



Ms Tsvetelina Kaliszan: Professional conduct panel hearing outcome

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

June 2026

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

Teacher: Ms Tsvetelina Kaliszan

Teacher ref number: 1656979

Teacher date of birth: 27 June 1982

TRA reference: 24785

Date of determination: 17 June 2026

Former employer: Elm Tree Primary Academy, Wednesbury

Introduction

A professional conduct panel (“the panel”) of the Teaching Regulation Agency (“the TRA”) convened on 15 to 17 June 2026 by way of a virtual hearing, to consider the case of Ms Tsvetelina Kaliszan.

The panel members were Mrs Bernie Whittle (teacher panellist – in the chair), Ms Sarah Green (lay panellist) and Mr Ian McKim (lay panellist).

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

The presenting officer for the TRA was Ms Anna Renou of Mountford Chambers, instructed by Brabners LLP solicitors.

Ms Kaliszan was not present and was not represented.

The hearing took place in public and was recorded.

Allegations

The panel considered the allegations set out in the Notice of Hearing dated 23 February 2026.

It was alleged that Ms Kaliszan was guilty of unacceptable professional conduct and/or conduct which may bring the profession into disrepute in that, whilst employed at Elm Tree Academy ('the Academy'):

1. On or around 3 May 2024 she hit Child A on the bottom.
2. In relation to Paragraph 1 above:
 - a. Child A's bottom was bare;
 - b. Her intention was to physically chastise Child A;
 - c. She failed to report her actions to the Academy on the day of the incident.

Ms Kaliszan made a partial admission in relation to allegation 1, in that she acknowledged, including in her undated personal statement, that she tapped Child A to encourage him to move. She denied allegations 2(a) and 2(b) but admitted allegation 2(c) in the same statement.

She denied that her conduct amounted to unacceptable professional conduct and/or conduct that may bring the profession into disrepute, as set out in the response to the notice of hearing dated 20 March 2026.

The panel proceeded on the basis that the hearing was fully contested.

Summary of evidence

Documents

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

Section 1: Notice of proceedings – pages 3 to 27

Section 2: TRA witness evidence – pages 28 to 281

Section 3: TRA documents – pages 282 to 323

Section 4: Documents from the teacher – pages 324 to 344

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

In the consideration of this case, the panel had regard to the document Teacher misconduct: Disciplinary procedures for the teaching profession May 2020.

Witnesses

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

Witness A – REDACTED

Witness B – 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.

On 1 September 2023, Ms Kaliszan commenced employment at the Academy as a class teacher.

On 3 May 2024, during the afternoon between approximately 1:30pm and 2:00pm, Ms Kaliszan was supervising pupils in the soft play area alongside other members of staff. During this session, Child A urinated in the ball pit and allegedly removed clothing from the lower half of his body.

Ms Kaliszan then allegedly approached Child A, made physical contact and hit Child A on the bottom. Two members of staff; Witness B and Individual A, who were present at the time, reported witnessing the incident.

On 4 May 2024, Ms Kaliszan contacted the REDACTED and acknowledged that she had done “*something bad*”.

On 7 May 2024, Ms Kaliszan attended a meeting with the REDACTED and a member of the Academy’s trust, during which she admitted making physical contact with Child A. A referral was made to the Local Authority Designated Officer (‘LADO’) and the matter was escalated in line with safeguarding procedures.

On or around 29 July 2024, Ms Kaliszan accepted a police caution under a Community Resolution Form for “*placing a hand on*” Child A “*whilst looking after him at Elm Tree Primary Academy Friar Park Rd, Wednesbury, WS10 0TB on 03/05/2024 after he urinated in the ball pool*”.

On 26 November 2024, the matter was referred to the TRA.

Findings of fact

The findings of fact are as follows:

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

1. On or around 3 May 2024 you hit Child A on the bottom.

The panel noted that Ms Kaliszan made a partial admission in relation to allegation 1, in that she admitted she had “*tapped*” Child A to encourage him to move. Notwithstanding this, the panel proceeded to fully consider the full evidence before it before making a finding on this allegation.

The panel noted the handwritten witness statement of Witness B dated 3 May 2024. In that statement, Witness B described that she, Ms Kaliszan and Individual B had taken their Year 3 class to the soft play area for an afternoon session. Witness B explained that she had been seated on a “*clear roll*” with Child C on her lap, while Individual B was positioned on a “*rainbow roll*” with another pupil, and Ms Kaliszan was seated on the floor behind the door. Witness B went on to state that she looked towards the ball pit and observed that Child A had removed his trousers. She stated “*Lina got up and lifted him from the ball pit and realised he had wee himself. She slapped him on his butt 2, and said what have you done*”. Witness B recorded that she said “*Lina, what are you doing?*” and that Individual B said “*Lina you need to be careful!*”.

The panel further considered the witness statement of Witness B, provided as part of the Academy’s investigations, on 18 September 2024. The panel noted that this statement was broadly consistent with the balance of Witness B’s evidence. It noted that she was also recorded as saying that Ms Kaliszan’s facial expression showed she was upset and disappointed that Child A had urinated in the ball pit, and voiced the opinion that Ms Kaliszan also knew that she had done something wrong as she had a “*remorseful look on her face*”.

The panel then considered the oral evidence and written statement of Witness B. Witness B again described that, on the day of the incident, the class attended a scheduled session in the soft playroom with Ms Kaliszan and Individual B. Witness B explained that she was seated on soft play equipment with one child on her lap, while Individual B was seated on a “*blue bounce exercise ball*” with a second child, and Ms Kaliszan was seated with a third child. She outlined that the remaining children were playing in the ball pit and that staff were providing sensory support.

Witness B stated that she looked towards the ball pit and observed that Child A had no pants on and was exposed at the bottom. Witness B described in her written statement that she realised Child A had urinated in the ball pit when she noted that another child

ran out leaving wet footprints. She described in oral evidence that Child A had one leg over the edge of the ball pool, which was a floor level movable pool with adult knee length sides. She explained that Child A's actions were consistent with Child A's REDACTED. Witness B described that Ms Kaliszan got up straight away and went over to the pupil.

Witness B explained that Ms Kaliszan lifted Child A from the ball pit, placed him lying on her lap face down and then smacked his bare bottom twice with one hand with an open palm. She described this as "*not a light tap*" and stated that "*it was a clear smack*", although she stated that it was difficult to describe the exact level of force. She noted that she could clearly hear the slaps above the background noise. She noted that she could not recall whether Ms Kaliszan said anything at the time.

Though Witness B could not recall in oral evidence what she said at the time she recalled she said something and, on being taken to her contemporaneous statement by the presenting officer, agreed that it was likely that she said "*Lina what are you doing?*".

Witness B also explained that she was concerned that Child A may have marks on his body and instructed Individual C to check him. Witness B recorded that Individual C reported that there were no visible marks. Witness B reported the incident to the headteacher approximately one hour later and prepared a written account of what she had witnessed.

The panel considered the handwritten witness statement of Individual B dated 3 May 2024 in which Individual B described that she was present in the soft play area with other staff members and pupils. She outlined that three children were in the ball pit and that one pupil got out. She appeared to have written "*Lena was like [Child A] has done a pee because his pant is down so Lena got upset and spank his bum*". The panel also considered Individual B statement from the Academy's investigation, dated 19 September 2024, in which she was recorded as saying that she saw Ms Kaliszan hit Child A's bottom and she heard the slap but that she could not recall if Child A was clothed. She indicated she shouted out "*Lina you need to be careful*" and that Ms Kaliszan responded by saying Child A had urinated inside the ball pool. She stated that when Ms Kaliszan hit Child A she did not appear angry and she did not say anything to him.

The panel noted again that Ms Kaliszan was not present and sought to understand her response to this allegation based on the information which it had in the bundle insofar as was possible. The panel carefully considered all documents including Ms Kaliszan's typed undated "*Personal Statement*" provided to the TRA and the "*Additional Information for Upcoming Hearing*" document provided to the TRA.

The panel first noted that Ms Kaliszan admitted this allegation in the notice of referral form document dated 17 April 2024. The panel also noted the statement of Ms Kaliszan

within the Academy's investigation bundle. Within that statement Ms Kaliszan was recorded as saying that on Friday 3 May 2024 at around 2pm they had a session in the soft play area where she thought about six children were present, as well as Witness B and Individual B. She stated that the children were sitting in the ball pit and, all of a sudden, all of the children stood up and began to come out of the ball pit. She stated that they all noted wet footprints from the children as they came out of the ball pit and realised that someone had urinated in the ball pit. Ms Kaliszan was recorded as saying that she knew it was Child A REDACTED. She stated that when she realised it was Child A she went to him and tried to pull up his pants. She stated the Child A's trousers and pants were down to his knees and his bottom was bare, and then she tried to put his trousers up and he kept putting them down. Ms Kaliszan stated that she managed to pull his trousers and pants up and, as she did this, she put one hand on his shoulder and one hand on his bottom as a tap to make him leave the room.

Ms Kaliszan admitted she physically tapped Child A on his bottom with his trousers on, indicating that the tap would not have been audible, as it was on top of trousers, and that she did not tap skin to skin as Child A's T-shirt was long and covering his bottom. She went on to state that she didn't think she touched his bare bottom as her hands would have got wet. She stated that she needed to take quick action and evacuate the child out of the room because his actions triggered the other children, some of whom could become unsafe for children and staff when triggered. She stated that as soon as she realised she had tapped him and had made physical contact she knew she was wrong and that it went against safeguarding. She stated that the gesture was not hard or with any force and that she did not think Child A even realised she had tapped him.

The panel noted a police caution within a community resolution form which it had received, dated 29 July 2024, in which Ms Kaliszan was recorded as having admitted committing the offence of "*wilfully assault young person under 16*", contrary to section 1 of the Children and Young Persons Act 1933, by placing a hand on Child A at the Academy on 3 May 2024, after he urinated in the ball pool.

The panel carefully considered all the evidence in front of it. Though noting occasional inconsistencies in Witness B's oral evidence, as against her contemporary statements, the panel found her to be a broadly consistent and plausible witness. The panel noted that there was evidence from all three adults who had been present in that room on that date that there had been physical contact between Ms Kaliszan and Child A, and that he had urinated in the ball pool. The panel noted that Witness B and Ms Kaliszan concurred that Child A had been, at least at some point, naked on his lower torso.

The panel noted that two witnesses evidenced that Child A had been hit and that they had seen and heard this. The panel noted that Individual B evidence was hearsay and placed appropriate weight on it, but also noted that it was consistent with that which Witness B had said, her being the only witness to the events who had attended the

hearing. The panel also noted Ms Kaliszan's admission to the offence of "*wilfully assault young person under 16*".

The panel was satisfied that it was clear from the evidence of all witnesses that Ms Kaliszan at least tapped/placed a hand on Child A's bottom on 3 May 2024. On balance and noting the contemporary and live evidence of Witness B and the supporting evidence of Individual B the panel was satisfied that the contact which Ms Kaliszan had with Child A's bottom constituted two hits, specifically two smacks in short succession with an open hand.

The panel therefore found allegation 1 proved.

2. In relation to Paragraph 1 above:

a. Child A's bottom was bare;

The panel noted that Ms Kaliszan denied allegation 2(a).

The panel again considered the oral and written evidence, including the contemporary evidence, of Witness B. Witness B was clear in her recollection that Child A had been naked on his lower torso at the time Ms Kaliszan placed him over her knees, face down and slapped him.

Witness B's clear evidence was that Ms Kaliszan had slapped Child A's naked bottom twice and that the sound which arose when she did this was consistent with skin-on-skin contact.

The panel noted Individual B statement to the Academy at the time of the investigation which stated that Ms Kaliszan hit Child A's bottom and that she heard the slap but that she could not recall if Child A was clothed.

The panel noted again the contemporaneous handwritten statements of Witness B and Ms Kaliszan in which they had respectively recorded that Ms Kaliszan "*slap him on him butt 2*" and "*spank his bum*" and noted that neither document specifically provided whether Child A's bottom was naked at the moment this occurred.

The panel noted that within the notes of Ms Kaliszan's disciplinary hearing of 25 October 2024 Individual B was recorded as saying that Ms Kaliszan had "*hit*" Child A on his bottom while he had his trousers down.

The panel noted that Witness B was recorded as having said in the same hearing that Ms Kaliszan slapped Child A twice "*on his bare bottom*".

The panel considered the written evidence of Ms Kaliszan. Ms Kaliszan acknowledged that Child A had pulled his trousers down and that his bottom had been bare and

indicated that she had endeavoured to pull his trousers back up again on a number of occasions.

Ms Kaliszan stated that Child A's bottom was not bare when she had contact with him, explaining that she had pulled the trousers up and that, even if she had not managed to do so, he was covered by a long shirt and that when she had contact with his bottom it would have been covered by that T-shirt. She also noted that her hand was not wet as she envisaged it would have been had she had contact with Child A's bottom directly

The panel carefully looked at the notes of a staff disciplinary meeting with Ms Kaliszan of 25 October 2024. In this meeting Ms Kaliszan was recorded as acknowledging that she could not recall whether she had touched Child A's bare bottom. Separately she acknowledged that it was possible that Child A had pulled his trousers down again in the same moment as she tapped him, but she stated that he was wearing a long T-shirt so, even if his trousers had been down, his T-shirt would have covered his bottom. Ms Kaliszan stated that things happened very quickly and that she was terrified and paranoid.

The panel noted that within Ms Kaliszan's statement to the Academy's investigation of 17 September 2024, she was recorded as saying she physically tapped Child A on his bottom with his trousers on and that you could not hear that tap as it was on top of his trousers and that she did not tap skin to skin, as Child A's T-shirt was long and covering his bottom. In Ms Kaliszan's personal statement document she had stated that Child A's bottom was not bare, that she had pulled his trousers up and that even if she hadn't managed to do that his bottom was covered by his long shirt.

The panel carefully considered the evidence before it. The panel found Ms Kaliszan had been inconsistent with regard to whether she directly recalled that when she had had contact with Child A it had only been through clothing, or whether she simply could not recall in the moment whether the contact was direct with Child A's skin. The panel noted that Witness B's evidence throughout, both contemporaneously and at the hearing, was that Ms Kaliszan had hit Child A twice on his bare bottom. The panel noted that it was clear that Child A's bottom had been naked at some point, and indeed this was not contested by Ms Kaliszan.

The panel found that the TRA had demonstrated to the standard of the balance probabilities that, at the time of the hit found proven under allegation 1, Child A's bottom had been bare.

The panel found allegation 2(a) proven.

b. Your intention was to physically chastise Child A;

The panel noted that Ms Kaliszan denied allegation 2(b).

The panel reminded itself of Witness B's evidence that Child A had been across Ms Kaliszan's knees with his face to the floor when his bare bottom was hit (slapped) twice. The panel had accepted that this was more likely than not what had occurred and noted that which it had found proven in allegation 1.

The panel considered the written statements of Ms Kaliszan. Ms Kaliszan described that she was panicking and trying to get Child A out of the room as quickly as possible. She outlined that she pulled up Child A's trousers and *"tapped him to encourage him to move"*, and that this action was *"misinterpreted by staff as a smack or punishment"*. She explained that, after this, Child A moved and they left the room. The panel noted that within her personal statement document, Ms Kaliszan stated that her first thought was the need to evacuate the child who had urinated as she feared something might happen, especially since they were in a very small room. She stated that according to school policy she was not allowed to return a child to the classroom without clothes on so she attempted to put his trousers back on. She stated that she was panicking, trying to get him out of the room as quickly as possible. She stated that she tapped him to encourage him to move.

The panel noted that Ms Kaliszan's evidence throughout had been that she was seeking to remove Child A from the room before his behaviour triggered himself or others. She perceived this as a potentially dangerous situation.

The panel carefully considered its findings and the evidence it had before it. The panel simply did not find it plausible, noting that which it had found proven, that Ms Kaliszan's intention in hitting Child A twice on the bottom when over her knees and facing downwards could have been to encourage Child A to move. It noted that Child A would clearly not have been in a position to move at that point on the evidence. The panel could not conceive of an explanation as to why it would have been necessary to apply any force to Child A in order to get them to move, or how this could possibly be consistent with Ms Kaliszan's position that her motive in making contact was to urgently avoid potentially triggering either Child A or the other pupils in the class. The panel also noted that it did not appear to have any evidence that Child A was refusing to move in any event.

The panel noted that the contemporary evidence of Ms Kaliszan appeared to suggest that she realised quickly the seriousness of her behaviour and indeed, reported it the following day as she had *"been feeling really bad about what had happened"*. The panel noted that Ms Kaliszan's position was that her actions had been confined to a simple tap, through clothing, to direct Child A. The panel noted that this was in a context that she would already have had extensive physical contact with him through clothing as she was

pulling up his trousers on a number of occasions, on her evidence. The panel could not conceive how Ms Kaliszan would consider that there was material risk that she had done something wrong (or feel really bad about it) unless her contact with Child A was more significant and serious than her response to the allegations acknowledged.

The panel again noted the evidence of the other witnesses in the room which was, unambiguously, that Ms Kaliszan had chosen to slap/smack Child A.

Noting the absence of any plausible alternative given the facts which had been found proven, the panel was satisfied that the TRA had demonstrated, on the balance of probabilities, that Ms Kaliszan's intention in hitting Child A had been to physically chastise him.

The panel found allegation 2(b) proven.

c. You failed to report your actions to the Academy on the day of the incident.

The panel noted that Ms Kaliszan admitted to the facts of allegation 2(c).

The panel noted the Academy's CPI Safety Intervention Policy. In particular, the panel noted that the policy recognises that the use of restrictive intervention may give rise to allegations of inappropriate or excessive use of force against staff. The panel further noted that, where such a complaint is raised, the individual making the complaint is required to provide a statement regarding the incident.

The panel considered the Safeguarding Policy for the Academy which it had before it and noted the requirements that *"If any member of staff is concerned about a child the designated safeguarding lead (or the rep in their absence) must be informed immediately"* and *"the member of staff must record information regarding the concerns ensure that the written record is passed to the DSL on the same day"* and *"UNDER NO CIRCUMSTANCES SHOULD YOU LEAVE SCHOOL WITHOUT DISCUSSING YOUR CONCERNS WITH SOMEONE"* all of which it considered would be incumbent on Ms Kaliszan.

The panel considered the written statements of Ms Kaliszan. Ms Kaliszan explained that she did not report the incident on the day because it occurred close to home time and her immediate priority was to prepare the children for dismissal and avoid potential tantrums. She described that, after the children had left, she went to the safeguarding officer's office, but the REDACTED arrived and had begun a conversation with the designated safeguarding lead. She stated that she was *"so shaken"* from the events of the week, and the incident, that she felt she might collapse and did not proceed to report it that day.

The panel also noted Ms Kaliszan's statement to the Academy's investigation dated 17 September 2024 in which she set out that she completed *"Sleuth"* entries on a daily basis, but she did not report the incident with Child A on Sleuth as she was shaken and

just left. The panel understood Sleuth to be the Academy's safeguarding reporting software.

Ms Kaliszan also recorded that the day after the incident, which was a Saturday, 4 May 2024, she felt "*really bad*" about what happened and telephoned REDACTED. She stated that she informed REDACTED that she had done something she should not have and felt really bad, and that she could not eat or sleep. She then proceeded to describe to her the occurrences of the previous day.

Having considered the facts and the supporting evidence and noting that it did not appear to be contested by Ms Kaliszan that she had failed to report her actions to the Academy on 3 May 2024, the panel found allegation 2(c) proved.

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

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

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

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

The panel considered that, by reference to Part 2, Ms Kaliszan 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 Academy, by
 - treating pupils with dignity, building relationships rooted in mutual respect, and at all times observing proper boundaries appropriate to a teacher's professional position
 - having regard for the need to safeguard pupils' well-being, in accordance with statutory provisions
- Teachers must have proper and professional regard for the ethos, policies and practices of the Academy in which they teach.
- Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities.

The panel was satisfied that the conduct of Ms Kaliszan, in relation to the facts found proved, involved breaches of Keeping Children Safe In Education ("KCSIE").

The panel considered that Ms Kaliszan was in breach of the following provisions: 2, 7, 12 and 356.

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

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

The panel found that the offence type of child cruelty and/or neglect was relevant.

The panel also carefully considered the Academy's safeguarding procedures.

The panel noted the Staff Code of Conduct, reviewed in January 2023 and found that the matters it had found proven breached that policy in a number of respects. In particular the panel noted the requirements that *"physical contact should never [...] represent a misuse of authority"* and that *"when physical contact is made with children this should be in response to their needs at the time, of limited duration and appropriate"*.

The panel also found breaches of the Safeguarding Policy for the Academy in particular the requirements that *"If any member of staff is concerned about a child the designated safeguarding lead (or the rep in their absence) must be informed immediately"* and *"the member of staff must record information regarding the concerns ensure that the written record is passed to the DSL on the same day"* and *"under no circumstances should you leave school without discussing your concerns with someone"*.

The panel also noted the Academy's Relationships and Regulation Policy and found a breach of the requirement that *"punitive approaches are not used in any circumstances in response to pupil behaviour"*.

The panel also considered that Ms Kaliszan had breached the Academy's CPI Safe Intervention Policy in particular its requirement that *"It is always unlawful to use force as a punishment"*.

The panel also considered that Ms Kaliszan had breached the Academy's Safe Touch Policy which required that *"physical contact should always be about meeting the needs of the child"* and that *"staff should always think before making any physical contact. They should be clear about why their actions are in the best interest of the child concerned"*.

The panel considered carefully the various factors which Ms Kaliszan had set out in written documents including her statements concerning the difficulties which she experienced in managing what was unquestionably a challenging class of pupils REDACTED. The panel considered the difficulties with the number of pupils in her class and the needs of Child A in particular.

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Ultimately though, having carefully considered that evidence, the panel did not consider that the circumstances described materially mitigated or excused the behaviour which it had found proven.

The panel noted then the various breaches of professional standards which it had found proven as well as the serious safeguarding concerns which arose.

The panel had found proven that Ms Kaliszan had hit Child A's bare bottom twice with the intention of chastising him. The panel considered that physical abuse of a child in these terms was clearly never acceptable and represented a serious transgression by a teacher of their most basic and fundamental task, to keep children safe.

The panel did not consider that conduct of this nature had any place within the teaching profession and considered it fell significantly below, as demonstrated by the statutory guidance and policies it had found breached, any appropriate standard for teachers' behaviour.

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

Accordingly, the panel was satisfied that Ms Kaliszan was guilty of unacceptable professional conduct.

In relation to whether Ms Kaliszan'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 Ms Kaliszan'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 Ms Kaliszan was guilty of unacceptable professional conduct, the panel found that the offence type of child cruelty and/or neglect was relevant.

The panel again considered what it had found proven. The panel considered that any parent or third party, properly informed about the facts of the matter, would rightly be appalled that a teacher would physically chastise a pupil including in the manner which it found proven. The panel did not consider that a member of the public would find such

behaviour excusable and considered that, if revealed, the facts could significantly damage the reputation of the teaching profession and the Academy as well as the teacher herself.

The findings of misconduct are serious, and the conduct displayed would be likely to have a negative impact on the individual's status as a teacher.

For these reasons, the panel found that Ms Kaliszan's actions constituted conduct that may bring the profession into disrepute.

Panel's recommendation to the Secretary of State

Given the panel's findings in respect of unacceptable professional conduct and conduct that may bring the profession into disrepute, it was necessary for the panel to go on to consider whether it would be appropriate to recommend the imposition of a prohibition order by the Secretary of State.

In considering whether to recommend to the Secretary of State that a prohibition order should be made, the panel had to consider whether it would be an appropriate and proportionate measure, and whether it would be in the public interest to do so. Prohibition orders should not be given in order to be punitive, or to show that blame has been apportioned, although they are likely to have punitive effect.

The panel had regard to the particular public interest considerations set out in the Advice and, having done so, found a number of them to be relevant in this case, namely the safeguarding and wellbeing of pupils, the maintenance of public confidence in the profession and the declaring and upholding of proper standards of conduct.

In light of the panel's findings against Ms Kaliszan, which involved her hitting Child A on the bare bottom as a chastisement, there was clearly a strong public interest consideration in respect of the safeguarding and wellbeing of pupils, given the serious findings of inappropriate contact with a child.

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

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

Whilst there was some limited evidence that Ms Kaliszan had ability as an educator, noting her long service and clearly meritorious decision to focus for a prolonged period on working with special needs children, the panel considered that the adverse public

interest considerations above outweighed any interest in retaining Ms Kaliszan in the profession, since her behaviour fundamentally breached the standard of conduct expected of a teacher, and she abused her position of trust.

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 noted that a teacher's behaviour that seeks to exploit their position of trust, should be viewed very seriously in terms of its potential influence on pupils and should be seen as a possible threat to the public interest even if no criminal offences are involved. The panel noted that it had found that Ms Kaliszan hit Child A with the intention of physically chastising him.

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 Ms Kaliszan.

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

- serious departure from the personal and professional conduct elements of the Teachers' Standards;
- the commission of a serious criminal offence, including those that resulted in a conviction or caution, paying particular attention to offences that are 'relevant matters' for the purposes of the Police Act 1997 and criminal record disclosures;
- misconduct seriously affecting the education and/or safeguarding and well-being of pupils, and particularly where there is a continuing risk;
- abuse of position or trust (particularly involving pupils);
- failure to act on evidence that indicated a child's welfare may have been at risk e.g. failed to notify the designated safeguarding lead and/or make a referral to children's social care, the police or other relevant agencies when abuse, neglect and/or harmful cultural practices were identified;
- failure in their duty of care towards a child, including exposing a child to risk or failing to promote the safety and welfare of the children (as set out in Part 1 of KCSIE);
- violation of the rights of pupils.

Even though some of the behaviour found proved in this case indicated that a prohibition order would be appropriate, the panel went on to consider the mitigating factors.

Mitigating factors may indicate that a prohibition order would not be appropriate or proportionate.

The panel considered that Ms Kaliszan's actions were deliberate.

The panel had no evidence to suggest that Ms Kaliszan was acting under extreme duress, e.g. a physical threat or significant intimidation.

Whilst the panel noted Ms Kaliszan's 20 years' service and clean record, the panel did not have before it any evidence that Ms Kaliszan demonstrated exceptionally high standards in her personal and professional conduct or had contributed significantly to the education sector.

The panel did not have sufficient evidence to make a determination on whether the incident was out of character, though the panel had no information suggesting that Ms Kaliszan had previously been subject to disciplinary proceedings/warnings.

The panel considered whether Ms Kaliszan demonstrated insight and remorse in respect of her conduct. The panel noted that, unfortunately, Ms Kaliszan had not chosen to attend proceedings and so its ability to assess insight was limited.

The panel had in mind the disconnect which it had found on the facts, with Ms Kaliszan on the one hand seemingly accepting she had done something sufficiently wrong to lead to her reporting it the day after it occurred, and to her ultimately accepting a police caution for wilful assault on a child (and indeed admitting the first allegation that she had hit Child A) whilst at the same time maintaining the position that her actions were no more than a gentle tap on a clothed child intended to facilitate their prompt exit from the room.

Whilst the panel in no way equated Ms Kaliszan's maintenance of innocence with a lack of insight, it did note that it was entitled to consider Ms Kaliszan's attitude to the underlying allegations and the panel simply did not consider that these conflicting positions taken by the teacher were factually reconcilable on any basis.

The panel noted that, within her personal statement, Ms Kaliszan provided extensive background to her actions, including the challenging environment in which she was working, the behaviour of highly challenging pupils, and the lack of support and resources available to her, albeit it noted this evidence had not been tested and the lack of support appeared to be denied by the Academy.

The panel noted photographs showing cuts and bruises on Ms Kaliszan's finger and arm, which she submitted within her statement were sustained as a result of working with pupils at the Academy.

The panel did not consider it had much material evidence of genuine insight from Ms Kaliszan as to the impact her actions may have had on the young and vulnerable child, the Academy or the teaching profession nor did it conclude that she had demonstrated any meaningful remorse for her actions.

The panel noted that Ms Kaliszan stated that she deeply regretted her actions and that she acknowledged that she should not have panicked and should have remained calm and found a better way to respond. The panel considered though that it appeared she was referring here to her explanation that she was seeking to rush Child A from the room whereas the panel had found it proven that her intention, in bending Child A over her knees and hitting his bare bottom, was chastisement.

Ms Kaliszan had been consistent that she regretted that her actions were “*misconstrued*” but the panel considered that her actions on the day had been proven to be deliberate and as set out in the allegations.

The panel considered that it had no evidence before it as to Ms Kaliszan’s development of a fair, objective understanding of the nature and gravity of her misconduct, which they had understood from legal advice was a necessary precondition of remorse.

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 Ms Kaliszan of prohibition.

The panel was of the view that prohibition was both proportionate and appropriate. The panel decided that the public interest considerations outweighed the interests of Ms Kaliszan. Particularly significant to the panel’s decision was the fact that it had found that Ms Kaliszan had intentionally hit a child on his bare bottom with the intention of chastising him. The panel considered that was entirely contrary to professional standards and could not be tolerated, not least given the public interest requirements of safeguarding, the wellbeing of pupils, the maintenance of public confidence in the profession and the declaring and upholding of proper standards of conduct. The panel also noted the breaches of the Teachers’ Standards which it had found proven, and that it had found that seven of the behaviours which the Advice suggested meant that a probation order may be appropriate were triggered in this situation. Accordingly, the panel made a recommendation to the Secretary of State that a prohibition order should be imposed with immediate effect.

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

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

The panel found that one of the offence types being child cruelty and/or neglect was triggered.

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.

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

The panel went on to consider this matter further.

Though the panel considered that the conduct which it had found proven was extremely serious the panel did note that it was a one-off occurrence which had clearly occurred in a situation of some intense stress and pressure for the teacher.

The panel noted that witness evidence suggested that Ms Kaliszan had gone through some manner of family crisis on that particular day, though it had no substantive evidence in relation to this. The panel noted Witness B's evidence was positive as to Ms Kaliszan's abilities as a teacher generally.

REDACTED which had the potential to have influenced this very serious, though apparently one off, fundamental misjudgement in her behaviours that day.

Whilst noting that it had found evidence of the offence type of child cruelty and/or neglect, and the advice that such a finding weighed in favour of not offering a review period, the panel considered that the facts of this matter were towards the lower end of the spectrum of such an offence and that the individual facts and circumstances of this matter needed to be carefully taken into account.

The panel was though again conscious that it had little evidence of genuine insight or remorse from Ms Kaliszan for what she had done or the impact it would have on the pupil, the Academy and the profession.

The panel noted Ms Kaliszan's submission that she had identified learning for the future, including that if she felt overwhelmed and anxious, she would step back and ask colleagues to handle the situation, and that she had engaged with training following the

incident, completed a community resolution course, REDACTED. Whilst this was welcome the panel did not consider that it had sufficient evidence before it that Ms Kaliszan had, in fact, identified her motivations and triggers or taken sufficient steps to address them. The panel did not consider then that it had before it sufficient evidence that Ms Kaliszan was not at risk of repeating her behaviours faced with a similar situation.

The panel did though consider that the circumstances were such that there was a potential possibility that, in the future, Ms Kaliszan, if she applied herself to it, may be able to develop insight and the necessary resilience to demonstrate that she had addressed that risk of repetition.

The panel decided that the findings indicated a situation in which a review period would be appropriate and, as such, decided that it would be proportionate, in all the circumstances, for the prohibition order to be recommended with provision for a 2 year 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 all of the allegations proven and found that those proven facts amount to unacceptable professional conduct and/or conduct that may bring the profession into disrepute.

The panel has made a recommendation to the Secretary of State that Ms Tsvetelina Kaliszan should be the subject of a prohibition order, with a review period of 2 years.

In particular, the panel has found that Ms Kaliszan 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 Academy, by
 - treating pupils with dignity, building relationships rooted in mutual respect, and at all times observing proper boundaries appropriate to a teacher's professional position
 - having regard for the need to safeguard pupils' well-being, in accordance with statutory provisions
- Teachers must have proper and professional regard for the ethos, policies and practices of the Academy in which they teach.

- Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities.

The panel was satisfied that the conduct of Ms Kaliszan involved breaches of the responsibilities and duties set out in statutory guidance Keeping children safe in education (KCSIE).

The panel has found that the conduct of Ms Kaliszan fell significantly short of the standards expected of the profession.

The findings of misconduct are serious as they include hitting a child on the bottom in an act of physical chastisement.

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

In this case, I have considered the extent to which a prohibition order would protect children and safeguard pupils. The panel has observed:

“In light of the panel’s findings against Ms Kaliszan, which involved her hitting Child A on the bare bottom as a chastisement, there was clearly a strong public interest consideration in respect of the safeguarding and wellbeing of pupils, given the serious findings of inappropriate contact with a child.”

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 including:

“The panel did not consider it had much material evidence of genuine insight from Ms Kaliszan as to the impact her actions may have had on the young and vulnerable child, the Academy or the teaching profession nor did it conclude that she had demonstrated any meaningful remorse for her actions.”

The panel has also commented:

“The panel considered that it had no evidence before it as to Ms Kaliszan’s development of a fair, objective understanding of the nature and gravity of her misconduct, which they had understood from legal advice was a necessary precondition of remorse.”

In my judgement, the lack of evidence of meaningful insight and remorse 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 has observed:

“The panel considered that any parent or third party, properly informed about the facts of the matter, would rightly be appalled that a teacher would physically chastise a pupil including in the manner which it found proven. The panel did not consider that a member of the public would find such behaviour excusable and considered that, if revealed, the facts could significantly damage the reputation of the teaching profession and the Academy as well as the teacher herself.”

I am particularly mindful of the finding of hitting a child in this case and the impact that such a finding has on the reputation of the profession.

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

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

I have also considered the impact of a prohibition order on Ms Kaliszan herself. The panel has commented:

“Whilst the panel noted Ms Kaliszan’s 20 years’ service and clean record, the panel did not have before it any evidence that Ms Kaliszan demonstrated exceptionally high standards in her personal and professional conduct or had contributed significantly to the education sector.”

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

In this case, I have placed considerable weight on the panel's comments concerning the seriousness of the misconduct. The panel has said:

"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 Ms Kaliszan. Particularly significant to the panel's decision was the fact that it had found that Ms Kaliszan had intentionally hit a child on his bare bottom with the intention of chastising him. The panel considered that was entirely contrary to professional standards and could not be tolerated, not least given the public interest requirements of safeguarding, the wellbeing of pupils, the maintenance of public confidence in the profession and the declaring and upholding of proper standards of conduct."

I have also placed considerable weight on the panel's comments on the lack of evidence of meaningful insight and remorse on the part of Ms Kaliszan. I have also noted the panel's findings that Ms Kaliszan's action were deliberate and that there was no evidence to suggest that she was acting under extreme duress.

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

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

I have gone on to consider the matter of a review period. In this case, the panel has recommended a 2-year review period.

The panel has noted that among the types of case where the public interest will have greater relevance and weigh favour of not offering a review period are those involving child cruelty and/or neglect. The panel has also noted the mitigating factors in this case including that "it was a one-off occurrence which had clearly occurred in a situation of some intense stress and pressure for the teacher."

I have considered the panel's comments about the seriousness of the misconduct:

"Whilst noting that it had found evidence of the offence type of child cruelty and/or neglect, and the advice that such a finding weighed in favour of not offering a review period, the panel considered that the facts of this matter were towards the lower end of the spectrum of such an offence and that the individual facts and circumstances of this matter needed to be carefully taken into account."

I have also considered the panel's comments on the risk of repetition:

"The panel noted Ms Kaliszan's submission that she had identified learning for the future, including that if she felt overwhelmed and anxious, she would step back and ask colleagues to handle the situation, and that she had engaged with training following the incident, completed a community resolution course, REDACTED. Whilst this was welcome the panel did not consider that it had sufficient evidence before it that Ms Kaliszan had, in fact, identified her motivations and triggers or taken sufficient steps to address them. The panel did not consider then that it had before it sufficient evidence that Ms Kaliszan was not at risk of repeating her behaviours faced with a similar situation.

The panel did though consider that the circumstances were such that there was a potential possibility that, in the future, Ms Kaliszan, if she applied herself to it, may be able to develop insight and the necessary resilience to demonstrate that she had addressed that risk of repetition."

I have considered whether a 2-year review period reflects the seriousness of the findings and is a proportionate period to achieve the aim of maintaining public confidence in the profession. In this case, although the misconduct is extremely serious, factors mean that I agree with the panel that allowing a 2-year review period is sufficient to achieve the aim of maintaining public confidence in the profession. In reaching this decision, I am conscious that a prohibition order is indefinite and that it could be set aside after 2 years only if Ms Kaliszan is able to demonstrate evidence of meaningful insight and remorse and that she had taken concrete steps to address the motivations and triggers that led to the incident in this case, in order to minimise the risk of repetition.

I consider therefore that a 2-year review period is required to satisfy the maintenance of public confidence in the profession.

This means that Ms Tsvetelina Kaliszan is prohibited from teaching indefinitely and cannot teach in any Academy, sixth form college, relevant youth accommodation or children's home in England. She may apply for the prohibition order to be set aside, but not until 25 June 2028, 2 years from the date of this order at the earliest. This is not an automatic right to have the prohibition order removed. If she does apply, a panel will meet to consider whether the prohibition order should be set aside. Without a successful application, Ms Kaliszan remains prohibited from teaching indefinitely.

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

Ms Tsvetelina Kaliszan has a right of appeal to the High Court within 28 days from the date she is given notice of this order.

A handwritten signature in black ink, appearing to read 'D Oatley', with a large, sweeping loop at the end.

Decision maker: David Oatley

Date: 19 June 2026

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