

Mr C Rankine  
The Proprietor  
Homeschool  
49 Manifold Way  
Sandwell  
Wednesbury  
West Midlands  
WS10 0GB

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

**Date:** 21 July 2021

Dear Mr Rankine

### **Homeschool**

I refer to the inspections carried out by Her Majesty's Chief Inspector of Education, Children's Services and Skills ('HMCi') on 9 January 2020 and 23 March 2021 at the above school ('the school') under s.109 of the Education and Skills Act 2008 ('the Act'). You will see from the enclosed reports, which have been published, that the inspections found a number of regulatory failings relating to the independent school standards ('ISS')<sup>1</sup>.

The inspections followed the decision by the Secretary of State to impose a relevant restriction requiring the proprietor of the school to cease to admit new pupils. Notice of this decision was advised in the Department's letter of 26 September 2019 and confirmed in the letter of 4 August 2020, following the First-tier Tribunal (FTT)'s decision, on 3 August 2020, to refuse your appeal against the Department's decision to impose a relevant restriction.

The Department is aware that you applied directly to the FTT for permission to appeal to the Upper Tribunal ('UT'), against the FTT decision. On 3 October 2020, the FTT refused your application for permission to appeal to the UT. You then submitted an application directly to the UT. On 15 September 2021, the UT will hear your oral application for permission to appeal the FTT decision to the UT. For the avoidance of doubt, the relevant restriction imposed by the Department continues to remain in effect, unless you are successful in an appeal in the UT. Neither the FTT or UT have suspended the effect of the FTT in the interim, either under rule 5(3) of the Tribunal Procedure (First-tier Tribunal) (Health, Education and Social Care Chamber) Rules 2008/2699, or rule 5(3)(m) under the Tribunal Procedure (Upper Tribunal) Rules 2008/2698.

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<sup>1</sup> The independent school standards ('ISS') are contained in the Schedule to the Education (Independent School Standards) Regulations 2014.

As you were informed in the Department's letter of 26 September 2019:

*'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.'*

The report of the 9 January 2020 inspection showed that limited progress had been made, there were still numerous failures to meet the ISS in relation to the school, including serious failings relating to quality of education, welfare, health and safety of pupils, premises and accommodation, provision of information and leadership and management. Ofsted were unable to complete the March 2021 inspection as you refused entry to the school premises. Based on the information available to Ofsted on 23 March 2021, inspectors were able to make the following findings in their report: the school is now failing to meet paragraph 32(1)(g) of the ISS, in failing to provide any information reasonably requested with an inspection under s.109 of the Act. Further, paragraph 7(b) of the ISS is now unmet, as the published safeguarding policy does not meet the statutory requirements. The report also advises that no evidence was provided by the proprietor to demonstrate that previously unmet standards in Part 1, 3 and 5 are now met. In the circumstances, the Secretary of State is satisfied that the continued failings to meet the ISS, are sufficiently serious to warrant further enforcement action and that it is appropriate to remove the school from the register of independent educational institutions in England.

### **Decision to deregister the school**

Taking account of the reports relating to the inspections carried out by HMCI on 9 January 2020 and 23 March 2021, the Secretary of State is satisfied, for the purposes of s.115(1) of the Act, that a number of the ISS are not being met in relation to the school. Given the fact that the Secretary of State, by a notice dated 21 January 2019, required the production of an action plan (which was rejected on 2 May 2019), that four inspections of the school have been carried out by HMCI since the requirement to produce an action plan was notified to the school, and that the Secretary of State has not at any time, since that requirement was imposed, been satisfied that the school is meeting all of the ISS, the Secretary of State is satisfied that both conditions referred to in s.115(3) of the Act are met for the purpose of taking enforcement action in relation to proprietor of the school (specifically, the conditions contained in s.115(4) and s.115(5) of the Act are both satisfied). Therefore, the Secretary of State is authorised to take the enforcement action specified under s.116 of the Act in relation to the proprietor of the school.

Having the power to take enforcement action under s.116 of the Act, and having considered whether any, and what sort of, enforcement action under s.116 of the Act is appropriate, the Secretary of State has decided to remove the school from the register of independent schools.

If you do not appeal against this decision, the school will be removed from the register once the period of 28 days has expired. The 28-day period will begin with the date on which the attached notice is served on the proprietor. Our working assumption is that the notice will be served on the proprietor after the end of two working days following the date of this letter. On this assumption, the school will be deregistered after 20 August 2021, 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 also has the right under s.124(1)(d) of the Act to appeal against the decision to deregister the school to the First-tier Tribunal. Any appeal must be made, in writing, within 28 days of 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, then the deregistration 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 (under s.96(2) of the Act), for a proprietor to conduct an independent school which is unregistered, with penalties of up to six months imprisonment and/or a substantial fine. Therefore, where the school is removed from the register, you must take appropriate action to ensure that this offence is not committed.

Yours sincerely



Deputy Director, Independent Education and Boarding Team

**SECTION 116(1)(b) 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  
REMOVE THE FOLLOWING SCHOOL FROM THE REGISTER OF INDEPENDENT  
EDUCATIONAL INSTITUTIONS:**

**TO THE PROPRIETOR**

Homeschool  
49 Manifold Way  
Sandwell  
Wednesbury  
West Midlands WS10 0GB

**(‘the school’)  
(333/6007)**

**WHEREAS**

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

- (i) having been satisfied (taking into account a report of an inspection by Her Majesty’s Chief Inspector of Education, Children’s Services and Skills (‘HMCI’) carried out between 20 – 21 November 2018) that a number of the independent school standards (as prescribed in the Education (Independent School Standards) Regulations 2014<sup>2</sup>) were not being met in relation to the school, served a notice (pursuant to s.114 of the Act) dated 21 January 2019 on the school’s proprietor (‘the proprietor’) requiring the submission of an action plan<sup>3</sup> on or before 21 February 2019;
- (ii) received an action plan on 20 February 2019 from the proprietor;
- (iii) decided to reject said action plan under s.114(6)(b) of the Act, and informed the proprietor of that decision by a letter dated 2 May 2019;
- (iv) received report of an inspection by HMCI of the school carried out on 21 May 2019 which noted a number of independent school standards were not met, in relation to the school, although some previously unmet standards were now met;

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

<sup>2</sup> SI 2014/3283.

<sup>3</sup> An action plan for the purposes of section 114 of the Act is a plan which specifies the steps that will be taken to meet a standard or standards, and the time by which each step will be taken (section 114(4)).

(v) having considered the inspection report of 21 May 2019 was satisfied that a number of independent school standards were not being met in relation to the school, and with the condition in s.115(4) of the Act being met (specifically that the proprietor has been required to submit an action plan under s.114 of the Act within the 3 years period mentioned in s.115(4)(a)(i) of the Act, that an action plan was submitted as a consequence, and that action plan was rejected by the Secretary of State);

(vi) decided to impose the relevant restriction<sup>4</sup> to cease to admit any new pupils to the school which came into effect as of 3 August 2020 following the First-tier Tribunals decision to refuse the proprietor's appeal;

(vii) received a report of an inspection by HMCI of the school carried out on 9 January 2020 showing that a number of independent school standards were not being met in relation to the school, although one standard was now being met, and identifying some previously met standards that were now unmet;

(viii) received a report of an inspection by HMCI of the school carried out on 23 March 2021 showing that the independent school standards specified in Annex 1 to this notice are not being met in relation to the school; and

(ix) with the condition in s.115(5) of the Act being met, (namely that at least two years before the enforcement action that is now being taken the Secretary of State required the proprietor to submit an action plan, at least one inspection of the school has been carried out by HMCI since the requirement was imposed, and the Secretary of State has not at any time since the requirement was imposed been satisfied that the school was meeting all of the independent school standards) has decided to remove the school from the register of independent educational institutions in England kept by the Secretary of State under s.95 of the Act.

## **NOW THEREFORE –**

Notice is hereby given to the proprietor, for the purposes of s.116(2) of the Act that the Secretary of State has decided under s.116(1) of the Act to remove the school from the register of independent educational institutions in England kept by the Secretary of State under s.95 of that Act.

By virtue of s.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 s.124<sup>5</sup> of the Act or (b) where such an appeal is brought, the appeal has not been determined, withdrawn or disposed of.

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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).

<sup>5</sup> Any appeal under the section 124 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 124(2) of the Act).

Signed [REDACTED]

Date: 21 July 2021

Deputy Director, Independent Education and Boarding Team

**ANNEX TO NOTICE OF THE DECISION TO REMOVE THE SCHOOL FROM THE  
REGISTER OF INDEPENDENT EDUCATIONAL INSTITUTIONS**

Homeschool  
49 Manifold Way  
Sandwell  
Wednesbury  
West Midlands WS10 0GB  
**(‘the school’)**  
**(333/6007)**

**The following independent school standards, as prescribed in the Schedule to the Education (Independent School Standards) Regulations 2014, either are not being met, or have not been evidenced to be 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.

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; 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.

### **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.

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 2005<sup>6</sup>.

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 2006<sup>7</sup>.

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 5: Premises and accommodation at schools**

22. The standards about the premises of and accommodation at the school are those contained in this Part.

25. The standard in this paragraph is met if the proprietor ensures that the school premises and the accommodation and facilities provided therein are maintained to a standard such that, so far as is reasonably practicable, the health, safety and welfare of pupils are ensured.

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—

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

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



(g) any information reasonably requested in connection with an inspection under s.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.

## **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.