



Department
for Education

**Bishopsgate House
Feethams
Darlington
DL1 5QE**

The Proprietor
Yeshiva Lezeirim Preparatory Academy
36-38 Gladstone Terrace
Gateshead
Tyne and Wear
NE8 4EF

Direct line: [REDACTED]

[REDACTED]

Our ref: (D) 390/6009

18 September 2017

Dear Proprietor

Yeshiva Lezeirim Preparatory Academy

I refer to the inspections by the Office for Standards in Education, Children's Services and Skills (Ofsted) that were carried out at the above school under section 109 of the Education and Skills Act 2008 on 9 to 11 May 2017 and 7 to 9 June 2017. You will see from the enclosed reports that Ofsted noted serious regulatory failings.

Taking account of the reports 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 addition, the failings identified in the report on the boarding provision at the school constitute serious failings under the National Minimum Standards for Boarding schools², which you must have regard to under paragraph 8 of the independent school standards¹.

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 Annexes to the Notice and the time by which each step will be taken, to be submitted by 18 October 2017.

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

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,

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

² <https://www.gov.uk/government/publications/boarding-schools-national-minimum-standards>

where no such website exists, is provided to parents on request. This will be checked at the next inspection.


The deadline by which the Action Plan must be received by me is 18 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
YESHIVA LEZEIRIM PREPARATORY ACADEMY, 36-38 GLADSTONE TERRACE,
GATESHEAD, TYNE AND WEAR, NE8 4EF
("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 reports in respect of inspections of the School by Her Majesty's Chief Inspector of Education, Children's Services and Skills which were conducted on 9 to 11 May 2017 and 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 the Annexes 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 Annexes 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 18 October 2017.


Independent Education and Boarding Team

Date 18 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 1 TO NOTICE

YESHIVA LEZEIRIM PREPARATORY ACADEMY, 36-38 GLADSTONE TERRACE, GATESHEAD, TYNE AND WEAR, NE8 4EF ("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;

(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.

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

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;
- (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 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—
 - (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;
 - (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; and
 - (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.

8. Where section 87(1) of the 1989 Act⁶ applies in relation to a school the standard in this paragraph is met if the proprietor ensures that—

- (a) arrangements are made to safeguard and promote the welfare of boarders while they are accommodated at the school; and
- (b) such arrangements have regard to the National Minimum Standards for Boarding Schools; that is to say:

Standard 3 – Boarders’ health and wellbeing

- 3.1 The school has, and implements effectively, appropriate policies for the care of boarders who are unwell and ensures that the physical and mental health, and emotional wellbeing⁶ of boarders is promoted. These include first aid, care of those with chronic conditions and disabilities, dealing with medical emergencies and the use of household remedies.
- 3.4 All medication is safely and securely stored and proper records are kept of its administration. Prescribed medicines are given only to the boarders to whom they are prescribed. Boarders allowed to self-medicate are assessed as sufficiently responsible to do so.

Standard 11 – Child Protection

- 11.1 The school ensures that:
 - arrangements are made to safeguard and promote the welfare of pupils at the school; and
 - such arrangements have regard to any guidance issued by the Secretary of State⁷.

Standard 13 – Management and development of boarding

⁶ Section 87(1) was amended by section 105 of the Care Standards Act 2000 (c.41) and section 1A was inserted by section 43 of the 2011 Act.

⁷ Keeping Children Safe In Education; and Working Together to Safeguard Children

- 13.1 The school's governing body and/or proprietor monitors the effectiveness of the leadership, management and delivery of the boarding and welfare provision in the school, and takes appropriate action where necessary.
- 13.3 The school's leadership and management demonstrate good skills and knowledge appropriate to their role.
- 13.4 The school's leadership and management consistently fulfil their responsibilities effectively so that the standards are met.
- 13.6 Senior boarding staff have an adequate level of experience and/or training.

Standard 14 – Staff recruitment and checks on other adults

- 14.1 Schools operate safe recruitment and adopt recruitment procedures in line with the regulatory requirements and having regard to relevant guidance⁸ issued by the Secretary of State.

Standard 15 – Staffing and supervision

- 15.1 Any staff member or volunteer employed or volunteering in a position working with boarders has a job description reflecting their duties, receives induction training in boarding when newly appointed, and receives regular reviews of their boarding practice, with opportunities for training and continual professional development in boarding.

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 2005⁹.

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

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

⁸ Keeping children safe in education; and Working Together to Safeguard Children
⁹ S.I. 2005/1541, to which there are amendments not relevant to these Regulations.

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—

(a) no such person is barred from regulated activity relating to children in accordance with section 3(2) of the 2006 Act where that person is or will be engaging in activity which is regulated activity within the meaning of Part 1 of Schedule 4 to that Act;

(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—

(i) the person's identity;

(ii) the person's medical fitness;

(iii) the person's right to work in the United Kingdom; and

(iv) where appropriate, the person's qualifications;

(d) the proprietor ensures that, where relevant to any such person, an enhanced criminal record check is made in respect of that person and an enhanced criminal record certificate is obtained before or as soon as practicable after that person's appointment;

(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

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

(3) The checks referred to in sub-paragraphs (2)(c) and (except where sub-paragraph (4) applies) (2)(e) must be completed before a person's appointment.

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.

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.

(2) The register referred to in sub-paragraph (1) may be kept in electronic form, provided that the information so recorded is capable of being reproduced in legible form.

(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—

(i) S’s identity was checked;

(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;

(v) an enhanced criminal record certificate was obtained in respect of S;

(vi) checks were made pursuant to paragraph 18(2)(d);

(vii) a check of S’s right to work in the United Kingdom was made; 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.

(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.

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.

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

(a) suitable toilet and washing facilities are provided for the sole use of pupils;

28. (1) The standard in this paragraph is met if the proprietor ensures that—

(b) toilets and urinals have an adequate supply of cold water and washing facilities have an adequate supply of hot and cold water.

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

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—

(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).

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 2004¹⁰.

¹⁰ 2004 c.31.

ANNEX 2 TO NOTICE

YESHIVA LEZEIRIM PREPARATORY ACADEMY, 36-38 GLADSTONE TERRACE, GATESHEAD, TYNE AND WEAR, NE8 4EF ("the school")

Schedule 10 of the Equality Act 2010

The proprietor must ensure that the arrangements are made to meet the requirements of paragraph 3 of Schedule 10 of the Equality Act 2010:-

SCHEDULE 10 ACCESSIBILITY FOR DISABLED PUPILS

- 3(1)The responsible body of a school in England and Wales must prepare—
- (a)an accessibility plan;
 - (b)further such plans at such times as may be prescribed.
- (2)An accessibility plan is a plan for, over a prescribed period—
- (a)increasing the extent to which disabled pupils can participate in the school's curriculum,
 - (b)improving the physical environment of the school for the purpose of increasing the extent to which disabled pupils are able to take advantage of education and benefits, facilities or services provided or offered by the school, and
 - (c)improving the delivery to disabled pupils of information which is readily accessible to pupils who are not disabled.
- (3)The delivery in sub-paragraph (2)(c) must be—
- (a)within a reasonable time;
 - (b)in ways which are determined after taking account of the pupils' disabilities and any preferences expressed by them or their parents.
- (4)An accessibility plan must be in writing.
- (5)The responsible body must keep its accessibility plan under review during the period to which it relates and, if necessary, revise it.
- (6)The responsible body must implement its accessibility plan.
- (7)A relevant inspection may extend to the performance by the responsible body of its functions in relation to the preparation, publication, review, revision and implementation of its accessibility plan.
- (8)A relevant inspection is an inspection under—
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(a)Part 1 of the Education Act 2005, or

(b)Chapter 1 of Part 4 of the Education and Skills Act 2008 (regulation and inspection of independent education provision in England).