020 version of the Procedures was received. Additionally, the panel considered that Mr Singh would not suffer prejudice as a result of the 2020 version of the Procedures applying to his case.

Accordingly, the panel determined that the 2020 version of the Procedures applied to Mr Singh's case pursuant to paragraph 1.6 of the Procedures.

#### Admitting late documents

The presenting officer applied to admit documents not served in accordance with the requirements of paragraph 5.36 of the Procedures.

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.

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 presenting officer directed the panel to a bundle of documents which consisted of the following correspondence between the presenting officer's firm and Mr Singh:

- Email from Mr Singh to the presenting officer's firm dated 8 March 2023;
- Email from the presenting officer's firm to Mr Singh dated 8 March 2023;
- Email from the presenting officer's firm to Mr Singh dated 23 May 2024 attaching a letter of the same date; and
- Email from the presenting officer's firm to Mr Singh dated 9 December 2024.

The panel determined that the correspondence bundle was relevant to the presenting officer's application to proceed in absence and that it was fair to admit them in order that the application could be properly considered. The statement of Mr Singh enclosed with one of the emails contained evidence in relation to Mr Singh's response to the allegations, which was of obvious relevance, and it was fair to be admitted in order that the panel could be sighted as to Mr Singh's position.

By reason of the above, the panel decided to admit the documents. The panel noted that each of the 7 pages contained in the correspondence bundle would be paginated as annex 1 to 7 respectively.

#### Proceeding in absence

The panel considered an application from the presenting officer to proceed in the absence of Mr Singh. The panel considered whether this hearing should continue in the absence of Mr Singh.

The panel was satisfied that the TRA had complied with the service requirements of paragraph 19(1)(a) to (c) of the Teachers' Disciplinary (England) Regulations 2012 (the "Regulations").

The panel was also satisfied that the notice of proceedings complied with paragraphs 5.23 and 5.24 of the Procedures.

The panel took as its starting point the principle from *R v Jones* [2003], that its discretion to commence a hearing in the absence of the teacher has to be exercised with the utmost care and caution, and that its discretion is a severely constrained one. In considering the question of fairness, the panel recognised that fairness to the professional is of prime importance but that it also encompasses the fair, economic, expeditious and efficient disposal of allegations against the professional, as was explained in *GMC v Adeogba & Visvardis* [2016].

In making its decision, the panel noted that the teacher may waive his right to participate in the hearing. The panel firstly took account of the various factors drawn to its attention from the case of *R v Jones* [2003].

The panel was satisfied that Mr Singh was aware of the proceedings, given his previous engagement with the TRA and the presenting officer's firm. Mr Singh provided evidence to form part of the hearing bundle for the hearing, which included a written statement dated 12 February 2021 and 3 separate character references. Additionally, Mr Singh last corresponded with the presenting officer's firm by email on 8 March 2023 in relation to a draft statement of agreed facts. The panel noted that Mr Singh did not agree to the statement of agreed facts in his email and thereafter failed to engage further with the proceedings.

The panel therefore considered that Mr Singh had waived his right to be present at the hearing in the knowledge of when and where the hearing was taking place.

The panel noted it would have the benefit of written evidence provided by Mr Singh, including evidence addressing mitigation, which the panel could take into account at the relevant stage.

The panel considered that there was no evidence before the panel that an adjournment would result in Mr Singh attending voluntarily, and this was especially unlikely given Mr Singh's lack of engagement since March 2023.

The panel noted that a witness was to be called to give oral evidence and the panel could test that evidence in questioning, considering such points as are favourable to Mr Singh, as are reasonably available on the evidence. The panel also noted that it would be

inconvenient for the witness to return again. Delaying the case might also impact upon the memory of the witness.

The panel recognised that it was able to exercise vigilance in making its decision, taking into account the degree of risk of the panel reaching the wrong decision as a result of not having heard Mr Singh's account.

The panel recognised that the allegations against Mr Singh are serious and that there was a real risk that, if proven, the panel would be required to consider whether to recommend that the teacher ought to be prohibited from teaching. The panel further recognised that the efficient disposal of allegations against teachers is required to ensure the protection of pupils and to maintain confidence in the profession.

The panel also acknowledged that the witness to be called was a professional public servant and therefore the inconvenience caused by adjournment was particularly important.

The panel considered that, by taking such measures referred to above to address unfairness insofar as is possible, and taking account of the inconvenience an adjournment would cause to the witness, on balance, the seriousness of the allegations and the public interest in this hearing proceeding within a reasonable time was in favour of the hearing continuing in the absence of the teacher.

The panel therefore determined to exercise its discretion under paragraph 5.47 of the Procedures to proceed with the hearing in the absence of Mr Singh.

## **Summary of evidence**

### **Documents**

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

Section 1: Chronology and anonymised pupil list – pages 4 to 5

Section 2: Notice of proceedings – pages 6 to 17

Section 3: Teaching Regulation Agency witness statement – pages 18 to 22

Section 4: Teaching Regulation Agency documents – pages 23 to 473

Section 5: Teacher documents – pages 474 to 484

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

The panel also confirmed they had read the additional documents below which the panel decided to admit:

- Annex 1 to annex 7: Each annex representing one of the 7 pages of correspondence between Mr Singh and the presenting officer's firm between 8 March 2023 and 9 December 2024.

## **Witnesses**

The panel heard oral evidence from the following witness called by the presenting officer on behalf of the TRA:

- Witness A – [REDACTED]

The panel did not hear oral evidence from Mr Singh given that he was not in attendance 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 Singh was employed at the School from September 2016 until October 2020.

Mr Singh was arrested on suspicion of possession of an indecent image on 31 December 2019. A decision of no further action was taken by the police in relation to Mr Singh's arrest on 17 April 2020.

A referral was made to the TRA in respect of Mr Singh on 6 January 2020.

## **Findings of fact**

The findings of fact are as follows:

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

### **1. On or around 19 April 2019, you:**

- a) Did not report receipt of a Category A indecent video of a child ('the Video') from Person A on Facebook, to:**
  - i) The Police, and/or**
  - ii) Hunters Hall Primary School, and/or**
  - iii) Facebook;**

Mr Singh denied the allegation.

Witness A stated in her written statement that the online investigation team at Essex Police first became aware via intelligence on 30 December 2019 that Mr Singh had



received a Category A indecent video of a child from Person A on Facebook on 19 April 2019.

The panel also considered a crime report which was an exhibit to Witness A's written statement. The panel noted that Witness A recorded that she had received a report from the National Center for Missing & Exploited Children which showed that an individual had distributed an indecent image of a child to Mr Singh via Facebook at 3:29pm on 18 April 2019, and Mr Singh then distributed the same image back to the individual on 19 April 2019 accompanied by messages.

The panel considered an investigation report prepared on behalf of the School. The panel acknowledged that this document related to an investigation undertaken prior to the hearing which considered and made findings in relation to the same issues that the panel had to consider. The panel had regard to the case of *Enemuwe v Nursing and Midwifery Council (NMC) [2015]*, which made clear that the panel may take into consideration evidence before a prior investigation, but that the outcome is not determinative of the facts before the panel. The panel was satisfied that their experience meant that they could put any reference to previous findings out of their mind, and to continue to hear the matter fairly. The panel noted that Mr Singh stated in his investigation interview on 21 May 2020 that he should have informed the designated safeguarding lead at the School and could have informed the police on the subject of the video he received on 19 April 2019. Additionally, Mr Singh stated that this was "a bad decision and a bad mis judgement [sic]" and it was "his deepest regret not informing the necessary people".

Mr Singh stated in his written statement dated 12 February 2021 that "on visiting Facebook" the day after receiving the video from Person A, being 19 April 2019, he found that all of the messages and images between them had been deleted, including any presence of Person A's Facebook. Mr Singh stated that he "assumed that everything had been deleted because of the image and that this was being dealt with in the appropriate way by Facebook" and "the police". Mr Singh further stated that "in retrospect" he acknowledged that this was a "mistake in judgement" and he should have contacted the police, "even if only to protect [himself] from any involvement".

Similarly, Mr Singh stated in his written statement that he regretted that he "did not report that this had happened to my school" as he "did not immediately associate the sending of this historical and unsolicited image" to be something he needed to report to the School.

In summary, Mr Singh stated in his written statement that he "should have reported this incident to both the police and Facebook and safeguarding authorities at the school and would do so without any hesitation in future".

The panel noted that Mr Singh was aware of how to report concerns to Facebook, given that he stated in his police interview on 31 December 2019 that he had previously reported a concern. Additionally, Mr Singh stated in his School investigation interview

that he had received training that would have made him aware of how to report such incidents to the School.

The panel saw no evidence which demonstrated that Mr Singh had reported receipt of the video to the School, the police or Facebook. As such, the panel was satisfied that, in light of the corroborating evidence from Mr Singh and Witness A, Mr Singh did not report receipt of a Category A indecent video of a child from Person A on Facebook on 19 April 2019 to any of the police, the School or Facebook.

The panel therefore found allegation 1(a)(i) to (iii) proved.

**b) messaged Person A on Facebook and:**

**i) in replying to Person A, uploaded a copy of the Video to Facebook;**

Mr Singh denied the allegation.

Witness A stated in her written statement that the online investigation team at Essex Police received information via intelligence on 30 December 2019 that an email address belonging to Mr Singh had been used to upload a Category A indecent video of a child onto the internet via Facebook on 19 April 2019. Witness A further stated that such intelligence was obtained as Facebook has a safeguarding policy which stated they will report any concerns in relation to child exploitation or child sex abuse material. Additionally, Witness A's written statement confirmed that Mr Singh's "internet connection was found to have been used to upload the image".

The panel also considered the investigation summary contained in Witness A's exhibit to her written statement which stated that the "image was uploaded and distributed via a Facebook account" with Mr Singh's name and date of birth.

Witness A also stated in her written statement that Mr Singh came into the possession of the Category A indecent video of a child on 19 April 2019 when it was shared to him through Facebook by Person A at 3:29pm. Witness A further stated that Mr Singh sent the same video back to Person A the next day at 7:18pm. In addition, Witness A clarified in her oral evidence that she had seen a screenshot of the conversation between Mr Singh and Person A at the time of Mr Singh's arrest on 31 December 2019.

Mr Singh stated in his written statement that he received a message via Facebook Messenger on 19 April 2019 from an acquaintance from his home country of Guyana, with whom he "occasionally exchanged casual bits of news regarding Guyana". Mr Singh further stated that he was "extremely shocked and confused" when he received an image involving a child which was "of very poor quality and looked very old and historical". Whilst Mr Singh said the image was "completely unsolicited", he stated that his "instinctive reaction was to get rid of the image, so [he] resent it back to the person who had sent it" to him. The panel did not consider it was a reasonable position to believe that an image would be deleted if it were sent back to the original sender.

The panel considered that Mr Singh stated in his written statement that he was “unprepared for how to deal” with the circumstances as “no safeguarding training had ever covered any event of this kind”. The panel noted this was contrary to the information the panel had seen regarding the safeguarding training provided to staff at the School.

Additionally, Mr Singh stated that he was not aware that forwarding the video back to the person who sent it to him amounted to redistributing material.

The panel determined that the corroborating evidence from Mr Singh and Witness A confirmed that Mr Singh had sent a copy of the video to Person A on Facebook Messenger which resulted in a copy of the video being uploaded to Facebook.

The panel therefore found allegation 1(b)(i) proved.

**ii) made one or more of the comments set out in Schedule A.**

**Schedule A**

**Statement or words to the effect**

**1. This look like one little child**

**2. Being fucked**

Mr Singh denied the allegation.

Witness A stated in her written statement that when Mr Singh sent an indecent video to Person A at 7:18pm on 19 April 2019, this was accompanied by a message which said “this looks like one little child”. Thereafter, Person A responded to say “ok” and Mr Singh responded again to say “being fucked”. This position was supported by the crime report dated 27 December 2019 contained in Witness A’s exhibit which showed the following record of messages between Mr Singh and Person A on Facebook on 19 April 2019:

7:18:13pm – “This looks like one little child”

7:18:22pm – “Ok”

7:18:23pm – “Being fucked”

Mr Singh outlined in his written statement that he was informed by the police that he had made the comment “this looks like one little child being fucked” in his initial interview following his arrest on 31 December 2019. Mr Singh further stated that he “went along with the assumption in the interview that [he] did make” the comments. However, Mr Singh does “not remember making any such comments” and “it would be unlikely that [he] would make any such comment, because [he is] not a person who uses this sort of vocabulary”. However, the panel noted that in the School’s investigation interview on 21 May 2020, Mr Singh stated that he “made a comment something along the lines of this seems to be a child involved being molested or something along those lines [sic]”.

The panel considered that Mr Singh stated in his written statement that the crime report in relation to his arrest, which he saw for the first time around September 2020, refers to 3 separate comments being made which was different from what the police informed him at his interview following his arrest. As such, Mr Singh further stated in his written statement that where it is stated that one person says “OK” in the middle of the phrase is different to the police informing him that the phrase was in one sentence. The panel did not consider it to be significant whether or not Person A interjected to say ‘OK’ during the conversation.

The panel noted that, when questioned, Witness A could not recall in oral evidence what Mr Singh’s exact response in the police interview was to the comments being made, but noted that a summary of Witness A’s notes of the interview was included in the crime report, a document exhibited to Witness A’s written statement. The panel noted the summary of the interview was included in the report retrospectively on 3 January 2020, but that Witness A confirmed in oral evidence that the entry was submitted based on her handwritten notes taken during the police interview. The summary stated the following in respect of Mr Singh’s position in the police interview:

- “he stated that he believes the messages that were sent with the image were questioning whether the image was real and not meant in a sexual manner”;
- “in regards to the message, Singh acknowledged that he must have known the image was of a child as it was stated in the text”;
- “he stated that he would not normally use the type of language so he believed he may just have forwarded the message on too and not actually written it himself [sic]”; and
- “Singh admitted that the Facebook account belonged to him and was the only person who had access to it as far as he was aware”.

Whilst the panel noted Mr Singh’s suggestion that he may not have written the comments himself, the panel did not consider this to be a reasonable position given that there was no denial by Mr Singh that the Facebook account from where the comments had been sent belonged to him, and no other person had access to this.

The panel had regard to Mr Singh’s written statement which stated he was “extremely stressed” at the police interview and did not have legal representation, although he understood this was available to him if required. The panel therefore determined to place more weight on Mr Singh’s written statement which clarified that he “had no knowledge or memory of making” the comments and it would be “very out of character” for him to use such language. Whilst the panel appreciated that Mr Singh could not recall the comments, they noted that Mr Singh did not say that he did not make them.

Witness A also stated in oral evidence that she had seen a screenshot of the conversation between Mr Singh and Person A at the time of Mr Singh’s arrest which reflected the comments in this allegation, as this was provided as part of the intelligence received by the police. The panel determined to place significant weight on this evidence

as the panel had the opportunity to cross examine the witness. Additionally, Witness A's position in respect of the order, timings and content of the messages between Mr Singh and Person A was consistent with the police documents exhibited to her statement, including the crime report, her previous police witness statement dated 7 March 2020, and a document entitled 'summary of arrest'.

Witness A explained to the panel in her oral evidence that the police interview with Mr Singh was recorded and therefore a transcript of the interview could have been requested by the TRA. However, the panel were not provided with such evidence.

Witness A also confirmed in oral evidence that screenshots of the conversation could not be provided to the panel as this evidence was restricted for police intelligence reasons.

Whilst the panel considered that evidence of the police interview transcript or a copy of the screenshot of the conversation could have provided the panel with more confidence in respect of the allegation, the panel determined that, on the balance of probabilities, it was satisfied based on the oral evidence of Witness A, the corroborating police documents, and the lack of certainty in Mr Singh's statements, that it was more than likely that Mr Singh made the comments set out in Schedule A in a message to Person A on Facebook.

The panel therefore found allegation 1(b)(ii) proved.

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

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

- Teachers uphold public trust in the profession and maintain high standards of ethics and behaviour, within and outside school, by:
- having regard for the need to safeguard pupils' well-being, in accordance with statutory provisions.
- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach; and

- 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 Singh, in relation to the facts found proved, involved breaches of Keeping Children Safe In Education 2019 (“KCSIE”). The panel considered that Mr Singh was in breach of the following provisions:

- Any staff member who has a concern about a child’s welfare should follow the referral processes set out in paragraphs 36-47 (of KCSIE);
- If staff have any concerns about a child’s welfare, they should act on them immediately; and
- If staff have a concern, they should follow their own organisation’s child protection policy and speak to the designated safeguarding lead (or deputy).

The panel also noted that KCSIE makes the following clear:

- The victim may have been sexually exploited even if the sexual activity appears consensual. Child sexual exploitation does not always involve physical contact, it can also occur through the use of technology.

The panel was satisfied that the conduct of Mr Singh fell significantly short of the standard of behaviour expected of a teacher.

The panel also considered whether Mr Singh’s conduct displayed behaviours associated with any of the offences in the list that begins on page 12 of the Advice.

The panel found that the offence of any activity involving viewing, taking, making, possessing, distributing or publishing any indecent photograph or image or indecent pseudo photograph or image of a child, or permitting any such activity, including one-off incidents was relevant.

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

The panel noted that the allegations took place outside the education setting. There was no evidence before the panel that any pupils of the School were exposed to, or influenced by Mr Singh’s behaviour in a harmful way. However, the panel determined that Mr Singh’s failure to report an indecent image of a child was significant to his ability to fulfil his role as a teacher, given the importance placed on a teacher’s ability to identify and share information regarding a child’s safeguarding needs.

The panel determined that Mr Singh’s conduct as found proven was serious and unacceptable, particularly in light of the following:

- Mr Singh had the opportunity to report any concerns he had regarding the indecent image of a child over the course of 8 months prior to the police's involvement in the matter;
- Mr Singh had received safeguarding training from the School which the panel considered to be robust and covered matters relating to online abuse; and
- Mr Singh was a very experienced teacher.

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

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 Singh's conduct displayed behaviours associated with any of the offences in the list that begins on page 12 of the Advice.

As above, the panel found that the offence of any activity involving viewing, taking, making, possessing, distributing or publishing any indecent photograph or image or indecent pseudo photograph or image of a child, or permitting any such activity, including one-off incidents was relevant.

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

The panel noted that the advice is not intended to be exhaustive and there may be other behaviours that panels consider to be "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 considered that Mr Singh's conduct could potentially damage the public's perception of a teacher, as any ordinary person would consider Mr Singh's failure to report a significant safeguarding concern to be unacceptable and would weaken confidence in him as a teacher. The panel determined that a child's welfare should be a teacher's priority, however Mr Singh had demonstrated that this was not the case given his failure to report a Category A indecent video of a child. In addition, the panel noted that although Mr Singh replied to the sender, he did not challenge Person A when he received a Category A indecent video of a child. The nature of Mr Singh's reply compounded the panel's concerns.

The panel therefore found that Mr Singh's actions constituted 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 Singh, 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;
- the maintenance of public confidence in the profession; and
- declaring and upholding proper standards of conduct; the interest of retaining the teacher in the profession.

In the light of the panel's findings against Mr Singh, which involved a failure to report a Category A indecent video of a child to the School, the Police, or Facebook, there was a strong public interest consideration in the safeguarding and wellbeing of pupils given a teacher is expected to report any potential safeguarding issues associated with children.

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

The panel decided that there was a public interest consideration in retaining the teacher in the profession as no doubt had been cast upon Mr Singh's abilities as an educator and it was likely he had made a valuable contribution to the profession.

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 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;
- misconduct seriously affecting the education and/or safeguarding and well-being of pupils;
- any activity involving viewing, taking, making, possessing, distributing or publishing any indecent photograph or image or indecent pseudo photograph or image of a child, or permitting such activity, including one-off incidents;
- failure to act on evidence that indicated a child's welfare may have been at risk, e.g., failed to notify the designated safeguarding lead and/or make a referral to children's social care, the police or other relevant agencies when abuse, neglect and/or harmful cultural practices were identified; and
- 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).

The panel attached weight to Mr Singh's online behaviour, namely online misconduct by sending the Category A indecent video of a child back to Person A.

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.

The panel determined that Mr Singh chose not to report the Category A indecent video of a child as he assumed it was already being dealt with. The panel therefore found that Mr Singh's actions were deliberate. Additionally, there was no evidence to suggest that Mr Singh was acting under extreme duress, e.g. a physical threat or significant intimidation.

The panel saw some evidence that Mr Singh had made a previous contribution to the education sector, by way of his own written statement and the 3 character references provided. The panel relied on the following comments:

- Mr Singh stated in his written statement that he has an "unblemished record over many years as a teacher, a member of the community and as a parent".
- Individual A [REDACTED], an individual who previously worked alongside Mr Singh in a teaching role prior to Mr Singh's employment at the School, stated in a reference dated 19 June 2020 that "many parents were disappointed" when Mr Singh left his

previous teaching role, as “they were so pleased with the teaching their children had received” from Mr Singh.

- Individual B [REDACTED], an individual who has personally known Mr Singh for the last 20 years, stated in a reference dated 31 January 2020 that Mr Singh is a “dependable, honest and trustworthy member of the community”.
- Individual C [REDACTED], an individual who collaborated with Mr Singh in gaining Fairtrade status for Mr Singh’s previous school employer in 2016, stated in a reference dated 12 February 2020 that Mr Singh was “extremely hardworking and fully committed to the children in his care”.

The panel acknowledged that none of the 3 character references provided clarified whether they were prepared in the knowledge of the allegations against Mr Singh. Additionally, it was only the reference from Individual A which attested to Mr Singh’s abilities as a teacher.

In light of the above, the panel placed limited weight on the character references provided. Whilst the panel acknowledged that Mr Singh had previously made a positive contribution, the panel did not consider there to be sufficient evidence that Mr Singh had demonstrated exceptionally high standards in both his personal and professional conduct or that he had contributed significantly to the education sector.

The panel considered that Mr Singh displayed some insight and remorse in relation to his conduct. The panel noted that Mr Singh stated that it is “his deepest regret not informing the necessary people” regarding the indecent video that he received and that he “should have contacted the police”.

The panel found that Mr Singh’s insight and remorse had been undermined to some extent, because Mr Singh had not taken full accountability for his conduct. Mr Singh sought to excuse his behaviour on the basis that he had not been provided with adequate training to understand how to deal with the circumstances he found himself in appropriately. The panel relied on the following statement in Mr Singh’s written statement in this regard:

“I also sincerely regret that I did not report that this had happened to my school. In trying to explain why I did not, I can only say that my safeguarding training at the school only dealt with safeguarding matters for children within the context of a school or educational establishment, and I did not immediately associate the sending of this historical and unsolicited image to me, which I assumed was being dealt with by the authorities, to be something I necessarily needed to report to the school.”

The panel found the above statement to undermine Mr Singh’s level of insight, given that Mr Singh ought to have known of his duty to report safeguarding concerns pursuant to the Teachers’ Standards and KCSIE. Additionally, the panel considered that it had been provided with sufficient evidence to show that Mr Singh had received comprehensive

training from the School on the subject of online abuse. Regardless of his training, Mr Singh ought to have known that an indecent video of a child was unlawful. Mr Singh had multiple courses of action that he could have taken, but he chose not to do so.

The panel noted a particular aggravating factor in Mr Singh's conduct was that he engaged with Person A in relation to the Category A indecent video of a child. Whilst the appropriate course of action was reporting the video, even if Mr Singh had ignored the video and done nothing, this would have been a better course of action than engaging and re-distributing the video back to Person A. Mr Singh therefore not only omitted to comply with his safeguarding duties, but also took the step of engaging inappropriately with the sender of the content.

The panel further considered that the findings against Mr Singh stemmed from one incident and the panel had seen no evidence that Mr Singh's conduct had been repeated. In particular, the panel noted that the police found no further evidence of Mr Singh having been in receipt of any further indecent images or videos, having undertaken a search of his property following his arrest. The panel therefore determined that there was no evidence to suggest Mr Singh's actions were sexually motivated, nor was this alleged.

Notwithstanding the above, the panel determined that a period of 8 months had lapsed following Mr Singh's receipt of the video on 19 April 2019 before the police acted on intelligence which resulted in his arrest on 31 December 2019. As such, whilst Mr Singh's omission to report his concerns on the day of 19 April 2019 may have been a momentary lapse of judgement, given the length of time that followed, Mr Singh's conduct amounted to a fundamental breach of safeguarding provisions over the course of many months. The panel noted that, had the police not received such intelligence, the matter may never have come to light.

The panel had regard to the case of *Dr Bright Selvadurai Selverajan v GMC [2008]*, which provided guidance as to the relevance of the time that had passed whilst the teacher has awaited the conclusion of the case. The panel determined that, whilst it was unfortunate that approximately 5 years had passed since Mr Singh's conduct had taken place, the panel did not consider this to be a significant factor to take into consideration in this case, given the time required to conduct a police investigation and there was no further evidence to suggest that Mr Singh had suffered any prejudice as a result of the passage of time.

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 Singh 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 Singh. Mr Singh's omission to report a significant safeguarding risk is fundamentally incompatible with being a teacher which supports the particularly strong public interest consideration in this case, in terms of the safeguarding and well-being of pupils. 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 panel considered the list of behaviours at paragraph 50 of the Advice. 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 not offering a review period. These cases include any activity involving viewing, taking, making, possessing, distributing or publishing any indecent photograph or image or indecent pseudo photograph or image of a child, including one off incidents. The panel found that Mr Singh's conduct involved behaviour relevant to this offence, in that he received and sent an indecent video of a child.

Whilst the panel had regard to the above behaviours in the Advice, the panel considered that Mr Singh received the indecent image of a child unsolicited and there was no further evidence to suggest his activity in distributing the video was sexually motivated. Additionally, the panel placed weight on the police's finding that no further evidence of similar videos or other indecent content of children were found following Mr Singh's arrest. As such, the panel determined the risk of repetition to be low.

The panel decided that the findings indicated a situation in which a review period would be appropriate and that it would be proportionate, in all the circumstances, for the prohibition order to be recommended with provisions for a 5 year review period. This would continue to meet the public interest in safeguarding pupils, since Mr Singh would need to make an application to set the prohibition aside and convince a panel that it is in the public interest for the prohibition order to be set aside. Additionally, the panel considered a longer review period was necessary in the circumstances to maintain confidence in the profession that the conduct had been treated with appropriate seriousness.

## Decision and reasons on behalf of the Secretary of State

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

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

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

The panel has made a recommendation to the Secretary of State that Mr Vevekanand Singh should be the subject of a prohibition order, with a review period of 5 years.

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

- Teachers uphold public trust in the profession and maintain high standards of ethics and behaviour, within and outside school, by:
  - having regard for the need to safeguard pupils' well-being, in accordance with statutory provisions.
- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach; and
- 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 Singh involved breaches of the responsibilities and duties set out in statutory guidance Keeping children safe in education (KCSIE).

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

The findings of misconduct are particularly serious as they include a finding of failing to report a Category A indecent video of a child.

I have to determine whether the imposition of a prohibition order is proportionate and in the public interest. In considering that for this case, I have considered the overall aim of a prohibition order which is to protect pupils and to maintain public confidence in the profession. I have considered the extent to which a prohibition order in this case would achieve that aim taking into account the impact that it will have on the individual teacher. I have also asked myself whether a less intrusive measure, such as the published finding of unacceptable professional conduct or conduct likely to bring the profession into disrepute, would itself be sufficient to achieve the overall aim. I have to consider whether the consequences of such a publication are themselves sufficient. I have considered

therefore whether or not prohibiting Mr Singh, 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, "In the light of the panel's findings against Mr Singh, which involved a failure to report a Category A indecent video of a child to the School, the Police, or Facebook, there was a strong public interest consideration in the safeguarding and wellbeing of pupils given a teacher is expected to report any potential safeguarding issues associated with children." A prohibition order would therefore prevent such a risk from being present in the future.

I have also taken into account the panel's comments on insight and remorse, which the panel has set out as follows:

"The panel considered that Mr Singh displayed some insight and remorse in relation to his conduct. The panel noted that Mr Singh stated that it is "his deepest regret not informing the necessary people" regarding the indecent video that he received and that he "should have contacted the police".

"The panel found that Mr Singh's insight and remorse had been undermined to some extent, because Mr Singh had not taken full accountability for his conduct. Mr Singh sought to excuse his behaviour on the basis that he had not been provided with adequate training to understand how to deal with the circumstances he found himself in appropriately. The panel relied on the following statement in Mr Singh's written statement in this regard:

"I also sincerely regret that I did not report that this had happened to my school. In trying to explain why I did not, I can only say that my safeguarding training at the school only dealt with safeguarding matters for children within the context of a school or educational establishment, and I did not immediately associate the sending of this historical and unsolicited image to me, which I assumed was being dealt with by the authorities, to be something I necessarily needed to report to the school."

"The panel found the above statement to undermine Mr Singh's level of insight, given that Mr Singh ought to have known of his duty to report safeguarding concerns pursuant to the Teachers' Standards and KCSIE. Additionally, the panel considered that it had been provided with sufficient evidence to show that Mr Singh had received comprehensive training from the School on the subject of online abuse. Regardless of his training, Mr Singh ought to have known that an indecent video of a child was unlawful. Mr Singh had multiple courses of action that he could have taken, but he chose not to do so."

I have therefore given the lack of full insight and remorse 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 has observed that “public confidence in the profession could be seriously weakened if conduct such as that found against Mr Singh were not treated with the utmost seriousness when regulating the conduct of the profession.” I am particularly mindful of the finding of failing to report a Category A indecent video of a child in this case and the impact that such a finding has on the reputation of the profession.

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

I have considered whether the publication of a finding of unacceptable professional conduct or conduct likely to bring the profession into disrepute, in the absence of a prohibition order, can itself be regarded by such a person as being a proportionate response to the misconduct that has been found proven in this case.

I have also considered the impact of a prohibition order on Mr Singh himself. The panel has commented that “Whilst the panel acknowledged that Mr Singh had previously made a positive contribution, the panel did not consider there to be sufficient evidence that Mr Singh had demonstrated exceptionally high standards in both his personal and professional conduct or that he had contributed significantly to the education sector.” The panel has noted that “none of the 3 character references provided clarified whether they were prepared in the knowledge of the allegations against Mr Singh. Additionally, it was only the reference from Individual A which attested to Mr Singh’s abilities as a teacher.”

A prohibition order would prevent Mr Singh 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 finding of the panel that “Mr Singh’s omission to report a significant safeguarding risk is fundamentally incompatible with being a teacher which supports the particularly strong public interest consideration in this case, in terms of the safeguarding and well-being of pupils.” The panel has commented that Mr Singh “also took the step of engaging inappropriately with the sender of the content” and that the failure to report the safeguarding risk “amounted to a fundamental breach of safeguarding provisions over the course of many months.”

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

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

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

I have considered the panel's comments:

"The panel considered the list of behaviours at paragraph 50 of the Advice. 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 not offering a review period. These cases include any activity involving viewing, taking, making, possessing, distributing or publishing any indecent photograph or image or indecent pseudo photograph or image of a child, including one off incidents. The panel found that Mr Singh's conduct involved behaviour relevant to this offence, in that he received and sent an indecent video of a child.

"Whilst the panel had regard to the above behaviours in the Advice, the panel considered that Mr Singh received the indecent image of a child unsolicited and there was no further evidence to suggest his activity in distributing the video was sexually motivated. Additionally, the panel placed weight on the police's finding that no further evidence of similar videos or other indecent content of children were found following Mr Singh's arrest. As such, the panel determined the risk of repetition to be low."

I have considered whether a 5 year review period reflects the seriousness of the findings and is a proportionate period to achieve the aim of maintaining public confidence in the profession. In this case, factors mean that a 5 year review period is necessary to achieve the aim of maintaining public confidence in the profession. These elements are the seriousness of receiving and sending an indecent video of a child, the fundamental breach of safeguarding, and the lack of full insight and remorse. The panel has noted that a 5 year review period "would continue to meet the public interest in safeguarding pupils, since Mr Singh would need to make an application to set the prohibition aside and convince a panel that it is in the public interest for the prohibition order to be set aside."

I therefore agree with the panel that a 5 year review period is required to satisfy the maintenance of public confidence in the profession.

**This means that Mr Vevekanand Singh is prohibited from teaching indefinitely and cannot teach in any school, sixth form college, relevant youth accommodation or children's home in England.** He may apply for the prohibition order to be set aside, but not until 20 December 2029, 5 years from the date of this order at the earliest. This is not an automatic right to have the prohibition order removed. If he does apply, a panel will meet to consider whether the prohibition order should be set aside. Without a successful application, Mr Singh remains prohibited from teaching indefinitely.



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

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

A handwritten signature in black ink, appearing to read 'D Oatley', with a large, sweeping flourish at the end.

**Decision maker: David Oatley**

**Date: 20 December 2024**

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