



Department
for Education

**Bishopsgate House
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The Proprietor
Al-Falah Primary School
48 Kenninghall Road
Clapton
London
E5 8BY

Our ref: 204/6410

Direct line: [REDACTED]

Email: [REDACTED]

Date: 24 October 2017

Dear Proprietor

I refer to the inspection by Her Majesty's Chief Inspector of Education, Children's Services and Skills (**OFSTED**) that was carried out at the above school under section 109 of the Education and Skills Act 2008 between 4 and 6 July 2017. You will see from the enclosed report that Ofsted noted serious regulatory failings.

Taking account of the report the Secretary of State is satisfied, pursuant to section 114(1) of the Education and Skills Act 2008, that any one or more of the independent school standards¹ is or are not being met in relation to the school.

In these circumstances I enclose a Notice, served by the Secretary of State for Education under section 114(5) of the 2008 Act, requiring an Action Plan which details the steps that will be taken to meet all of the standards set out in the Annex to the Notice. This is to be submitted in two parts, the first part by **13 November 2017** and the second part by **27 November 2017**. Part 1 should detail the steps that will be taken to meet the unmet standards linked to the welfare, health and safety of pupils. I refer you to the unmet independent school standards 7, 11, 12, 16 and 25. Part 2 must relate to steps that will be taken to meet the remaining unmet standards and, where there are other failings that mean that standard 7 is unmet, the steps that will be taken to ensure that they are.

The Action Plan must contain reasonable timescales for implementation within which the necessary action will be taken and it is expected that the implementation dates given in the Action Plan should not extend beyond **27 November 2017** for Part 1 and **29 January 2018** for Part 2. A template and supporting advice is enclosed which may help you in drawing up a satisfactory Action Plan.

¹ [The Education \(Independent School Standards\) Regulations 2014 \(SI 2014/3283\)](#)

You are reminded that the independent school standards require that a copy of the inspection report is sent to parents and parents of prospective pupils. This will be checked at the next inspection.

If the dates for submission of the action plan are not met, the Secretary of State may remove the school from the Register of Independent Schools or may impose a requirement restricting the school's operations (from a date following the period during which you may appeal).

I must warn you that the Secretary of State may reject an Action Plan, and in these circumstances the Secretary of State may remove the school from the Register of Independent Schools or may impose a requirement restricting the school's operations (from a date following the appeal period).

If an Action Plan is accepted, Ofsted may be asked to visit the school again to check that the school has fully implemented the plan and that it is fully meeting the independent school standards.

You may wish to note that this letter, the enclosed Notice and Annex(es) will be published shortly on the Gov.uk website.

Yours faithfully



Independent Education and Boarding Team

SECTION 114(5) OF THE EDUCATION AND SKILLS ACT 2008

NOTICE BY THE SECRETARY OF STATE FOR EDUCATION

IN RELATION TO
Al-Falah Primary School
48 Kenninghall Road
Clapton
London
E5 8BY
(“the School”)

WHEREAS

The Secretary of State for Education, being the keeper of the register of independent schools in England² –

- (i) has taken into account a report in respect of an inspection of the School by Her Majesty’s Chief Inspector of Education, Children’s Services and Skills, which was conducted between 4 and 6 July 2017; and
- (ii) is satisfied that the independent school standards, as prescribed in the Education (Independent School Standards) Regulations 2014, specified in the Annex to this Notice are not being met in relation to the School.

NOW THEREFORE

In exercise of the power conferred upon her by section 114(5) of the Education and Skills Act 2008, the Secretary of State serves the following Notice on the proprietor of the School:

- (1) the independent school standards set out in the Annex to this Notice are not being met in relation to the School; and
- (2) the proprietor of the School is required to submit an action plan³ to the Secretary of State specifying the steps that will be taken to meet the standards, and the time by which each step will be taken, on or before on or before **13 November 2017** (Part 1) and **27 November 2017** (Part 2). Part 1 should detail the steps that will be taken to meet the unmet standards linked to the welfare, health and safety of pupils (independent school standards 7, 11, 12, 16 and 25). Part 2 must relate to steps that will be taken to meet the remaining unmet Standards and, where there are other failings that mean that standard 7 is unmet, the steps that will be taken to ensure that they are.


Independent Education and Boarding Team

Date

² The Secretary of State is required to keep a register of independent educational institutions in England under section 95(1) of the Education and Skills Act 2008. “Independent educational institution” is defined in section 92(1) of that Act as an independent school and an independent provider of part-time education. Independent providers of part-time education are not currently regulated so effectively the requirement under section 95(1) is for the Secretary of State to keep a register of independent schools.

³ An action plan is defined in section 114(4) of the Education and Skills Act 2008.

ANNEX TO NOTICE

Al-Falah Primary School
48 Kenninghall Road
Clapton
London
E5 8BY
(“the school”)

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 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.
11. The standard in this paragraph is met if the proprietor ensures that relevant health and safety laws are complied with by the drawing up and effective implementation of a written health and safety policy.
12. The standard in this paragraph is met if the proprietor ensures compliance with the Regulatory Reform (Fire Safety) Order 2005⁴.
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.

⁴ S.I. 2005/1541, to which there are amendments not relevant to these Regulations.

PART 4: Suitability of staff, supply staff, and proprietors

The standards about the suitability of staff, supply staff, and proprietors are those contained in this Part.

18. The standard in this paragraph relates to the suitability of persons appointed as members of staff at the school, other than the proprietor and supply staff.

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

(b) no such person carries out work, or intends to carry out work, at the school in contravention of a prohibition order, an interim prohibition order, or any direction made under section 128 of the 2008 Act or section 142 of the 2002 Act, or any disqualification, prohibition or restriction which takes effect as if contained in either such direction.

20. The standard in this paragraph relates to the suitability of the proprietor of the school.

(6) The standard in this paragraph is met in relation to an individual (“MB”), not being the Chair of the school, who is a member of a body of persons corporate or unincorporate named as the proprietor of the school in the register or in an application to enter the school in the register, if—

(a) MB—

(i) is not barred from regulated activity relating to children in accordance with section 3(2) of the 2006 Act where that individual is or will be engaging in activity which is regulated activity within the meaning of Part 1 of Schedule 4 to that Act; and

(ii) does not carry out work, or intend to carry out work, at the school in contravention of a prohibition order, an interim prohibition order, or any direction made under section 128 of the 2008 Act or section 142 of the 2002 Act or any disqualification, prohibition or restriction which takes effect as if contained in either such direction.

(b) subject to sub-paragraphs (7) to (8), the Chair of the school makes the following checks relating to MB—

(i) where relevant to the individual, an enhanced criminal record check;

(ii) checks confirming MB’s identity and MB’s right to work in the United Kingdom; and

(iii) where, by reason of MB's living or having lived outside the United Kingdom, obtaining an enhanced criminal record certificate is not sufficient to establish MB's suitability to work in a school, such further checks as the Chair of the school considers appropriate, having regard to any guidance issued by the Secretary of State;

and, where an enhanced criminal record check is made, the Chair obtains an enhanced criminal record certificate relating to the individual; and

(c) subject to sub-paragraph (8), where the Secretary of State makes a request for an enhanced criminal record check relating to MB countersigned by the Secretary of State to be made, such a check is made.

21. (1) The standard in this paragraph is met if the proprietor keeps a register which shows such of the information referred to in sub-paragraphs (3) to (7) as is applicable to the school in question.

(3) The information referred to in this sub-paragraph is—

(a) in relation to each member of staff ("S") appointed on or after 1st May 2007, whether—

;

(iii) a check was made to establish whether S is subject to any direction made under section 128 of the 2008 Act or section 142 of the 2002 Act or any disqualification, prohibition or restriction which takes effect as if contained in such a direction;

(viii) checks were made pursuant to paragraph 18(2)(e),

including the date on which each such check was completed or the certificate obtained; and

(b) in relation to each member of staff ("S"), whether a check was made to establish whether S is subject to a prohibition order or an interim prohibition order, including the date on which such check was completed.

(6) The information referred to in this sub-paragraph is, in relation each member ("MB") of a body of persons named as the proprietor appointed on or after 1st May 2007, whether the checks referred to in paragraph 20(6)(b) were made, the date they were made and the date on which the resulting certificate was obtained.

(7) The information referred to in this sub-paragraph is, in relation to each member of a body of persons named as the proprietor in post on 1st August 2007 who was appointed at any time before 1st May 2007—

(a) whether each check referred to in sub-paragraph (6) was made;
and

(b) whether an enhanced criminal record certificate was obtained,
together with the date on which any check was completed or certificate
obtained.

(8) It is immaterial for the purposes of sub-paragraphs (3), (6) and (7) whether
the check was made or certificate obtained pursuant to a legal obligation.

PART 5: Premises of and accommodation at schools

*The standards about the premises of and accommodation at the school are
those contained in this Part.*

25. The standard in this paragraph is met if the proprietor ensures that the
school premises and the accommodation and facilities provided therein are
maintained to a standard such that, so far as is reasonably practicable, the
health, safety and welfare of pupils are ensured.

PART 6: Provision of information

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

(b) the information specified in sub-paragraph (3) is made available to
parents of pupils and parents of prospective pupils and, on request, to
the Chief Inspector, the Secretary of State or an independent
inspectorate.

(3) The information specified in this sub-paragraph is—

(b) particulars of educational and welfare provision for pupils with EHC
plans and pupils for whom English is an additional language;

(f) details of the complaints procedure referred to in paragraph 33, and
the number of complaints registered under the formal procedure during
the preceding school year.

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 2004⁵.

⁵ 2004 c.31.