



Teaching  
Regulation  
Agency

# **Mr Ashley Kalnins: Professional conduct panel outcome**

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

**February 2026**

## Contents

Introduction	3
Allegations	4
Preliminary applications	5
Summary of evidence	5
Documents	7
Witnesses	8
Decision and reasons	8
Findings of fact	9
Panel's recommendation to the Secretary of State	28
Decision and reasons on behalf of the Secretary of State	34

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

<b>Teacher:</b>	Mr Ashley Kalnins
<b>Teacher ref number:</b>	1086081
<b>Teacher date of birth:</b>	29 May 1986
<b>TRA reference:</b>	20090
<b>Date of determination:</b>	10 February 2026
<b>Former employer:</b>	St Francis Catholic Primary School, Warwickshire

### **Introduction**

A professional conduct panel (“the panel”) of the Teaching Regulation Agency (“the TRA”) convened on 2 to 10 February 2026 by way of virtual hearing, to consider the case of Mr Ashley Kalnins.

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

The legal adviser to the panel was Mr James Corrish of Birketts LLP solicitors.

The presenting officer for the TRA was Mr Alexander Barnfield of Capsticks LLP solicitors.

Mr Kalnins 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 Hearing dated 15 September 2025 [REDACTED].

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

1. Between around September 2016 and December 2018, while employed as a teacher at St Francis Catholic Primary School ('School A'), he:
  - a) On one or more occasions sent Individual A inappropriate messages, as set out within Schedule 1;
  - b) On or around 20 August 2018, he told Individual A to delete messages he had sent to her;
  - c) In relation to Individual B, on one or more occasions:
    - i) Sent inappropriate messages, as set out within Schedule 2;
    - ii) he told Individual B to delete messages he had sent to her;
    - iii) Made inappropriate comments, including inviting Individual B to send him nude pictures of herself;
    - iv) Made inappropriate comments about Individual B's clothing;
    - v) Asked Individual B to give him a massage or words to that effect;
    - vi) Made comments about sharing a shower with Individual B;
2. Between around January 2019 and September 2020, while employed as the Deputy Headteacher at Our Lady & St. Teresa's Catholic Primary School ('School B'), you:
  - a) on one or more occasions sent Individual D inappropriate messages as set out within Schedule 3\*;
3. That his conduct as set out in any or all in paragraphs 1 above was sexually motivated;
4. That his conduct as set out within paragraph 1(b) and/or 1(c) (ii) amounts to a lack of integrity and/or dishonesty.

[REDACTED]

Mr Kalnins admitted some factual aspects of the particulars of allegations 1(a), 1(b), 1(c) and denied allegations 3 and 4. Mr Kalnins made no admission as to whether his conduct amounted to unacceptable professional conduct or conduct that may bring the profession into disrepute. The panel proceeded on the basis that this was a fully contested hearing in relation to all allegations.

## Preliminary applications

[REDACTED]

### Application for statement of witness to be admitted as hearsay

The TRA made an application that the statement of Individual D and screenshots of the messages of Individual D be admitted as hearsay evidence in the absence of the witness. This application was opposed in writing by Mr Kalnins' representative. After receiving oral submissions from the presenting officer and receiving legal advice, the panel made the following decision.

The panel considered the presenting officer's submissions including that Individual D would not give live evidence before the panel as she had moved overseas and that the TRA had no current contact details for her. The presenting officer submitted that there was no evidence that these messages had been manufactured and that there was no dispute as to the authenticity of the messages (but rather as to their context). The presenting officer submitted that the statement and messages were not the whole and decisive evidence regarding allegation 2 given that they appeared to mirror behaviour towards Individual A and Individual B.

The panel noted that in Mr Henderson's e-mail of 29 December 2025 he had set out, on behalf of Mr Kalnins, that Mr Kalnins did not agree to the application to adduce the hearsay evidence of the alleged messages and statement of Individual D.

Mr Henderson submitted that these documents were the only direct evidence of allegation 2. He further asserted that their reliability was challenged: Mr Kalnins submitted that they were a very partial representation of the relationship; Mr Kalnins contended that the hearsay statement evidence was exaggerated; the selected messages had been taken out of context; the evidence went to a serious charge of misconduct; and, that the TRA had not provided good reason for the non-attendance of Individual D nor had it set out the efforts made to trace and secure Individual D's attendance to give evidence, for example by video, if she was now abroad.

The panel carefully considered the submissions made in determining whether it would be fair to admit the statement as hearsay evidence.

The panel noted that, whilst it was contested by the TRA, its view was that the evidence of the witness and the alleged messages did broadly appear to be the sole and decisive evidence in relation to allegation 2. Furthermore, the evidence was such that the panel felt that it would be unable to test its reliability in the absence of the witness. The panel concluded that the balance of fairness was against admitting the statement and messages as hearsay evidence. Accordingly, the statement of Individual D and the alleged messages were not admitted and were not considered in the panel's deliberations.

### Subsequent applications by the TRA to amend allegations

The panel considered further applications from the presenting officer that the allegations against Mr Kalnins should be amended in that:

1. Allegation 2 be deleted further to the panel's decision to reject the TRA's hearsay application.
2. The phrase within allegation 1 "*December 2018*" be adjusted to "*May 2019*" and the phrase "*and/or while employed as the Deputy Headteacher at Our Lady & St. Teresa's Catholic Primary School ('School B')*" be inserted after "*('School A')*," on the second line of allegation 1.
3. The phrase "*(a former pupil at School A)*" be deleted from allegation 1(c).
4. The phrase "*and/or 2*" be removed from allegation 3 further to the deletion of allegation 2.
5. That allegation 4 be narrowed so as to refer to "*1(b) and/or 1(c) (ii)*" rather than "*1(b) and/or 1(c)*".

The panel was conscious that Mr Kalnins was not present to respond to these applications nor had he had notice of them.

The panel carefully considered the amendments and the submissions made by the presenting officer and the legal adviser's advice.

The panel considered whether amendment 2 above changed the nature, scope or seriousness of the allegations. The panel took the view that the scope of the allegation would be materially altered by those amendments and that the amendment should have been made at an earlier stage. Given the absence of Mr Kalnins and his legal representative and given that this amended allegation would be something to which Mr Kalnins would not be able to respond or provide evidence (the concept of which he had

been given no notice of) the panel considered the amendment would not be in the interests of justice and rejected that part of the application.

The panel noted that amendments 1 and 4 simply flowed from the rejection of the hearsay evidence and narrowed the allegations which Mr Kalnins faced and that amendments 3 and 5 likewise had the effect of narrowing the allegations. The panel did not consider that, otherwise, these amendments changed the nature, scope or seriousness of the allegations. The panel did not consider that unfairness or prejudice was caused to Mr Kalnins by amendments 1, 3, 4 and 5 and further considered the amendments to be in the interests of justice.

The panel granted the amendments to the allegations as set out in points 1, 3, 4 and 5 above in accordance with its powers under paragraph 5.83 of the Procedures.

The panel rejected the application to amend the allegation set out in point 2 above.

Further, although noting that it was not specifically the subject of any application, the panel determined that, given its decisions, it would disregard Schedule 3 in its entirety in its consideration of the evidence generally and the allegations.

## **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 7 to 9

Section 2: Notice of proceedings and response – pages 10 to 33

Section 3: TRA witness statements – pages 34 to 68

Section 4: TRA documents – pages 69 to 1026

Section 5: Teacher documents – pages 1027 to 1112

In addition, the panel agreed to accept the following:

Schedules to the Allegations – pages 1113 to 1123

Hearsay Bundle – pages 1124 to 1148

Service Document Bundle – pages 1149 to 1174

Proceeding in absence Correspondence Bundle – pages 1175 to 1189

Parties' e-mail correspondence to 9.1.2026 re Preliminary Applications pages 1190 to 1192

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:

Individual A - [REDACTED]

Individual B - [REDACTED]

Individual G - [REDACTED]

Witness C - [REDACTED]

Witness D - [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.

Between January 2009 and August 2012 Mr Kalnins was employed as a teacher at St Thomas More Secondary School and Sixth Form College.

Mr Kalnins was then employed by St Peter and St Paul Primary School from September 2012 to August 2015, before becoming employed by St Francis Catholic Primary School ('School A') on 1 September 2016. Mr Kalnins' employment with School A ended on 31 December 2018.

Mr Kalnins was employed by Our Lady & St Teresa's Catholic Primary School ('School B') as Deputy Headteacher from 1 January 2019 to 25 February 2021.

On 18 September 2020, Individual A disclosed that Mr Kalnins had allegedly sent her messages that were sexually explicit. Following this incident, a meeting was held with

Individual B who alleged that she had also received inappropriate messages from Mr Kalnins.

Individual A and Individual B were interviewed on 8 December 2020.

The matter was referred to the TRA and was received on 18 June 2021.

## 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. Between around September 2016 and December 2018, while employed as a teacher at St Francis Catholic Primary School ('School A'), you:**

**a) On one or more occasions sent individual A inappropriate messages, as set out within Schedule 1;**

The panel noted that Mr Kalnins admitted some factual matters relating to allegation 1(a). Notwithstanding this, the panel made a determination based on the evidence before it.

For all purposes the panel was satisfied that it was uncontested that between September 2016 and December 2018 Mr Kalnins had been employed as a teacher at School A.

The panel was provided with screenshots of messages allegedly exchanged between Mr Kalnins and Individual A, [REDACTED]. Individual A exhibited these messages to her statement and those messages included those set out in Schedule 1.

The panel reviewed the messages Mr Kalnins was alleged to have sent to Individual A between August 2018 and December 2018. The panel noted that copies of these messages were contained within the Bundle and were listed in Schedule 1. The panel noted the following messages in particular:

- *20 August 2018 If you're the only female in I'll go to the female toilets lol Then you come in lol xx Trousers already undone so they come down easily lol xx*
- *20 August 2018 Don't want anyone seeing us taking [sic] about taking your trousers down lol xx And you taking mine down lol xx*
- *20 August 2018 Then little naught time haha xx*
- *22 August 2018 I've got my shorts on lol xx With nothing under lol xx Could take them off lol xx And I could take yours off lol xx*

- *14 September 2018 Do the toilets have the full covers? Xx So you can be sitting on one with pants off (heart-eyed emoji x 5) Legs open?! (heart-eyed emoji) x How wet do you get? Xx Come sit on me?! (heart-eyed emoji x 2) xx And Gd I like be you get very wet! (heart-eyed emoji x 2) xx Yes!!! And you could be on you're back x So back to naughtiness lol xx Can we be a little naughty in school too? Xx Only a little?! Xx We wouldn't get caught! Xx I'm thinking [REDACTED] I have a little play?! (heart-eyed emoji x 3) Soooo hot! X*
- *17 September 2018 Wear something kinda loose fitting so I can get my handdown! (heart-eyed emoji)*
- *5 November 2018 I'll be naked if that helps? Lol*
- *17 November 2018 I'll be naked if that helps!?*
- *2 December 2018 Pop sexy undies on and be naughty lol xx*
- *How's that courage coming on lol xx*
- *How's that confidence coming on? Lol xx So how's that confidence? Xx*
- *5 December 2018 I got this afternoon out of class if you're free? And got some courage lol xx It's our best opportunity where you'll feel comfortable? Xx*
- *6 December 2018 So when you getting in your undies for me? Xx Me being naughty! Any you complaining about me being naughty xx*
- *6 December 2018 You got sexy! Exactly you do need naughtiness xx You're hot sexy xx*
- *7 December 2018 Sexy hot? Lol xx*
- *7 December 2018 Stop getting embarrassed lol I agree sexy hot wouldn't Wana [sic] be naughty if not?!*
- *20 December 2018 Shame you weren't alone? Lol (winking & blowing kiss emoji) xx And free! Lol xx*
- *21 December 2018 Just a single kiss? Lol xx*
- *23 December 2018 You know you want to! (heart-eyed emoji & blowing kiss emoji) xx If I had given you a hug I'd have wanted a play too lol xx*
- *30 December 2018 Horny now! Lol xx I can come pick you up? Xx*
- *I can't help it if you're hot and I Wana [sic] be naughty lol xx*

- 20 August 2018 *“Trousers already undone so they come down easily lol xx”*
- 29 August 2018 *“Finding your best undies for Wednesday hahaha x”*
- 5 September 2018 *“Hot thou! (heart-eyed emoji) xx” “very tight trousers tomorrow (crying/laughing face emoji) x” “So can pull sown easily lol xx”*
- 7 September 2018 *“Can’t believe you didn’t show me sexy undies earlier lol x”*
- 14 September 2018 *“Do the toilets have the full covers? Xx” “So you can be sitting on one with pants off (heart-eyed emoji x 5) Legs open?! (heart-eyed emoji) x” “How wet do you get? Xx” “Come sit on me?! (heart-eyed emoji x 2) xx” “Can we be a little naughty in school too? Xx”*
- 13 October 2018 *“Looking sexy yesterday! X”*
- 6 November 2018 *“See a little naughty is nice! Lol (crying with laughter emoji) could have put your sexy undies on lol xx”*
- 8 November 2018 *“So we having naughtiness before I leave? Lol xx”*
- 17 November 2018 *“I’ll be naked if that helps!? Lol (crying with laughter emoji) xx”*

The panel considered the oral evidence and written statement of Individual A. Individual A stated that Mr Kalnins [REDACTED].

Individual A stated that [REDACTED], Mr Kalnins added Individual A on Facebook and began sending her messages, which soon became inappropriate. She stated that there were a lot of messages, and that these were sexualised, for example, he would ask her to *“get dirty”*.

Individual A’s evidence was that she did not find the messages funny at all and tried to ignore them but when she did Mr Kalnins would keep on messaging. Individual A indicated she would try and keep the messages friendly and polite in the manner of talking to a friend and would not respond with sexual messages. She stated she ignored a lot of his messages hoping he would get the hint that she was not interested in him.

Individual A described how Mr Kalnins came to parts of the school where she was [REDACTED] without having any reason to be there and she always felt like he was trying to get her on her own but she always made sure she had people around her.

Individual A submitted that Mr Kalnins would describe in his messages proposals to follow her into the female toilets and pull down his trousers and would ask her if she was at work. Individual A stated that she eventually blocked Mr Kalnins in April 2019, and in September 2020 was asked about the messages by Individual G, whom she subsequently showed the messages to.

Individual A was clear in her evidence that she did not welcome or seek the messages from Mr Kalnins. Individual A indicated in oral evidence that at no point had there been a relationship of any nature beyond that of colleagues [REDACTED] between her and Mr Kalnins.

Individual A gave evidence that [REDACTED] she was substantially subordinate in School A's structure to Mr Kalnins though did not directly report to him.

Individual A confirmed that in providing copies of the message exchanges between her and Mr Kalnins to School A she provided complete copies of the relevant exchanges and did not redact or delete messages from her to Mr Kalnins.

The panel carefully considered the statement of Individual A taken during investigations into the matters to which the allegations related and found this statement to be consistent with Individual A's statement to the TRA.

The panel considered the oral evidence and written statement of Individual G, who stated that she spoke with Individual A after an incident regarding Mr Kalnins messaging Individual B had come to light. Individual G said Individual A had informed her that Mr Kalnins would send her messages that were "*rude and perverted*".

The panel considered the written statement of Mr Kalnins, who stated that what had begun as simple everyday conversations slowly developed into friendly familiarity between him and Individual A and a sense of ease between them. He stated he connected with her on Facebook in August 2018. He stated that they began exchanging messages which became more personal and deepened into private, intimate messages over the following months. Mr Kalnins denied he would hover around her and denied threatening her job.

Mr Kalnins stated that he thought their chats were mutual and consensual, and that it was a period of time when they both explored feelings. He stated that the messages were part of a two way conversation, and any comments he made were fantasy. Mr Kalnins stated that he was completely unaware how Individual A was feeling and that he genuinely believed they were both comfortable and enjoying the messages.

Mr Kalnins stated that he now recognised that sending sexual messages to Individual A was inappropriate, regardless of how mutual he felt the conversations to be at the time. Mr Kalnins stated that looking back he understands he should have used better judgement and was truly sorry for his behaviour.

The panel carefully considered the evidence before them. The panel considered that it appeared to be uncontested that messages as itemised within Schedule 1 were sent by Mr Kalnins to Individual A. This was clearly accepted by Individual A and Mr Kalnins himself, albeit that Mr Kalnins submitted they did not represent the full picture.

The panel again considered Individual A's live evidence that these messages were not welcomed and that she had not been engaged in a personal relationship with Mr Kalnins.

On carefully considering the messages which it had reviewed, the panel concluded that it was more likely than not that these messages demonstrated the pattern of correspondence between Individual A and Mr Kalnins. It saw no evidence that Individual A had sought to remove messages from that which she disclosed so as to present a partial picture.

The panel noted Individual A's clear evidence that these messages were not sought by her or welcomed by her and that this appeared consistent with the list of messages which it had.

The panel carefully reminded itself of the content of those messages and found them to be overtly sexual and that many referred to sexual activities which Mr Kalnins stated he sought to engage in with Individual A (noting that Mr Kalnins asserted these reflected fantasies) and, more generally, sexual thoughts concerning her.

The panel considered that it had been proven by the TRA that on one or more occasions Mr Kalnins had sent Individual A messages as set out within Schedule 1 and that these messages, including those which it had listed in its findings, were inappropriate.

The panel found allegation 1(a) proven on the balance of probabilities.

**b) On or around 20 August 2018, you told Individual A to delete messages you had sent to her;**

The panel noted that Mr Kalnins appeared to admit allegation 1(b). Notwithstanding this, the panel made a determination based on the evidence before it.

The panel again considered the oral evidence and written statement of Individual A. Individual A stated that Mr Kalnins asked her to delete the messages he had sent her, saying that they were just between them.

The panel noted within the bundle a message from Mr Kalnins to Individual A, seemingly of 20 August 2018 saying, "*Btw make sure you delete the messages incase anyone sees lol xx*".

The panel considered the written statement of Mr Kalnins, who stated that he did request Individual A to delete messages but that he asserted that this was in response to a previous conversation and was not intimidating.

The panel was satisfied that it had been proven that on or around 20 August 2018 Mr Kalnins told Individual A in a message to delete messages which he had sent to her.

The panel found allegation 1(b) proven on the balance of probabilities.

**c) In relation to Individual B on one or more occasions:**

**i) Sent inappropriate messages, as set out within Schedule 2;**

The panel noted that Mr Kalnins admitted certain factual aspects of the allegations within allegation 1(c). Notwithstanding this, the panel made a determination on all of the allegations within allegation 1(c) based on the evidence before it.

The panel was provided with screenshots of messages which had been provided by Individual B to those conducting the investigations into the matters set out within the allegations. The panel noted that the screenshots were asserted to display messages sent by Mr Kalnins to Individual B between May 2017 and July 2018. Individual B exhibited these messages to her statement and they included those set out in Schedule 2.

The panel noted the following messages in particular:

1. *And I'm happy for you to massage me there! Lol x*
2. *Can be half naked there! (laughing crying emoji)*
3. *31 May 2017 I'm waiting for my massage! Lol (laughing crying emoji) x Plan lol x Half a plan lol x*
4. *Nahhh I'll fit the time in lol and you want to come massage me! Haha x*
5. *Haha ok but trousers off then! Lol x*
6. *Haha plan and panties (winking and laughing crying emoji) x Well just have to take them off and...*
7. *Yes and massage! Lol x Back of leg and bum!? Lol x That's why you need a short skirt on lol x*
8. *28 May 2017 Seeing as it's my bday tomorrow do I get a massage? Lol (laughing crying emoji) x*
9. *Just come in in a shorter skirts fine! Lol ok cheers x Boooo lol knee lengths fine lol x*
10. *25 May 2017 You ready for that massage? Lol x*
11. *Prefer u in a skirt (winking emoji) May have to lift it up thou! Lol x*
12. *She puts hers on, you yours and I'll get you both matching underwear! Sorted lol x Hahaha but a nice thought hahah x*
13. *Haha I thought u in those pornstar boots?! Lol x*

14. *You can take clothes off so you qualify Lol x*
15. *You were in my car could have at least played with my hard stick? Lol x*
16. *I'm sorry if I'm bad?! Lol xx*
17. *Just a big tease lol xx I'll do you s deal I'll get you in ur undies and visa Versa lol xx I'll get you in your undies\**
18. *So shower it is then lol x Wouldn't be like this with anyone as incase they said yes lol x Hey I'm not Gona lie I wouldn't complaint at all! Lol x But I know you won't lol x Anytime you want that shower just let me know (laughing crying emoji x 2) x No together hahahaha x*
19. *8 December 2018 No pinching asses! Lol x Sorry one pinch and one feel lol x*
20. *Stop teasing me lol xx*
21. *When we shower I'll give you a gd back scrub as thanks lol (winking emoji and laughing crying emoji) x*
22. *Actually I'd struggle if you were standing in underwear (laughing crying emoji x 2) haha but that's not Gona happen (laughing crying emoji x 2) x*

The panel considered the oral evidence and written statement of Individual B, who stated that she initially knew Mr Kalnins from when he had been her PE teacher at St Thomas More Secondary School.

Individual B stated that she then came across Mr Kalnins when starting as a newly qualified teacher ("NQT") at School A. Individual B stated that when she started working at School A she connected with her colleagues on Facebook, including Mr Kalnins.

Individual B stated that Mr Kalnins started making verbal comments to her two weeks after her employment started and began to message her in December 2016 and that his messages to her turned sexual. She explained that she adopted the approach of brushing off the messages and ignoring them including by using laughing emojis.

Individual B explained that on one occasion they were driving to a [REDACTED], and she was travelling with Mr Kalnins and [REDACTED] pupils in the car. She stated that he texted her about playing with his 'hard stick' in the car referring to his penis.

Individual B indicated that Mr Kalnins would message her consistently through the day early in the morning and late at night, including whilst he was teaching children.

Individual B submitted that Mr Kalnins would sexualise all the comments he sent her, or respond sexually to innocent comments which she sent to him. She stated that he had

asked her to speak on another social media platform so that his partner did not see the messages. She stated that Mr Kalnins on one occasion said he was “*waiting for his massage*” and said he could be half naked, and said “*you want to come in and massage me*”. Individual B stated that she received messages about getting matching underwear, and whether he should get “*thongs or French*”.

Individual B stated that some messages commented on her appearance. She stated that Mr Kalnins told her how he would like her to wear her “*porn star boots*”, and that he preferred her wearing a skirt and that he may have to “*lift it up*” and would get to school early to do so. She said that Mr Kalnins had said that a flowing skirt would be easier to lift and that a skirt was easy to take off. Individual B stated that Mr Kalnins told her he preferred shorter skirts so he could pinch her bum and would point out when he said he could see her bra.

Individual B stated that Mr Kalnins told her on one occasion that his job was stressful and that he needed to “*perve*” to cope with work pressures.

Individual B provided that she was not friends with Mr Kalnins outside of work and did not see him outside of school except for school social gatherings.

Individual B submitted that Mr Kalnins would ask for nude pictures of her and stated that he wanted a picture of her in her pyjamas and would say that she knew what type of photo he was asking for.

The panel sought to test Individual B’s evidence carefully recognising that neither Mr Kalnins nor his legal representative were present at the hearing. The panel found Individual B to be a consistent and forthcoming witness and her evidence to be compelling.

In oral evidence, Individual B set out her distress at receiving these messages from Mr Kalnins and the impact they had on her. She stated that to the extent to which she responded to these messages she did so in the hope that he would cease the correspondence if she made clear that his advances were never going to be accepted. Individual B stated that her purpose in responding sometimes was also to keep the correspondence as calm as it could be and to prevent escalation. Individual B made clear that she never had any manner of personal relationship with Mr Kalnins and had not sought one.

Individual B set out that she understood Mr Kalnins attended the senior leadership meetings of School A and that he was on very good terms with School A’s senior leaders. She inferred from this that Mr Kalnins had influence over those senior leaders. She stated that she was informed by Mr Kalnins that, after she had been at School A for a while, he had been appointed her formal mentor but later learned this was not a formal arrangement.

Individual B described that there were a number of factors which led to her feeling that she could not raise a formal complaint about Mr Kalnins' actions and led to her not being able to trust that she would be believed by the senior staff. These included Mr Kalnins being in a senior role at School A and his professed strong relationships with the senior members of the school, as well as his position as a Eucharistic Minister [REDACTED] (School A being a Catholic school).

Individual B also pointed out that this was her first teaching role and that she had been given to understand from other staff that Mr Kalnins' behaviour was standard for him. Individual B indicated that she had not had the chance to develop an understanding of the reality of appropriate boundaries between staff on joining School A but now recognised that Mr Kalnins' behaviour and messages to her were wholly inappropriate.

Individual B gave evidence as to the impact of Mr Kalnins' actions and messages upon her. She set out that the messages had led to a situation where she was not comfortable to wear the clothes she would have chosen to wear to school and was not comfortable attending school without a cardigan. Individual B gave an illustration of a working day on which she forgot her cardigan and had to telephone her then partner to bring it to School. Although she was entirely properly dressed, she did not want to appear before Mr Kalnins without her cardigan on. She also talked about how she would time her working day to seek to ensure that she was not alone with Mr Kalnins.

The panel noted the investigation document entitled "*a written statement from Person 1 gathered over a period of time dated 7 October 2020 and 8<sup>th</sup> October 2020*". The panel heard that these were the recollections which Individual B provided to School A. The panel noted that these recollections appeared consistent with Individual B's evidence to the panel and the messages exhibited to her statement and within Schedule 2.

The panel also noted the yellow logging behaviour form dated 18 September 2020 submitted, it understood, by Individual B in respect of Mr Kalnins, which detailed that Mr Kalnins had sent her numerous inappropriate messages from 2015 to 2018. Again, the content of that form appeared consistent with Individual B's evidence to the panel.

The panel considered the oral evidence and written evidence of Individual G, who stated that on 17 September 2020, Individual E, [REDACTED], informed her that there were concerns that Mr Kalnins had been described as '*creepy*'. Individual G stated that she spoke to Individual B, who had a very physical reaction and went pale when she raised the matter with her. Individual B informed her that Mr Kalnins had been sending her inappropriate messages over time and that they became sexually explicit.

Individual G stated that Individual B made a statement, that she continued to add to, up until May 2022. The panel saw and considered this statement. Individual G explained that Individual B had told her that Mr Kalnins had led her to believe that she was in danger of

losing her job as a result of knowledge he gleaned at the Senior Leadership Team (“SLT”) meetings which he attended and that the SLT did not like her.

Individual G noted that some messages between Individual B and Mr Kalnins appeared to have been sent during school hours due to the time stamps on them.

Individual G stated that Individual B had explained that Mr Kalnins told her to not tell anyone about the messages, to delete them, and to use a different form of social media to exchange messages so that his girlfriend would not see them.

The panel considered the written statement of Mr Kalnins, who stated that his relationship with Individual B developed gradually over time. He stated that when she first started at School A, he didn’t realise who she was and stated that he added her on social media after a party hosted by a mutual friend.

Mr Kalnins stated that they communicated in a friendly way, spending time in each other’s classrooms, and explored their connection beyond school hours. He stated that their relationship was friendly and supportive and grew comfortable both within the school environment and outside of it.

He stated that any messages referencing sex would have been a joke, and accepted that he sent messages about massages, but asserted that this was in jest as he played rugby and had a habit of asking those he knew for massages. Mr Kalnins stated that Individual B was aware of this and would often refer to giving him a massage verbally as a joke. He further stated that the suggestive comment about playing with a hard stick was an attempt at a humorous innuendo.

Mr Kalnins denied that he has misrepresented his authority over Individual B in any way or lied to her about the content of SLT meetings.

Mr Kalnins stated that the shower comment in the messages was in response to a message Individual B had sent him, and the conversations around clothing were part of a two way conversation and were presented out of context.

Mr Kalnins stated that he and Individual B were both consenting adults and he thought that any sexual content in their messaging was reciprocated and part of a two way interaction.

Mr Kalnins went on to say that he recognised that sending messages to Individual B was inappropriate and something he should not have done. He stated that regardless of his intentions his actions crossed professional and personal boundaries that should have been respected. He stated that what may have felt casual or harmless to him could reasonably have been uncomfortable, unwelcome, or confusing for her. He stated that he now understands that intent does not outweigh impact, and that it was his responsibility

to consider how his behaviour might be perceived by others. He also said that he took responsibility for this behaviour and acknowledged that it was wrong.

The panel was satisfied on the balance of probabilities that Mr Kalnins had sent Individual B messages including as set out in Schedule 2. The panel was satisfied that it had been proven that Mr Kalnins' messages, including but not limited to those it listed in these findings, were inappropriate. The panel formed this view for reasons including the fact that the messages were not sought or requested, were not for any legitimate professional purpose, were deeply personal and sexual, were, on occasion, sent within working time and were entirely beyond any appropriate professional boundaries between colleagues. The panel also formed this view given that Mr Kalnins was clearly in a position of trust with regard to Individual B and that they were in an unequal position as colleagues.

The panel did not accept as plausible Mr Kalnins' position that he believed he was engaged in consensual correspondence with Individual B. Further the panel found the messages which Individual B was recorded as having sent to Mr Kalnins to be wholly consistent with her stated position that she was seeking to make clear, by that correspondence, that there was no prospect of a sexual relationship between them as well as seeking to prevent an escalation of the correspondence. The panel found no evidence that Individual B had manipulated the messages or excluded or deleted messages from herself to Mr Kalnins from the screenshots which it had before it and noted that Individual B denied this.

The panel found that Mr Kalnins sent Individual B inappropriate messages on one or more occasions as set out in Schedule 2 between around September 2016 and December 2018 including those listed in its findings.

The panel therefore found allegation 1(c)(i) proven.

**ii) You told Individual B to delete messages you had sent to her;**

The panel again considered the oral and written evidence of Individual B.

It noted that Individual B had said that Mr Kalnins had said to her on "*numerous occasions*" to delete the messages he sent. He would often ask her to show him when she had deleted the messages and said that if anyone ever saw the messages they would think badly of "*us*".

The panel noted the document entitled "Statement Individual B" gathered by Individual G as part of her investigations. The panel noted that within that statement Individual B was recorded as having said "*He told me to delete the messages that he was sending. He texted saying make sure you delete these messages. When I said I don't delete messages he said well you should, imagine what \_\_\_\_\_ [REDACTED] would think if he saw them. I told him that I had already told [REDACTED] because I tell him everything.*"

*Ashley said I shouldn't tell him everything because that isn't normal and he said well you should delete them we don't want anyone at school finding out. He came and saw me in school to ask if I had deleted the messages and offered to go on my phone and show me how to and told me to give him my phone and he would delete them for me. I lied and said my phone wasn't in school that day and he said well google it and make sure you do when you get home. He kept asking in school if I had deleted them and I said yes because I wanted him to stop".*

Individual B said that Mr Kalnins' actions were ongoing through the relevant time period. She stated that from her third year at School A he was increasingly concerned about her keeping the messages and wanted to make sure she had deleted them. Individual B said Mr Kalnins had said he would delete the messages straight away as he did not want [REDACTED].

The panel again considered the written evidence of Mr Kalnins. Mr Kalnins stated that he asked Individual B to delete the messages due to his being in a relationship at the time and his not wanting [REDACTED] to know that he was sending and receiving sexualised messages. He stated that had he been single he would not have done this. He stated that he did not recall telling Individual B specifically to delete the messages but did remember a verbal conversation where Individual B suggested that she did not want [REDACTED] to see the messages and he suggested "*to delete them then*".

The panel considered all the evidence and found that Mr Kalnins told Individual B to delete messages he had sent to her on one or more occasions between around September 2016 and December 2018.

The panel therefore found allegation 1(c)(ii) proven.

**iii) Made inappropriate comments, including inviting Individual B to send you nude pictures of herself;**

The panel was satisfied that the comments attributed to Mr Kalnins within Schedule 2, including those itemised as numbers 1 to 22 under its findings regarding allegation 1(c)(i) above had been made by Mr Kalnins and that those comments 1 to 22 were clearly inappropriate for the reasons it had itemised.

The panel again considered the oral and written evidence of Individual B who confirmed that Mr Kalnins had asked her for naked photos and photos in pyjamas.

The panel noted the investigation document entitled "*a written statement from Person 1 gathered over a period of time dated 7 October 2020 and 8<sup>th</sup> October 2020*" in which Individual B was recorded as saying of Mr Kalnins that "*He would ask for naked pictures to be sent and pictures of me in sexy pyjamas*".

The panel noted that Mr Kalnins denied his comments were inappropriate including for the reasons described in the findings with regard to allegation 1(c)(i) and that he did not recall ever asking Individual B for nude pictures.

The panel considered all the evidence and found it proven on the balance of probabilities that Mr Kalnins made inappropriate comments, including inviting Individual B to send him nude pictures of herself on one or more occasions between around September 2016 and December 2018.

The panel therefore found allegation 1(c)(iii) proven.

**iv) Made inappropriate comments about Individual B's clothing;**

The panel reminded itself of the inappropriate messages that it had found proven were sent by Mr Kalnins to Individual B. It noted in particular the messages which it had numbered 6, 7, 9, 11, 12, 13, 14, 17 and 22 within its findings with regard to allegation 1(c)(i). The panel had found these comments to be highly personal and clearly inappropriate for the reasons stated in the response to allegation 1(c)(i).

The panel noted that Mr Kalnins' position was that the conversations about clothing were a running joke where Individual B would sometimes ask him what he thought about her clothes and then comment. He cited Individual B's comment "*Genuinely considering having trousers back on as this skirt was a nightmare aha*".

The panel carefully considered the evidence and concluded that Mr Kalnins had made inappropriate comments about Individual B's clothing on one or more occasions between around September 2016 and December 2018 as set out in the messages which it had numbered 6, 7, 9, 11, 12, 13, 14, 17 and 22 within its findings with regard to allegation 1(c)(i).

The panel found allegation 1(c)(iv) proven.

**v) Asked Individual B to give you a massage or words to that effect;**

The panel reminded itself of the inappropriate messages that it had found proven were sent by Mr Kalnins to Individual B. It noted in particular the messages which it had numbered 1, 3, 4, 7 and 8 within its findings with regard to allegation 1(c)(i). The panel found these comments clearly constituted Mr Kalnins asking Individual B for a massage or words to that effect.

The panel reminded itself of the evidence of Mr Kalnins who accepted that he sent messages about massages, but asserted that this was in jest as he played rugby and had a habit of asking those he knew for massages. Mr Kalnins stated that Individual B was aware of this and would often refer to giving him a massage verbally as a joke.

The panel carefully considered the evidence and concluded that Mr Kalnins had asked Individual B to give him a massage or words to that effect on one or more occasions between around September 2016 and December 2018 as set out in the messages which it had numbered 1, 3, 4, 7 and 8 within its findings with regard to allegation 1(c)(i).

The panel found allegation 1(c)(v) proven.

**vi) Made comments about sharing a shower with Individual B;**

The panel reminded itself of the inappropriate messages that it had found proven were sent by Mr Kalnins to Individual B. It noted in particular the messages which it had numbered 18 and 21 within its findings with regard to allegation 1(c)(i). The panel found these comments to be made by Mr Kalnins about his sharing a shower with Individual B.

The panel considered Mr Kalnins' evidence that the messaging around showering was in response to Individual B's comments, for example, Individual B's text: *"Like hey Ash having a shower atm just wanted to let you know."* *"Then if I don't message for an hour you can probably assume I've fell and then send help ahahahaha"*.

The panel noted that Individual B had responded to this assertion in her evidence indicating that this was part of her tactic to mock and be seen to take less seriously Mr Kalnins' comments, here deliberately misinterpreting what she understood to be his suggestion that they have a shower together, in her efforts to govern, minimise and hopefully encourage a cessation of his behaviour.

The panel carefully considered the evidence and concluded that Mr Kalnins had made comments about sharing a shower with Individual B on one or more occasions between around September 2016 and December 2018.

The panel found allegation 1(c)(vi) proven.

**3. Your conduct as set out in any or all in paragraphs 1 above was sexually motivated;**

The panel noted that Mr Kalnins denied allegation 3.

The panel's attention was drawn to the cases of *Basson v General Medical Council [2018]* and *The General Medical Council v Haris [2020] EWHC 2518*.

The panel considered whether the conduct was sexually motivated. It noted that in *Basson* it was stated that, *"A sexual motive means that the conduct was done either in pursuit of sexual gratification or in pursuit of a sexual relationship"*.

The panel was also mindful of the Court of Appeal's conclusion in *General Medical Council v Haris [2021] EWCA Civ 763*. The Court found in that case that, *"In the absence of a plausible innocent explanation for what he did, the facts spoke for themselves."*

The panel considered the written evidence of Mr Kalnins. He stated that the flirting (between consenting adults) and the conversations between him and Individual A and Individual B were all two way and their messages to him contained innuendo and sexual content too but that these had almost all been deleted.

Mr Kalnins stated that he honestly believed that what had occurred was humorous banter and that neither he nor Individual A or Individual B had any actual sexual attraction or motivation and that he certainly did not.

Mr Kalnins stated that when the extracts are read together and out of context only one side of the dialogue is shown and that if these messages were to be read in real time, and the whole conversations shown, then the context would be clear.

The panel considered that the content of a large number of the messages which it had found proven under allegation 1 that Mr Kalnins had sent to Individual A and to Individual B was inherently sexual. The panel noted that this was clear from a simple review of those statements including references to massages, to underwear, to joint showers, to loose clothing, to sexual activities and to parts of the body.

The panel considered that these messages appeared to illustrate a very detailed pattern of overtly sexualised behaviour by Mr Kalnins towards both Individual A and Individual B.

The panel carefully considered Mr Kalnins' argument that this was flirting and conversation between two consenting adults but did not consider that this was evidenced, including within the messages which Mr Kalnins had provided which it considered. The panel noted that it had heard evidence from both Individual A and Individual B that they had not deleted messages from the series of messages they had disclosed which the panel had considered. Individual A and Individual B were also clear that at no point did they consider that they were engaged in humorous banter nor did they send messages containing sexual content or innuendo. The panel did not find it evidenced that Individual A or Individual B responded to Mr Kalnins in a way which could be considered as resembling flirtatious banter.

The panel considered whether there was a "*plausible innocent explanation*" for Mr Kalnins' behaviour. The panel noted Mr Kalnins' explanation which appeared to be fundamentally that he was engaged in consensual banter with both Individual A and Individual B. Having heard direct evidence from both individuals and having seen the correspondence which had passed between them and Mr Kalnins the panel did not accept that there was any plausibly innocent explanation as to why Mr Kalnins had acted in the way he had.

Taking into account the circumstances, the panel considered it proven to the standard of the balance of probabilities that Mr Kalnins conduct as found proven in allegation 1 was done either in pursuit of sexual gratification or in pursuit of a sexual relationship.

Taking into account all of the evidence before it and drawing on its professional judgement, the panel found that the conduct found proven against Mr Kalnins in respect of allegation 1 was sexually motivated.

The panel found allegation 3 proven.

**4. Your conduct as set out within paragraph 1(b) and/or 1(c) (ii) amounts to a lack of integrity and/or dishonesty.**

The panel noted that Mr Kalnins denied allegation 4.

The panel first considered whether Mr Kalnins had failed to act with integrity. The panel considered the case of *Wingate & Anor v The Solicitors Regulation Authority*.

The panel had been provided with evidence that Mr Kalnins told Individual A and Individual B to delete the inappropriate messages he had sent them.

The panel was mindful that professionals are not expected to be “*paragons of virtue*”. The panel was satisfied though that Mr Kalnins had failed to act within the higher standards expected of a teacher by deliberately asking Individual A and Individual B to delete the messages so that they could not be seen.

The panel noted that even on Mr Kalnins’ defence his purpose in asking for the messages to Individual B to be deleted appeared to be so that they could be concealed from his partner, though he raised no such motivation with regard to his requests to Individual A. The panel considered it was likely that Mr Kalnins also requested the deletion of the messages for the purposes of ensuring that they were not disclosable in any disciplinary issues which might have subsequently arisen.

The panel was satisfied that Mr Kalnins conduct, as found proven, lacked integrity.

The panel then went on to consider whether Mr Kalnins had acted dishonestly and, in doing so, had regard to the case of *Ivey v Genting Casinos (UK) Ltd t/a Crockford*.

The panel firstly sought to ascertain the actual state of Mr Kalnins’ knowledge or belief as to the facts.

The panel noted Mr Kalnins’ position was that he did not act dishonestly by asking that the texts be deleted. He stated that they were private communications which were not related to work matters and he did not intend them to be shared. Mr Kalnins considered that he had the right to ask for his privacy to be respected.

The panel took account of Mr Kalnins’ admission that he asked Individual A and Individual B to delete the messages and that he was clearly concerned that they not be disclosed. The panel noted that this was despite his stated defence to the allegations

generally that the messages constituted consensual banter between him and Individual A and Individual B.

The panel noted that these messages were inappropriate and unsolicited and it considered on balance that Mr Kalnins would have been aware of this fact and would be aware that the messages would constitute evidence in any disciplinary or professional regulatory proceedings which might arise.

The panel concluded that Mr Kalnins had deliberately and, at least in Individual B's case persistently, asked Individual A and Individual B to delete the inappropriate messages he had sent in an attempt to conceal the messages.

The panel considered whether Mr Kalnins' conduct would be considered dishonest by the standards of ordinary, decent people.

The panel was satisfied that Mr Kalnins had acted dishonestly, that he would have been fully aware that his actions were dishonest and that his conduct would be considered dishonest by the standards of ordinary, decent people.

The panel found allegation 4 proven.

### **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 proven allegations amounted to unacceptable professional conduct and conduct which 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 Kalnins, in relation to the facts found proved, involved breaches of the Teachers' Standards.

The panel noted that the preamble to the Teachers' Standards states "*Teachers... are accountable for achieving the highest possible standards in work and conduct*" and "*Teachers act with honesty and integrity [...] and [...] forge positive professional relationships*" and considered that Mr Kalnins was in breach of these parts.

The panel considered that, by reference to Part 2, Mr Kalnins 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

- [...] building relationships rooted in mutual respect, and at all times observing proper boundaries appropriate to a teacher’s professional position
- showing tolerance of and respect for the rights of others
- 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 considered the copies of School A’s policies which it had sight of and considered that Mr Kalnins’ actions represented breaches of those policies.

The panel considered the policy on staff/governor use of social networking and Internet sites as ratified on 15 September 2017. The panel noted the non-exhaustive list of matters that the school considered to be inappropriate including “*using social media/Internet sites in a manner that would put staff/governors in breach of school codes of conduct or existing policies*”. The panel considered the Mr Kalnins’ actions appeared to breach this term.

The panel noted School A’s dignity at work policy adopted on 15 September 2017. It considered the following section to be relevant “*conduct may be harassment whether or not the person behaving in that way intends to offend. Something intended as a joke may offend another person. Different people find different things acceptable. Everyone has the right to decide what behaviour was acceptable to him/her and have his/her feelings respected by others. Behaviour as any reasonable person would realise it would be like to have end will be harassment without the recipient having to make it clear in advance the behaviour of that type is not acceptable to him/her e.g. Certain “banter”, flirting..*”.

The panel noted the persistent nature of Mr Kalnins’ messages and that he had not stopped even when individuals had variously sought to bring the correspondence to a conclusion or ignored his messages.

The panel noted that the dignity at work policy, indicated that bullying and harassment may be misconduct that is physical verbal or nonverbal and specifically referred to social media postings or messages, to unwelcome sexual advances, to unwanted or demeaning comments about a person's appearance or dress and to jokes or comments of a sexual nature.

The panel noted the staff behaviour policy adopted on 16 October 2017 which stated that “*all employees are expected to treat [...] other colleagues [...] with dignity and respect and to comply with all relevant school policies*”, and that “*unacceptable behaviour*” included the use of inappropriate language or unprofessional behaviour with colleagues. This language was repeated in the staff behaviour policy adopted on 18 October 2018.

The 2017 staff behaviour policy also stated that “*Employees and volunteers should therefore understand and be aware that safe practice also involves using judgement and integrity about behaviours in places other than the work setting. That includes behaviours on social media websites and other online behaviours*”.

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

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

The panel found that the offence type of sexual activity was relevant.

The panel noted the various breaches of the Teachers Standards and the breaches of internal policies which it had found proven.

The panel also noted that the allegations which it had found proven included a repeated course of conduct in sending inappropriate and highly sexualised messages to two junior female members of staff.

The panel noted that it had found that this behaviour was sexually motivated. The panel noted that these messages had been sent both during and outside school time and again noted Individual A’s and Individual B’s evidence as to the serious impact which these unwelcome behaviours had had upon them. The panel considered Mr Kalnins’ behaviours to be extremely serious misconduct and to demonstrate a pattern of behaviour towards women which was wholly unacceptable.

The panel again referred back to Part 2 of the Teachers’ Standards which it had found Mr Kalnins had breached specifically that “*Teachers uphold public trust in the profession and maintain high standards of ethics and behaviour, within and outside school by building relationships rooted in mutual respect, and at all times observing proper boundaries appropriate to a teacher’s professional position*”. The panel considered that it was demonstrably clear from this that these expectations of behaviour, including towards colleagues, were part of Mr Kalnins’ teaching role and that he had manifestly breached them.

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

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

In relation to whether Mr Kalnins' 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 considering the issue of disrepute, the panel also considered whether Mr Kalnins' 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 Kalnins was guilty of unacceptable professional conduct, the panel found that the offence type of sexual activity was relevant.

The panel noted the case it had been referred to in legal advice of *Mohammad Sarwar Lone v Secretary of State for Education [2019] EWHC 531* and the quotation that "A vital element of teaching as a profession is the concept of working with colleagues as a team within the school or college. Public confidence in teachers requires that all members of the profession have respect for their fellow teachers". The panel considered that Mr Kalnins' sexualised and sexually motivated actions towards colleagues, as found proven, demonstrated the opposite of respect for his colleagues including his fellow teacher, an NQT.

The panel considered that a properly informed member of the public would consider Mr Kalnins' actions towards his colleagues to be seriously wrong and reprehensible and would consider that the behaviours it had found proven were not acceptable within the teaching profession.

The panel considered that Mr Kalnins' conduct was of a very serious nature and would likely have a negative impact on the public perception of the individual as a teacher as well as potentially damaging the public's perception of a teacher.

For these reasons, the panel found that Mr Kalnins' 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. The panel was aware that 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, in particular the maintenance of public confidence in the profession and the declaring and upholding proper standards of conduct.

In light of the panel's findings against Mr Kalnins, which involved a pattern of sexually motivated behaviour in sending unsolicited and seriously inappropriate messages over a sustained period of time to junior female colleagues, there was a strong public interest consideration in declaring and upholding proper standards of conduct.

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

In addition to the public interest considerations set out above, the panel considered whether there was a public interest in retaining Mr Kalnins in the profession. Whilst there was evidence that Mr Kalnins had abilities as an educator, the panel considered that the public interest considerations above outweighed any interest in retaining Mr Kalnins in the profession, since his behaviour fundamentally breached the standard of conduct expected of a teacher, and he exploited his professional position.

The panel considered carefully the seriousness of the behaviour, noting that the Advice states that the expectation of both the public and pupils, is that members of the teaching profession maintain an exemplary level of integrity and ethical standards at all times.

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

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 the panel considered were relevant in this case were:

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

- abuse of position or trust [...];
- sexual misconduct, e.g. involving actions that were sexually motivated or of a sexual nature and/or that use or exploit the trust, knowledge or influence derived from the individual's professional position;
- dishonesty or a lack of integrity, including the deliberate concealment of their actions or purposeful destruction of evidence, especially where these behaviours have been repeated or had serious consequences, or involved the coercion of another person to act in a way contrary to their own interests.

The panel noted that the Advice stated that panels should attach appropriate weight and seriousness to online behaviours including, but not limited to: online misconduct; facilitating online abuse; or facilitating inappropriate relationships (including both online only relationships and where online relationships move into contact relationships).

The panel had found proven that Mr Kalnins had engaged in an extensive campaign of online misconduct via social media over the course of a number of years with two individuals for purposes which included his sexual motivation in facilitating undesired inappropriate relationships. The panel therefore attached significant weight and seriousness to these behaviours as found proven.

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 no evidence that Mr Kalnins' actions were not deliberate.

There was no evidence that Mr Kalnins was acting under extreme duress.

Whilst there was some evidence as to Mr Kalnins' abilities as a teacher the panel did not find it evidenced that he demonstrated exceptionally high standards in both personal and professional conduct or had contributed significantly to the education sector.

The panel considered the written statement of Mr Kalnins, who stated that [REDACTED].

Mr Kalnins expressed in his evidence that looking back he should have shown better judgement and was truly sorry for his behaviour. Mr Kalnins stated that he deeply regretted any actions and words that had unintentionally caused harm. He stated that he would never wittingly upset another person and genuinely believed at the time his comments were harmless flirting. Mr Kalnins stated that he could now see how he failed to pick up on the other parties' reluctance at points and appreciated how his actions have affected them and would like to apologise to them. Mr Kalnins recognised that his behaviour failed to maintain appropriate boundaries. Mr Kalnins stated that he understood now that intent does not outweigh impact, and it is his responsibility to

consider how his behaviour might be perceived by others. Mr Kalnins stated that going forward, he was committed to learning from this and ensuring his behaviour remains appropriate, respectful, and mindful of others at all times.

The panel considered Mr Kalnins' evidence generally and, whilst it found some evidence of remorse and insight, considered it to be limited and most of it to be substantially caveated by Mr Kalnins. There was very little understanding evidenced by Mr Kalnins of the impact his behaviours had had on his junior female colleagues or the impact of his behaviours on the schools or wider profession.

Mr Kalnins did not appear to sufficiently grasp that his actions at the time were wholly inappropriate and unacceptable.

The panel noted by way of illustration the statement that *"I regret engaging in flirt and jokey communication with the Individuals concerned and am very sorry if I caused any upset"*. The panel considered that not only did Mr Kalnins fail to demonstrate here his understanding that his actions had caused upset and not just upset but damage to these individuals, but he also failed to demonstrate that, viewed objectively, the sexually motivated messages which he was found to have sent could not, including in the circumstances in which they had been sent, be correctly described as *"flirt and jokey conversation"*.

The panel considered the character references submitted on behalf of Mr Kalnins which attested to his abilities as a teacher. The panel were provided with references from the following individuals:

- Individual F, [REDACTED]
- Individual H, [REDACTED]
- Individual I, [REDACTED]
- Individual J, [REDACTED]

The panel noted the following comments in particular:

- *"Ashley is an extremely dedicated, caring, and professional teacher and colleague."*

Individual F, [REDACTED]

- *"He had an excellent rapport with the pupils and they were keen to learn. Ashley had an excellent understanding of the curriculum and was able to share the learning objective with his class."*

- *“Ashley is a reliable and dependable person who puts the needs of others before himself.”*

Individual H, [REDACTED]

The panel first considered whether it would be proportionate to conclude this case with no recommendation of prohibition, considering whether the publication of the findings made by the panel would be sufficient.

The panel was of the view that, applying the standard of the ordinary intelligent citizen, it would not be a proportionate and appropriate response to recommend no prohibition order. Recommending that the publication of adverse findings would be sufficient would unacceptably compromise the public interest considerations present in this case, despite the severity of the consequences for Mr Kalnins of prohibition.

The panel’s findings indicated that Mr Kalnins had, over a prolonged period, engaged in extremely serious sexually motivated misconduct involving the sending of unsolicited messages towards junior female employees who were in potentially vulnerable positions due to their status. The panel found that he had not ceased to do so even when it was apparent that the recipients of the messages were not engaging and were seeking to bring the correspondence to a conclusion.

The panel noted that Mr Kalnins’ position was that he considered at the time that he was a participant in a willing mutual exchange of correspondence. The panel failed to see how anyone could plausibly have drawn this view from the facts which it found proven. The panel considered that Mr Kalnins’ actions appeared to demonstrate a fundamental lack of respect and consideration for his junior colleagues. The panel also noted that significant amounts of this correspondence had been sent during working time and that Mr Kalnins had clearly fundamentally breached the boundaries of appropriate conduct towards colleagues who were subordinate to him (and who were, in the case of Individual B at least, looking to him for potentially career defining guidance and support). The panel considered Mr Kalnins’ behaviours to be exploitative towards junior female staff, extremely serious misconduct and entirely unacceptable.

The panel was of the view that prohibition was both proportionate and appropriate. The panel decided that the public interest considerations outweighed the interests of Mr Kalnins.

All the above were significant factors in the panel forming its opinion. Accordingly, the panel made a recommendation to the Secretary of State that a prohibition order should be imposed with immediate effect.

The panel went on to consider whether or not it would be appropriate for it to decide to recommend a review period of the order. The panel was mindful that the Advice states that a prohibition order applies for life, but there may be circumstances, in any given

case, that may make it appropriate to allow a teacher to apply to have the prohibition order reviewed after a specified period of time that may not be less than two years.

The Advice indicates that there are certain types of behaviour where the public interest will have greater relevance and weigh in favour of not offering a review period. The panel found one of these types to be specifically relevant to the case before it, being the behaviour type of “*serious sexual misconduct e.g. where the act was sexually motivated and resulted in, or had the potential to result in, harm to a person or persons, particularly where the individual has used their professional position to influence or exploit a person or persons*”.

In this regard the panel noted that it had found that Mr Kalnins’ actions were sexually motivated and clearly had the potential to harm people. The panel had, in fact, received direct evidence from Individual A and Individual B as to the damage which Mr Kalnins’ actions had caused to them. The panel noted that Mr Kalnins was in a senior position to these individuals which had allowed him to be in a position to exploit their fears. In accordance with the behaviour type within the Advice the panel considered this was a situation where an individual had used his professional position to exploit two women. The panel had no doubt the actions represented serious sexual misconduct.

The Advice also indicates that there are certain other types of cases where it is likely that the public interest will have greater relevance and weigh in favour of a longer period before a review is considered appropriate. The panel did not consider that any of the characteristics listed there were engaged by the panel’s findings.

The panel again noted that it had found that Mr Kalnins had expressed some remorse within his evidence about the impact which his actions had had and had sought to demonstrate his attempts to gain insight over his motivations. The panel did again note though that this remorse appeared to be expressed in caveated terms and that the tone of Mr Kalnins’ evidence appeared to remain one of surprise in relation to the reactions of the two subjects of his sexually motivated conduct.

The panel again carefully considered Mr Kalnins’ mitigation including as set out in detail in his witness statement.

The panel did not consider it had any material evidence that Mr Kalnins had taken steps to gain an understanding of when he was in danger of engaging in similar misconduct in the future or put into place mechanisms to prevent his doing so. The panel noted that the allegations which it had found proven clearly concerned repeated sexually motivated actions towards junior, and therefore potentially vulnerable, colleagues who did not respond in like terms or show interest in any manner of relationship with Mr Kalnins. The panel did not consider that Mr Kalnins had materially appreciated that what he had done was very seriously wrong. The panel found Mr Kalnins’ evidence as to his motivations, triggers and intentions confused and unresolved.

Whilst noting the passage of time the panel found no evidence that Mr Kalnins had materially changed since the events it was considering.

The panel considered that the risk of repetition of this type of serious misconduct was extremely high.

The panel decided that the findings indicated a situation in which a review period would not be appropriate and, as such, decided that it would be proportionate, in all the circumstances, for the prohibition order to be recommended without provision for a review period.

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

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

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

In this case, the panel has found some of the allegations proven and found that those proven facts amount to unacceptable professional conduct and conduct that may bring the profession into disrepute. In this case, the panel has found allegation 2 not proven. I have therefore put those matters entirely from my mind.

The panel has made a recommendation to the Secretary of State that Mr Ashley Kalnins should be the subject of a prohibition order, with no provision for a review period.

In particular, the panel has found that Mr Kalnins 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
  - [...] building relationships rooted in mutual respect, and at all times observing proper boundaries appropriate to a teacher's professional position
  - showing tolerance of and respect for the rights of others
- 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 finds that the conduct of Mr Kalnins fell significantly short of the standards expected of the profession.

The findings of misconduct are particularly serious as they include a finding of by the panel that *“...Mr Kalnins had, over a prolonged period, engaged in extremely serious sexually motivated misconduct involving the sending of unsolicited messages towards junior female employees who were in potentially vulnerable positions due to their status”*.

The panel also noted *“...Mr Kalnins was in a senior position to these individuals which had allowed him to be in a position to exploit their fears”*.

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 and conduct likely to bring the profession into disrepute, would itself be sufficient to achieve the overall aim. I have to consider whether the consequences of such a publication are themselves sufficient. I have considered therefore whether or not prohibiting Mr Kalnins, 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 safeguard pupils. The panel has observed, *“...these messages had been sent both during and outside school time and again noted Individual A’s and Individual B’s evidence as to the serious impact which these unwelcome behaviours had had upon them. The panel considered Mr Kalnins’ behaviours to be extremely serious misconduct and to demonstrate a pattern of behaviour towards women which was wholly unacceptable.”* 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,

*“Mr Kalnins expressed in his evidence that looking back he should have shown better judgement and was truly sorry for his behaviour. Mr Kalnins stated that he deeply regretted any actions and words that had unintentionally caused harm. He stated that he would never wittingly upset another person and genuinely believed at the time his comments were harmless flirting. Mr Kalnins stated that he could now see how he failed to pick up on the other parties’ reluctance at points and appreciated how his actions have affected them and would like to apologise to them. Mr Kalnins recognised that his behaviour failed to maintain appropriate boundaries. Mr Kalnins stated that he understood now that intent does not outweigh impact, and it is his responsibility to consider how his behaviour might be perceived by others. Mr Kalnins stated that going forward, he was committed to learning from this and ensuring his behaviour remains appropriate, respectful, and mindful of others at all times”*.

However, the panel has also commented that Mr Kalnins “...*did not appear to sufficiently grasp that his actions at the time were wholly inappropriate and unacceptable*”, and the panel found his insight “...*to be limited and most of it to be substantially caveated*...”.

In my judgement, the lack of full insight means that there is some risk of the repetition of this behaviour and this puts at risk the future wellbeing of pupils. 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 the conduct was, “...*of a very serious nature and would likely have a negative impact on the public perception of the individual as a teacher as well as potentially damaging the public’s perception of a teacher*”. I am particularly mindful of the finding of sexual motivation, and that the conduct was directed towards junior members of staff.

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

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

I have also considered the impact of a prohibition order on Mr Kalnins himself. The panel comment “*Whilst there was some evidence as to Mr Kalnins’ abilities as a teacher the panel did not find it evidenced that he demonstrated exceptionally high standards in both personal and professional conduct or had contributed significantly to the education sector.*” I have also taken note of the four references provided in support of Mr Kalnins which the panel has considered.

A prohibition order would prevent Mr Kalnins 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 lack of full insight or remorse. The panel has said, “*The panel noted that Mr Kalnins’ position was that he considered at the time that he was a participant in a willing mutual exchange of correspondence. The panel failed to see how anyone could plausibly have drawn this view from the facts which it found proven.*”

I have also placed considerable weight on the finding that *“The panel considered Mr Kalnins’ behaviours to be exploitative towards junior female staff, extremely serious misconduct and entirely unacceptable”*.

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

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

I have gone on to consider the matter of a review period. In this case, the panel has recommended that no provision should be made for a review period.

I have considered the panel’s comments, *“Whilst noting the passage of time the panel found no evidence that Mr Kalnins had materially changed since the events it was considering”*. The panel has also said that it *“...considered that the risk of repetition of this type of serious misconduct was extremely high”*.

I have considered whether not allowing a review period reflects the seriousness of the findings and is proportionate to achieve the aim of maintaining public confidence in the profession. In this case, factors mean that allowing a review period is not sufficient to achieve the aim of maintaining public confidence in the profession. These elements are the seriousness of the proven conduct, including sexual motivation, the lack of full insight or remorse, finding that the risk of repetition was extremely high.

I consider therefore that allowing for no review period is necessary to maintain public confidence and is proportionate and in the public interest.

**This means that Mr Ashley Kalnins is prohibited from teaching indefinitely and cannot teach in any school, sixth form college, relevant youth accommodation or children’s home in England.** Furthermore, in view of the seriousness of the allegations found proved against him, I have decided that Mr Kalnins shall not be entitled to apply for restoration of his eligibility to teach.

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

Mr Kalnins has a right of appeal to the High Court within 28 days from the date he is given notice of this order.

*S. Blunfield*

**Decision maker: Stuart Blomfield**

**Date: 13 February 2026**

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