



Department
for Education

Department for Education
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The Proprietor
Rabia Girls' and Boys' School
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Date: 27 November 2019

Dear Proprietor

RABIA GIRLS' AND BOYS' SCHOOL

I refer to the inspection carried out by Her Majesty's Chief Inspector of Education, Children's Services and Skills ('HMCI') on 12 September 2019 at the above school ('the school') under s.109 of the Education and Skills Act 2008 ('the Act'). You will see from the enclosed report, which has been published, that the inspection found a number of regulatory failings relating to the independent school standards ('ISS')¹.

The September 2019 inspection followed the decision by the Secretary of State to impose a relevant restriction requiring the proprietor of the school to cease to admit new pupils. Notice of this decision was advised in the Department's letter of 02 August 2018, which also stated that:

Continued failure to comply with the ISS may also result in the Secretary of State deciding that it is appropriate to remove the school from the register of independent schools.

The report of the 12 September 2019 inspection shows that little progress has been made, and there are still numerous failures to meet the ISS, and some new failures, including serious failings relating to the quality of leadership and management, quality of education, welfare, health and safety of pupils and provision of information. In particular, the report advises that the safeguarding policy is out of date, does not have regard to the current version of the statutory guidance 'Keeping Children Safe in Education' and leaders demonstrated a lack of understanding of the guidance. In the circumstances, the Secretary of State is satisfied that the continued failings to meet the ISS, are sufficiently serious to warrant further enforcement action and that it is appropriate to remove the school from the register of independent educational institutions in England.

¹ Statutory Instrument 2014/3283

Decision to deregister the school

Taking account of the report relating to the 12 September 2019 inspection carried out by HMCI, the Secretary of State is satisfied, for the purposes of section 115(1) of the Act, that a number of the ISS are not being met in relation to the school. Given the fact that the Secretary of State, by a notice dated 12 May 2016, required the production of an action plan (which was approved on 14 July 2016), that six inspections of the school have been carried out by HMCI since the requirement to produce an action plan was notified to the school, and that the Secretary of State has not at any time, since the requirement was imposed, been satisfied that the school is meeting all of the ISS, one of the conditions referred to in section 115(3) of the Act is met for the purpose of taking enforcement action in relation to proprietor of the school (specifically, the condition contained in section 115(5) of the Act is satisfied). Therefore, the Secretary of State is authorised to take the enforcement action specified under section 116 of the Act in relation to the proprietor of the school.

Having the power to take enforcement action under s.116 of the Act, and having considered whether any, and what sort of, enforcement action under section 116 of the Act is appropriate, the Secretary of State has decided to remove the school from the register of independent schools.

If you do not appeal against this decision, the school will be removed from the register once the period of 28 days has expired. The 28-day period will begin with the date on which the attached notice is served on the proprietor. Our working assumption is that the notice will be served on the proprietor after the end of two working days following the date of this letter. On this assumption, the school will be deregistered on 27 December 2019, in the event that no appeal is made by the proprietor to the First-Tier Tribunal within the 28 day period. The annex to the attached notice sets out the regulatory failings which have led to the decision to impose this relevant restriction.

The proprietor also has the right under section 124(1)(d) of the Act to appeal against the decision to deregister the school to the First-Tier Tribunal. Any appeal must be made, in writing, within 28 days of the date on which the attached notice is served on the proprietor. If an appeal is made by the proprietor within the required time limit, then the deregistration will not take effect until such time as the appeal is determined, withdrawn or otherwise disposed of. The relevant contact details are: HM Courts and Tribunal Service, 1st Floor, Darlington Magistrate's Court, Parkgate, Darlington DL1 1RU. Telephone 01325 289350.

It is an offence (under section 96(2) of the Act), for a proprietor to conduct an independent school which is unregistered, with penalties of up to six months imprisonment and/or a substantial fine. Therefore, where the school is removed from the register, you must take appropriate action to ensure that this offence is not committed.

Yours faithfully



DEPUTY DIRECTOR,
INDEPENDENT EDUCATION DIVISION

SECTION 116(1)(b) AND (2) OF THE EDUCATION AND SKILLS ACT 2008¹

(‘the Act’)

NOTICE OF THE DECISION BY THE SECRETARY OF STATE FOR EDUCATION TO REMOVE THE FOLLOWING SCHOOL FROM THE REGISTER OF INDEPENDENT EDUCATIONAL INSTITUTIONS:

TO THE PROPRIETOR

Rabia Girls’ and Boys’ School

12-16 Portland Road

Luton

Bedfordshire

LU4 8AX

(‘the school’)

(821/6001)

WHEREAS

The Secretary of State for Education, being the regulator of independent schools in England,

(i) having been satisfied (taking into account a report of an inspection by Her Majesty’s Chief Inspector of Education, Children’s Services and Skills (‘HMCI’) carried out between 12 and 14 April 2016) that a number of the independent school standards (as prescribed in the Education (Independent School Standards) Regulations 2014²) were not being met in relation to the school, served a notice (pursuant to section 114 of the Act) dated 12 May 2016 on the school’s proprietor (‘the proprietor’) requiring the submission of an action plan³ on or before 13 June 2016;

(ii) received an action plan on 13 June 2016 from the proprietor;

(iii) decided to approve the said action plan under section 114(6)(b) of the Act, and informed the proprietor of that decision by a letter dated 14 July 2016;

(iv) received a report of an inspection by HMCI of the school carried out on 10 January 2017 which noted a number of independent school standards were not met;

¹ c.25.

² SI 2014/3283.

³ An action plan for the purposes of section 114 of the Act is a plan which specifies the steps that will be taken to meet a standard or standards, and the time by which each step will be taken (section 114(4)).

(v) received a report of an inspection by HMCI of the school carried out on 27 April 2017 showing that a number of independent school standards were not being met in relation to the school, and identifying some previously met standards that were now unmet;

(vi) received a non-statutory action plan on 6 July 2017 from the proprietor;

(vii) decided to reject the said action plan and informed the proprietor of that decision by a letter dated 18 October 2017;

(viii) received a report of an inspection by HMCI of the school carried out between 16 and 18 January 2018 which noted a number of independent school standards were not met;

(ix) having considered the report into the inspection of 16-18 January 2018 was satisfied that a number of independent school standards were not being met in relation to the school, and with the condition in section 115(4) of the Act being met (specifically that the proprietor has been required to submit an action plan under section 114 of the Act within the 3 years period mentioned in section 115(4)(a) of the Act, that an action plan was submitted as a consequence, and that action plan was approved by the Secretary of State but was subsequently not complied with);

(x) decided to impose the relevant restriction⁴ to cease to admit any new pupils to the school which came into effect as of 23 January 2019 following the withdrawal of the school's appeal;

(xi) received a report of an inspection by HMCI of the school carried out on 8 May 2019 which noted a number of independent school standards were not met;

(xii) received a report of an inspection by HMCI of the school carried out on 12 September 2019 showing that the independent school standards specified in Annex 1 to this notice are not being met in relation to the school;

(xiii) with the condition in section 115(5) of the Act being met, (namely that at least two years before the enforcement action that is now being taken the Secretary of State required the proprietor to submit an action plan, at least one inspection of the school has been carried out by HMCI since the requirement was imposed, and the Secretary of State has not at any time since the requirement was imposed been satisfied that the school was meeting all of the independent school standards) has decided to remove the school from the register of independent educational institutions in England kept by the Secretary of State under section 95 of the Act.

NOW THEREFORE –

Notice is hereby given to the proprietor, for the purposes of section 116(2) of the Act that the Secretary of State has decided under section 116(1) of the Act to remove the school

⁴ 'Relevant restriction' is defined in section 117(1) of the Act – see in particular section 117(1)(c).

from the register of independent educational institutions in England kept by the Secretary of State under section 95 of that Act.

By virtue of section 116(3) of the Act, the decision in question does not take effect during the period in which (a) an appeal to the First-Tier Tribunal may be brought against it under section 124⁵ of the Act or (b) where such an appeal is brought, the appeal has not been determined, withdrawn or disposed of.

Signed

Date: 27 November 2019



Deputy Director, Independent Education Division

⁵ Any appeal under the section 124 must be brought within the period of 28 days beginning with the day on which notice of the decision is served on the proprietor (section 124(2) of the Act).

ANNEX TO NOTICE OF THE DECISION TO REMOVE THE SCHOOL FROM THE REGISTER OF INDEPENDENT EDUCATIONAL INSTITUTIONS

**Rabia Girls' and Boys' School
12-16 Portland Road
Luton
Bedfordshire
LU4 8AX
(‘the school’)
(821/6001)**

The following independent school standards, as prescribed in the Schedule to the Education (Independent School Standards) Regulations 2014, are not being met in relation to the school:

PART 1: Quality of education provided

The standards about the quality of education provided at the school are those contained in this Part.

2.(1) The standard in this paragraph is met if—

(a) the proprietor ensures that a written policy on the curriculum, supported by appropriate plans and schemes of work, which provides for the matters specified in sub-paragraph (2) is drawn up and implemented effectively; and

(b) the written policy, plans and schemes of work—

(i) take into account the ages, aptitudes and needs of all pupils, including those pupils with an EHC plan.

3. The standard in this paragraph is met if the proprietor ensures that the teaching at the school—

(a) enables pupils to acquire new knowledge and make good progress according to their ability so that they increase their understanding and develop their skills in the subjects taught;

(c) involves well planned lessons and effective teaching methods, activities and management of class time; and

(d) shows a good understanding of the aptitudes, needs and prior attainments of the pupils, and ensures that these are taken into account in the planning of lessons.

PART 3: Welfare, health and safety of pupils

The standards about the welfare, health and safety of pupils at the school are those contained in this Part.

7. The standard in this paragraph is met if the proprietor ensures that—

(a) arrangements are made to safeguard and promote the welfare of pupils at the school; and

(b) such arrangements have regard to any guidance issued by the Secretary of State.

15. The standard in this paragraph is met if the proprietor ensures that an admission and attendance register is maintained in accordance with the Education (Pupil Registration) (England) Regulations 2006⁶.

16. The standard in this paragraph is met if the proprietor ensures that—

(a) the welfare of pupils at the school is safeguarded and promoted by the drawing up and effective implementation of a written risk assessment policy; and

(b) appropriate action is taken to reduce risks that are identified.

PART 6: Provision of information

32. (1) The standard about the provision of information by the school is met if the proprietor ensures that—

(c) particulars of the arrangements for meeting the standard contained in paragraph 7 are published on the school's internet website or, where no such website exists, are provided to parents on request.

PART 8: Quality of leadership in and management of schools

34. (1) The standard about the quality of leadership and management is met if the proprietor ensures that persons with leadership and management responsibilities at the school—

(a) demonstrate good skills and knowledge appropriate to their role so that the independent school standards are met consistently;

(b) fulfil their responsibilities effectively so that the independent school standards are met consistently; and

(c) actively promote the well-being of pupils.

(2) *For the purposes of paragraph (1)(c) "well-being" means well-being within the meaning of section 10(2) of the Children Act 2004⁷.*

⁶ S.I. 2006/1751, to which there are amendments not relevant to these Regulations.

⁷ 2004 c.31.