



Department  
for Education

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The Proprietor  
Lubavitch Senior Boys' School  
1117 Finchley Road  
Barnet  
London  
NW11 0QB

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Date: 13 October 2021

Dear Proprietor

**Lubavitch Senior Boys' School**

I refer to the inspection carried out by Her Majesty's Chief Inspector of Education, Children's Services and Skills ('HMCI') on 16 March 2021 at the above school ('the School') under section 109 of the Education and Skills Act 2008 ('the Act'). You will see from the report ("the March 2021 inspection report"), which has been published, that the inspection found a number of regulatory failings relating to the independent school standards ('ISS')<sup>1</sup>.

This March 2021 inspection was preceded by a history of other inspections, at which the School was found not to be fully compliant with the ISS. One was conducted by HMCI on 19 June 2018, which found that several of the ISS were not being met in relation to the School, after which a notice was issued by the Secretary of State dated 13 November 2018, under section 114 of the Act, requiring an action plan. An action plan was submitted in response to that notice. The Department rejected the action plan and notice of this decision to the proprietor was given by a letter dated 11 February 2019.

A subsequent inspection, a progress monitoring inspection ('PMI'), was carried out on 3 April 2019. This found that several of the ISS were not being met in relation to the School. A second notice, under section 114 of the Act, requiring an action plan was issued by the Secretary of State dated 18 June 2019. An action plan was submitted in response to that notice and was rejected by the Department. The proprietor was given notice of this decision by a letter dated 26 September 2019.

A subsequent inspection, a progress monitoring inspection ('PMI'), was carried out on 4 December 2019. This found that only one previously unmet standard identified at the inspection of 3 April 2019 was now being met and that, in addition to failings previously identified, there were further new failings relating to the ISS.

A subsequent PMI was carried out by HMCI on 16 March 2021. This inspection found that the School had made improvements towards meeting the ISS, however some previous failings relating to the ISS remained.

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<sup>1</sup> Schedule to the Education (Independent School Standards) Regulations 2014 (S.I.2014/3283).

The Secretary of State is satisfied, taking into account the 16 March 2021 inspection report and the regulatory history outlined above, that the seriousness of the failings identified in that 16 March inspection report as well as the continued failure of the proprietor to meet all the ISS since June 2018, warrant enforcement action. 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 upon 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 report relating to the 16 March 2021 inspection report, the Secretary of State is satisfied, for the purposes of section 115(1) of the Act, that a number of standards in the ISS are not being met in relation to the School. In addition, both required action plans submitted, in response to the statutory notices from the Secretary of State dated 13 November 2018 and 18 June 2019 requiring the production of an action plan, were rejected by the Department. This means that one of the conditions referred to in section 115(3) of the Act is met for the purpose of taking enforcement action in relation to the proprietor of the school (specifically, the condition contained in section 115(4)(a) and (b)(ii) of the Act is satisfied). Therefore, the Secretary of State is entitled to take enforcement action under section 115(3) and 116 of the Act in relation to the proprietor of the school.

Having the power to take enforcement action under section 115(3) and 116 of the Act, and having considered whether any, and what sort of, enforcement action under section 116 of the Act is 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 Lubavitch Senior Boy's School (1117 Finchley Road, Barnet, London, NW11 0QB), 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 for making an appeal begins on the date on which the notice of the decision to impose the relevant restriction is served on you, the proprietor of the School. The notice attached to this letter constitutes the necessary notice to you. Our working assumption is that the notice will be served on you, the proprietor, after the end of two working days following the date of this letter. On this assumption, you will be prohibited from admitting new pupils to the School after 12 November 2021 unless you appeal in time (see below).

The Annex to the attached notice sets out the regulatory failings which have led to the decision to impose this relevant restriction.

As the proprietor of the School you have the right under section 125(1)(c) of the Act to appeal against the decision to impose the relevant restriction to the First-tier Tribunal. Any appeal must be made by a proprietor, in writing, within 28 days beginning with the date on which notice of a decision to impose a relevant restriction on them is served on them. If an appeal is made by you, 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 for the First Tier Tribunal are: HM Courts and Tribunal Service, 1st Floor, Darlington Magistrate's Court, Parkgate, Darlington DL1 1RU. Telephone 01325 289350.

As the proprietor of the School you may also 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 and EYFS 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

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 statutory maximum).

Finally, further 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

[REDACTED]

[REDACTED]

[REDACTED]

SCHOOL SAFEGUARDING AND PASTORAL CARE

**SECTION 116(1)(a) AND (2) OF THE EDUCATION AND SKILLS ACT 2008<sup>2</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 (Chabad Lubavitch UK)  
Lubavitch Senior Boys’ School  
1117 Finchley Road  
Barnet  
London  
NW11 0BQ  
(‘the School’)  
(302/6017)**

The Secretary of State for Education, being the regulator of independent schools in England,

- (i) having received a report of an inspection by Her Majesty’s Chief Inspector of Education, Children’s Services and Skills (‘HMCI’) carried out on 19 June 2018 to the effect that a number of the independent school standards (as prescribed in the Education (Independent School Standards) Regulations 2014<sup>3</sup>) were not being met in relation to the School, served a notice (pursuant to section 114 of the Act – a statutory notice) dated 13 November 2018 on the School’s proprietor (‘the proprietor’) requiring the submission of an action plan on or before 13 December 2018;
- (ii) having received an action plan on 12 December 2018 from the proprietor, which was rejected by the Secretary of State under section 114(6)(b) of the Act, and informed the proprietor of that decision by a letter dated 11 February 2019;
- (iii) having received the report of an inspection by HMCI of the School carried out on 3 April 2019 to the effect that a number of independent school standards were not being met in relation to the School, served a statutory notice dated 18 June 2019 on the proprietor requiring the submission of an action plan on or before 18 July 2019;
- (iv) having received an action plan on 16 July 2019 from the proprietor, which was rejected by the Secretary of State under section 114(6)(b) of the Act, and informed the proprietor of that decision by a letter dated 26 September 2019;
- (v) having received a further the report of an inspection by HMCI of the School carried out on 4 December 2019 to the effect that a number of the independent school standards were not being met in relation to the School;
- (vi) having received a further report of an inspection by HMCI of the School carried out on 16 March 2021 to the effect that the standards from Independent School Standards specified in the Annex to this notice were not being met in relation to the School, and having taken into account the report

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<sup>2</sup> c.25.

<sup>3</sup> SI 2014/3283.

- of that inspection is satisfied that a number of the independent educational institution standards are not being met in relation to the School; and
- (vii) being permitted to take enforcement action under section 115(3) and 116 of the Act because the condition in section 115(4) of the Act is met (specifically that the proprietor has been required to submit an action plan under section 114 of the Act within the 3 year period specified in section 115(4)(a) of the Act, and that the action plan was submitted but rejected by the Secretary of State);
- (viii) has decided to impose the following relevant restriction<sup>4</sup>:
- Chabad Lubavitch UK, the proprietor of Lubavitch Senior Boys' School (1117 Finchley Road, Barnet, London, NW11 0QB), 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.

### **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 sections 115(3) and 116(1)(a) of the Act to impose the following relevant restriction:

Chabad Lubavitch UK, the proprietor of Lubavitch Senior Boys' School (1117 Finchley Road, Barnet, London, NW11 0QB), 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: 28 September 2021



DIRECTOR  
SCHOOL SAFEGUARDING AND PASTORAL CARE

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<sup>4</sup> 'Relevant restriction' is defined in section 117(1) of the Act – see in particular section 117(1)(c).

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

**TO THE PROPRIETOR (Chabad Lubavitch UK)**

**Lubavitch Senior Boys' School**

**1117 Finchley Road**

**Barnet**

**London**

**NW11 0BQ**

**('the School')**

**(302/6017)**

**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 Act<sup>5</sup>;

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;

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

- (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—

- (b) ensures that principles are actively promoted which—
  - (ii) encourage respect for other people, paying particular regard to the protected characteristics set out in the 2010 Act.

## **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; and
- (b) fulfil their responsibilities effectively so that the independent school standards are met consistently.