



Department
for Education

**Bishopsgate House
Feethams
Darlington
DL1 5QE**

The Proprietor
Dame Catherine Harpur's School
Rose Lane
Ticknall
Derby
Derbyshire
DE73 7JW

Direct line: [REDACTED]

[REDACTED]
Our ref: (D) 830/6020

21 September 2017

Dear Proprietor

Dame Catherine Harpur's School

I refer to the inspection by the Office for Standards in 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 on 7 to 9 June 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 1 to the Notice and the time by which each step will be taken, to be submitted by 21 October 2017. The Action Plan should also detail the steps that will be taken to meet all of the Early Years Foundation Stage standards set out in the Annex 2 to the Notice.

You are reminded that the independent school standards require that a copy of the inspection report is sent to parents and a copy is published on the school's website or, where no such website exists, is provided to parents on request. This will be checked at the next inspection.

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 21 December 2017. 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 \(SI 2014/3283\)](#)

The deadline by which the Action Plan must be received by me is 21 October 2017. If this date is 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 Annexes 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

**Dame Catherine Harpur's School, Rose Lane, Ticknall, Derby, Derbyshire, DE73 7JW
("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 on 7 to 9 June 2017; and
- (ii) is satisfied that the independent school standards, as prescribed in the Education (Independent School Standards) Regulations 2014, specified in Annex 1 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 1 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 21 October 2017.


Independent Education and Boarding Team

Date 21 September 2017

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 1 TO NOTICE

**Dame Catherine Harpur's School, Rose Lane, Ticknall, Derby, Derbyshire, DE73 7JW
("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

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.

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

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

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. (1) The standard in this paragraph relates to the suitability of the proprietor of the school.

(6) The standard in paragraph 20 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.

(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.

*[*That is to say: (8) In the case of a registered school—*

(b) sub-paragraph (6)(b) is met where the checks referred to in paragraph (b)(i) and (iii) are completed before or as soon as practicable after MB starts acting as a member of the body of persons corporate or unincorporate named in the register as the proprietor of the school; and

(c) sub-paragraph (6)(c) is met where the enhanced criminal record check is made as soon as practicable after the Secretary of State's request.]

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) 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,

including the date on which each such check was completed or the certificate 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.

PART 7: Manner in which complaints are handled

33. The standard about the manner in which complaints are handled is met if the proprietor ensures that a complaints procedure is drawn up and effectively implemented which deals with the handling of complaints from parents of pupils and which—

(j) provides for a written record to be kept of all complaints that are made in accordance with sub-paragraph (e): *that is to say: where the parent is not satisfied with the response to the complaint made in accordance with sub-paragraph (d), establishes a formal procedure for the complaint to be made in writing*; and—

(i) whether they are resolved following a formal procedure, or proceed to a panel hearing; and

(ii) action taken by the school as a result of those complaints (regardless of whether they are upheld) and

(k) provides that correspondence, statements and records relating to individual complaints are to be kept confidential except where the Secretary of State or a body conducting an inspection under section 109 of the 2008 Act requests access to them.

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 2004⁴.

⁴ 2004 c.31.

ANNEX 2 TO NOTICE

**Dame Catherine Harpur's School, Rose Lane, Ticknall, Derby, Derbyshire, DE73 7JW
("the school")**

The following requirements under the Early Years Foundation Stage are not being met in relation to the school.

Section 3 - The safeguarding and welfare requirements:

Child Protection

Paragraph 3.4

Providers must be alert to any issues of concern in the child's life at home or elsewhere. Providers must have and implement a policy, and procedures, to safeguard children. These should be in line with the guidance and procedures of the relevant Local Safeguarding Children Board (LSCB). The safeguarding policy and procedures must include an explanation of the action to be taken when there are safeguarding concerns about a child and in the event of an allegation being made against a member of staff, and cover the use of mobile phones and cameras in the setting.

Paragraph 3.5

A practitioner must be designated to take lead responsibility for safeguarding children in every setting. Childminders must take the lead responsibility themselves. The lead practitioner is responsible for liaison with local statutory children's services agencies, and with the LSCB. They must provide support, advice and guidance to any other staff on an ongoing basis, and on any specific safeguarding issue as required. The lead practitioner must attend a child protection training course that enables them to identify, understand and respond appropriately to signs of possible abuse and neglect (as described at paragraph 3.6 of the framework).

Paragraph 3.6

Providers must train all staff to understand their safeguarding policy and procedures, and ensure that all staff have up to date knowledge of safeguarding issues. Training made available by the provider must enable staff to identify signs of possible abuse and neglect at the earliest opportunity, and to respond in a timely and appropriate way. These may include:

- significant changes in children's behaviour
- deterioration in children's general well-being
- unexplained bruising, marks or signs of possible abuse or neglect
- children's comments which give cause for concern
- any reasons to suspect neglect or abuse outside the setting, for example in the child's home or that a girl may have been subjected to (or is at risk of) female genital mutilation and/or
- inappropriate behaviour displayed by other members of staff, or any other person working with the children, for example: inappropriate sexual comments; excessive one-to-one attention beyond the requirements of their usual role and responsibilities; or inappropriate sharing of images

Paragraph 3.7

Providers must have regard to the government's statutory guidance 'Working Together to Safeguard Children 2015' and to the 'Prevent duty guidance for England and Wales 2015'. All schools are required to have regard to the government's 'Keeping Children Safe in Education' statutory guidance, and other childcare providers may also find it helpful to refer to this guidance. If providers have concerns about children's safety or welfare, they must notify agencies with statutory responsibilities without delay. This means the local children's social care services and, in emergencies, the police.

Staff qualifications, training, support and skills

Paragraph 3.20

The daily experience of children in early years settings and the overall quality of provision depends on all practitioners having appropriate qualifications, training, skills and knowledge and a clear understanding of their roles and responsibilities. Providers must ensure that all staff receive induction training to help them understand their roles and responsibilities. Induction training must include information about emergency evacuation procedures, safeguarding, child protection, and health and safety issues. Providers must support staff to undertake appropriate training and professional development opportunities to ensure they offer quality learning and development experiences for children that continually improves.

Information and records

Paragraph 3.68

Providers must maintain records and obtain and share information (with parents and carers, other professionals working with the child, the police, social services and Ofsted or the childminder agency with which they are registered, as appropriate) to ensure the safe and efficient management of the setting, and to help ensure the needs of all children are met. Providers must enable a regular two-way flow of information with parents and/or carers, and between providers, if a child is attending more than one setting. If requested, providers should incorporate parents' and/or carers' comments into children's records.