



Teaching
Regulation
Agency

Mrs Edyta Burska: Professional conduct panel outcome

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

October 2025

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

Teacher: Mrs Edyta Burska

TRA reference: 20596

Date of determination: 6 October 2025

Former employer: Priors Hall – A Learning Community, Northamptonshire

Introduction

A professional conduct panel (“the panel”) of the Teaching Regulation Agency (“the TRA”) convened on 1 October 2025 by way of a virtual hearing, to consider the case of Mrs Edyta Burska (“Mrs Burska”).

The panel members were Miss Louisa Munton (teacher panellist – in the chair), Mrs Shabana Robertson (lay panellist) and Mr Terry Hyde (former teacher panellist).

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

The presenting officer for the TRA was Mr Michael Bellis of Counsel.

Mrs Burska was not present and was not represented.

The hearing took place in public save that portions of the hearing were heard in private and was recorded.

Allegations

The panel considered the allegations set out in the notice of proceedings dated 9 June 2025.

It was alleged that Mrs Burska was guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute, in that, while employed as a teacher at Priors Hall (“the School”):

1. On 12 November 2020, you engaged in inappropriate physical contact with Child A in that you:
 - a. grabbed Child A’s arm;
 - b. placed your hand on Child A’s neck and/or head;
 - c. pulled Child A by their arm.

In the absence of a response to the notice of proceedings, the allegations are not admitted. The panel noted that Mrs Burska provided a response to the earlier allegations as set out in the correspondence request form signed on 6 September 2022. Mrs Burska made partial admissions to allegations 1(a) and 1(b) in that she admitted to grabbing Child A’s arm gently and placing the palm of her hand on Child A’s head. Mrs Burska denied pulling Child A by their arm.

In the absence of a response, the allegations of unacceptable professional conduct and/or conduct that may bring the profession into disrepute are not admitted.

Summary of evidence

Documents

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

Section 1: Chronology, anonymised pupil list and list of key people – pages 5 to 7

Section 2: Notice of proceedings and response – pages 8 to 34

Section 3: Teaching Regulation Agency witness statements – pages 35 to 54

Section 4: Teaching Regulation Agency documents – pages 55 to 354

Section 5: Teacher documents – pages 355 to 358

Proceeding in absence bundle of correspondence with an addendum piece of correspondence – pages 1 to 34

In addition, the panel agreed to accept the following:

- An updated anonymised pupil list – page 1
- Correspondence request form and tracking reference emails for sending the notice of proceedings – pages 1 to 5

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

In the consideration of this case, the panel had regard to the document Teacher misconduct: Disciplinary procedures for the teaching profession 2020, (the “Procedures”).

Witnesses

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

Child F – [REDACTED]

Witness A – [REDACTED]

Witness B – [REDACTED]

Witness C – [REDACTED]

Decision and reasons

The panel announced its decision and reasons as follows:

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

Mrs Burska commenced employment as a cover supervisor at the School on 1 September 2019. As part of her role, Mrs Burska was responsible for covering lessons in other teachers’ planning preparation and assessment (“PPA”) time or in emergency situations, such as when a teacher was off work with sickness.

On 12 November 2020, a pupil (Child B) reported an incident to a teaching assistant. It was alleged that Mrs Burska had made inappropriate physical contact with Child A. The teaching assistant reported the incident to [REDACTED] (Witness C) who subsequently spoke with Child A about the incident. Witness C also spoke with Child F on the same day, who was in the same class as Child A and had witnessed the incident. It was alleged that Mrs Burska had made physical contact with Child A’s neck and pulled him up. Witness C also spoke with Mrs Burska on the same day to obtain her account of events and she was asked to provide a handwritten account in respect of the incident. As

part of this handwritten note, Mrs Burska admitted to putting her open hand on Child A's head, grabbing Child A's arm and gently moving him away.

Subsequently, the School arranged interviews with eleven pupils who had witnessed the alleged incident.

The School also referred the incident to the Local Authority Designated Officer ("LADO") who advised that the School conduct an internal investigation. Shortly thereafter, the School spoke with Mrs Burska and suspended her pending the outcome of the investigation.

An independent investigation officer was appointed by the School to conduct the investigation and the report was finalised on 10 December 2020. A disciplinary hearing took place on 9 February 2021 and the matter was referred to the TRA on 19 March 2021.

Procedural background

At an earlier case management hearing ("CMH"), it was determined by the previous panel that the hearsay evidence of nine of the Children (A, B, C, D, G, H, I, J, and K) was not to be admitted. As part of this decision, the previous panel noted concerns in respect of the reliability of this hearsay evidence and recognised that the TRA had not obtained formal witness statements from these child witnesses who were interviewed as part of the School's investigation.

The TRA had obtained a formal witness statement from Child E and for the reasons outlined by the previous panel at the CMH, Child E's hearsay evidence was admitted. Child F provided a witness statement to the TRA and gave oral evidence as part of this TRA professional conduct panel hearing.

The panel decided to proceed with this hearing in the absence of the teacher after considering the presenting officer's submissions and having received legal advice.

Findings of fact

The findings of fact are as follows:

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

- 1. On 12 November 2020, you engaged in inappropriate physical contact with Child A in that you:**
 - a. grabbed Child A's arm;**

Mrs Burska did not provide a response to the notice of proceedings, but did provide an earlier response as part of the 'correspondence request' form. As part of this form, Mrs Burska admitted to grabbing Child A's arm gently.

On the day of the incident, Mrs Burska was asked by Witness C to write down her account of the incident. The panel had sight of this handwritten note dated 12 November 2020. Mrs Burska said *"During the music lesson.. the children were supposed to write raps in groups of 3. Child B, Child C and Child A formed one and after their performance they (Child B and A) started chatting during other group performance. Child A was laughing so I asked him to stop but when he didn't react, I put my open hand on his head. When it didn't help to calm him down, I grabbed his arm and gently moved him away from Child B."*

Witness C stated in his witness statement that when he spoke to Mrs Burska on the day of the incident, she said that *"the behaviour in the class had been really poor. Ms Burska explained that the class had been asked to work in groups to write a rap. Child A, B and C were working in a group and asked to sit down as they did not want to perform. Ms Burska explained that the children were challenging and that Child A had continued to talk when they should not have been so she used a flat palm placed on Child A's head... Ms Burska then explained that she "tried to move [Child] A by his arm". Ms Burska denied using the C grip on Child A's neck. Ms Burska admitted to "grabbing" Child A's arm but gently."*

In Mrs Burska's investigation interview with the School on 27 November 2020, she stated *"The children were divided into groups because I was doing music, they were in groups to make their own songs. Child A chose to be with Child B. When I asked each group to present, they were quite chatty. I asked Child A to be quiet but he did not listen. I put my hand on his head to try and calm him down. When I was trying to listen to the others, he was still chatting. I grabbed his arm and made him move away from the other boy, it was not forceful. He followed me I did not pull it. He followed my movement."*

In a later undated statement titled "Comments to allegations made against me", Mrs Burska said *"I touched his head with an open hand and next time when he did not listen, I took his arm and he followed the movement just twirling on his bottom to another space on the carpet."*

The panel recognised that whilst English may not have been Mrs Burska's first language, Mrs Burska has never deviated from her account that she grabbed Child A's arm. The panel noted that Mrs Burska was consistent in her evidence on this aspect of the allegation.

The panel also recognised that whilst Mrs Burska stated that she grabbed Child A's arm gently, the force used as part of the contact with Child A's arm was not in the scope of the allegation.

Child F stated in her witness statement that “*Mrs Burska grabbed him [Child A] by the arm*”. Child F provided oral evidence at the hearing. The panel found Child F to be a reliable witness when recollecting her account of the incident. Child F could not recall every precise detail of the incident during her oral evidence which the panel found to be sincere given the incident took place nearly five years ago. Child F was asked during the hearing whether Mrs Burska grabbed Child A’s arm, to which she replied “yes”.

Given the evidence noted above, the panel determined that Mrs Burska did grab Child A’s arm on 12 November 2020.

As the panel made the determination that Mrs Burska grabbed Child A’s arm, the panel went on to consider whether Mrs Burska engaged in inappropriate physical contact with Child A.

When considering the circumstances of the incident, the panel was of the clear view that grabbing Child A’s arm was completely unnecessary. Whilst the panel recognised that the behaviour of some of the pupils in the class may have been challenging, Mrs Burska’s actions did not support the unfolding situation.

The panel heard evidence from Witness A, who stated that the level one ‘pause and reflect’ stage of the Behaviour and Relationships policy of the School was for teachers to verbally communicate with pupils who are not listening or following instructions, rather than to make physical contact with a pupil.

The panel had sight of Mrs Burska’s School ‘signing agreement’ dated 11 September 2020, confirming that she had read and was familiar with the contents of a range of documents including the School’s Behaviour and Relationship policy and the School’s code of conduct.

The panel was provided with the School’s code of conduct which was designed to give clear guidance on the standards of behaviour all staff are expected to observe.

The panel noted some of the relevant provisions from the School’s code of conduct below:

- *Staff are committed to safeguarding and promoting the welfare of all children and must take reasonable care of children under their supervision with the aim of ensuring their safety and welfare.*
- *All staff in academies set examples of behaviour and conduct which can be copied by children.*
- *Staff are positive role models for children at all times and must, therefore, demonstrate high standards of conduct in order to encourage our children to do the same.*

- *All staff should be aware of what physical contact with pupils is appropriate. Staff should only exercise physical restraint as a last resort to prevent injury. Adults should not initiate any physical contact unnecessarily, and there should be clear boundaries.*

The panel did not consider that the conduct of Mrs Burska was in keeping with the guidance contained in the School's code of conduct.

The panel therefore concluded that Mrs Burska did engage in inappropriate physical contact with Child A by grabbing his arm, when considering the set of circumstances which led to the unnecessary physical contact with Child A. The panel also noted that Mrs Burska had received whole school relevant guidance and training to support her as well as additional one-to-one bespoke support. Therefore, she should have managed the situation in accordance with that guidance and training.

The panel found allegation 1(a) proved.

b. placed your hand on Child A's neck and/or head;

Mrs Burska provided a response to this allegation as part of the 'correspondence request' form. As part of this form, Mrs Burska admitted to placing the palm of her hand on Child A's head.

On the day of the incident, Mrs Burska was asked by Witness C to write down her account of the incident. The panel had sight of this handwritten note dated 12 November 2020. Mrs Burska said *"I put my open hand on his head. When it didn't help to calm him down, I grabbed his arm and gently moved him away from Child B."*

Witness C stated in his witness statement that when he spoke to Mrs Burska on the day of the incident, she said that *"the children were challenging and that Child A had continued to talk when they should not have been so she used a flat palm placed on Child A's head... Ms Burska then explained that she "tried to move [Child] A by his arm". Ms Burska denied using the C grip on Child A's neck."*

In Mrs Burska's investigation interview with the School on 27 November 2020, she stated *"I put my hand on his head to try and calm him down."*

In a later undated statement titled "Comments to allegations made against me", Mrs Burska said *"I touched his head with an open hand and next time when he did not listen, I took his arm and he followed the movement just twirling on his bottom to another space on the carpet. I put my open hand again on his head to protect him from hitting the edge of the table."*

Mrs Burska also repeatedly stated as part of this statement that she *"never held the child's neck."*

The panel recognised that Mrs Burska has never deviated from her account that she did place her hand on Child A's head. The panel noted that Mrs Burska was consistent in her evidence on this allegation.

Witness C stated in his witness statement to the TRA that he spoke with Child F on the day of the incident. He said that *"there was no one else present for this conversation. Child F said there had been an incident in which Ms Burska touched Child A's neck but stated this was 'not in a bad way'. I chose to speak to Child F because Child F was not in Child A's friendship group."*

During the hearing, Witness C described Child F as *"mature for her age"* and was an *"impartial witness"*. The panel found Witness C to be a reliable witness and consistent when providing his evidence.

In the School's interview notes with Child F on 13 November 2020, Child F was asked what happened on the day of the incident. Child F replied saying *"[Child A] was on the floor, rolled on his back onto the floor. Mrs Burska got him by his neck and pulled him up."*

Child F provided oral evidence at the hearing. The panel found Child F to be an honest and reliable witness when recollecting her account of the incident. Child F could not recall every precise detail of the incident during her oral evidence which the panel found to be sincere given the incident took place nearly five years ago. Child F was asked during the hearing whether Mrs Burska grabbed or touched Child A around the neck, to which she replied *"No, I can't remember."*

The panel at the previous CMH had determined to admit the hearsay evidence of Child E. During this hearing, the panel heard from Witness C who stated that Child E had previously made clear that he felt that he was not liked by Mrs Burska. When determining how much weight to place on Child E's hearsay evidence, the panel took this into consideration.

In the School's interview notes with Child E on 13 November 2020, Child E was asked what happened on the day of the incident. The interview notes stated that *"[Child E] said 'I saw Mrs Burska do this' and demonstrated on his own neck."* In Child E's witness statement to the TRA, Child E stated that *"Mrs Burska reached out with her thumb and first finger towards [Child A's] neck, and then put her whole hand around his neck, and pulled [Child A] to standing position."*

The panel noted that there was corroboration between the accounts of Child E and Child F and therefore did place some weight on Child E's account.

When considering the above evidence, the panel determined that Mrs Burska placed her hand on Child A's neck and head on 12 November 2020.

As the panel made the determination that Mrs Burska placed her hand on Child A's neck and head, the panel went on to consider whether Mrs Burska engaged in inappropriate physical contact with Child A.

The panel was provided with conflicting evidence from Mrs Burska in respect of placing her hand on Child A's head. Mrs Burska had said on one occasion that she placed her hand on Child A's head to stop him from hitting his head on the table. Elsewhere in evidence Mrs Burska said that she had placed the palm of her hand on Child A's head to calm him down. The panel noted the lack of consistency in Mrs Burska's accounts.

The panel was of the clear view that placing her hand on Child A's neck and head was completely unnecessary when considering the circumstances of the incident. The panel recognised that the behaviour of some of the pupils in the class may have been challenging, but Mrs Burska's actions did not support the unfolding situation.

The panel heard evidence from Witness A, who stated that the level one 'pause and reflect' stage of the Behaviour and Relationships policy of the School was for teachers to verbally communicate with pupils who are not listening or following instructions, rather than to make physical contact with a pupil.

The panel had sight of Mrs Burska's School 'signing agreement' dated 11 September 2020, confirming that she had read and was familiar with the contents of a range of documents including the School's Behaviour and Relationship policy and the School's code of conduct.

The panel again noted some of the relevant provisions from the School's code of conduct as set out in allegation 1(a) above. The panel did not consider that the conduct of Mrs Burska was in keeping with the guidance contained in the School's code of conduct.

The panel therefore concluded that Mrs Burska did engage in inappropriate physical contact with Child A by placing her hand on Child A's neck and head, when considering the set of circumstances which led to the unnecessary physical contact with Child A. The panel also noted that Mrs Burska had received whole school relevant guidance and training to support her as well as additional one-to-one bespoke support. Therefore, she should have managed the situation in accordance with that guidance and training.

The panel found allegation 1(b) proved.

c. pulled Child A by their arm.

Mrs Burska denied pulling Child A by his arm.

On the day of the incident, Mrs Burska was asked by Witness C to write down her account of the incident. The panel had sight of this handwritten note dated 12 November 2020. Mrs Burska said *"During the music lesson.. the children were supposed to write*

raps in groups of 3. Child B, Child C and Child A formed one and after their performance they (Child B and A) started chatting during other group performance. Child A was laughing so I asked him to stop but when he didn't react, I put my open hand on his head. When it didn't help to calm him down, I grabbed his arm and gently moved him away from Child B."

Witness C stated in his witness statement that when he spoke to Mrs Burska on the day of the incident, she explained that she *"tried to move [Child] A by his arm"*.

In Mrs Burska's investigation interview with the School on 27 November 2020, she stated *"I grabbed his arm and made him move away from the other boy, it was not forceful. He followed me I did not pull it. He followed my movement."*

In a later undated statement titled "Comments to allegations made against me", Mrs Burska said *"I touched his head with an open hand and next time when he did not listen, I took his arm and he followed the movement just twirling on his bottom to another space on the carpet."*

In the School's interview notes with Child F on 13 November 2020, Child F was asked what happened on the day of the incident. Child F replied saying *"[Child A] was on the floor, rolled on his back onto the floor. Mrs Burska got him by his neck and pulled him up."* Child F was also asked whether Mrs Burska had pulled Child A along the floor, to which Child F replied *"No not really. She might have moved him along a bit so his head did not touch the floor."*

Child F was also asked whether she thought Mrs Burska was being unkind to Child A. Child F responded by saying *"No, I don't think so, I think she was trying to stop him from hitting his head."*

Child F stated in her witness statement to the TRA that *"Mrs Burska grabbed him [Child A] by the arm and pulled him towards the classroom door to guide him out of the class."* Child F provided oral evidence at the hearing. The panel found Child F to be a reliable witness when recollecting her account of the incident. Child F was asked during the hearing whether Mrs Burska pulled Child A's arm, to which she replied *"he was stood up when she pulled him up"*. Child F was also asked whether Child A was pulled across the classroom, to which she replied, *"she was pulling him"* as Child A *"wasn't going out"* of the classroom. Child F said that she *"didn't find it a big deal. People mess around a lot."*

The panel at the previous CMH had determined to admit the hearsay evidence of Child E. During this hearing, the panel heard from Witness C who stated that Child E had previously made clear that he felt that he was not liked by Mrs Burska. When determining how much weight to place on Child E's hearsay evidence, the panel took this into consideration.

In the School's interview notes with Child E on 13 November 2020, Child E was asked what happened on the day of the incident. Child E said that Mrs Burska *"sent him [Child A] on the carpet and that is when she grabbed his arm and pulled him near the table. He got pulled along"*. Child E also said that Mrs Burska sent Child A out of the class.

In Child E's witness statement to the TRA he said that Mrs Burska *"grabbed [Child A's] arm near his wrist, and pulled him by the arm towards the classroom door. I was sat on the left side of the room towards the window, and Mrs Burska pulled [Child A] the opposite direction towards the door."*

The panel noted that there was corroboration between the accounts of Child E and Child F and therefore the panel did place some weight on Child E's account.

On 16 November 2020, Witness A spoke with Mrs Burska following the incident. The panel was provided with a note from this conversation. Witness A recorded as part of the note that Mrs Burska *"explained how she held the child on his head and also pulled on his shoulder/arm."* Witness A also referenced this conversation in the School's investigation interview on 25 September 2020, where she said that Mrs Burska *"said she knew she should not have touched him and that she put her hand on his head and pulled his arm."*

When considering the above evidence, the panel determined that Mrs Burska pulled Child A's arm on 12 November 2020.

As the panel made the determination that Mrs Burska had pulled Child A's arm, the panel went on to consider whether Mrs Burska engaged in inappropriate physical contact with Child A.

When considering the circumstances of the incident, the panel was of the clear view that pulling Child A's arm was completely unnecessary. Whilst the panel recognised that the behaviour of some of the pupils in the class may have been challenging, Mrs Burska's actions did not support the unfolding situation.

The panel heard evidence from Witness A, who stated that the level one 'pause and reflect' stage of the Behaviour and Relationships policy of the School was for teacher's to verbally communicate with pupils who are not listening or following instructions, rather than to make physical contact with a pupil.

The panel had sight of Mrs Burska's School 'signing agreement' dated 11 September 2020, confirming that she had read and was familiar with the contents of a range of documents including the School's Behaviour and Relationship policy and the School's code of conduct.

The panel again noted some of the relevant provisions from the School's code of conduct as set out in allegation 1(a) above. The panel did not consider that the conduct of Mrs Burska was in keeping with the guidance contained in the School's code of conduct.

The panel therefore concluded that Mrs Burska did engage in inappropriate physical contact with Child A by pulling Child A's arm, when considering the set of circumstances which led to the unnecessary physical contact with Child A. The panel also noted that Mrs Burska had received whole school relevant guidance and training to support her as well as additional one-to-one bespoke support. Therefore, she should have managed the situation in accordance with that guidance and training.

The panel found allegation 1(c) proved.

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

Having found all of the allegations proved, the panel went on to consider whether the facts of those proved allegations amounted to unacceptable professional conduct and/or conduct that may bring the profession into disrepute.

In doing so, the panel had regard to the document Teacher misconduct: The prohibition of teachers, which is referred to as "the Advice".

The panel first considered whether the conduct of Mrs Burska, in relation to the facts found proved, involved breaches of the Teachers' Standards.

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

- Teachers uphold public trust in the profession and maintain high standards of ethics and behaviour, within and outside school, by
 - treating pupils with dignity, building relationships rooted in mutual respect, and at all times observing proper boundaries appropriate to a teacher's professional position
 - having regard for the need to safeguard pupils' well-being, in accordance with statutory provisions
- 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 Mrs Burska, in relation to the facts found proved, involved breaches of Keeping Children Safe In Education ("KCSIE").

The panel considered that Mrs Burska was in breach of the following provisions:

- Safeguarding and promoting the welfare of children is everyone's responsibility. Everyone who comes into contact with children and their families has a role to play. In order to fulfil this responsibility effectively, all staff should make sure their approach is child-centred. This means that they should consider, at all times, what is in the best interests of the child.
- Safeguarding and promoting the welfare of children is defined for the purposes of this guidance as:
 - protecting children from maltreatment
 - ensuring that children grow up in circumstances consistent with the provision of safe and effective care
- All staff have a responsibility to provide a safe environment in which children can learn.
- All staff should be aware of systems within their school or college which support safeguarding and these should be explained to them as part of staff induction. This should include the:
 - child protection policy;
 - staff behaviour policy (sometimes called a code of conduct)

The panel was not satisfied that the conduct of Mrs Burska, in relation to the facts found proved, involved breaches of Working Together to Safeguard Children.

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

The panel found that none of these offences were relevant.

When considering the circumstances of the incident, the panel was of the clear view that Mrs Burska's conduct in allegations 1(a), (b) and (c) was completely unnecessary. Whilst the panel recognised that the behaviour of some of the pupils in the class may have been challenging, Mrs Burska's actions did not support the unfolding situation.

The panel heard evidence from Witness A, who stated that the level one 'pause and reflect' stage of the Behaviour and Relationships policy of the School was for teachers to verbally communicate with pupils who are not listening or following instructions, rather than to make physical contact with a pupil. The panel noted that some of the wording in the Behaviour and Relationships policy could have been clearer, however, Mrs Burska had previously followed the policy on other occasions and signed her School 'signing agreement' dated 11 September 2020, confirming that she had read and was familiar

with the contents of a range of documents including the School's Behaviour and Relationship policy and the School's code of conduct.

The panel noted the circumstances that Mrs Burska found herself in at the time of the incident. Mrs Burska stated in her written accounts [REDACTED]. Whilst the panel noted Mrs Burska's circumstances and the challenging behaviour in the class, the panel felt that Mrs Burska's conduct towards Child A was completely unnecessary and inappropriate given the nature of his behaviour.

The panel acknowledged that there was a range of measures that Mrs Burska could have used to de-escalate the behaviour of the pupils within the classroom. She should have managed the situation in accordance with School guidance and training such as she had employed on previous occasions.

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

Accordingly, the panel was satisfied that Mrs Burska was guilty of unacceptable professional conduct.

Disrepute

In relation to whether Mrs Burska'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 Mrs Burska'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 Mrs Burska was guilty of unacceptable professional conduct, the panel found that none of these offences were relevant.

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

The panel recognised the negative impact and reputational damage to the School as a result of Mrs Burska's misconduct. The School received two parental complaints following the incident, one of which was from the parent of Child A who stated that Child A came home very upset following the incident.

For these reasons, the panel found that Mrs Burska'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, the maintenance of public confidence in the profession, declaring and upholding proper standards of conduct and ensuring that prohibition strikes the right balance between the rights of the teacher and the public interest.

In the light of the panel's findings against Mrs Burska, which involved inappropriate physical contact with Child A, there was a strong public interest consideration in respect of the safeguarding and wellbeing of pupils.

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

The panel was of the view that a strong public interest consideration in declaring proper standards of conduct in the profession was also present as the conduct found against Mrs Burska 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 Mrs Burska in the profession. The panel was of the view that there was a public interest consideration in retaining the teacher in the profession, since she had experience in the profession in the UK from 2006 and had experience in teaching English as an additional language. As part of her job application to the School, Mrs Burska stated:

"Using my knowledge of languages, I have helped integrate EAL children both socially and within everyday school life. In addition to this, I have supported their parents in

understanding how English schools work, translated letters for them, showed parents around school and guided them through the paperwork needing to be completed. I also provided comfort and emotional support for those parents as they knew there would always be someone for their children to talk to. Since September 2012 I have been translating invitations for the parents from Eastern Europe (Poland, Lithuania, Slovakia, Russia) who attend special coffee mornings organised in our school. They are usually held two or three times per year, depending on the demand. At these meetings, parents have an opportunity to discuss problems they or their children face not only at school but also in the community. After one such meeting, we decided it would be a good idea for me to have further drop-in session for those parents who don't speak English or have limited knowledge of English. Some parents find it very useful."

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 Mrs Burska.

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 ... safeguarding and well-being of pupils...;
- failure in their duty of care towards a child, including ... failing to promote the safety and welfare of the children (as set out in Part 1 of KCSIE);
- violation of the rights of pupils.

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 Mrs Burska's actions were deliberate.

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

Mrs Burska did have a previously good history and there was no evidence to suggest that she had acted in a similar way previously. In fact, Witness C said in his witness evidence

that the pupils that Mrs Burska was teaching at the time of the incident were 'very challenging' having himself had experience of teaching that particular class. The School trusted Mrs Burska, as a qualified teacher, to lead that particular class which contained some pupils who displayed challenging behaviour, as there were no previous concerns regarding her ability to do so. The panel accepted that the incident was out of character, which was supported by the oral evidence from Witness A and Witness C. The evidence suggested that the incident took place over a very short period of time.

The panel had sight of two reference request forms submitted to the School in 2019 before commencement of her employment as cover supervisor, confirming that there was no previous disciplinary and safeguarding issues in respect of Mrs Burska's conduct. One of the referees, completed an assessment of Mrs Burska's work in their experience. The referee ticked either 'outstanding' or 'good' for every area. The panel noted that no recent character statements were provided for the purpose of these TRA proceedings to attest to her abilities as a teacher.

The panel noted that whilst there was no [REDACTED], Mrs Burska stated that she was [REDACTED] at the time of the incident. Witness C stated that the School was providing support to her before the incident.

The panel noted that Mrs Burska demonstrated limited insight into her conduct. However, after the incident, Mrs Burska expressed to Witness A that she should not have acted in the way she did and she knew what she did was wrong. When Witness B was asked by the panel whether Mrs Burska seemed to be genuinely remorseful for her conduct during the School's investigation interview, Witness B said "yes"...Mrs Burska said "*I lost it*" and knew "*what she did was wrong*". The panel acknowledged that Mrs Burska was consistent in recognising her failings after the incident.

The panel also considered the impact on Child A and noted that whilst there was some evidence that Child A was upset, there was also evidence to the contrary that Child A did not seem very distressed after the incident. There was no evidence to suggest that there was any long lasting impact on Child A.

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, 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 that there were some 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 Mrs Edyta Burska is in breach of the following standards:

- Teachers uphold public trust in the profession and maintain high standards of ethics and behaviour, within and outside school, by
 - treating pupils with dignity, building relationships rooted in mutual respect, and at all times observing proper boundaries appropriate to a teacher's professional position
 - having regard for the need to safeguard pupils' well-being, in accordance with statutory provisions
- 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 Mrs Burska involved breaches of the responsibilities and duties set out in statutory guidance 'Keeping children safe in education'.

The panel finds that the conduct of Mrs Burska fell significantly short of the standards expected of the profession.

The findings of misconduct are serious as they include inappropriate physical contact with a pupil.

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 Mrs Burska, and the impact that will have on her, 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 makes the following observation: “In the light of the panel’s findings against Mrs Burska, which involved inappropriate physical contact with Child A, there was a strong public interest consideration in respect of the safeguarding and wellbeing of pupils.” A prohibition order would therefore prevent such a risk from being present in the future.

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

“The panel noted that Mrs Burska demonstrated limited insight into her conduct. However, after the incident, Mrs Burska expressed to Witness A that she should not have acted in the way she did and she knew what she did was wrong. When Witness B was asked by the panel whether Mrs Burska seemed to be genuinely remorseful for her conduct during the School’s investigation interview, Witness B said “yes”...Mrs Burska said “*I lost it*” and knew “*what she did was wrong*”. The panel acknowledged that Mrs Burska was consistent in recognising her failings after the incident.”

In my judgement, the remorse demonstrated by Mrs Burska means that there is a limited risk of the repetition of this behaviour. I have therefore given this element some 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:

“The panel considered that Mrs Burska’s conduct could potentially damage the public’s perception of a teacher.

The panel recognised the negative impact and reputational damage to the School as a result of Mrs Burska’s misconduct. The School received two parental complaints following the incident, one of which was from the parent of Child A who stated that Child A came home very upset following the incident.”

I am particularly mindful of the finding of inappropriate physical contact with a pupil 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 Mrs Burska herself. The panel records that:

“Mrs Burska did have a previously good history and there was no evidence to suggest that she had acted in a similar way previously. In fact, Witness C said in his witness evidence that the pupils that Mrs Burska was teaching at the time of the incident were ‘very challenging’ having himself had experience of teaching that particular class. The School trusted Mrs Burska, as a qualified teacher, to lead that particular class which contained some pupils who displayed challenging behaviour, as there were no previous concerns regarding her ability to do so. The panel accepted that the incident was out of character, which was supported by the oral evidence from Witness A and Witness C. The evidence suggested that the incident took place over a very short period of time.

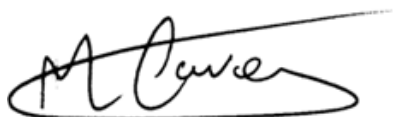
The panel had sight of two reference request forms submitted to the School in 2019 before commencement of her employment as cover supervisor, confirming that there was no previous disciplinary and safeguarding issues in respect of Mrs Burska’s conduct. One of the referees, completed an assessment of Mrs Burska’s work in their experience. The referee ticked either ‘outstanding’ or ‘good’ for every area. The panel noted that no recent character statements were provided for the purpose of these TRA proceedings to attest to her abilities as a teacher.”

A prohibition order would prevent Mrs Burska from teaching. A prohibition order would also clearly deprive the public of her 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 that there were some 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."

Having considered the panel's recommendation, I have concluded that a prohibition order is neither proportionate nor in the public interest. While the misconduct found in this case was serious, the risk of a repetition appears to be low given Mrs Burska's remorse, previous good history and the mitigating circumstances that appear to have been present. I consider, therefore, 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', with a large, sweeping loop at the end.

Decision maker: Marc Cavey

Date: 8 October 2025

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