



Teaching
Regulation
Agency

Mr Kofi Mpiani: Professional conduct panel outcome

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

February 2026

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

Teacher: Mr Kofi Mpiani
TRA reference: 21045
Date of determination: 4 February 2026
Former employer: Ian Mikardo High School, London

Introduction

A professional conduct panel (“the panel”) of the Teaching Regulation Agency (“the TRA”) convened on 2 – 5 February 2026 by way of a virtual hearing, to consider the case of Mr Kofi Mpiani.

The panel members were Ms Rosemary Joyce (teacher panellist – in the chair), Ms Susan Ridge (lay panellist) and Ms Sarah Green (lay panellist).

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

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

Mr Mpiani was present and was represented by Mr Michael Wainwright of Wainwright Consultancy.

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 28 October 2025.

It was alleged that Mr Mpiani was guilty of unacceptable professional conduct and/or conduct that may bring the profession into disrepute in that whilst employed as a My Body Instructor at Ian Mikardo High School ('the School'):

1. He used cannabis, a Class B illegal substance, on more than one occasion;
2. He did not disclose to the School that a report had been made to the LADO with respect to his cannabis use, when he had been advised to do so;
3. On a school trip on or around 14 November 2019, upon becoming aware that Pupil A had been smoking cannabis he did not take appropriate action in that:
 - a) He allowed Pupil A to remain on the trip and did not arrange for Pupil A to be returned home; and/or
 - b) He did not inform and/or seek advice from the Senior Leadership team.

It was also alleged that Mr Mpiani was guilty of having been convicted of a relevant offence at any time, in that:

4. On 17 December 2001, he was convicted of one offence of possession of a Class B Controlled Drug (Cannabis Resin) with intent to supply
5. On 8 July 2003, he was convicted of one offence of possession of a Class B controlled drug (Cannabis)
6. On 12 May 2005, he was convicted of one offence of possession of a Class C controlled drug (Cannabis Resin)

The teacher admitted allegation 2. However, the remainder of the allegations were not admitted. There was no admission of unacceptable professional conduct, conduct that may bring the profession into disrepute, or the conviction of a relevant offence.

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 4 to 7

Section 2: Notice of proceedings and response – pages 8 to 23

Section 3: Teaching Regulation Agency witness statements – pages 24 to 28

Section 4: Teaching Regulation Agency documents – pages 32 to 317

In addition, the panel agreed to accept an 8-page late bundle of documents from the teacher, which consisted of four character references.

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 2020, (the “Procedures”).

Witnesses

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

1. Witness A – [REDACTED]
2. Witness B – [REDACTED]

The panel also heard oral evidence from the teacher.

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 Mpiani commenced employment at the School as an Instructor. There were some discrepancies as to the date that Mr Mpiani commenced this employment. Mr Mpiani advised the panel that he commenced this role from September 2010, but the contract of employment in the bundle states that Mr Mpiani’s continuous employment at the School began on 1 August 2011. For the purposes of its deliberations, the panel relied upon the contract of employment and noted Mr Mpiani’s commencement date as 1 August 2011.

On 14 November 2019, a school trip took place and there were concerns around a pupil who had been smoking cannabis.

On 5 December 2019, Mr Mpiani attended a meeting with Witness A regarding the concerns relating to the trip.

On 5 December 2021, Witness B visited Mr Mpiani's home to perform an assessment of his suitability as a Foster Carer support person.

On 8 December 2021, Witness B shared her report with Mr Mpiani and made a referral to the Local Authority Designated Officer (the "LADO").

On 9 December 2021, the LADO informed School about Witness B's report.

On 15 December 2021, Mr Mpiani attended a meeting with Witness A regarding the LADO referral.

On 24 December 2021, a risk assessment report is issued by Witness B.

On 7 January 2022, Mr Mpiani attended a meeting with Witness A who advised that, following receipt of Witness B's report, suspension is appropriate.

On 17 January 2022, Mr Mpiani submitted a formal complaint to Family Works Fostering.

On 28 January 2022, Mr Mpiani attended a disciplinary interview via Teams.

On 18 March 2022, an investigation report was completed by the School.

On 10 May 2022, a disciplinary hearing took place.

On 17 August 2022, Mr Mpiani was referred to the TRA.

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 My Body Instructor at the School:

1. you used cannabis, a Class B illegal substance, on more than one occasion

This allegation was denied by the teacher.

The panel heard oral evidence from Witness B. The panel also had sight of Witness B's witness statement provided to the TRA dated 18 March 2023. During her oral testimony, Witness B confirmed that she met with Mr Mpiani at his home on Sunday 5 December

2021. She explained that Mr Mpiani had been put forward [REDACTED] to act as a back-up foster carer, and this required Witness B to undertake a short assessment on behalf of the foster agency, to ensure that he was suitable for the role.

Witness B explained that, in advance of the meeting with Mr Mpiani, she had a telephone conversation with Mr Mpiani where he informed her that he had a previous criminal record for possession of cannabis. Witness B stated that, as a result of this disclosure, she wanted to discuss this further with Mr Mpiani at the meeting and obtain more information about his cannabis use.

Witness B stated that, during her meeting, Mr Mpiani disclosed to her that he had cut down the use of cannabis since the [REDACTED] but that he used cannabis every other weekend when [REDACTED]. Witness B stated that this raised concerns. She also stated that she was very clear in her mind that Mr Mpiani was discussing current cannabis use, and not historic use. Witness B also recalled to the panel that Mr Mpiani had mentioned that he owed [REDACTED] some money, and they told him that if he stopped using cannabis, they would write off the debt. Witness B advised that, there were no other concerns with Mr Mpiani other than his cannabis use. In particular, she stated that he was very welcoming, his home was clean and had there not been any concerns surrounding the use of cannabis, he would have been assessed as suitable to act as [REDACTED] back-up foster carer. Witness B stated that Mr Mpiani appeared to have a clear understanding of the need to safeguard children. However, Witness B stated that Mr Mpiani appeared to have the view that smoking cannabis was fine, and he did not recognise that it would have a possible impact on his mental health if he is caring for vulnerable children.

Witness B explained that, immediately following her meeting with Mr Mpiani, she contacted her line manager by telephone to raise her concerns, and she was advised to speak to the LADO. The panel had sight of emails in the bundle between Witness B and the LADO, within which a call was arranged for the morning of 8 December 2021. Witness B confirmed that after this conversation, the LADO told her to complete a formal referral form. The panel had sight of an email from Witness B to her line manager dated 8 December 2021, which stated that she would not be recommending that Mr Mpiani was approved “as he has disclosed that he uses cannabis recreationally” and that she had spoken to the LADO who had requested a formal referral.

The panel also had sight of an email from the LADO to Witness B dated 8 December 2021, providing her with a copy of the LADO referral paperwork and asking her to complete this. The panel had sight of Witness B’s formal LADO referral dated 8 December 2021. Witness B confirmed to the panel that she had completed this form using the information gathered from her meeting with Mr Mpiani. The referral stated that:

“During my assessment, [Mr Mpiani] advised that he had a conviction of possession of cannabis several [sic] years ago which shows up on his DBS.

Exploring this further during my visit to [Mr Mpiani's] home on the 5th of December 2021, [Mr Mpiani] told me that he started to use cannabis in his early 30's after a trip to Amsterdam. He told me that he had been using it since and following the [REDACTED] he cut down the use of his cannabis.

[Mr Mpiani] shared that he now uses cannabis recreationally (1/2 rolls every other weekend) when he has [REDACTED].

Witness B confirmed that she inputted this information, and that she would have completed this form by way of summarising her handwritten notes from the home visit. The panel did not have sight of Witness B's contemporaneous handwritten notes from her meeting with Mr Mpiani. Within Witness B's witness statement to the TRA, she stated that she no longer has copies of the contemporaneous notes during the assessment, as they were handwritten notes and they were discarded during a declutter of her home. Witness B confirmed in her oral testimony that this was correct and that she does not know exactly when they were discarded.

Witness B stated that she attempted to speak with Mr Mpiani by telephone to discuss the information provided during the home visit, but she could not reach him and as a result she sent him an email. The panel had sight of an email from Witness B to Mr Mpiani dated 8 December 2021, which stated:

"I have not heard from you, following my request for you to contact me. I am writing to you regarding your cannabis use that was discussed during my visit to your home. In light of the your use, I will be recommending that you are not suitable to act as a backup carer [REDACTED] until you address your cannabis use. I have also had a discussion with the LADO who covers the school you work in and she has recommended that a formal referral is made."

The panel also had sight of a response from Mr Mpiani to Witness B on 8 December 2021, which stated that he was disappointed that he was being investigated for cannabis use, and that he had answered Witness B's questions as "honest as he could". Within her response on the same date, Witness B confirmed that she had a duty to share the information with partner agencies and she also advised Mr Mpiani to stop smoking cannabis. The panel had sight of Mr Mpiani's response to this email on the same date at 14:58, which stated:

"Your [sic] writing a report like I'm a frequent user, and that I need help to stop.

I clearly told you that it's once in a while that I may use it. I also did tell you since [REDACTED] it's something I don't do often."

The panel also had sight of Witness B's foster carers' support person's risk assessment report dated 24 December 2021. Witness B confirmed that she would have written this after her meeting with Mr Mpiani, that it would have been quality assessed, sent to Mr

Mpiani to confirm whether there were any discrepancies or if he was happy with the report to provide his signature, and then it would be sent off to the agency. The report stated that:

“During my visit on the 5th December 2021, I explored Mr K Mpiani’s cannabis conviction further. Mr K Mpiani shared that he started to use cannabis in his early 30’s after a visit to Amsterdam where he tried it for the first time; his use continued after this. However, Mr K Mpiani shared that [REDACTED], he cut down his use and now uses cannabis recreationally (every other weekend) when he has no children in his care. Mr K Mpiani does not believe that the cannabis has an impact on his mental health, his ability to parent or his ability and conduct as a professional.”.

The recommendation as set out in the report was that, as a result of his ongoing cannabis use, Mr Mpiani was not suitable to act as a backup foster carer support person [REDACTED].

Witness B stated that she sent a copy of the report to Mr Mpiani to ask him to verify the content and provide a signature. However, she stated that she did not receive a response from him and she could not reach him, and therefore she had to sign it and send it to the agency. The panel had sight of Witness B’s email to Mr Mpiani dated 21 December 2021, asking for his comments on the risk assessment report by 23 December 2021. The panel had sight of an email response from Mr Mpiani dated 10 January 2022, which stated that he had not seen Witness B’s email as it was in his junk folder. The email also stated:

“I can’t stress how disappointed I am to read such a report, I welcomed you into my home disclosed information that was on my DBS, told you I haven’t used cannabis since 2010 and you produce a report like that.

...

I am not sure if you misunderstood what I said, but that report you have produced is in correct [sic]. I don’t use cannabis and haven’t done so since Christmas 2010. Some of the information you have provided is so far from the truth, it has put me in a [REDACTED].

...

The report is not an accurate conversation that took place when you visited my home ... I did disclose to you about my conviction for cannabis back in 2003/04, and I also did tell you that I last used cannabis back in 2010, but I never disclosed to you that I am still using cannabis because I am not”.

Within the email, Mr Mpiani also stated that he would be contacting his solicitor and challenging the report. Witness B stated that she did not hear of any follow up from Mr Mpiani or did not hear of any challenge to the report.

The panel heard oral evidence from Mr Mpiani. The panel also had sight of written statements from Mr Mpiani within the bundle. Mr Mpiani denied that he told Witness B that he was still using cannabis, and that he was using cannabis on the weekends. In particular, Mr Mpiani explained to the panel that he did use to smoke cannabis before 2010, but once [REDACTED], they made a pact [REDACTED] he would stop smoking cannabis. Mr Mpiani stated that he made a conscious decision to stop smoking cannabis as he wanted to promote a positive image in light of his role working with young people. Mr Mpiani did admit that he smoked cannabis with some other close friends on Boxing Day in 2010 [REDACTED]. However, Mr Mpiani stated that he had not smoked it since that day.

Mr Mpiani stated to the panel that he told Witness B that he had not smoked cannabis since Boxing Day in 2010, and that her record of the meeting is false. It was put to Mr Mpiani that his email to Witness B on 8 December 2021 and the way that this was worded gave an indication that he still smoked cannabis. However, Mr Mpiani stated that he did not mean for it to come across in this way and that it did not represent what he was trying to say. Mr Mpiani also stated that he did not make any comment about his [REDACTED] or discuss his [REDACTED] in any way to Witness B, and that the information he allegedly provided about owing them money was not true as [REDACTED], and he would never have said such things. In particular, Mr Mpiani stated that he was aware of the stakes involved and the importance of this assessment [REDACTED], and he would never have stated that he smoked cannabis. Mr Mpiani also stated that he would not have stated that he smoked cannabis given this would also have put him under the spotlight, in light of his role working with vulnerable children.

The panel heard oral evidence from Witness A, who confirmed that he had never had any suspicions that Mr Mpiani had been smoking cannabis and/or that he was under the influence of cannabis whilst at work. The panel had sight of the School's drug education and incident policy, and the code of conduct, but noted that they did not include any clear policies around the use of drugs by members of staff.

Mr Mpiani stated that once he became aware of the contents of the risk assessment report, he asked [REDACTED] for the details of Witness B's line manager, and that he wrote to Witness B's line manager by email to express concerns to her about the visit and the report in December 2021. Mr Mpiani stated that she did not get back to him. Mr Mpiani stated that Witness B never provided him with details on what would happen next or how to formally challenge the risk assessment report. When asked about this, Witness B confirmed that she did not provide this information to Mr Mpiani as he did not ask for it, but she would have provided to him had he asked or he could have obtained contact details for the agency [REDACTED].

Witness B was asked whether it was possible that she misunderstood the information given or whether she could possibly have mixed up Mr Mpiani's records with another individual. However, Witness B stated that she was clear in her mind that Mr Mpiani disclosed a current use of cannabis, and it was not possible to mix her records up as she immediately called her line manager in the car after visiting Mr Mpiani's home on 5 December 2021, to raise her concerns and to seek advice. Witness B stated that she would not have felt the need to immediately contact her line manager had she not been very clear that Mr Mpiani had disclosed that he was still using cannabis.

The panel considered the different testimonies. The panel found Witness B to be a credible witness. In particular, the panel found Witness B's oral testimony to be consistent with her witness statement to the TRA, and also with the notes of her interview at the School as part of the School's investigation. The panel also found that, whilst it did not have Witness B's handwritten notes from the meeting, it did have sight of other contemporaneous documents such as Witness B's referral to the LADO which was written and provided three days after her meeting with Mr Mpiani, the risk assessment report which was submitted on 24 December 2021 (which was consistent with the LADO referral), and the surrounding email correspondence. The panel found that Witness B's testimony was consistent with the contemporaneous evidence in the bundle. The panel found it had no reason or evidence to find that Witness B's recollection was mistaken, or that it was falsified or exaggerated.

The panel noted that Mr Mpiani's oral testimony was consistent with what he had previously told the School during the School's investigation, together with his written statements in the bundle. However, the panel found that Mr Mpiani's testimony was undermined by contemporaneous documentation in the bundle. In particular, the panel found that Mr Mpiani's email to Witness B dated 8 December 2021 at 14:58 strongly suggested that there was a current and/or ongoing use of cannabis by Mr Mpiani as opposed to a historic use, and did not accept Mr Mpiani's explanation that this is not what he meant to say. The panel found that Mr Mpiani had revised his explanation in his email of 10 January 2022, but found this email to be less reliable as it was sent after Mr Mpiani was informed that he was being investigated by the School and after he had some additional time to reflect.

Overall, the panel accepted the testimony of Witness B and found it more likely than not, on the balance of probabilities, that Mr Mpiani had smoked Cannabis on more than one occasion since becoming employed at the School.

The panel found this allegation proven.

2. You did not disclose to the School that a report had been made to the LADO with respect to your cannabis use, when you had been advised to do so;

This allegation was admitted.

The panel had sight an email from Witness B to Mr Mpiani after the home visit, dated 8 December 2021, which stated:

“I have not heard from you, following my request for you to contact me. I am writing to you regarding your cannabis use that was discussed during my visit to your home. In light of the your use, I will be recommending that you are not suitable to act as a backup carer [REDACTED] until you address your cannabis use. I have also had a discussion with the LADO who covers the school you work in and she has recommended that a formal referral is made. I will advise that you inform your employer about this and the LADO will also be in touch with them.”.

The panel had sight of a later email from Mr Mpiani to Witness B on 8 December 2021, which stated:

“You do whatever you need to do and I’ll wait for my LADO to get in touch with me.”

The panel also heard oral testimony from Witness A. The panel also had sight of Witness A’s witness statement to the TRA dated 27 March 2023. During his oral testimony, Witness A stated that he first heard about the LADO referral from the School’s Deputy Headteacher at the time and Designated Safeguarding Lead (“DSL”). Witness A stated that, she told him that she had been contacted by the LADO and she was following up on the incident. Witness A stated that he was shocked by this as he did not know what was going on.

Witness A stated that, he wanted to give Mr Mpiani the opportunity to let the School know. He stated that, initially, he asked Mr Mpiani directly if there was anything that he wanted to disclose, and Mr Mpiani said there was not. As a result, Witness A stated that he had a second conversation with Mr Mpiani whereby he was presented with the information from the LADO and that was when they discussed what had happened and Mr Mpiani denied the allegations against him. The panel noted that this testimony was consistent with Witness A’s witness statement.

The panel also heard oral testimony from Mr Mpiani. Mr Mpiani accepted that he did not report the LADO referral to the School. Mr Mpiani explained that he had told Witness B by email and during a telephone conversation after the home visit that he would wait for the School to contact him. Mr Mpiani explained that he was so upset by the allegations against him, that he was not really listening to what Witness B had to say. He stated that, he knew that Witness B had made the report to the School and so the School would be aware in any event, and that he would wait for them to speak to him.

Mr Mpiani did not accept Witness A’s testimony in respect of the disclosure to the School. Mr Mpiani stated that, he had spoken to the DSL prior to speaking to Witness A and she was aware of the referral. She asked him during that time if he had anything to disclose,

but as he did not feel he did anything wrong, he said no. After that, he had a conversation with both Witness A and the DSL, to discuss the referral. The panel noted that there was no opportunity to test the differing accounts as Mr Mpiani's account was not put to Witness A, and there was insufficient evidence surrounding this.

However, the panel noted that Mr Mpiani did accept that he did not disclose the referral to the School. Mr Mpiani also stated that, with hindsight, he should have gone straight to the DSL to disclose the referral and to put across his point of view. He should have gone to the safeguarding team. Mr Mpiani stated that he had been teaching for many years, had received safeguarding training and was aware of the importance of the School's safeguarding policies. Mr Mpiani stated that he was at fault for not reporting it to the School.

The panel also had sight of the School's code of conduct which was in place at the time, dated April 2021. The code of conduct sets out examples of what would be considered to be gross misconduct by the School. One of these is listed as "Failure to report or record any matter which it is the employee's contractual duty (either expressed or implied) to report". The panel found that whilst there was [REDACTED] disclosure policy, Mr Mpiani would have known he had a duty to report and his failure to do so was in contravention of the School's code of conduct.

The panel found this allegation proven.

3. On a school trip on or around 14 November 2019, upon becoming aware that Pupil A had been smoking cannabis you did not take appropriate action in that:

b) You did not inform and/or seek advice from the Senior Leadership team.

This allegation was not admitted.

The panel heard oral evidence from Witness A. The panel also had sight of Witness A's witness statement to the TRA dated 27 March 2023. The panel heard from Witness A that the School was a referral unit for pupils who had complex social, emotional and mental health needs, and that as a result, many pupils had a propensity for drug use.

The panel heard that this allegation related to a school trip [REDACTED]. It was confirmed that the trip took place during an evening outside of usual school hours. The panel also heard that it was Mr Mpiani who had voluntarily organised this trip for the pupils and that he was responsible for the trip as trip leader and organiser.

Within Witness A's witness statement, he stated that this incident came to light following a trip de-brief the following morning that took place on 15 November 2019. In particular, it came to light that Pupil A was smoking "skunk", a form of extremely strong cannabis, during the trip. Witness A's witness statement stated that Mr Mpiani had allowed Pupil A

to remain on the trip and that he did not seek support or advice from senior leadership to support with the dynamic risk assessment process. During his oral testimony, Witness A stated that for out-of-hours school trips there would have been a 24-hour contact available, either himself or a senior member of staff, in the event of an emergency, and that staff (including Mr Mpiani) would have had access to these contact details.

The panel heard oral evidence from Mr Mpiani, and also had sight of Mr Mpiani's written statements in the bundle. In his written statement, Mr Mpiani stated that, on the way to the trip, he presumed that Pupil A was smoking cannabis as there was a strong scent of cannabis in the air. During his oral testimony, Mr Mpiani stated that he did not actually see Pupil A smoking cannabis, only that he could smell it, and therefore suspected it was him. In his written statement, Mr Mpiani stated that he spoke to Pupil A to remind him that he should not be doing this on a school trip especially when there are younger pupils around. Mr Mpiani also stated that Pupil A's response was that he did not have any cannabis on him, as he was not "stupid enough to take weed to Wembley where there [are] sniffer dogs". Mr Mpiani confirmed that this recollection was correct during his oral testimony.

During his oral testimony, Mr Mpiani stated that he was accompanied on the trip by another member of staff who was the [REDACTED]. This was confirmed by Witness A. However, it was confirmed by Mr Mpiani that the [REDACTED] met them at the stadium and did not travel with them. Mr Mpiani stated that he did not have any contact details for a senior member of staff in the event of an emergency for any of the school trips outside of school hours. However, Mr Mpiani stated that in any event, there was a senior member of staff/Lead Safeguarding Officer present on the trip who could deal with any concerns.

During his oral testimony, Mr Mpiani stated that a separate incident arose at the end of the trip, after they had watched the football match, whereby Pupil A smoked a cigarette in front of the [REDACTED]. He stated that, she had asked him to stop smoking but he did not, so she asked Mr Mpiani to intervene. Mr Mpiani stated that at that point, he then informed the [REDACTED] that he suspected that Pupil A had smoked cannabis before arriving at the trip. In his written statement, Mr Mpiani stated that she had then told him that Pupil A should not have come along to the trip if he was smoking cannabis before leaving the School.

Mr Mpiani also explained that it was discussed during the de-brief, which took place at 08:30 the following morning. The panel heard from both Witness A and Mr Mpiani that no formal disciplinary action was taken by the School and that it was treated as a 'lessons learned' opportunity with some management advice provided.

The panel did not have sight of any educational visits or school trip policy which set out what action should have been undertaken by Mr Mpiani on the trip. The panel also did not have sufficient evidence to demonstrate that Mr Mpiani did have a direct contact number for Witness A or any other senior member of staff to raise his concerns during

the trip. However, the panel noted that there was a member of the senior leadership team (who was also the Lead Safeguarding Officer) attending the trip. As a result, the panel found that Mr Mpiani should have told her upon immediately arriving [REDACTED] that he suspected Pupil A had been smoking cannabis prior to arriving and after leaving the School. Instead, the panel noted that whilst it was eventually disclosed, Mr Mpiani waited until the end of the trip to inform the [REDACTED]. The panel found this action to have been inappropriate.

As a result, the panel found that it was more likely than not, on the balance of probabilities, that Mr Mpiani did not take appropriate action as he did not inform and/or seek advice from the Senior Leadership team upon becoming aware that Pupil A had been smoking cannabis on 14 November 2019.

The panel found this allegation proven.

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

4) On 17 December 2001, you were convicted of one offence of possession of a Class B Controlled Drug (Cannabis Resin) with intent to supply

Mr Mpiani denied that he was convicted of one offence of possession of a Class B Controlled Drug (Cannabis Resin) with intent to supply. In particular, it was Mr Mpiani's case that he had only ever been convicted of possession of cannabis, and that he had never been convicted of intent to supply.

Mr Mpiani's representative highlighted to the panel that there were inconsistencies between the certificate of conviction in the bundle, and the extract of the police national computer. In particular, the certificate of conviction stated that Mr Mpiani had been convicted of possessing a Class B controlled drug with intent to supply – Cannabis resin, whereas the police national computer stated that Mr Mpiani had been convicted of possession of a Class B drug – Cannabis Resin in contravention of section 5(2) of the Misuse of Drugs Act 1971. Mr Mpiani's representative stated that, section 5(2) of the Misuse of Drugs Act 1971 relates only to possession of drugs and not intent to supply and therefore it is clear that the certificate of conviction is incorrect. Mr Mpiani's representative argued that there was an error in the certificate of conviction and the panel should therefore rely upon the police national computer as evidence of Mr Mpiani's conviction instead.

The panel noted that, in accordance with paragraph 15 of the Teacher misconduct: the prohibition of teachers guidance, if there has been a conviction, at any time, of a relevant offence, the panel will accept the certificate of conviction as conclusive proof of both the conviction and the facts necessarily implied by the conviction, unless exceptional

circumstances apply. The panel considered whether the arguments put forward by Mr Mpiani and his representative were exceptional circumstances.

The panel had sight of the certificate of conviction. The certificate of conviction stated that on 17 December 2001, Mr Mpiani was convicted at Southwark Crown Court of possessing a Class B controlled drug with intent to supply – Cannabis resin, following his own confession, and was ordered to pay a fine of £150.00 or in default to serve 7 days' imprisonment. The panel acknowledged that this was inconsistent with the police national computer record. However, the panel noted that the certificate of conviction was a direct record from Southwark Crown Court and it had been signed by an Officer of the Court to verify that the details in the certificate are a true and complete extract from the court record to the best of their knowledge and belief.

The panel also noted that, this particular offence was dealt with in the Crown Court whereas Mr Mpiani's other offences for possession of cannabis were dealt with in the Magistrates' Court. The panel also noted that Mr Mpiani received a higher fine (to be paid or for Mr Mpiani to serve 7 days' imprisonment) than he had received for his other convictions relating to possession of cannabis only. The panel found that these factors indicated that the offence with which Mr Mpiani was charged on this occasion was more serious than his later convictions for possession.

The panel also noted that Mr Mpiani and his representative had been in receipt of the TRA's documentary evidence, which included the certificate of conviction, since May 2025 and that no prior objections had been raised. The panel also noted that it had not been provided with any documentary evidence to refute the certificate of conviction, such as any attempts by Mr Mpiani to obtain a corrected certificate of conviction (albeit the panel accepted that the offence was unlikely to show on any recent DBS and so there were limits on what could have been provided). Overall, the panel found it had no reason to doubt the veracity of the certificate of conviction and found it more likely than not that there was instead an error on the police national computer record. As a result, the panel accepted the certificate of conviction as conclusive proof of both the conviction and the facts necessarily implied by the conviction.

The panel found this allegation proven.

5) On 8 July 2003, you were convicted of one offence of possession of a Class B controlled drug (Cannabis)

Mr Mpiani admitted that he was convicted of one offence of possession of a Class B controlled drug (Cannabis).

The panel had sight of the witness statement of Witness A dated 27 March 2023. Within this statement, Witness A confirmed that the School was aware of Mr Mpiani's former convictions involving possession of drugs, and that Mr Mpiani disclosed this verbally

when he applied for his role at the School. Whilst Witness A also stated that he was not able to locate any formal record of Mr Mpiani disclosing this in his application, they were confirmed within his [REDACTED] and therefore the School were aware of the convictions.

The panel had sight of the certificate of conviction and accepted it as conclusive proof of the conviction and the facts necessarily implied by the conviction. The certificate of conviction confirmed that on 6 July 2003, Mr Mpiani was convicted at Thames Magistrates' Court of having in his possession a quantity of Cannabis, a controlled drug of Class B in contravention of Section 5(1) of the Misuse of Drugs Act 1971, and was ordered to pay a fine.

The panel also had sight of an extract of the police national computer record confirming the conviction.

The panel found this allegation proven.

6) On 12 May 2005, you were convicted of one offence of possession of a Class C controlled drug (Cannabis Resin)

Mr Mpiani admitted that he was convicted of one offence of possession of a Class C controlled drug (Cannabis Resin).

The panel had sight of the witness statement of Witness A dated 27 March 2023. Within this statement, Witness A confirmed that the School was aware of Mr Mpiani's former convictions involving possession of drugs, and that Mr Mpiani disclosed this verbally when he applied for his role at the School. Whilst Witness A also stated that he was not able to locate any formal record of Mr Mpiani disclosing this in his application, they were confirmed within his DBS check and therefore the School were aware of the convictions.

The panel had sight of the certificate of conviction and accepted it as conclusive proof of the conviction and the facts necessarily implied by the conviction. The certificate of conviction confirmed that on 12 May 2005, Mr Mpiani was convicted at Thames Magistrates' Court (having entered a guilty plea) of having in his possession a quantity of cannabis resin, a controlled drug of Class C, in contravention of Section 5(1) of the Misuse of Drugs Act 1971, and was ordered to pay a fine.

The panel also had sight of an extract of the police national computer record confirming the conviction.

The panel found this allegation proven.

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

3. On a school trip on or around 14 November 2019, upon becoming aware that Pupil A had been smoking cannabis you did not take appropriate action in that:

a) You allowed Pupil A to remain on the trip and did not arrange for Pupil A to be returned home

This allegation was not admitted.

The panel heard oral evidence from Witness A. The panel also had sight of Witness A's witness statement to the TRA dated 27 March 2023. Within his written witness statement, Witness A stated that if a student is under the influence of drugs, "the usual process would be to return them safely and securely to their home in consultation with their parents/carers and senior staff of the school". However, during his oral testimony, Witness A stated that it is not always possible to follow the exact school processes and policies. In particular, he stated that when dealing with the pupils' level of complexity of needs at the School, there is a certain amount of nuance required and that the guidelines which are in place are there to equip staff members' development of judgment. Witness A explained that at the School, whilst there are guidelines and working practices that staff adhere to, where the needs of students are unique, there are times when a bespoke response is necessary and it is difficult to apply a "one size fits all" approach. Witness A provided an example where, if a pupil arrives at the School under the influence of drugs, they have to look holistically at the needs of the pupil and have to consider things such as; whether it would be appropriate to send them home in light of their home environment, whether there is a risk of them absconding from home or whether there is a risk of them being more vulnerable to predations of gang members.

The panel heard oral evidence from Mr Mpiani, and also had sight of Mr Mpiani's written statements in the bundle. Mr Mpiani accepted that he allowed Pupil A to remain on the trip after he had suspected him of smoking cannabis on the way there. However, Mr Mpiani explained that being the trip leader, he exercised his judgement and assessed whether it would be best to send Pupil A home, or to keep him on the trip. Mr Mpiani explained that he made a judgment that it would be better for the whole group to let Pupil A remain on the trip as there would be repercussions for the entire trip if he was sent home. In particular, Mr Mpiani explained that there were six staff members on the trip who were responsible for 2-3 pupils each, and that if Pupil A had to be escorted home this would mean that they would be without a staff member responsible for some of the pupils. Mr Mpiani also stated that, if he had tried to send Pupil A home, he would have had concerns about where Pupil A would have gone and what he would have done next. Mr Mpiani explained that instead, he decided that speaking to Pupil A about him smoking cannabis and allowing him to remain on the trip was appropriate.

The panel noted that, following the de-brief at the School the following day, no formal disciplinary action was taken by the School as a result of Mr Mpiani's decision not to

send Pupil A home. Instead, during his oral testimony, Witness A stated that they had some conversations about it, and he was more concerned that it was a ‘lessons learned’ exercise rather than a punitive one. He stated that, the risk in working with young people such as those at the School, is that there is a relational approach and that sometimes practitioners make a judgment which is not reflective of what he believes is best. However, Witness A stated it was clear that Mr Mpiani accepted that things could have been done differently and as a result, he was satisfied that it was a development opportunity particularly in light of the efforts and initiative that Mr Mpiani had taken in giving up his own time to plan and lead the trip.

The panel did not have sight of any educational visits or school trip policy which set out what action should have been undertaken by Mr Mpiani on the trip. However, the panel found that Mr Mpiani provided a clear and coherent explanation as to why he did not send Pupil A home from the trip, which was consistent with Witness A’s evidence. As a result, the panel found that the action taken by Mr Mpiani was not inappropriate.

The panel did not find this allegation proven.

Findings as to unacceptable professional conduct and/or conduct that may bring the profession into disrepute, and conviction of a relevant offence

Having found allegations 1, 2 and 3 (b) 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 Mpiani, in relation to the facts found proved, involved breaches of the Teachers’ Standards.

In respect of allegations 1 and 3 (b), the panel was not satisfied that the conduct of Mr Mpiani, in relation to the facts found proved, involved breaches of the Teachers’ Standards.

In respect of allegation 2, the panel considered that, by reference to Part 2, Mr Mpiani was in breach of the following standard:

- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach ...

The panel was not satisfied that the conduct of Mr Mpiani, in relation to the facts found proved, involved breaches of Keeping Children Safe In Education (“KCSIE”).

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

The panel also considered whether Mr Mpiani'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 none of these offences were relevant.

The panel noted that allegation 1 took place outside the education setting. The panel did not consider that Mr Mpiani's conduct affected the way he fulfilled his teaching role. In particular, the panel noted that there was no evidence to suggest that this was the case or that there had ever been any concerns or complaints raised regarding Mr Mpiani using cannabis or being under the influence of cannabis at work. The panel also did not consider that Mr Mpiani's conduct may have led to pupils being exposed to, or influenced by, the behaviour in a harmful way. The panel noted that Mr Mpiani's conduct was so removed from the school setting, that there was no knowledge that he was smoking cannabis until he disclosed it to Witness B. The panel did not have sight of any evidence to suggest that Mr Mpiani's conduct had any impact on his judgment when dealing with pupils at the School who were involved with drugs.

As to allegation 2, the panel noted that Mr Mpiani's conduct was in breach of the School's code of conduct, which stated that it was an example of gross misconduct to have failed to report any matter which it is the employee's contractual duty (either expressed or implied) to report. Further, the panel noted that Mr Mpiani had a direct communication from a social worker to report the LADO referral to the School, but he did not do so. The panel noted that Mr Mpiani had undergone safeguarding training at the School, and so he would have understood the significance of LADO referrals in an educational context. The panel also noted that the School specifically taught vulnerable pupils [REDACTED]. As a result, the panel noted that Mr Mpiani would have recognised the seriousness of the LADO referral (even if he did not agree with its contents) and the potential impact on his role at the School. The panel noted that Mr Mpiani had also acknowledged himself that he should have reported it to the School. The panel found that LADO referrals are serious matters and that, in the context of the pupils who attend the School and the issues they present with, it was a serious failure by Mr Mpiani not to disclose it to the School.

As to allegation 3 (b), the panel found that this was an error of judgment but that it did not amount to misconduct of a serious nature. The panel found that Mr Mpiani's conduct did not place pupils at risk of harm and noted that Mr Mpiani did disclose his concerns around Pupil A smoking cannabis to the [REDACTED] at the end of the trip, albeit this was later than the panel found to be appropriate. The panel was also mindful of the fact

that Witness A had confirmed to the panel that he had never had any safeguarding concerns in respect of Mr Mpiani.

For the reasons set out above, the panel was not satisfied that the conduct of Mr Mpiani as found proven at allegations 1 and 3 (b) amounted to misconduct of a serious nature which fell significantly short of the standards expected of the profession. However, the panel was satisfied that the conduct of Mr Mpiani as found proven at allegation 2 did amount to misconduct of a serious nature which fell significantly short of the standards expected of the profession.

Accordingly, the panel was satisfied that Mr Mpiani was guilty of unacceptable professional conduct, in respect of allegation 2 only.

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

The panel noted that the conduct as found proven at allegation 1 took place outside of the education setting. However, in accordance with the Advice, the panel did not consider the findings of misconduct to be serious. It also did not consider that the conduct displayed would be likely to have a negative impact on the individual's status as a teacher.

Overall, the panel did not consider that Mr Mpiani's conduct could potentially damage the public's perception of a teacher.

For these reasons, the panel did not find that Mr Mpiani's conduct in respect of any of the allegations as found proven constituted conduct that may bring the profession into disrepute.

Having found the facts of allegations 4, 5 and 6 proved, the panel also went on to consider whether the facts of those proved allegations amounted to the conviction of a relevant offence. The offences were committed by Mr Mpiani prior to the coming into force of Teachers' Standards, therefore the panel had regard to its knowledge and experience of teaching standards at that time and considered that the teacher's conduct, having committed criminal offences, would have been in breach of those standards.

However, the panel noted that the individual's actions were not relevant to teaching or working in an education setting. The panel noted that Mr Mpiani was working with children as a football coach at the time of the convictions but his conduct took place outside of this environment and, there was no evidence to suggest that they had any impact on this role at the time.

The panel did not consider that Mr Mpiani's actions had a potential impact on the safety or security of pupils or members of the public.

The panel did not consider that Mr Mpiani's behaviour would affect public confidence in the teaching profession. In particular, the panel noted that the offences took place over 20 years ago and that since then, Mr Mpiani had no subsequent convictions.

The panel noted that Mr Mpiani's behaviour did not lead to any sentence of imprisonment, which was indicative that the offence was at the less serious end of the possible spectrum.

The panel also considered the offences listed on pages 12 and 13 of the Advice. In respect of allegation 4, the panel found that this was a case concerning possession with intent to supply another person any Class B drugs, which the Advice states is likely to be considered a relevant offence.

In respect of allegations 5 and 6, the panel found that these were cases concerning the personal use of alcohol or class B, class C or temporary class drugs away from children and education contexts, which the Advice states is less likely to be considered a relevant offence.

The panel considered the seriousness and gravity of each offence. As to allegation 4, the panel found that this was on the more serious end of the spectrum only when compared with allegations 5 and 6, which were on the less serious end of the spectrum. Overall, the panel found that all of the offences were on the less serious end of the spectrum.

The panel also took into account that all 3 convictions took place over 20 years ago, that Mr Mpiani was not a teacher at the time of those convictions, and that Mr Mpiani had since had no further convictions. The panel also noted that Mr Mpiani had disclosed these convictions to the School at the earliest opportunity upon applying for the role as a teacher, had undergone a DBS check, and that the School was aware of the convictions upon employing Mr Mpiani and had no issues with employing him. The panel took into account Witness A's evidence before the panel that was adduced attesting his previous good history as a teacher, and his positive contribution to the School by way of organising trips and acting as a positive role model to the pupils. The panel was mindful that Mr Mpiani had been teaching at the School for more than 10 years, and during that time there were no concerns raised about him using cannabis or being under the influence of cannabis whilst at work. The panel also noted character references in the

bundle did not refer to any previous concerns raised throughout any of his roles in working with children. The panel noted that one of these character references was from a former colleague at the School.

In light of the significant length of time that had passed since the date of the convictions; the fact that they did not at all relate to his role as a teacher, and the fact that Mr Mpiani had since had a good record as a teacher and was recognised for making a positive contribution to the School, the panel did not find the convictions to be relevant to the teacher's ongoing suitability to teach. The panel did not consider that a finding that these convictions were relevant offences was necessary to reaffirm clear standards of conduct or to maintain public confidence in the teaching profession.

Panel's recommendation to the Secretary of State

Given the panel's findings in respect of unacceptable professional conduct with regard to allegation 2 only, 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 one of them to be relevant in this case, namely declaring and upholding proper standards of conduct.

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

In addition to the public interest consideration set out above, the panel went on to consider whether there was a public interest in retaining Mr Mpiani in the profession. The panel decided that there was a strong public interest consideration in retaining the teacher in the profession, since no doubt had been cast upon his abilities as an educator and he is able to make a valuable contribution to the profession.

The panel considered carefully the seriousness of the behaviour, noting that the Advice states that the expectation of both the public and pupils, is that members of the teaching profession maintain an exemplary level of integrity and ethical standards at all times. The panel found Mr Mpiani's behaviour as found proven at allegation 2 to be on the less serious end of the spectrum on the basis that it was an isolated incident that occurred

over a short period of time, which did not cause any harm to pupils and did not affect his role as a teacher.

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 Mpiani.

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, the one behaviour which was relevant in this case was:

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

Even though one of the behaviours 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 teacher's actions were deliberate. There was no evidence to suggest that Mr Mpiani was acting under extreme duress, e.g. a physical threat or significant intimidation.

The panel found it did not have sight of sufficient objective information and/or evidence to determine that Mr Mpiani had demonstrated exceptionally high standards in both his personal and professional conduct. However, the panel did note that Mr Mpiani had a previous good history as a teacher, and that he had made a positive contribution to both the education sector and his wider community, noting specifically the School context which was a SEMH provision for children not able to continue in mainstream schools.

In particular, the panel had heard from Mr Mpiani that he dedicated himself to ensuring that pupils at the School had the best experiences and that they had access to opportunities that they would not normally have, building cultural capital. He explained that he organised multiple trips and experiences for the pupils, such as taking them to watch the rugby world cup, taking them swimming in the pool that was built for the London Olympics, organising a BMX bike maintenance course and taking them to tennis school. Mr Mpiani stated that throughout his time at the School he was always trying to enrich the pupils' lives.

The panel also heard from Witness A that Mr Mpiani's contribution to the School was generally very good. He explained that Mr Mpiani would take the pupils out on boat rides and swimming, he organised sports day events and he would bring in sports coaches from top football clubs. Witness A stated that Mr Mpiani always had the needs of the pupils as the focus of his work, and that on a day-to-day basis he acted in a positive role model way. He commended Mr Mpiani (and all staff) for working at the School, which was

not an easy School to work at. He also stated that Mr Mpiani was someone he enjoyed working with.

The panel did not have sight of any evidence to suggest that Mr Mpiani was previously subject to formal disciplinary proceedings.

The panel also had sight of written character references in support of Mr Mpiani. The first was from a former colleague of Mr Mpiani who worked at the School. He described Mr Mpiani as an honest person, who “professionally utilised his stature in the community to provide opportunities and memories our students do not experience regularly”. He also referred to Mr Mpiani’s work in the community and stated that Mr Mpiani has “supported many people who also work in the local authority now and his positive impact in the community can be seen and felt.”.

The second reference was from a referee at a community organisation where Mr Mpiani volunteered. He stated that Mr Mpiani has “an outstanding track record in engaging young people and young adults. This includes those that are often seen as “hard to reach”.”. He also stated that Mr Mpiani “has helped change the lives for the better for the communities in North and East London for almost 3 decades.”.

The third reference was from a referee at a school who knew Mr Mpiani from Mr Mpiani’s time as a football coach, and from working on a number of projects when Mr Mpiani joined the School. He stated that Mr Mpiani “approached his role with enthusiasm and dedication, creating a positive and inclusive environment for students of all abilities.”. He also stated that Mr Mpiani is “a person of good character – honest, respectful, and dependable. He served as a positive role model for students, demonstrating fairness, patience and integrity in daily interactions.”.

The fourth reference was from a referee at a community organisation where Mr Mpiani currently volunteers. He stated that Mr Mpiani has “consistently demonstrated professionalism, compassion and an exceptional ability to engage some of the most vulnerable and high-risk young people within our communities.”. He also stated that Mr Mpiani “works closely with children and young people [REDACTED], and that he is “highly respected for his professionalism, timekeeping, report writing, and his ability to remain grounded and solution-focused even in the most challenging situations.”.

The panel heard from Mr Mpiani that his current role involves outreach work with young people. In particular, he explained that the mayors’ office has a list of the most high-risk communities in London, and he will go to these areas twice a week, talk to the young people to find out what is attracting them to get involved with gangs and/or drugs and how he can help them. He stated that he may also run football sessions for them in order to engage with them.

Overall, the panel found that Mr Mpiani had made a great contribution to the profession, in a really challenging educational area. The panel particularly noted that the School would have been a challenging environment to work at, in light of the complex needs of the pupils. The panel noted that Mr Mpiani had worked at the School for over 10 years and during this time, he made a positive impact on the pupils that he worked with. The panel also found that Mr Mpiani had made, and was continuing to make, a valuable contribution to his community and to the lives of vulnerable young people. The panel noted that Mr Mpiani was voluntarily going out to vulnerable and high-risk communities, often putting himself at risk, in order to help young people. The panel commended Mr Mpiani for his work and found that it would be a sad loss to the profession if he were prevented from teaching.

The panel considered Mr Mpiani's level of insight and remorse. The panel noted that Mr Mpiani admitted allegation 2 at the outset. He accepted that his conduct was wrong and he also acknowledged what he should have done differently. The panel also found Mr Mpiani to be genuinely remorseful. He acknowledged the importance of safeguarding and the need to self-report any concerns, and he accepted the potential impact that his conduct had on his role at the School. The panel also noted that Mr Mpiani had positively engaged with the School's investigation and with these regulatory proceedings.

The panel found that Mr Mpiani's conduct as found proven at allegation 2 constituted a serious mis-judgment. However, the panel found that this was an isolated incident, that occurred in the moment and during the course of one day. The panel found that Mr Mpiani's conduct followed him receiving news of the LADO referral which affected him emotionally and resulted in him making an error of judgment for a very short period of time. The panel found that Mr Mpiani had clearly articulated how his actions were affected by his emotional state in that moment. The panel also found that there was no attempt by Mr Mpiani to conceal the LADO referral from the School, and believed Mr Mpiani's explanation that he was waiting for the School to approach him as he knew that the School was being made aware of the referral from the social worker in any event. Whilst the panel acknowledged that this was a serious error, it noted that there was no malicious intent behind Mr Mpiani's conduct. The panel noted that Mr Mpiani otherwise had a good history as a teacher and that no safeguarding concerns had been raised. The panel found his conduct to be a lapse of judgment, and that Mr Mpiani had since learnt his lesson. As a result, the panel found it highly unlikely that Mr Mpiani would repeat this behaviour in the future.

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 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 allegations 1, 2 and 3(b) proven but that only allegation 2 amounts to unacceptable professional conduct. Further, the panel has found allegations 4, 5 and 6 proven, but that none of these proven allegations amount to a relevant conviction. I have therefore put those matters which are either not proven, or which do not amount to unacceptable professional conduct, conduct that may bring the profession into disrepute or conviction of a relevant offence entirely from my mind.

The panel has made a recommendation to the Secretary of State that the findings of unacceptable professional conduct in relation to Mr Kofi Mpiani should be published and that such an action is proportionate and in the public interest.

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

- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach ...

The panel was not satisfied that the conduct of Mr Mpiani, involved breaches of the responsibilities and duties set out in statutory guidance Keeping children safe in education (KCSIE) or involved breaches of Working Together to Safeguard Children.

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

I have to determine whether the imposition of a prohibition order is proportionate and in the public interest. In considering that for this case, I have considered the overall aim of a prohibition order which is to protect pupils and to maintain public confidence in the profession. I have considered the extent to which a prohibition order in this case would achieve that aim taking into account the impact that it will have on the individual teacher. I have also asked myself, whether a less intrusive measure, such as the published

finding of unacceptable professional conduct, 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 Mpiani, 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 or safeguard pupils. The panel has observed,

“The panel also noted that the School specifically taught vulnerable pupils [REDACTED]. As a result, the panel noted that Mr Mpiani would have recognised the seriousness of the LADO referral (even if he did not agree with its contents) and the potential impact on his role at 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 the panel sets out as follows,

“He accepted that his conduct was wrong and he also acknowledged what he should have done differently. The panel also found Mr Mpiani to be genuinely remorseful. He acknowledged the importance of safeguarding and the need to self-report any concerns, and he accepted the potential impact that his conduct had on his role at the School. The panel also noted that Mr Mpiani had positively engaged with the School’s investigation and with these regulatory proceedings”.

The panel has also commented,

“Whilst the panel acknowledged that this was a serious error, it noted that there was no malicious intent behind Mr Mpiani’s conduct. The panel noted that Mr Mpiani otherwise had a good history as a teacher and that no safeguarding concerns had been raised. The panel found his conduct to be a lapse of judgment, and that Mr Mpiani had since learnt his lesson. As a result, the panel found it highly unlikely that Mr Mpiani would repeat this behaviour in the future”.

In my judgement, the panel’s findings mean that there is a very low risk of the repetition of this behaviour. 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 observe, *“...that a public interest consideration in declaring proper standards of conduct in the profession was present as the conduct found against Mr Mpiani was outside that which could reasonably be tolerated.”*

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, 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 Mpiani himself. The panel comment,

“Mr Mpiani had made a great contribution to the profession, in a really challenging educational area. The panel particularly noted that the School would have been a challenging environment to work at, in light of the complex needs of the pupils. The panel noted that Mr Mpiani had worked at the School for over 10 years and during this time, he made a positive impact on the pupils that he worked with. The panel also found that Mr Mpiani had made, and was continuing to make, a valuable contribution to his community and to the lives of vulnerable young people. The panel noted that Mr Mpiani was voluntarily going out to vulnerable and high-risk communities, often putting himself at risk, in order to help young people. The panel commended Mr Mpiani for his work and found that it would be a sad loss to the profession if he were prevented from teaching”.

A prohibition order would prevent Mr Mpiani 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 comments concerning the insight or remorse. The panel has said, *“He accepted that his conduct was wrong and he also acknowledged what he should have done differently. The panel also found Mr Mpiani to be genuinely remorseful. He acknowledged the importance of safeguarding and the need to self-report any concerns, and he accepted the potential impact that his conduct had on his role at the School”.*

I have placed considerable weight on the panel’s comment that it *“... found his conduct to be a lapse of judgment, and that Mr Mpiani had since learnt his lesson. As a result, the panel found it highly unlikely that Mr Mpiani would repeat this behaviour in the future”.*

Based upon the panel’s finding that this was an isolated incident which is highly unlikely to be repeated, and the positive impact Mr Mpiani has made on the education and lives of young people, 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 "S. Blomfield". The signature is written in a cursive, flowing style.

Decision maker: Stuart Blomfield

Date: 6 February 2026

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