



Teaching
Regulation
Agency

Mr Leishan Silva: Professional conduct panel outcome

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

July 2025

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

Teacher: Mr Leishan Silva

TRA reference: 23803

Date of determination: 11 July 2025

Former employer: Cognita Schools Limited, London

Introduction

A professional conduct panel (“the panel”) of the Teaching Regulation Agency (“the TRA”) convened on 11 July 2025 by way of a virtual meeting, to consider the case of Mr Leishan Silva.

The panel members were Jane Brothwood (lay panellist – in the chair), Samantha Haslam (teacher panellist) and Martin Coles (Former Teacher panellist).

The legal adviser to the panel was Jamila Bernard-Stevenson of Blake Morgan Solicitors.

In advance of the meeting, after taking into consideration the public interest and the interests of justice, the TRA agreed to a request from Mr Leishan Silva that the allegations be considered without a hearing. Mr Silva provided a signed statement of agreed facts and admitted unacceptable professional conduct and conduct that may bring the profession into disrepute. The panel considered the case at a meeting without the attendance of the presenting officer, Mr Silva or his representative Jamie Morris.

The meeting took place in private.

Allegations

The panel considered the allegation(s) set out in the notice of meeting dated 11 July 2025.

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

1. He did not maintain professional boundaries with colleagues in that:
2. On dates between 27 November 2018 and 21 December 2019:
 - a. He contacted Colleague A by social media;
 - b. He engaged in sexually explicit conversation with Colleague A.
3. On a date between September 2018 to July 2019 told Colleague A that:
 - a. She should wear a bikini: and
 - b. That you would like that.
4. On dates after December 2018:
 - a. He contacted Colleague B by social media;
 - b. He disclosed sexually explicit details to Colleague B;
 - c. He made comments about Colleague B's clothing;
 - d. He made comments about Colleague B's appearance;
 - e. He persistently invited Colleague B for drinks.
5. On dates between December 2022 and August 2023;
 - a. He contacted Colleague C by social media;
 - b. He made comments about Colleague C's appearance.
6. His conduct at allegations 2 and/or 3 and/or 4 and/or 5 above was sexually motivated.

Mr Silva admitted the facts of all the allegations.

Mr Silva also admitted that his actions amounted to unacceptable professional conduct and 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 included:

Section 1: Anonymised person list– page 3

Section 2: Notice of proceedings– pages 12a to 12b

Notice of referral form- pages 10 to 12

Section 3: Teaching Regulation Agency witness statements – pages 37 to 59

Section 4: Teaching Regulation Agency documents – pages 18 to 95

Section 5: Teacher documents – pages 96 to 104

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

Statement of agreed facts

The panel considered a statement of agreed facts which was signed by Mr Silva on 11 April 2025.

Decision and reasons

The panel announced its decision and reasons as follows:

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

In advance of the meeting the TRA agreed to a request from Mr Silva for the allegation to be considered without a hearing. The panel had the ability to direct that the case be considered at a hearing if required in the interests of justice or in the public interest. The panel did not determine that such a direction was necessary or appropriate in this case.

At the material time, Mr Silva was employed by Cognita Schools Limited as the Head of Year 8, Head of Digital Learning, and teacher of science. In this role he was based at Downsends School.

An internal investigation was conducted into complaints made by three members of staff (Colleagues A, B and C) that the Teacher had behaved inappropriately towards them during their employment. This inappropriate behaviour involved asking intrusive

questions, making unsolicited sexualised and/or flirtatious comments towards one or more of them via social media and/or in person.

The internal investigation culminated in a disciplinary hearing which was scheduled in order to consider the following allegation:-

Allegedly behaving inappropriately and offensively towards colleagues via social media including sexual content.

Following the disciplinary hearing, the decision was made to terminate Mr Silva's employment.

The Teacher made an appeal application in relation to this outcome. However, this was unsuccessful.

On 24 May 2024, the matter was referred to the TRA.

Findings of fact

The findings of fact are as follows:

The panel found the following particulars of the allegation(s) against you proved, for these reasons:

1. You did not maintain professional boundaries with colleagues in that:

The panel noted that the stem of allegation 2(a) to 5 (b) had been set out at 1.

The panel determined that the term 'professional boundaries' was to be given its ordinary meaning. However, the panel's interpretation of this term was also informed by Cognita Personal and Professional Boundaries policy at paragraph 3.3 which states that:-

3.3 A 'professional boundary' is defined as an effective and appropriate interaction between all employees, coworkers, and their customers/clients. The purpose of a boundary is to protect all parties.

The panel considered allegations 2 (a) to 5 (b) before going on to determine the stem of the allegation, namely whether the Teacher failed to maintain professional boundaries.

The panel determined that the behaviour specified in allegations 2 (a) to 5 (b) amounted to the failure to maintain professional boundaries for the following reasons:-

Mr Silva failed to develop effective professional relationship with Colleagues. (Teachers' standards 2011 updated 2013, part 1, section 8.)

Mr Silva failed to have proper and professional regard for the ethos, policies and practices of the school in which he taught. (Teachers' standards, part 2.)

Mr Silva failed to uphold public trust in the profession and maintain high standards of ethics and behaviour, within and outside school, by treating. .with dignity, building relationships rooted in mutual respect and at all times observing proper boundaries appropriate to a teacher's professional position (Teachers' standards, part 2.)

The panel noted that even though in the Teachers' standards, the latter standard pertained to treating 'pupils' with dignity, this standard ought to equally apply to a teacher's treatment of colleagues as this was a prerequisite for building relationships with colleagues which were based on mutual respect.

2. On dates between 27 November 2018 and 21 December 2019:

a. You contacted Colleague A by social media;

b. You engaged in sexually explicit conversation with Colleague A.

Mr Silva worked at Downsends School. Colleague A had been a pupil in Mr Silva's class during the academic year 2010/11 and she had been a gap year teaching assistant working at the school during academic year 2018/19.

Mr Silva admits that:

Between 27 November 2018 and 21 December 2019, Mr Silva contacted Colleague A by social media.

Between 27 November 2018 and 21 December 2019, Mr Silva engaged in sexually explicit conversation with Colleague A.

The following messages were sent to Colleague A:-

- a. "you're cute and fussy"
- b. "I'll leave you alone before I say something inappropriate"
- c. "what's wrong with cum, it's natural?"
- d. "Fuck me, you look amazing. Properly stunning!"
- e. "your amazing boobs".

Mr Silva accordingly admits the facts of allegation 2.

The panel was presented with several screenshots of communication via social media between the Teacher and Colleague A. The panel noted that the content of much of this communication was sexual in nature.

The panel accepted Mr Silva's admission, which was consistent with the evidence before it.

The panel found allegation 2 proved.

3. On a date between September 2018 to July 2019 told Colleague A that:

- a. She should wear a bikini: and**
- b. That you would like that.**

Mr Silva admitted that within the time period specified by the allegation, he stated to Colleague A:-

that Colleague A should wear a bikini on a school trip to a waterpark and that he would like this.

Mr Silva admitted the facts of allegation 3.

The panel accepted Mr Silva's admission, which was consistent with the evidence before it.

The panel noted that this allegation came from the witness statement of Colleague A which is undated and did not appear to be contemporaneous. However, the panel determined that Colleague A gave credible evidence in this statement which was corroborated by Mr Silva's admission.

The panel found allegation 3 proved.

4. On dates after December 2018:

- a. You contacted Colleague B by social media;**
- b. You disclosed sexually explicit details to Colleague B;**
- c. You made comments about Colleague B's clothing;**
- d. You made comments about Colleague B's appearance;**
- e. You persistently invited Colleague B for drinks.**

Mr Silva admitted that during one or more dates after December 2018, he:-

Disclosed sexually explicit details to Colleague B.

Made comments about Colleague B's clothing (in screenshots).

Made comments about Colleague B's appearance (in screenshots).

Persistently invited Colleague B for drinks.

The panel accepted Mr Silva's admission, which was consistent with the evidence before it.

The panel was presented with a number of screenshots which demonstrated that during the material time, Mr Silva has made comments about Colleague B's clothing and appearance. These screenshots also demonstrated that Mr Silva had invited Colleague B to go for drinks on more than one occasion. The panel also noted that in Colleague B's statement, she referred to the invitations being persistent. The panel had no reason to doubt Colleague B's evidence.

In Colleague B's witness statement, she also states that Mr Silva disclosed sexually explicit details to her. Although the panel was unable to see evidence of this in the screenshots contained within the bundle, the panel determined that this hearsay evidence was credible and was corroborated by the admission that Mr Silva had made.

The panel found allegation 4 proved.

5. On dates between December 2022 and August 2023;

a. You contacted Colleague C by social media;

b. You made comments about Colleague C's appearance.

Mr Silva admitted that he:-

Contacted Colleague C by social media.

Made comments about Colleague C's appearance.

The panel accepted Mr Silva's admission, which was consistent with the evidence before it.

The panel was presented with a number of screenshots which indicated that Mr Silva has contacted Colleague C on social media and commented on her appearance on one or more occasions. These comments included:-

'Wow you're utterly gorgeous'

'You look great.'

'Wow, you look great Colleague C.'

The panel found allegation 5 proved.

6. Your conduct at allegations 2 and/or 3 and/or 4 and/or 5 above was sexually motivated.

Having found the facts of allegations 2, 3, 4 and 5 proven, the panel went on to consider whether the conduct alleged was sexually motivated.

The panel accepted Mr Silva's admission, which was consistent with the evidence before it.

On the basis of the conduct and the context in which it occurred, the panel concluded that the appropriate inference to draw was that Mr Silva, acting as he did, was sexually motivated in relation to Colleague A, B and C.

In relation to allegations 2 and 3 pertaining to Colleague A, the panel noted the sexually explicit nature of some of the exchanges with Colleague A. The panel determined that this conduct was undertaken in order to pursue a sexual relationship with Colleague A.

In relation to allegation 4 pertaining to Colleague B, the panel noted that Mr Silva had invited her to go for a drink with him on multiple occasions and had also asked Colleague B whether she would like to go on a date with him. The panel also noted that Mr Silva had disclosed sexually explicit details to Colleague B. The panel determined that this conduct was undertaken in order to pursue a sexual relationship with Colleague B.

In relation to allegation 5 pertaining to Colleague C, the panel noted that Mr Silva had made comments about Colleague C's appearance and that Colleague C believed that Mr Silva was trying to pursue her. In addition to this, Mr Silva had commented on Colleague C's online photographs of herself. The panel determined that this conduct was undertaken in order to pursue a sexual relationship with Colleague C and also to derive sexual gratification.

The panel found allegation 6 proven in relation to allegations 2,3,4 and 5.

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

Having found all 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.

Whilst this was admitted by Mr Silva, the panel exercised its own judgement in relation to this issue.

The panel was satisfied that the conduct of Mr Silva in relation to the facts found proved, involved breaches of the Teachers' Standards. The panel considered that, by reference to Part 1 and part 2, (respectively), Mr Silva was in breach of the following standards:

Develop effective professional relationships with colleagues, knowing how and when to draw on advice and specialist support.

Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach and maintain high standards in their own attendance and punctuality.

Further, the panel also noted that individually, Mr Silva's conduct could be categorised as 'low level concerns' that would not (as isolated incidents) meet the threshold for an investigation or intervention. However, the allegations in this case were linked and related. Moreover, in this case there was a pattern of behaviour as Mr Silva's conduct had occurred over a sustained period of time. Therefore, the cumulative effect of this repeated behaviour led to the panel's determination that Mr Silva's case amounted to unacceptable professional conduct.

The panel also considered whether Mr Silva'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 there was no behaviour in this case which can be associated with such an offence.

The panel determined that Mr Silva's conduct was likely to bring the profession into disrepute as his conduct could potentially damage the public's perception of a teacher. In making this determination, the panel noted that the majority of Mr Silva's conduct occurred outside of the education setting and therefore, this conduct would only be considered relevant if it was of a serious nature and would likely have a negative impact on the public's perception of the individual as a teacher. The ordinary intelligent citizen would expect a teacher to behave respectfully towards their colleagues at all times and would be concerned that the conduct in this case pertained to much younger and junior colleagues.

In summary, having found the facts of the allegations proved, the panel further found that Mr Silva's conduct amounted to both unacceptable professional conduct and conduct that may bring the profession into disrepute.

Panel's recommendation to the Secretary of State

Given the panel's findings in respect of unacceptable professional conduct and conduct that may bring the profession into disrepute, it was necessary for the panel to go on to

consider whether it would be appropriate to recommend the imposition of a prohibition order by the Secretary of State.

In considering whether to recommend to the Secretary of State that a prohibition order should be made, the panel had to consider whether it would be an appropriate and proportionate measure, and whether it would be in the public interest to do so. 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 the following to be relevant in this case, namely:

- Declaring and upholding proper standards of conduct.

In light of the panel's findings against Mr Silva, which involved sexually motivated behaviour towards more junior members of staff, there was a strong public interest consideration in declaring and upholding proper standards of conduct.

Mr Silva also acted contrary to the School's policies and expectations.

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

In addition to these public interest considerations, the panel considered whether there was a public interest in retaining Mr Silva in the profession.

Mr Silva has an otherwise unblemished record; no evidence was presented that his competence has ever been called into question.

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 Silva.

In carrying out the balancing exercise, the panel had regard to the public interest considerations both in favour of, and against, prohibition as well as the interests of Mr Silva.

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 are relevant in this case are:

- sexual misconduct, e.g. involving actions that were sexually motivated or of a sexual nature and/or that use or exploit the trust, knowledge or influence derived from the individual's professional position.

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

The panel considered that the following mitigating factors are present in this case:

- Mr Silva appeared to have an otherwise unblemished record.
- Prior to these allegations, Mr Silva had a successful career.
- Mr Silva has expressed remorse and insight regarding the harm and embarrassment he has caused.
- Mr Silva had written apology letters to Colleague A, B and C.
- Mr Silva had difficult personal circumstances at the time which may have affected his judgment.

There was no evidence that these concerns were brought to Mr Silva's attention at an earlier stage. His attention was drawn to these concerns retrospectively en bloc so that his poor conduct could not be addressed earlier.

The panel was presented with a positive reference regarding his practice as a teacher.

Mr Silva had engaged with the TRA and made full admissions.

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 also noted that Mr Silva had already been dismissed from his post.

The panel was of the view that, applying the standard of the ordinary intelligent citizen, the recommendation of no prohibition order would be both a proportionate and an appropriate response. Given that the nature and severity of the behaviour were at the less serious end of the possible spectrum and, having considered the mitigating factors that were present, the panel determined that a recommendation for a prohibition order would not be appropriate in this case. The panel considered that the publication of the adverse findings it had made was sufficient to send an appropriate message to the teacher as to the standards of behaviour that are not acceptable, and the publication would meet the public interest requirement of declaring proper standards of the profession.

Decision and reasons on behalf of the Secretary of State

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

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

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

The panel has made a recommendation to the Secretary of State that the findings of unacceptable professional conduct and/or conduct likely to bring the profession into disrepute should be published and that such an action is proportionate and in the public interest.

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

- *(A teacher must)* Develop effective professional relationships with colleagues, knowing how and when to draw on advice and specialist support.
- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach and maintain high standards in their own attendance and punctuality.

The findings of misconduct are serious as they include a teacher engaging in inappropriate, sexually-motivated conduct towards his colleagues.

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 Silva, and the impact that will have on the teacher, is proportionate and in the public interest.

In this case, I have considered the extent to which a prohibition order would protect children and safeguard pupils. The panel does not mention having considered any

evidence that Mr Silva's behaviour placed the safety and wellbeing of his pupils in jeopardy.

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

- "Mr Silva has expressed remorse and insight regarding the harm and embarrassment he has caused.
- Mr Silva had written apology letters to Colleague A, B and C."

The panel also notes that Mr Silva has engaged fully with the TRA process and made full admissions. I have given weight to this evidence of insight and remorse in reaching my decision.

I have gone on to consider the extent to which a prohibition order would maintain public confidence in the profession. The panel observes the following:

"The panel determined that Mr Silva's conduct was likely to bring the profession into disrepute as his conduct could potentially damage the public's perception of a teacher. In making this determination, the panel noted that the majority of Mr Silva's conduct occurred outside of the education setting and therefore, this conduct would only be considered relevant if it was of a serious nature and would likely have a negative impact on the public's perception of the individual as a teacher. The ordinary intelligent citizen would expect a teacher to behave respectfully towards their colleagues at all times and would be concerned that the conduct in this case pertained to much younger and junior colleagues."

I am particularly mindful of the findings in this case of a teacher exhibiting sexualised and highly inappropriate behaviour towards his colleagues and the negative impact that such findings 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 Silva himself. The panel notes that prior to these events he appears to have had an unblemished record and a

successful career. It also notes that he had been dismissed from his post as a consequence of his actions.

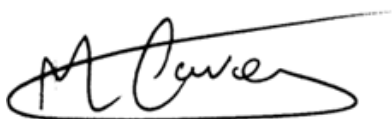
A prohibition order would prevent Mr Silva from teaching. A prohibition order would also clearly deprive the public of his contribution to the profession for the period that it is in force.

In this case, I have placed considerable weight on the panel's concluding remarks:

"The panel was of the view that, applying the standard of the ordinary intelligent citizen, the recommendation of no prohibition order would be both a proportionate and an appropriate response. Given that the nature and severity of the behaviour were at the less serious end of the possible spectrum and, having considered the mitigating factors that were present, the panel determined that a recommendation for a prohibition order would not be appropriate in this case. The panel considered that the publication of the adverse findings it had made was sufficient to send an appropriate message to the teacher as to the standards of behaviour that are not acceptable, and the publication would meet the public interest requirement of declaring proper standards of the profession."

I have also placed weight on the evidence of insight and remorse cited by the panel as well as of Mr Silva's otherwise good record.

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

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

Decision maker: Marc Cavey

Date: 16 July 2025

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