



Department  
for Education

Department for Education  
Bishopsgate House  
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Darlington  
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The Proprietor  
Yeshivah Ohr Torah School  
28 Broom Lane  
Salford  
Lancashire  
M7 4FX

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[www.gov.uk/dfes](http://www.gov.uk/dfes)

**Email enquiry form:**

[registration.enquiries@education.gov.uk](mailto:registration.enquiries@education.gov.uk)

**Date: 30 September 2019**

Dear Proprietor,

### **YESHIVAH OHR TORAH SCHOOL**

I refer to an inspection carried out by Her Majesty's Chief Inspector of Education, Children's Services and Skills ('HMCI') on 6<sup>th</sup> March 2019 at the above school ('the school') carried out under section 109 of the Education and Skills Act 2008 ('the Act').

You will see from the enclosed report of that inspection ("the March 2019 inspection report"), which has been published, that the inspection found a number of failings relating to the independent school standards ('ISS')<sup>1</sup>.

The Secretary of State has been satisfied, taking into the account the inspection history relating to the school (including that detailed in the March 2019 inspection report), that there are one or more failings to meet the ISS in relation to the school. In addition, he is of the view that the seriousness and extent of the failings identified in the March 2019 inspection report warrants the taking of enforcement action. In particular, it appears that the quality of education provided, the spiritual, moral, social and cultural development of pupils, the welfare, health and safety of pupil, the suitability of staff, supply staff and proprietors, the premises and accommodation at the school, the provision of information, and the leadership and management of the school all failed to meet the relevant standards in the ISS. 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. He 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.

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<sup>1</sup> See the Schedule to the Education (Independent School Standards) Regulations 2014, Statutory Instrument 2014/3283.

## **Decision to impose relevant restriction**

Taking account of the March 2019 inspection report, the Secretary of State has been satisfied, for the purposes of section 115(1) of the Act, that one or more of the ISS 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 9<sup>th</sup> October 2018 (i.e. less than 3 years before taking enforcement action) 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 12<sup>th</sup> February 2019. Therefore, the Secretary of State is authorised to take enforcement action, under section 116 of the Act, 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 Yeshivah Ohr Torah School, (28 Broom Lane, Salford, Lancashire, M7 4FX), 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 30 October 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 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 beginning with 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, under section 116(3) of the Act, 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, 1<sup>st</sup> 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 may also result in the Secretary of State deciding that it is appropriate to remove the school from the register of independent schools.

Yours faithfully



DEPUTY DIRECTOR,  
INDEPENDENT EDUCATION DIVISION

**SECTION 116(1)(a) AND (2) OF THE EDUCATION AND SKILLS ACT 2008<sup>1</sup>**

**(‘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**

Yeshivah Ohr Torah School  
28 Broom Lane,  
Salford,  
Lancashire,  
M7 4FX  
(“the school”)

**WHEREAS -**

- (i) The Secretary of State for Education (“the Secretary of State”) has received a report (“the March 2019 inspection report”) of an inspection by Her Majesty’s Chief Inspector of Education, Children’s Services and Skills (“HMCI”), carried out on 6<sup>th</sup> March 2019, which evidenced that a number of the independent school standards (as prescribed in the Education (Independent School Standards) Regulations 2014 – (“the 2014 Regulations”) were not being met in relation to the school;
- (ii) The Secretary of State having considered the March 2019 inspection report has been satisfied that the independent school standards specified in Annex 1 to this notice are not being met in relation to the school;
- (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 9<sup>th</sup> October 2018 and the subsequent action plan submitted by the proprietor of the school was rejected by the Secretary of State by notice dated 12<sup>th</sup> February 2019;
- (iv) The Secretary of State has decided to impose the following relevant restriction<sup>2</sup>:

The proprietor of Yeshivah Ohr Torah School, (28 Broom Lane, Salford, Lancashire, M7 4FX), 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

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<sup>1</sup> c.25.

<sup>2</sup> ‘Relevant restriction’ is defined in section 117(1) of the Act – see in particular section 117(1)(c).

for making an appeal against the decision to impose this relevant restriction, has expired.

**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 Yeshivah Ohr Torah School, (28 Broom Lane, Salford, Lancashire, M7 4FX), 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 otherwise 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: 30 September 2018

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*Deputy Director, Independent Education Division*

**ANNEX TO NOTICE OF THE DECISION TO IMPOSE A RELEVANT RESTRICTION ON  
THE PROPRIETOR OF THE FOLLOWING SCHOOL**

**Yeshivah Ohr Torah School  
28 Broom Lane,  
Salford,  
Lancashire,  
M7 4FX  
("the school")**

The following independent school standards, as prescribed in the Schedule to the Education (Independent School Standards) Regulations 2014, are standards that the Secretary of State has been satisfied 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; and

(ii) do not undermine the fundamental British values of democracy, the rule of law, individual liberty, and mutual respect and tolerance of those with different faiths and beliefs.

(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;

(c) where the principal language of instruction is a language other than English, lessons in written and spoken English, except that this matter does not apply in respect of a school which provides education for pupils who are all temporarily resident in England and which follows the curriculum of another country;

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

(i) reflects the school's aim and ethos; and

(ii) encourages respect for other people, paying particular regard to the protected characteristics set out in the 2010 Act<sup>3</sup>;

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<sup>3</sup> The protected characteristics are set out in Chapter 1 of Part 2 of the Equality Act 2010.

(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;

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

(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;

(b) fosters in pupils self-motivation, the application of intellectual, physical and creative effort, interest in their work and the ability to think and learn for themselves;

(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;

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

(i) does not undermine the fundamental British values of democracy, the rule of law, individual liberty, and mutual respect and tolerance of those with different faiths and beliefs; and

(j) does not discriminate against pupils contrary to Part 6 of the 2010 Act<sup>4</sup>.

## **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—

(a) actively promotes the fundamental British values of democracy, the rule of law, individual liberty, and mutual respect and tolerance of those with different faiths and beliefs;

(b) ensures that principles are actively promoted which—

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<sup>4</sup> Part 6 relates to education and consists of two Chapters. Chapter 1 relates to schools and Chapter 2 to further and higher education.

(i) enable pupils to develop their self-knowledge, self-esteem and self-confidence;

(ii) enable pupils to distinguish right from wrong and to respect the civil and criminal law of England;

(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;

(iv) enable pupils to acquire a broad general knowledge of and respect for public institutions and services in England;

(v) further tolerance and harmony between different cultural traditions by enabling pupils to acquire an appreciation of and respect for their own and other cultures;

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

(vii) encourage respect for democracy and support for participation in the democratic process, including respect for the basis on which the law is made and applied in England;

(c) precludes the promotion of partisan political views in the teaching of any subject in the school; and

(d) takes such steps as are reasonably practicable to ensure that where political issues are brought to the attention of pupils—

(i) while they are in attendance at the school,

(ii) while they are taking part in extra-curricular activities which are provided or organised by or on behalf of the school, or

(iii) in the promotion at the school, including through the distribution of promotional material, of extra-curricular activities taking place at the school or elsewhere,

they are offered a balanced presentation of opposing views.

### **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.

10. The standard in this paragraph is met if the proprietor ensures that bullying at the school is prevented in so far as reasonably practicable, by the drawing up and implementation of an effective anti-bullying strategy.

13. The standard in this paragraph is met if the proprietor ensures that first aid is administered in a timely and competent manner by the drawing up and effective implementation of a written first aid policy.

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

18. (1) 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(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

## **PART 5: Premises of and accommodation at schools**

23. (1) Subject to sub-paragraph (2), the standard in this paragraph is met if the proprietor ensures that—

(c) suitable changing accommodation and showers are provided for pupils aged 11 years or over at the start of the school year who receive physical education.

29. (1) The standard in this paragraph is met if the proprietor ensures that suitable outdoor space is provided in order to enable—

(a) physical education to be provided to pupils in accordance with the school curriculum; and

(b) pupils to play outside.

## **PART 6: Provision of information**

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

(g) any information reasonably requested in connection with an inspection under section 109 of the 2008 Act which is required for the purposes of the inspection is provided to the body conducting the inspection and that body is given access to the school's admission and attendance registers.

(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;

(e) particulars of the school's academic performance during the preceding school year, including the results of any public examinations;

(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 2004<sup>5</sup>.

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<sup>5</sup> 2004 c.31.