



Department
for Education

**Bishopsgate House
Feethams
Darlington
DL1 5QE**

The Proprietor
Walthamstow Montessori School
Penryhn Hall
Penryhn Avenue
Walthamstow
London
E17 5DA

Direct line: [REDACTED]
[REDACTED]

Our ref: 320/6064

8 September 2017

Dear Proprietor

I refer to the inspection by Ofsted that was carried out at the above school under section 109 of the Education and Skills Act 2008 between 7 and 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 to the Notice and the time by which each step will be taken, to be submitted by 6 October 2017.

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 8 December 2017. A template and supporting advice is enclosed which may help you in drawing up a satisfactory Action Plan.

The deadline by which the Action Plan must be received by me is 6 October

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

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.

It is noted in the inspection report that the school is failing to meet all the requirements of the Early Years Foundation Stage². The school is required to address the failings listed in Annex 2.

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

² [Early Years \(under 5s\) Foundation Stage Framework \(EYFS\)](#)

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

NOTICE BY THE SECRETARY OF STATE FOR EDUCATION

**IN RELATION TO
WALTHAMSTOW MONTESSORI SCHOOL, PENRYHN HALL,
PENRYHN AVENUE, WALTHAMSTOW, LONDON, E17 5DA
("the School")**

WHEREAS

The Secretary of State for Education, being the keeper of the register of independent schools in England³ –

- (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 7 and 9 June 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 plan⁴ 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 6 October 2017


Independent Education and Boarding Team

Date 8 September 2017

³ 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.

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

ANNEX TO NOTICE

**WALTHAMSTOW MONTESSORI SCHOOL, PENRYHN HALL,
PENRYHN AVENUE, WALTHAMSTOW, LONDON, E17 5DA
("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

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—

(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; and

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

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; and

(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.

4. The standard in this paragraph is met where the proprietor ensures that a framework for pupil performance to be evaluated, by reference to the school's own aims as provided to parents or national norms, or to both, is in place.

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.
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.
12. The standard in this paragraph is met if the proprietor ensures compliance with the Regulatory Reform (Fire Safety) Order 2005⁵.
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 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. (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—

⁵ S.I. 2005/1541, to which there are amendments not relevant to these Regulations.

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

(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;

(c) the proprietor carries out appropriate checks to confirm in respect of each such person—

(ii) the person's medical fitness; and

(e) in the case of any person for whom, by reason of that person living or having lived outside the United Kingdom, obtaining such a certificate is not sufficient to establish the person's suitability to work in a school, such further checks are made as the proprietor considers appropriate, having regard to any guidance issued by the Secretary of State,

and in the light of the information from the checks referred to in paragraph (e) the proprietor considers that the person is suitable for the position to which the person is appointed.

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-paragraph (3) as is applicable.

(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—

(ii) a check was made to establish whether S is barred from regulated activity relating to children in accordance with section 3(2) of the 2006 Act;

(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;

(iv) checks were made to ensure, where appropriate, that S had the relevant qualifications; and

(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.

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.

24. (1) The standard in this paragraph is met if the proprietor ensures that suitable accommodation is provided in order to cater for the medical and therapy needs of pupils, including—

(a) accommodation for the medical examination and treatment of pupils; and

(b) accommodation for the short term care of sick and injured pupils, which includes a washing facility and is near to a toilet facility.

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—

(d) allows for a complaint to be made and considered initially on an informal basis;

(e) 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;

(f) where the parent is not satisfied with the response to the complaint made in accordance with sub-paragraph (e), makes provision for a hearing before a panel appointed by or on behalf of the proprietor and consisting of at least three people who were not directly involved in the matters detailed in the complaint;

(g) ensures that, where there is a panel hearing of a complaint, one panel member is independent of the management and running of the school;

(h) allows for a parent to attend and be accompanied at a panel hearing if they wish;

(i) provides for the panel to make findings and recommendations and stipulates that a copy of those findings and recommendations is—

(i) provided to the complainant and, where relevant, the person complained about; and

(ii) available for inspection on the school premises by the proprietor and the head teacher;

(j) provides for a written record to be kept of all complaints that are made in accordance with sub-paragraph (e) 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 2004⁷.

⁷ 2004 c.31.

The school must meet the following requirements of the Statutory Framework for the Early Years Foundation Stage:

Suitable people

3.9. Providers must ensure that people looking after children are suitable to fulfil the requirements of their roles. Providers must have effective systems in place to ensure that practitioners, and any other person who is likely to have regular contact with children (including those living or working on the premises), are suitable⁸.

3.10. Ofsted or the agency with which the childminder is registered is responsible for checking the suitability of childminders, of every other person looking after children for whom the childminding is being provided (whether on domestic or non-domestic premises), and of every other person living or working on any domestic premises from which the childminding is being provided, including obtaining enhanced criminal records checks and barred list checks. Registered providers other than childminders must obtain an enhanced criminal records check in respect of every person aged 16 and over (including for unsupervised volunteers, and supervised volunteers who provide personal care⁹) who¹⁰:

- works directly with children
- lives on the premises on which the childcare is provided and/or
- works on the premises on which the childcare is provided (unless they do not work on the part of the premises where the childcare takes place, or do not work there at times when children are present)

An additional criminal records check (or checks if more than one country) should also be made for anyone who has lived or worked abroad¹¹.

3.11. Providers must tell staff that they are expected to disclose any convictions, cautions, court orders, reprimands and warnings¹² that may affect their suitability to work with children (whether received before or during their employment at the setting). Providers must not allow people, whose suitability has not been

⁸ To allow Ofsted or the relevant childminder agency to make these checks, childminders are required to supply information to Ofsted or the relevant childminder agency, as set out in Schedule 1, Part 2 of the Childcare (Early Years Register) Regulations 2008, amended by the Childcare (Early Years Register) (Amendment) Regulations 2012. The requirements relating to people who live and work on childminder premises are in Schedule 1, Part 1.

⁹ Personal care includes helping a child, for reasons of age, illness or disability, with eating or drinking, or in connection with toileting, washing, bathing and dressing.

¹⁰ The requirement for a criminal records check will be deemed to have been met in respect of all people living or working in childcare settings, whose suitability was checked by Ofsted or their local authority before October 2005.

¹¹ See: www.gov.uk/government/publications/criminal-records-checks-for-overseas-applicants

¹² Except convictions or cautions that are protected for the purposes of the Rehabilitation of Offenders Act 1974.

checked, including through a criminal records check¹³, to have unsupervised contact with children being cared for.

3.12. Providers other than childminders must record information about staff qualifications and the identity checks and vetting processes that have been completed (including the criminal records check reference number, the date a check was obtained and details of who obtained it). For childminders, the relevant information will be kept by Ofsted or the agency with which the childminder is registered.

Disqualification

3.14. A provider or a childcare worker may be disqualified from registration¹⁴²⁶. In the event of the disqualification of a provider, the provider must not continue as an early years provider – nor be directly concerned in the management of such provision. Where a person is disqualified, the provider must not employ that person in connection with early years provision. Where an employer becomes aware of relevant information that may lead to disqualification of an employee, the provider must take appropriate action to ensure the safety of children.

3.15. A provider or a childcare worker may also be disqualified because they live in the same household as another person who is disqualified, or because they live in the same household where a disqualified person is employed. If a provider or childcare worker is disqualified they may, in some circumstances, be able to obtain a 'waiver' from Ofsted.

3.16. A registered provider must notify Ofsted or the agency with which the childminder is registered of any significant event which is likely to affect the suitability of any person who is in regular contact with children on the premises where childcare is provided. The disqualification of an employee could be an instance of a significant event.

3.17. The registered provider must give Ofsted or the childminder agency with which they are registered, the following information about themselves or about any person who lives in the same household as the registered provider or who is employed in the household:

- details of any order, determination, conviction, or other ground for disqualification from registration under regulations made under section 75 of the Childcare Act 2006

¹³ DBS disclosures and barred list information are only issued to the potential employee; providers must check the disclosure and consider whether it contains any information that would suggest the person was unsuitable for the position, before an individual starts work with children. Where a potential or existing employee has subscribed to the online DBS Update service, providers should check the status of the disclosure. Where the check identifies there has been a change to the disclosure details, a new enhanced DBS disclosure must be applied for. Before accessing the DBS update service consent to do so must be obtained from the member of staff.

¹⁴ In accordance with regulations made under Section 75 of the Childcare Act 2006. Schools are required to have regard to the disqualification guidance published by the Department for Education, which is available at: www.gov.uk/government/publications/disqualification-under-the-childcare-act-2006. Other providers may also find it helpful to refer to this guidance. The Department for Education is considering making changes to the Childcare (Disqualification) Regulations 2009 following a consultation from 6 May to 1 July 2016. The consultation is available at: www.gov.uk/government/consultations/childcare-workers-changes-to-disqualification-arrangements.

- the date of the order, determination or conviction, or the date when the other ground for disqualification arose
- the body or court which made the order, determination or conviction, and the sentence (if any) imposed
- a certified copy of the relevant order (in relation to an order or conviction)

3.18. The information must be provided to Ofsted or the childminder agency with which they are registered as soon as reasonably practicable, but at the latest within 14 days of the date the provider became aware of the information or ought reasonably to have become aware of it if they had made reasonable enquiries¹⁵.

¹⁵ This requirement is set out in Regulation 12 of the Childcare (Disqualification) Regulations 2009 (S.I. 2009/1547).