



Teaching
Regulation
Agency

Mr Mustafa Ali Mukardam Musa: Professional conduct panel outcome

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

May 2025

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

Teacher: Mr Mustafa Ali Mukardam Musa

Teacher ref number: 2156575

Teacher date of birth: 23 May 1953

TRA reference: 17364

Date of determination: 23 May 2025

Former employer: Darul Uloom London, Chislehurst

Introduction

A professional conduct panel (“the panel”) of the Teaching Regulation Agency (“the TRA”) convened on 12, 14 to 16, 19, 22 and 23 May and the panel convened privately on 20 and 21 May by way of a virtual hearing, to consider the case of Mr Mustafa Ali Mukardam Musa and another teacher in this joint hearing.

The panel members were Ms Aruna Sharma (teacher panellist - in the chair), Miss Louisa Munton (teacher panellist), and Mr Paul Hawkins (lay panellist).

The legal adviser to the panel was Mr Priyesh Dave of Eversheds Sutherland (International) LLP Solicitors.

The presenting officer for the TRA was Miss Charlotte Watts of Browne Jacobson solicitors.

Mr Mustafa Ali Mukardam Musa was not present but was represented by Mr Jonathan Storey of Cornwall Street Barristers.

The hearing took place in public and was recorded.

Allegations

The panel considered the allegations set out in the notice of proceedings dated 12 December 2024.

It was alleged that Mr Mustafa Ali Mukardam Musa was guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute, in that whilst employed as a Principal of Darul Uloom London until 16 June 2018 Mr Mustafa Ali Mukardam Musa:

1. Failed to safeguard one or more pupils at the school adequately or at all in that:
 - a. following Staff Member A being arrested and investigated for sexual assault on a minor in February 2015, for which he was subsequently charged in July 2015 Mr Musa:
 - i. failed to inform the LADO;
 - ii. failed to suspend Staff Member A;
 - iii. failed to manage Staff Member A's continued employment at the school;
 - iv. failed to ensure that Staff Member A did not have unsupervised access to pupils in the school;
 - v. failed to notify the Disclosure and Barring Service;
 - b. following the report of an incident of sexual abuse perpetrated by a pupil in the school's boarding provision in or around September 2016 Mr Musa:
 - i. failed to inform the LADO;
 - ii. failed to review arrangements in the boarding provision;
 - iii. failed to offer support to the alleged victim;
 - iv. failed to investigate or manage and/or failed to record any investigation or management of the reported incident;
 - c. following an allegation in or around December 2016 that Staff Member B had sexually abused a minor Mr Musa:
 - i. failed to manage or risk assess and/or record any management or risk assessment of Staff Member B's continued employment at the school;
 - ii. failed to ensure that Staff Member B did not have unsupervised access to pupils in the school;

- iii. failed to notify the Disclosure and Barring Service;
 - iv. failed to account for the conflict of interest presented by the school's Designated Safeguarding Lead being the brother of the alleged perpetrator
- d. following an allegation that Staff Member D, [REDACTED], had received an indecent image in or around August 2017 Mr Musa:
- i. failed to risk assess or manage Staff Member D's continued employment at the school;
 - ii. failed to risk assess or manage Staff Member D notwithstanding LADO advice to the contrary;
 - iii. failed to suspend Staff Member D;
 - iv. failed to ensure that Staff Member D did not have unsupervised access to pupils;
 - v. permitted Staff Member E, [REDACTED], to act as Designated Safeguarding Lead in respect of Staff Member D's alleged conduct notwithstanding that they were [REDACTED];
- e. failed to provide support to a pupil in or around November 2017 following a report that they had been bullied at school;
2. When asked during a Department for Education Emergency Monitoring Inspection in March 2017 whether there had been any safeguarding incidents at the school since the last inspection:
- a. initially indicated that there had been none when in fact one or more safeguarding incidents had occurred as detailed at allegations 1(a) and/or 1(b) and/or 1(c) and/or 1(d);
 - b. failed to disclose the safeguarding incidents as detailed at allegations 1(b) and/or 1(c) and/or 1(d) until Mr Musa was asked several times and/or were informed that inspectors had already consulted the LADO as to safeguarding incidents;
 - c. failed to disclose the safeguarding incidents as detailed at allegation 1(a) at all;
3. Mr Musa's conduct as may be found proven at Allegation 2 was dishonest and/or lacked integrity.

The teacher's representative confirmed Mr Musa's non-admission of facts and non-admission of unacceptable professional conduct and/or conduct that may bring the profession into disrepute.

Summary of evidence

Documents

In advance of the hearing, the panel received a bundle of documents which was split amongst Mr Musa and the other teacher as part of this joint hearing. Mr Musa's element of the bundle included:

Section 1: Notice of proceedings and response – pages 7 to 15

Section 2: TRA documents – pages 16 to 40

Section 3: Teacher documents – pages 41 to 57

Section 7: TRA witness statements – pages 143 to 526

Section 8: TRA documents – pages 527 to 533

In addition, the panel agreed to accept the following:

the Teachers' Bundle and retains its internal numbering from pages 1 to 263

Disclosure and Barring Service letter dated 14 June 2017 inserted into the Teachers' bundle at page 264

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.

In the consideration of this case, the panel had regard to the document Teacher misconduct: Disciplinary procedures for the teaching profession 2018, (the "Procedures").

Witnesses

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

Witness A – [REDACTED] employed by Bromley County Council

Witness B – [REDACTED] at Office for Standards in Education, Children's Services and Skills

Witness C – [REDACTED] at Department for Education

Mr Musa called the following witnesses:

Witness D – character witness for Mr Musa

Witness E – character witness for Mr Musa

Witness F – character witness for Mr Musa

Witness G – character witness for Mr Musa

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 Musa was employed by Darul-Uloom School (“the School”) from 1988 to 2018 as principal. During this time, allegations were made concerning the School’s failures in safeguarding. Mr Musa was involved with the Local Authority Designated Officer (“LADO”) and Ofsted in relation to a number of incidents from February 2015 onwards. As part of an agreement between the School and the Department for Education, Mr Musa was removed as a trustee of the School, ceased to be the principal, and ended all involvement with the School.

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:

Whilst employed as a Principal of Darul Uloom London until 16 June 2018 you:

1. Failed to safeguard one or more pupils at the school adequately or at all in that:

b. following the report of an incident of sexual abuse perpetrated by a pupil in the school's boarding provision in or around September 2016 you:

ii. failed to review arrangements in the boarding provision;

In reaching its decision, the panel took account of the legal advisor’s advice regarding the historical nature of the allegations and the reliability of memory as evidence. The panel had at its forefront the time between each separate alleged incident and this hearing. It considered the judgment in *Gestmin SGPS S.A. v Credit Suisse (UK) Limited*, *Credit Suisse Securities (Europe) Limited* and the broader comments on memories, how memories can be unreliable, the impact on memory caused by the preparation of witness statements and preparing for a hearing. The panel had regard to the court’s observations to place a greater reliance on documentary evidence and known or probable facts. Where documentary evidence was not available, the panel exercised significant caution in assessing witness credibility.

Mr Musa denied this allegation.

This was an incident between two boys who were [REDACTED]. The police were made aware of the incident in January 2017, at which time Mr Musa alleged that the School had also been informed.

The panel reviewed Keeping Children Safe in Education 2016 (“KCSIE”) as part of its consideration of this allegation. The panel concluded that there was an obligation on the School and Mr Musa, as outlined in the guidance: *“Safeguarding and promoting the welfare of children is defined for the purposes of this guidance as: protecting children from maltreatment...and taking action to enable all children to have the best outcomes.”* (paragraph 4), *“Children includes everyone under the age of 18.”* (paragraph 5), *“All school and college staff have a responsibility to provide a safe environment in which children can learn.”* (paragraph 7).

KCSIE also made clear what constitutes abuse and sexual abuse, including that such abuse can be committed by other children. The guidance emphasised that the responsibility for child protection rested with the School, and specifically with the proprietor. The School’s trust was the proprietor of the School of which Mr Musa was a trustee. As a trustee, the panel concluded that Mr Musa did have an obligation and duty to safeguard pupils.

In his response to the allegations, dated November 2020, Mr Musa stated:

“...Mr Musa believes that there was no need to review the arrangements in provision of boarding the pupils. The boarding of the pupils is in age groups not with different age groups boarding with each other in the same dormitories [sic].”

In his witness statement, Mr Musa stated that:

“While we took the matter seriously when informed by the police and reflected carefully on what had taken place, as we would with any safeguarding concern, there was no clear or identifiable flaw in the boarding arrangements that contributed to the event.”

“We did not take the incident lightly, but we believed that the existing provision remained appropriate and proportionate to the risks.”

There was no evidence provided within the bundle that a review had been completed, or what the reflection amounted to. There was also no evidence of analysis or consideration.

The panel had regard to Mr Musa’s witness statement as hearsay evidence. It concluded that it was fair to admit the evidence, as it formed part of Mr Musa’s defence and

response to the allegations. Mr Musa did not attend the hearing and give oral evidence. However, the panel attributed less weight to it than to any oral evidence it heard.

The panel considered that a review of the provision could have led to changes that might have prevented similar incidents in the future and confirm that all reasonable processes and accommodations were in place to safeguard children.

Therefore, the panel concluded that there was no evidence of a review. It found that this constituted a failure of Mr Musa's duty. This amounted to a failure to safeguard one or more pupils, and the allegation was found proven.

iii. failed to offer support to the alleged victim;

Mr Musa denied this allegation.

In his witness statement, Mr Musa stated that:

"During the meeting with police on 19 January 2017 the possibility of counselling and support was discussed, and the school expressed it was willing and prepared to provide support to the pupil. But he never came back, so the school was unable to offer support as the pupil had left the school's care."

"From my recollection, both pupils involved in the incident [REDACTED]."

"The other pupil, whom I understand to be the alleged victim, [REDACTED]."

"In hindsight, it is important to note that the school did not receive any indication or concern from the pupil or his parents that might have prompted further support or a safeguarding referral at the time of the incident. During the meeting with the police, both the school and police indicated that they were here in support of the victim by way of counselling or other appropriate means. As I have always insisted on zero tolerance for bullying, let alone cases of sexual assault."

"However, as an independent school without full network of pastoral and follow-up services available to maintained-sector school institution, our capacity to initiate continued support once a pupil has formally left our care was inherently constrained. That said, I accept that a proactive email check-in with the parents could have been considered by the DSL as good practice..."

The panel reviewed the contents of the bundle. The School's 'Countering Bullying Policy' stated, under the heading "Intervention – Support for pupils who are bullied," the following:

"In all cases schools have a responsibility to support children who are bullied and make appropriate provision for a child's needs. The nature and level of support will depend on the individual circumstances and the level of need. These can include

a quiet word from a teacher that knows the pupil well, asking the pastoral team to provide support, providing fo4r4rmal [sic] counselling, engaging with parents, referring to local authority children's services, completing a Common Assessment Framework or referring to Child and Adolescent Mental Health Services (CAMHS)."

KCSIE also stated, at paragraph 78, that: *"It should be clear as to how victims of peer on peer abuse will be supported."*

The panel found that, even if the School had limited capacity for pastoral and follow-up services, the Countering Bullying Policy referred to third-party support to which a referral could have been made. There was no evidence that such support was offered to the pupil. The panel noted that Mr Musa, in hindsight, accepted that more could have been done.

The panel found that there was a duty on Mr Musa to support the victim, and that he failed in this duty. Therefore, this amounted to a failure to safeguard one or more pupils, and the allegation was found proven.

iv. failed to investigate or manage and/or failed to record any investigation or management of the reported incident;

Mr Musa denied this allegation.

Mr Musa in his witness statement states:

"A claim that there was no documentation or investigation relating to this incident is not substantiated by evidence. An investigation was opened and internally documented at the time. To the best of my knowledge, a complete file concerning this matter was prepared and is available in the bundle now submitted as part of these proceedings. Please see the file of Individual H and Individual I."

The panel reviewed documentation relating to the 'safeguarding allegation'. The document provided was a table outlining actions taken by the School. In the absence of any further documentation regarding this incident, the panel determined that this document did not constitute an investigation; rather, it was a chronology of actions.

The panel reiterated the references to KCSIE noted above. In order to meet Mr Musa's obligations under KCSIE, the panel considered that an investigation would reasonably have been required. The panel therefore found that Mr Musa had a duty to investigate, which he failed to fulfil.

This failure amounted to a failure to safeguard one or more pupils, and the allegation was found proven.

c. following an allegation in or around December 2016 that Staff Member B had sexually abused a minor you:

i. failed to manage or risk assess and/or record any management or risk assessment of Staff Member B's continued employment at the school;

Mr Musa denied this allegation.

Witness B, in his witness statement, stated that the allegation concerned abuse *“reported by an adult female who alleged that when she [REDACTED]”*

A strategy meeting was held between the police, the LADO, and the School, during which it was agreed that Staff Member B could continue to work at the School, provided that he did not have unsupervised access to children.

Witness B, in his witness statement, stated that during a visit to the School, he asked how this arrangement was being managed. However, there were no records of how it was monitored, no record of any discussion with Staff Member B, and no record of any risk assessment.

Witness B further stated that, when this was put to Mr Musa, he responded that it *“didn’t relate to anything that happened at the school”*.

Mr Musa stated in his witness statement that *“As part of that process, a safeguarding risk assessment was undertaken.”* However, there was no evidence within the bundle that such an assessment had taken place, nor was any risk assessment document provided. There was also no evidence that the School, or Mr Musa, had taken steps to manage Staff Member B’s continued employment at the School.

The panel reiterates the KCSIE guidance noted above. In order to meet Mr Musa’s obligations under KCSIE, a risk assessment would reasonably have been required, particularly as it formed part of the agreement permitting Staff Member B to continue teaching at the School.

The panel therefore found that Mr Musa had a duty to manage or conduct a risk assessment in relation to Staff Member B, which he failed to perform. This amounted to a failure to safeguard one or more pupils, and the allegation was found proven.

ii. failed to ensure that Staff Member B did not have unsupervised access to pupils in the school;

Mr Musa denied this allegation.

Mr Musa in his witness statement stated that:

“In response to the suggestion that the staff member was allowed to work unsupervised, I must respectfully disagree. The school is equipped with comprehensive CCTV monitoring across classrooms and shared spaces. Additionally, the teacher taught in classrooms that were regularly and continuously visited by senior staff, and we maintained our normal supervision arrangements. At no point was he left in a position of unsupervised access.”

Based on Mr Musa’s own account, as above, although there was CCTV monitoring in place, the panel did not consider that this amounted to supervision. Similarly, while Staff Member B’s class was visited regularly, the panel considered that “regularly and continuously” was not equivalent to constant supervision. On Mr Musa’s description, there would have been times when Staff Member B was teaching without supervision.

The panel reiterated the references to KCSIE noted above. In order to meet Mr Musa’s obligations under KCSIE, constant supervision would reasonably have been required, particularly in light of the agreement that a risk assessment should have been conducted and the serious nature of the allegations made against Staff Member B.

The panel therefore found that Mr Musa had a duty to ensure that Staff Member B did not have unsupervised access to pupils. His failure to do so amounted to a failure to safeguard one or more pupils, and the allegation was found proven.

iii. failed to notify the Disclosure and Barring Service;

Mr Musa denied this allegation.

Witness B, in his witness statement, stated that a Disclosure and Barring Service (DBS) referral was not made in relation to Staff Member B.

Mr Musa, in his statement, stated the following:

“With respect to the issue of a DBS referral, I must acknowledge that, in hindsight, there may have been a misunderstanding regarding whether, and even if, such a referral was necessary given the fact that the police and LADO were aware. It may have been the assumption at the time that, since the individual had passed all statutory check such as DBS and others he was permitted to work, no further notification was required. If this approach fell short of the expectations that later developed under statutory guidance, I recognise that it may be considered a procedural oversight for which as Principal at the time I ultimately accept responsibility.”

The panel noted that Mr Musa accepted responsibility for the failure to notify the DBS. Therefore, the panel found this allegation proven.

2. When asked during a Department for Education Emergency Monitoring Inspection in March 2017 whether there had been any safeguarding incidents at the school since the last inspection:

- a. initially indicated that there had been none when in fact one or more safeguarding incidents had occurred as detailed at allegations 1(a) and/or 1(b) and/or 1(c) and/or 1(d);**
- b. failed to disclose the safeguarding incidents as detailed at allegations 1(b) and/or 1(c) and/or 1(d) until you was asked several times and/or were informed that inspectors had already consulted the LADO as to safeguarding incidents;**
- c. failed to disclose the safeguarding incidents as detailed at allegation 1(a) at all;**

Mr Musa denied these allegations.

The incident set out in allegation 1(d) occurred in August 2017 and therefore fell outside the timeframe of allegation 2. As such, allegation 1(d) was not considered as part of allegation 2.

Witness B gave evidence on this matter. He described how he had previously spoken with the LADO and was able to identify three safeguarding incidents. During an Ofsted meeting at the School in March 2017, Witness B asked Mr Musa whether there had been any such incidents. Mr Musa initially responded that there had not. When Witness B repeated the question, using phrases such as “are you sure?”, Mr Musa again denied any incidents. It was only after Witness B stated that he had spoken with the LADO that Mr Musa acknowledged the existence of safeguarding incidents.

Witness B stated in his evidence that he had given Mr Musa the opportunity to be open with Ofsted and expressed surprise that Mr Musa had not recalled the safeguarding incidents.

In his witness statement, Witness B identified the three incidents outlined by the LADO: the first involved a student alleging that he had been spoken to in an emotionally abusive manner; the second corresponded to the incident in allegation 1(b); and the third related to the incident in allegation 1(c). The panel determined from Witness B’s statement and oral evidence as well as Mr Musa’s witness statement that the incidents disclosed by Mr Musa were those set out within allegations 1(b) and 1(c).

Mr Musa in his witness statement stated:

“I respectfully disagree with the assertion that I, Mustafa Musa, indicated there had been no safeguarding incidents during the relevant inspection period.

This characterisation is inaccurate and does not reflect the actual events of the discussions or the documented evidence.

At the time of inspection, our focus was on disclosing any safeguarding issues that were currently active, formally documented, or had reached the school through official channels. It was never our intention to conceal any matter — rather, we were navigating internal safeguarding systems that, as later shown, required structural improvement in how incidents were logged and escalated.”

“Overall, I maintain that the school was not evasive, nor did I require “pressing” to disclose information that we believed to be relevant under the safeguarding remit of the inspection.”

Regarding the incident at allegation 1(a), Mr Musa stated:

“I politely reject that I indicated that Incident 1(a) has not been during the March 2017 inspection. However, I accept that the case concerning Individual M had potentially not been raised in March 2017 inspection meeting. If so, this was a genuine mistake and oversight, not an attempt to conceal or mislead.”

“I wish to clarify that my responses during the March 2017 inspection were based on my honest recollection and understanding at the time. If the matter of Individual M was not mentioned, it was not a deliberate omission but a result of unclear or inconsistent internal logging procedures, which were later addressed. As confirmed by Ofsted’s own leadership (p.214), there was no suggestion that the omission was intentional”

Regarding the incident at allegation 1(b), Mr Musa stated:

“This was raised during the meeting in March 2017 and was not concealed in any way. The DSL at the time had already made the necessary referral to LADO and MASH. The matter had police involvement, and a meeting had taken place where the allegations were brought to light. Given that it had already entered external safeguarding processes, there was no benefit or reason to withhold the matter from inspectors - and we did not.”

Regarding the incident at allegation 1(c), Mr Musa stated:

“This relates to a staff member who was the subject of a historical, unsubstantiated allegation. The individual had undergone all proper vetting and preemployment checks, and both police and local authority confirmed there were no legal or safeguarding restrictions in place. Given that it had already entered external safeguarding processes, there was no benefit or reason to withhold the matter from inspectors. Which we did not. Even Witness B himself, in his March 2017 inspection report (p.174), acknowledges that the teacher’s employment had

been permitted by the relevant authorities. In a meeting during the March 2017 inspection myself and the Individual N discussed this case openly and in detail with the inspectors.”

The panel found Witness B to be a credible witness. His account remained consistent, and he clearly distinguished between what he had witnessed first-hand and what had been reported to him.

The panel had questioned Witness B regarding the process undertaken before an Ofsted inspection report is published. He confirmed that draft reports are sent to schools who can challenge any factual inaccuracies. The panel had sight of the 1 March 2017 Ofsted report for the school and noted the following:

“Leaders have not ensured that the record-keeping of safeguarding concerns are rigorous enough to assure the safety of pupils. For example, despite several requests from inspectors, leaders were unable to produce a central log of safeguarding incidents. Recording in relation to incidents is poor. This places pupils at risk of harm.”

The panel did not see any evidence that the School had challenged this part of the report.

The panel had regard to the 1 March 2017 Ofsted report as hearsay evidence. It concluded that it was fair to admit the evidence, as it formed part of a contemporaneous report of the School in 2017. The panel noted that part of the report was written by Witness B who did give oral evidence. The panel attributed appropriate weight to the report.

The panel found allegation 2(a) proven with respect to allegations 1(a), 1(b) and 1(c).

The panel found allegation 2(b) proven with respect to allegations 1(b) and 1(c).

The panel found allegation 2(c) proven.

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

The panel had regard to the legal adviser’s advice when considering the allegation of dishonesty. It recognised that the assessment involved a two-stage test. First, the panel was required to ascertain, subjectively, Mr Musa’s actual state of knowledge or belief as to the facts. Second, it had to determine whether Mr Musa’s state of mind was honest or dishonest by applying the objective standards of the ordinary honest person.

The panel considered the case of *Wingate & Anor v The Solicitors Regulation Authority* in respect of integrity and the case of *Ivey v Genting Casinos (UK) Ltd t/a Crockford* in respect of dishonesty. The panel was mindful of the legal advice it received, including

that the concepts of dishonesty and integrity are separate and distinct. It noted that integrity is a broader and more nebulous concept than honesty, and that it is not possible to formulate a comprehensive, all-purpose definition of integrity.

The panel found allegation 2 to be proven.

Mr Musa denied this allegation.

The panel first turned its mind to the actual state of Mr Musa's knowledge or belief as to the facts. From Mr Musa's witness statement, it was evident that he was aware of the incidents referred to in allegations 1(a), 1(b), and 1(c). The panel noted the nature of the prompting required from Witness B before Mr Musa disclosed the safeguarding concerns. Witness B stated that he was concerned about Mr Musa's lack of transparency and failure to recognise the seriousness of the safeguarding issues. The panel also noted that actions had been taken in some of the incidents, indicating that Mr Musa had given them some consideration. Accordingly, the panel concluded that Mr Musa was aware of the incidents at the time of his discussion with Witness B in March 2017.

In weighing the evidence, the panel found that Mr Musa only disclosed the safeguarding concerns after being informed that Witness B had spoken with the LADO. The panel concluded that Mr Musa was subjectively dishonest.

The panel then considered the objective standard of the ordinary honest person. It was satisfied that an ordinary honest person would find Mr Musa's actions as dishonest.

The panel noted that acting with integrity connotes adherence to the ethical standards of one's own profession that involves more than mere honesty. The panel considered that it was an important tenet of the profession that teachers act with honesty, and that Mr Musa's failure to do so in this case undermined the School's relationship with Ofsted and could impact the content of Ofsted's reports which it has a statutory duty to produce. The panel found that Mr Musa's actions in failing to declare the safeguarding incidents at the first instance during the Ofsted inspection, lacked integrity.

The panel therefore found this allegation proven.

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

1. Failed to safeguard one or more pupils at the school adequately or at all in that:

a. following Staff Member A being arrested and investigated for sexual assault on a minor in February 2015, for which he was subsequently charged in July 2015 you: -

i. failed to inform the LADO;

- ii. failed to suspend Staff Member A;**
- iii. failed to manage Staff Member A's continued employment at the school;**
- iv. failed to ensure that Staff Member A did not have unsupervised access to pupils in the school;**
- v. failed to notify the Disclosure and Barring Service;**

Mr Musa denied these allegations.

The panel noted from the bundle that, according to Witness B's statement, the incident involving Staff Member A was reported by the parent of the child to the police in February 2015. This led to Staff Member A's arrest in the same month and subsequent charging in July 2015. The parent stated that they had reported the matter to the School in February 2015. However, in Mr Musa's witness statement he states that this either did not occur or was done anonymously in a manner that did not provide the School with sufficient information to act upon.

There was no evidence that the police or the LADO informed the School of Staff Member A's arrest or charge. It was only upon the School becoming aware of a news article about Staff Member A's arrest in February 2016 that the matter was raised with the LADO, questioning why the School had not been informed earlier. Following this, a risk assessment was carried out on 9 February 2016.

There was no evidence to suggest that the School knew about Staff Member A's arrest in 2015, aside from the parent's communication, the content of which remains unclear. There was also no evidence that the police or the LADO informed the School at that time.

Mr Musa made a referral to the DBS on 9 June 2017 in relation to Staff Member A, which was acknowledged on 14 June 2017.

The panel considered that, once the police or the LADO were aware of the arrest or charges against Staff Member A, it would have been reasonable to expect them to inform the School. It was not reasonable to assume that Staff Member A would have disclosed this information himself, nor that the parent's disclosure, given the uncertainty around its content, was sufficient to trigger action by the School.

It is on this basis that the panel finds these allegations not proven.

b. following the report of an incident of sexual abuse perpetrated by a pupil in the school's boarding provision in or around September 2016 you:

- i. failed to inform the LADO;**

Mr Musa denied this allegation.

This was an incident between two boys who were a year apart. The police were made aware of the incident in January 2017 at which time, Mr Musa stated in his witness statement that the School was made aware. The School's DSL contacted the LADO but was informed that as there was no staff member involvement that the matter should be referred to MASH (Multi-Agency Safeguarding Hub). The panel saw emails to this effect from the School to Witness A. The panel therefore found that there was sufficient evidence that the School did inform the LADO and this allegation is not proven.

c. following an allegation in or around December 2016 that Staff Member B had sexually abused a minor you:

iv. failed to account for the conflict of interest presented by the school's Designated Safeguarding Lead being the brother of the alleged perpetrator

Mr Musa denied this allegation.

The panel noted from the 'Evidence Forms' from Ofsted that there was the following comment:

"In practice the principle [sic] of the school led on communication with the LADO and she reported that he took care not to place confidential e-mails in a place that the DSL could access."

From this evidence, the panel concluded that Mr Musa did account for the conflict of interest by ensuring that emails were not placed where the DSL could have access.

On this basis, the panel has found this allegation not proven.

d. following an allegation that Staff Member D, [REDACTED], had received an indecent image in or around August 2017 you:

- i. failed to risk assess or manage Staff Member D's continued employment at the school;**
- ii. failed to risk assess or manage Staff Member D notwithstanding LADO advice to the contrary;**
- iii. failed to suspend Staff Member D;**
- iv. failed to ensure that Staff Member D did not have unsupervised access to pupils;**
- v. permitted Staff Member E, who was also [REDACTED], to act as Designated Safeguarding Lead in respect of Staff Member D's alleged conduct notwithstanding that they were [REDACTED];**

Mr Musa denied these allegations.

In this incident, an indecent image was uploaded from the School's IP address. The police contacted the School and Staff Member E. Staff Member E was asked to ascertain whether a specific email address was known to him or others at the School. The email address was similar to the email address of Staff Member D, however it had a different domain name.

Staff Member D was interviewed under caution by the police.

The panel first considered the stem of allegation 1d. The panel considered whether there was an allegation against Staff Member D. The panel appreciated that Staff Member D was interviewed by the police but there is no further information as to the evidence that the police may have had, or the reasons for an interview under caution. The panel concluded that there was no formal or informal allegation against Staff Member D.

Therefore the stem of this allegation is found not proven.

e. failed to provide support to a pupil in or around November 2017 following a report that they had been bullied at school;

Mr Musa denied this allegation.

The panel saw evidence of a complaint via an Ofsted document that a pupil was bullied in the School by older children. That document does not allege that the School did not provide support the pupil. Nor is there further evidence within the bundle of this failure.

On this basis, the panel has found this allegation not proven.

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

Having found a number of 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 first considered whether the conduct of Mr Musa, in relation to the facts found proved, involved breaches of the Teachers' Standards. The panel took note of the Teachers' Standards and in particular that the preamble states that teachers "act with honesty and integrity".

The panel considered that, by reference to Part 2, Mr Musa was in breach of the following standards:

- Teachers uphold public trust in the profession and maintain high standards of ethics and behaviour, within and outside school, by
 - having regard for the need to safeguard pupils' well-being, in accordance with statutory provisions
- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach,
- Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities.

The panel was satisfied that the conduct of Mr Musa, in relation to the facts found proved in allegation 1(c), involved breaches of Keeping Children Safe In Education 2016 ("KCSIE").

The panel considered that Mr Musa was in breach of the following provisions:

4. Safeguarding and promoting the welfare of children is defined for the purposes of this guidance as: protecting children from maltreatment; preventing impairment of children's health or development; ensuring that children grow up in circumstances consistent with the provision of safe and effective care; and taking action to enable all children to have the best outcomes.

7. All school and college staff have a responsibility to provide a safe environment in which children can learn.

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

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 found that the offence of serious dishonesty was relevant.

For these reasons, the panel was satisfied that the conduct of Mr Musa amounted to misconduct of a serious nature which fell significantly short of the standards expected of the profession.

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

In relation to whether Mr Musa's actions amounted to conduct that may bring the profession into disrepute, the panel took into account the way the teaching profession is viewed by others. It 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.

In considering the issue of disrepute, the panel also considered whether Mr Musa's conduct displayed behaviours associated with any of the offences in the list that begins on page 12 of the Advice.

As set out above in the panel's findings as to whether Mr Musa was guilty of unacceptable professional conduct, the panel found that the offence of serious dishonesty was relevant.

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

For these reasons, the panel found that Mr Musa'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 should be made, the panel had to consider whether it would be an appropriate and proportionate measure, and whether it would be in the public interest to do so. Prohibition orders should not be given in order to be punitive, or to show that blame has been apportioned, although they are likely to have punitive effect.

The panel had regard to the particular public interest considerations set out in the Advice and, having done so, found a number of them to be relevant in this case, namely:

- the safeguarding and wellbeing of pupils and the protection of other members of the public
- the maintenance of public confidence in the profession
- declaring and upholding proper standards of conduct.

In the light of the panel's findings against Mr Musa, as stated above, there was a strong public interest consideration in respect of the safeguarding and wellbeing of pupils, given the findings of a lack of appropriate safeguarding actions and the lack of review of procedures following incidents in the School.

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

In addition to the public interest considerations set out above, the panel went on to consider whether there was a public interest in retaining Mr Musa in the profession.

Whilst there is evidence that Mr Musa had ability as an educator, setting up and running a school, the panel considered that the adverse public interest considerations above outweigh any interest in retaining Mr Musa 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.

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

The panel took further account of the Advice, which suggests that a prohibition order may be appropriate if certain behaviours of a teacher have been proved. In the list of such behaviours, those that were relevant in this case were:

- serious departure from the personal and professional conduct elements of the Teachers' Standards;
- misconduct seriously affecting the education and/or safeguarding and well-being of pupils, and particularly where there is a continuing risk;
- dishonesty or a lack of integrity, including the deliberate concealment of their actions....

Even though some of the behaviour found proved in this case indicated that a prohibition order would be appropriate, the panel went on to consider the mitigating factors. Mitigating factors may indicate that a prohibition order would not be appropriate or proportionate.

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

There was no evidence to suggest that Mr Musa was acting under extreme duress, e.g. a physical threat or significant intimidation.

Mr Musa did have a previously good history, the panel noted the significant contribution Mr Musa made to the education sector by starting the School which will have educated thousands of pupils successfully. The panel was able to hear during witness evidence how some of those pupils have become successful in their own right, in part due to their time at the School. Mr Musa's witness statement stated: *"Our academic achievements, particularly in GCSE results, reflect that we consistently performed above the national average."* The panel concluded that Mr Musa demonstrated high standards in both his personal and professional conduct but that this did not amount to being 'exceptional'.

The panel considered the good character evidence provided within the bundle. The panel noted six witness statements on behalf of Mr Musa. The four witnesses who gave evidence on Mr Musa's behalf were Witnesses D, E, F and G. Witnesses D, E, and F stated in oral evidence that they knew of the allegations against Mr Musa.

The panel noted the content of the witness statements and that these were from students of Mr Musa and a family member. The statements referenced that Mr Musa was a good teacher, a community leader and had a good relationship with the pupils in the school.

Statements include:

From Individual C: *"This institution played a profound role in shaping my character and future — and at the heart of that experience was Mr. Musa, who served not only as a teacher but as a mentor and Headteacher throughout my time there."*

"For many of us, Darul Uloom was exactly that — and Mr. Musa was the steady, guiding figure who provided structure, encouragement, and personal growth. His presence was felt in every corner of our lives, far beyond the classroom."

"Mr. Musa was a respected and deeply influential figure. He instilled discipline not through fear, but through fairness, consistency, and sincere care for our well-being."

From Witness E: *"Mr. Musa was a strong yet compassionate leader. He was known for his discipline and firm commitment to structure — but even more so for his care, fairness, and deep concern for our wellbeing. He made sure that every student understood the importance of safeguarding, personal responsibility, and the value of being part of a safe and respectful environment. He didn't just talk about these things — he embodied them. And if ever someone had a problem or needed to speak, his door was always open."*

"Mr. Musa is not just my former Principal — he is someone I deeply admire. He is a man of character, sincerity, and integrity. I've never known him to act with anything but honesty, and the suggestion that he would cover up wrongdoing simply doesn't align with the man I, and so many others, know."

From Witness D: *"He consistently worked to maintain a safe and respectful school environment. He reminded both staff and students of the importance of looking out for*

one another, and he actively fostered a culture of responsibility and support. I always found him approachable and responsive – if a student raised a concern, it was dealt with promptly and with genuine consideration.”

“I can personally attest to the kind of man Mr. Musa is, because he supported me at a time when my family was struggling financially. We were unable to pay the full school fees, and Mr. Musa, recognising the situation, took it upon himself to speak with the trustees. He convinced them to subsidise my fees to ease the burden on my parents and ensure I could complete my education. I owe him a great deal for that act of kindness and advocacy – it’s something I’ve never forgotten.”

From Witness F: *“Mr. Musa is a steady, principled leader who cares deeply about the school, its students, and its mission. He maintained high standards of discipline, punctuality, and personal accountability – values that shaped us far beyond the classroom. Many of those traits became foundational in my journey to becoming a healthcare professional, and I often think back to how his consistency and care helped instil that mind-set in me and allows me to pass this on to my students.”*

“I hold great respect and admiration for Mr. Musa and the institution he helped establish.”

From Individual D: *“To this day, I carry with me the lessons and values I learned under his leadership. He looked after his students like a shepherd with his flock: with firmness when needed, but also with patience, understanding, and genuine concern for our wellbeing. Whether it was an academic struggle or a personal issue, his door was open, and you always felt heard.”*

From Witness G: *“As his [REDACTED], I grew up watching him give everything to his work and the school he established. His students were never just names on a register – they were people he genuinely cared about and protected. He often put their needs before his own, whether that meant rising early to turn the dormitory hearing or stepping in to support students going through difficult times. His dedication wasn’t performative – it was simply who he was, day in and day out.”*

The panel considered the level of insight and remorse that Mr Musa demonstrated. Although the panel did not hear oral evidence from Mr Musa, his witness statement made the following comments:

Paragraph 2: *“Where errors or omissions occurred, I accept them and take full responsibility in my former capacity as Principal.”*

Paragraph 29: *“I am not here to claim that I never made mistakes or that I was flawless in my role. Certainly, there were times when errors occurred, but whenever issues were brought to my attention, or I became aware of them, we acted swiftly to rectify them.”*

Paragraph 31: *"I accept that some of the matters examined during these proceedings relate to procedural errors or managerial oversights, particularly regarding safeguarding referrals and documentation, and I have been open in acknowledging where, in hindsight, things could and should have been handled more rigorously."*

Paragraph 35: *"I have always acknowledged administrative shortcomings, and I have taken responsibility for areas where leadership oversight fell short of current expectations."*

The panel considered that Mr Musa had a high level of insight into the period of time following the allegations which limits, in the panel's opinion, the chance of actions being repeated.

The panel also had in mind that the referral was made to the TRA in 2018 and the hearing took place in 2025.

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 the publication of adverse findings would unacceptably compromise the public interest considerations present in this case, despite the severity of the consequences for Mr Musa 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 Musa. The dishonesty and the nature of the failure to deal with the safeguarding incidents was a significant factor in forming that opinion. Accordingly, the panel made a recommendation to the Secretary of State that a prohibition order should be imposed with immediate effect.

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

The Advice indicates that there are certain types of case where, if relevant, the public interest will have greater relevance and weigh in favour of not offering a review period.

None of the listed characteristics were engaged by the panel's findings.

The Advice also indicates that there are certain other types of cases 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 includes:

- fraud or serious dishonesty.

The panel found that Mr Musa was dishonest in relation to his interactions with Ofsted regarding the non-disclosure of safeguarding incidents at the School until further prompted. The panel found that this dishonesty potentially impacted Ofsted from accurately completing their statutory obligations.

The panel noted that these lists are not intended to be exhaustive and panel has considered the case on its individual merits taking into account all the circumstances involved.

The panel took into account the issue of mitigation. The level of insight was considered by the panel as genuine which, as stated above, limits the risk of the actions being repeated.

The panel decided that the findings indicated a situation in which a review period would be appropriate and, as such, decided that it would be proportionate, in all the circumstances, for the prohibition order to be recommended with provisions for a review period. As such, the panel decided that it would be proportionate for the prohibition order to be recommended with provision for a review period after 3 years.

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 Mustafa Ali Mukardam Musa should be the subject of a prohibition order, with a review period of three years.

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

- Teachers uphold public trust in the profession and maintain high standards of ethics and behaviour, within and outside school, by
 - having regard for the need to safeguard pupils' well-being, in accordance with statutory provisions
- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach,
- Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities.

The panel was satisfied that the conduct of Mr Musa involved breaches of the responsibilities and duties set out in statutory guidance 'Keeping children safe in education'.

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

The findings of misconduct are serious as they include a School Principal failing to follow proper safeguarding procedures as well as behaving in a way which was dishonest and lacked integrity.

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

"In the light of the panel's findings against Mr Musa, as stated above, there was a strong public interest consideration in respect of the safeguarding and wellbeing of pupils, given the findings of a lack of appropriate safeguarding actions and the lack of review of procedures following incidents in the School."

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 considered that Mr Musa had a high level of insight into the period of time following the allegations which limits, in the panel's opinion, the chance of actions being repeated."

Given this evidence of insight I agree with the panel that the risk of repetition, and consequently any future risk to the wellbeing of pupils, is limited. 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 records the following:

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

I am particularly mindful of the finding of dishonesty in this case and the negative impact that such a finding may have on the reputation of the profession.

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

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

I have also considered the impact of a prohibition order on Mr Musa himself. The panel records having had the benefit of extensive character evidence attesting to Mr Musa's commitment to education and to his pupils. It also records the following observation:

"Mr Musa did have a previously good history, the panel noted the significant contribution Mr Musa made to the education sector by starting the School which will have educated thousands of pupils successfully. The panel was able to hear during witness evidence how some of those pupils have become successful in their own right, in part due to their time at the School. Mr Musa's witness statement stated: *"Our academic achievements, particularly in GCSE results, reflect that we consistently performed above the national average."* The panel concluded that Mr Musa demonstrated high standards in both his personal and professional conduct but that this did not amount to being 'exceptional'.

A prohibition order would prevent Mr Musa 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 involved both breaches of proper safeguarding practice and behaviour that was dishonest.

I have given less weight in my consideration of sanction therefore, to the contribution that Mr Musa 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, 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 three year review period

I have considered the panel's concluding comments:

"The Advice also indicates that there are certain other types of cases 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 includes:

- fraud or serious dishonesty.

The panel found that Mr Musa was dishonest in relation to his interactions with Ofsted regarding the non-disclosure of safeguarding incidents at the School until further prompted. The panel found that this dishonesty potentially impacted Ofsted from accurately completing their statutory obligations.

The panel noted that these lists are not intended to be exhaustive and panel has considered the case on its individual merits taking into account all the circumstances involved.

The panel took into account the issue of mitigation. The level of insight was considered by the panel as genuine which, as stated above, limits the risk of the actions being repeated.

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

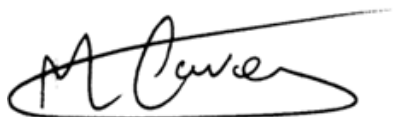
review period. As such, the panel decided that it would be proportionate for the prohibition order to be recommended with provision for a review period after 3 years.”

I have considered whether a three-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. While I agree with the panel that the misconduct found was undoubtedly serious, I have also placed weight on the high degree of insight demonstrated by Mr Musa, the very limited risk of repetition identified by the panel, his good history and the contribution he has made to the education sector.

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

This means that Mr Mustafa Ali Mukardam Musa 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 4 June 2027, two years from the date of this order at the earliest. This is not an automatic right to have the prohibition order removed. If he does apply, a panel will meet to consider whether the prohibition order should be set aside. Without a successful application, Mr Musa remains prohibited from teaching indefinitely.

Mr Musa has a right of appeal to 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 'M. Cavey', enclosed within a large, loopy oval stroke.

Decision maker: Marc Cavey

Date: 29 May 2025

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