



Department
for Education

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The Proprietor
Talmud Torah Yetev Lev
111-115 Cazenove Road
London
N16 6AX

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Our ref: 204/6233

2 May 2019

Dear Proprietor

Talmud Torah Yetev Lev

I refer to the inspection carried out, under section 109 of the Education and Skills Act 2008 ("the Act"), by Her Majesty's Chief Inspector of Education, Children's Services and Skills between 22 and 24 January 2019 at the above school ("the school").

You will see from the enclosed report of the inspection ('the January 2019 inspection report'), which has been published, that the inspection found a number of failings relating to the independent school standards ('ISS')¹ and the Early Years Foundation Stage ("EYFS")².

The Secretary of State has been satisfied, taking into account the January 2019 inspection report, that a number of the ISS are not being met in relation to the school, as well as the EYFS. Furthermore, for the reasons set out below in this letter, the condition in section 115(4) of the Act for taking enforcement action against a proprietor has been met in relation to the school. Finally, the nature and range of failings against the ISS and the EYFS identified in the January 2019 inspection report, and the history of non-compliance with the ISS and the EYFS at the school, warrant the taking of enforcement action. The Secretary of State has, therefore, decided to impose a 'relevant restriction' on the proprietor of the school. The effect of the specific restriction which the Secretary of State has decided to impose will be, when it takes effect, that no new pupils may be admitted to the school.

Decision to impose relevant restriction

Taking account of the January 2019 inspection report, the Secretary of State has been satisfied, for the purposes of section 115(1) of the Act, that the EYFS and one or more of the ISS is or are not being met in relation to the school. In addition, the condition in section 115(4) of the Act has been satisfied. This is because, by a notice dated 18 January 2017

¹ [See the Schedule to the Education \(Independent School Standards\) Regulations 2014, Statutory Instrument 2014/3283.](#)

² <https://www.gov.uk/government/publications/early-years-foundation-stage-framework--2>

(i.e. less than three years previously) the Secretary of State required the proprietor of the school to produce an action plan under section 114 of the Act; and the subsequent action plan submitted by the proprietor of the school was rejected by the Secretary of State by notice dated 14 June 2017. As a result, the Secretary of State is entitled under section 115(3) of the Act to take enforcement action in relation to the school.

Having the power to take enforcement action under section 116 of the Act, and having considered whether any, and what sort of, enforcement action under section 116 of the Act would be appropriate, the Secretary of State has decided to impose the following relevant restriction (see section 117 of the Act and in particular subsection (1)(c)):

The proprietor of Talmud Torah Yetev Lev (111-115 Cazenove Road, London N16 6AX), is required to cease to admit any new pupils to that school and that this requirement is to start to apply immediately after the 28 day period stipulated in section 125(2) of the Education and Skills Act 2008 for making an appeal against the decision to impose this relevant restriction, has expired.

The 28 day period referred to above will begin with the date on which the attached notice is served on the proprietor. Our working assumption is that notice will be served on the proprietor after the end of two working days following the date of this letter. On this assumption, the proprietor will be prohibited from admitting new pupils to the school after 4 June 2019, in event that no appeal is made by the proprietor to the First-tier Tribunal within the 28 day period (see below). Annex 1 to the attached notice sets out the failings against the ISS which have led to the decision to impose this relevant restriction. Annex 2 sets out the requirements of the EYFS which also led to this decision.

The proprietor of the school may apply to the Secretary of State to have the relevant restriction revoked or varied under section 118(4) of the Act. Such an application would be approved only if the Secretary of State was satisfied that it would be appropriate to do so because of any change in circumstances. In particular, the extent to which the ISS are then being met would be of significance to the Secretary of State's consideration of any such application. There is no time limit on when a proprietor may make an application to the Secretary of State under section 118(4) of the Act.

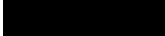
The proprietor also has the right under section 125(1)(c) of the Act to appeal against the decision to impose this relevant restriction to the First-tier Tribunal. Any appeal must be made, in writing, within 28 days of the date on which the attached notice is served on the proprietor. If an appeal is made by the proprietor within the required time limit, then the relevant restriction 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 for a proprietor to fail to comply with a relevant restriction which has taken effect, with penalties of up to six months' imprisonment and/or a fine (for which there is no maximum set in the Act (see section 118(2) of the Act and section 85 of the Legal Aid, Sentencing and Punishment of Offenders Act 2012).

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

schools. A decision to remove the school from the register can also, like the current decision to impose a relevant restriction, be the subject of an appeal to the First-tier Tribunal.

Yours sincerely


DEPUTY DIRECTOR,
INDEPENDENT EDUCATION DIVISION

SECTION 116(1)(a) AND (2) OF THE EDUCATION AND SKILLS ACT 2008³
('the Act')

**NOTICE OF THE DECISION BY THE SECRETARY OF STATE FOR EDUCATION TO
IMPOSE A RELEVANT RESTRICTION ON THE PROPRIETOR OF THE FOLLOWING
SCHOOL:**

TO THE PROPRIETOR

Talmud Torah Yetev Lev
111-115 Cazenove Road
London
N16 6AX
(‘the school’)

WHEREAS -

- (i) The Secretary of State for Education (‘the Secretary of State’) has received the report (‘the January 2019 inspection report’) of an inspection by Her Majesty’s Chief Inspector of Education, Children’s Services and Skills, carried out between 22 and 24 January 2019. The report stated that a number of the independent school standards (as prescribed in the Education (Independent School Standards) Regulations 2014) were not being met in relation to the school, as well as the certain requirements of the Early Years Foundation Stage (see section 39 of the Childcare Act 2006);
- (ii) The Secretary of State having considered the January 2019 inspection report has been satisfied that, in relation to the school, (a) the independent school standards specified in Annex 1 to this notice are not being met and (b) the requirements from the Early Years Foundation Stage specified in Annex 2 to this notice are not being met;
- (iii) The condition for taking enforcement action in section 115(4) of the Act has been met, specifically because the proprietor of the school was required to submit an action plan under section 114 of the Act by notice from the Secretary of State dated 18 January 2017 and the subsequent action plan submitted by the proprietor of the school was rejected by the Secretary of State by notice dated 14 June 2017;
- (iv) The Secretary of State has decided to impose the following relevant restriction⁴.

The proprietor of Talmud Torah Yetev Lev (111-115 Cazenove Road, London, N16 6AX) is required to cease to admit any new pupils to that school and that this requirement is to start to apply immediately after the 28-day period stipulated in section 125(2) of the Education and Skills Act 2008 for making an appeal against the decision to impose this relevant restriction, has expired.

³ [c.25.](#)

⁴ [Relevant restriction’ is defined in section 117\(1\) of the Act — see in particular section 117\(1\)\(c\).](#)

NOW THEREFORE –

Notice is hereby given to the proprietor of the school, for the purposes of section 116(2) of the Act, that the Secretary of State has decided under section 116(1)(a) of the Act to impose the following relevant restriction:

The proprietor of Talmud Torah Yetev Lev (111-115 Cazenove Road, London N16 6AX) is required to cease to admit any new pupils to that school and that this requirement is to start to apply immediately after the 28-day period stipulated in section 125(2) of the Education and Skills Act 2008 for making an appeal against the decision to impose this relevant restriction, has expired.

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 125 of the Act or (b) where such an appeal is brought, the appeal has not been determined, withdrawn or disposed of.

Any appeal under section 125 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 125(2) of the Act).

Signed..... Date: 2 May 2019



Deputy Director, Independent Education Division

ANNEX 1 TO NOTICE

Talmud Torah Yetev Lev
111-115 Cazenove Road
London
N16 6AX
("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 1: Quality of education provided

1. 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.

(2) For the purposes of paragraph (2)(1)(a), the matters are—

(a) full-time supervised education for pupils of compulsory school age (construed in accordance with section 8 of the Education Act 1996), which gives pupils experience in linguistic, mathematical, scientific, technological, human and social, physical and aesthetic and creative education;

(b) that pupils acquire speaking, listening, literacy and numeracy skills;

(d) personal, social, health and economic education which—

(ii) encourages respect for other people, paying particular regard to the protected characteristics set out in the 2010 Act⁵;

(e) for pupils receiving secondary education, access to accurate, up-to-date careers guidance that—

(i) is presented in an impartial manner;

(ii) enables them to make informed choices about a broad range of career options; and

(iii) helps to encourage them to fulfil their potential;

(f) where the school has pupils below compulsory school age, a programme of activities which is appropriate to their educational needs in relation to personal, social, emotional and physical development and communication and language skills;

(h) that all pupils have the opportunity to learn and make progress; and

⁵ The protected characteristics are set out in Chapter 1 of Part 2 of the Equality Act 2010.

(i) effective preparation of pupils for the opportunities, responsibilities and experiences of life in British society.

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;

(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;

(e) demonstrates good knowledge and understanding of the subject matter being taught;

(f) utilises effectively classroom resources of a good quality, quantity and range;

(g) demonstrates that a framework is in place to assess pupils' work regularly and thoroughly and use information from that assessment to plan teaching so that pupils can progress;

(h) utilises effective strategies for managing behaviour and encouraging pupils to act responsibly.

PART 2: Spiritual, moral, social and cultural development of pupils

5. The standard about the spiritual, moral, social and cultural development of pupils at the school is met if the proprietor—

(b) ensures that principles are actively promoted which—

(iii) encourage pupils to accept responsibility for their behaviour, show initiative and understand how they can contribute positively to the lives of those living and working in the locality in which the school is situated and to society more widely;

(vi) encourage respect for other people, paying particular regard to the protected characteristics set out in the 2010 Act.

PART 3: Welfare, health and safety of pupils

6. 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.

9. The standard in this paragraph is met if the proprietor promotes good behaviour amongst pupils by ensuring that—

(b) the policy is implemented effectively; and

(c) a record is kept of the sanctions imposed upon pupils for serious misbehaviour.

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.

14. The standard in this paragraph is met if the proprietor ensures that pupils are properly supervised through the appropriate deployment of school staff.

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

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

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

PART 5: Premises of and accommodation at schools

22. 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 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.

⁷ 2004 c.31.

ANNEX 2 TO NOTICE

Talmud Torah Yetev Lev
111-115 Cazenove Road
London
N16 6AX
(‘the school’)

The following requirements of the Early Years Foundation Stage (see section 39 of the Childcare Act 2006) are not being met in relation to the school

Section 1 – The learning and development requirements

The areas of learning and development

1.5. Educational programmes must involve activities and experiences for children, as follows:

- **Communication and language** development involves giving children opportunities to experience a rich language environment; to develop their confidence and skills in expressing themselves; and to speak and listen in a range of situations
- **Physical development** involves providing opportunities for young children to be active and interactive; and to develop their co-ordination, control, and movement. Children must also be helped to understand the importance of physical activity⁸, and to make healthy choices in relation to food
- **Personal, social and emotional development** involves helping children to develop a positive sense of themselves, and others; to form positive relationships and develop respect for others; to develop social skills and learn how to manage their feelings; to understand appropriate behaviour in groups; and to have confidence in their own abilities
- **Literacy** development involves encouraging children to link sounds and letters and to begin to read and write. Children must be given access to a wide range of reading materials (books, poems, and other written materials) to ignite their interest
- **Mathematics** involves providing children with opportunities to develop and improve their skills in counting, understanding and using numbers, calculating simple addition and subtraction problems; and to describe shapes, spaces, and measure
- **Understanding the world** involves guiding children to make sense of their physical world and their community through opportunities to explore, observe and find out about people, places, technology and the environment
- **Expressive arts and design** involves enabling children to explore and play with a wide range of media and materials, as well as providing opportunities and encouragement for sharing their thoughts, ideas and feelings through a variety of activities in art, music, movement, dance, role-play, and design and technology

⁸ The Chief Medical Office has published guidance on physical activity that providers may wish to refer to, which is available at: www.gov.uk/government/publications/uk-physical-activity-guidelines.

1.7. For children whose home language is not English, providers must take reasonable steps to provide opportunities for children to develop and use their home language in play and learning, supporting their language development at home. Providers must also ensure that children have sufficient opportunities to learn and reach a good standard in English language during the EYFS: ensuring children are ready to benefit from the opportunities available to them when they begin Year 1. When assessing communication, language and literacy skills, practitioners must assess children's skills in English. If a child does not have a strong grasp of English language, practitioners must explore the child's skills in the home language with parents and/or carers, to establish whether there is cause for concern about language delay.

Section 2 – Assessment

2.1. Assessment plays an important part in helping parents, carers and practitioners to recognise children's progress, understand their needs, and to plan activities and support. Ongoing assessment (also known as formative assessment) is an integral part of the learning and development process. It involves practitioners observing children to understand their level of achievement, interests and learning styles, and to then shape learning experiences for each child reflecting those observations. In their interactions with children, practitioners should respond to their own day-to-day observations about children's progress and observations that parents and carers share.

Assessment at the end of the EYFS – the Early Years Foundation Stage Profile (EYFSP)

2.6. In the final term of the year in which the child reaches age five, and no later than 30 June in that term, the EYFS Profile must be completed for each child. The Profile provides parents and carers, practitioners and teachers with a well-rounded picture of a child's knowledge, understanding and abilities, their progress against expected levels, and their readiness for Year 1. The Profile must reflect: ongoing observation; all relevant records held by the setting; discussions with parents and carers, and any other adults whom the teacher, parent or carer judges can offer a useful contribution.

2.7. Each child's level of development must be assessed against the early learning goals (see Section 1). Practitioners must indicate whether children are meeting expected levels of development, or if they are exceeding expected levels, or not yet reaching expected levels ('emerging'). This is the EYFS Profile.

2.8. Year 1 teachers must be given a copy of the Profile report together with a short commentary on each child's skills and abilities in relation to the three key characteristics of effective learning (see paragraph 1.9). These should inform a dialogue between Reception and Year 1 teachers about each child's stage of development and learning needs and assist with the planning of activities in Year 1.

2.9. Schools⁹ must share the results of the Profile with parents and/or carers, and explain to them when and how they can discuss the Profile with the teacher¹⁰ who completed it. For children attending more than one setting, the Profile must be completed by the school where the child spends most time. If a child moves to a new school during the academic year, the original school must send their assessment of the child's level of development against the early learning goals to the relevant school within 15 days of receiving a request. If a child moves during the summer term, relevant providers must agree which of them will complete the Profile.

2.10. The Profile must be completed for all children, including those with special educational needs or disabilities. Reasonable adjustments to the assessment process for children with special educational needs and disabilities must be made as appropriate. Providers should consider whether they may need to seek specialist assistance to help with this. Children will have differing levels of skills and abilities across the Profile and it is important that there is a full assessment of all areas of their development, to inform plans for future activities and to identify any additional support needs.

Section 3 – The safeguarding and welfare requirements

Staff qualifications, training, support and skills

3.23. In group settings, the manager must hold at least a full and relevant¹¹ level 3¹² qualification and at least half of all other staff must hold at least a full and relevant level 2 qualification. The manager should have at least two years' experience of working in an early years setting, or have at least two years' other suitable experience. The provider must ensure there is a named deputy who, in their judgement, is capable and qualified to take charge in the manager's absence.

Staff:child ratios – all providers (including childminders)

3.28. Staffing arrangements must meet the needs of all children and ensure their safety. Providers must ensure that children are adequately supervised and decide how to deploy staff to ensure children's needs are met. Providers must inform parents and/or carers about staff deployment, and, when relevant and practical, aim to involve them in these decisions. Children must usually be within sight and hearing of staff and always within sight or hearing.

Early years providers (other than childminders)

3.36. For children aged three and over in independent schools (including in nursery classes in academies), where there is no person with Qualified Teacher Status, Early Years Professional Status, Early Years Teacher Status or another suitable level 6 qualification, no instructor, and no suitably qualified overseas trained teacher, working directly with the children:

⁹ Or the relevant provider.

¹⁰ Or other practitioner.

¹¹ As defined by the Department for Education on the Early Years Qualifications List published on GOV.UK, which also includes information on equivalent overseas qualifications.

¹² To count in the ratios at level 3, staff holding an Early Years Educator qualification must also have achieved a suitable level 2 qualification in English and maths as defined by the Department for Education on the Early Years Qualifications List published on GOV.UK.

- there must be at least one member of staff for every eight children
- at least one member of staff must hold a full and relevant level 3 qualification
- at least half of all other staff must hold a full and relevant level 2 qualification

Safety and suitability of premises, environment and equipment

Safety

3.54. Providers must ensure that their premises, including overall floor space and outdoor spaces, are fit for purpose and suitable for the age of children cared for and the activities provided on the premises. Providers must comply with requirements of health and safety legislation (including fire safety and hygiene requirements).

Risk assessment

3.64. Providers must ensure that they take all reasonable steps to ensure staff and children in their care are not exposed to risks and must be able to demonstrate how they are managing risks.¹³ Providers must determine where it is helpful to make some written risk assessments in relation to specific issues, to inform staff practice, and to demonstrate how they are managing risks if asked by parents and/or carers or inspectors. Risk assessments should identify aspects of the environment that need to be checked on a regular basis, when and by whom those aspects will be checked, and how the risk will be removed or minimised.

¹³ Guidance on risk assessments, including where written ones may be required where five or more staff are employed, can be obtained from the Health and Safety Executive.