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for Education

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The Proprietor  
Viznitz Ltd  
126B Stamford Hill  
London  
N16 6QT

Ref no: 204/6004

Date: 22 November 2021

Dear Proprietor

### **Wiznitz Cheder School**

I refer to the inspection carried out by Her Majesty's Chief Inspector of Education, Children's Services and Skills ('HMCI') on 11 May 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 May 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 May 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 12-14 June 2018, which also found that several of the ISS were not being met in relation to the School.

A statutory notice was issued to the School requiring an action plan on 13 November 2018. An action plan was submitted in response to that notice and was rejected by the Department on 19 March 2019.

A subsequent inspection, carried out on 6 June 2019, a progress monitoring inspection ('PMI'), found that whilst there had been some improvement, there were still a number of regulatory failings relating to the ISS.

A statutory notice was issued to the School requiring an action plan on 1 August 2019. An action plan was submitted in response to that notice and rejected by the Department on 12 November 2019.

A subsequent inspection, carried out on 21 January 2020, a PMI, found that previously unmet standards were still not met, and found additional regulatory failings relating to the ISS.

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

The Department wrote to the proprietor on 11 March 2020 requiring details on the School's approach to the teaching of protected characteristics. This letter also advised that the Department would be contacting the School about the other unmet standards which were not linked to the teaching of the protected characteristics, but that due to the effects of the COVID-19 pandemic, any further action was halted for the time being.

A subsequent inspection, carried out on 11 May 2021, a PMI, found that the School had made some improvement towards meeting the ISS, but that some previous ISS remained unmet and there were new failings relating to the ISS.

The Secretary of State is satisfied, taking into account the 11 May 2021 inspection report, and the regulatory history outlined above, that the seriousness of the failings identified in that 11 May 2021 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**

Under section 115 of the ESA 2008, the Secretary of State may take enforcement action if satisfied that one or more ISS are unmet and either the test under section 115(4) or 115(5) is met. In this case, both conditions under s115(4) and 115(5) are satisfied. Under section 115(4), the school has been required to submit a statutory action plan under section 114 of the ESA 2008 during the period of three years before the enforcement action is taken (August 2019) and that action plan was submitted but rejected (November 2019). Under section 115(5) of the ESA 2008, the School is failing to meet several of the ISS (as evidenced by the May 2021 Ofsted report), we required the school to provide an action plan at least two years ago (February 2019), there has been at least one inspection since (May 2021) and at no time since the notice was issued have we been satisfied that the school was meeting all of the ISS. For the reasons above, we are satisfied that the test under section 115(3) has been met, as both conditions under section 115(4) and section 115(5) have been 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 Wiznitz Cheder School, 126B Stamford Hill, London, N16 6QT, 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 22 December 2021, unless you appeal in time (see below).

The Annexes 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 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

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Independent Education and Safeguarding Division

**SECTION 116(1)(a) AND (2) OF THE EDUCATION AND SKILLS ACT 2008<sup>3</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**

Wiznitz Cheder School  
126B Stamford Hill, London, N16 6QT  
**(‘the School’)**  
**(204/6004)**

**WHEREAS -**

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

(i) having received the report of an inspection by Her Majesty’s Chief Inspector of Education, Children’s Services and Skills (‘HMCI’) carried out between 12-14 June 2018 to the effect that a number of the Independent School Standards (as prescribed in the Education (Independent School Standards) Regulations 2014<sup>4</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 (reissued on 4 January 2019 due to non-receipt) on the School’s proprietor (‘the proprietor’) requiring the submission of an action plan on or before 4 February 2019;

(ii) received an action plan on 4 February 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 19 March 2019;

(iii) having received the report of an inspection by HMCI of the School carried out on 6 June 2019 to the effect that a number of Independent School Standards were not met in relation to the School, served a statutory notice on the proprietor dated 1 August 2019, requiring the submission of an action plan on or before 16 September 2019;

(iv) received an action plan on 17 September 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 12 November 2019;

(v) having received the report of an inspection by HMCI of the School carried out on 21 January 2020 to the effect that a number of Independent School Standards were not met in relation to the School (subsequently due to the Covid-19 pandemic further action was put on hold).

(vi) having received the report of an inspection by HMCI of the school carried out on 11 May 2021, to the effect that the standards from the Independent School Standards specified in the Annexes to this notice were not being met in relation to the School, and having taken into account the report of that inspection is satisfied that a number of the independent educational institution standards are not being met in relation to the School; and

(viii) being permitted to take enforcement action under section 115(3) and 116 of the Act because the conditions in section 115(4) and 115(5) of the Act are 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). Further, under s115(5), at least two years before (i.e. before enforcement action is taken) the Secretary of State has required the proprietor to produce an action plan, at least one inspection has been carried out since the requirement for that action plan was imposed and that the Secretary of State has not, at any time since that requirement was imposed, been satisfied that the school was meeting all of the ISS;

(viii) has decided to impose the following relevant restriction<sup>5</sup>:

The proprietor of Wiznitz Cheder School (126b Stamford Hill, Hackney, London, N16 6QT), 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 expire

#### **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:

The proprietor of Wiznitz Cheder School (126b Stamford Hill, Hackney, London, N16 6QT), 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).

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**Date:** 22 November 2021

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Independent Education and Safeguarding Division

## **ANNEX 1 TO NOTICE**

Wiznitz Cheder School  
126b Stamford Hill  
Hackney  
London  
N16 6QT

**(‘the School’)**  
**(204/6004)**

The following Independent School Standards, as prescribed in the Schedule to the Education (Independent School Standards) Regulations 2014, are standards that the Secretary of State is satisfied are not being met in relation to the School:

## **ANNEX 1 TO NOTICE**

Wiznitz Cheder School  
126B Stamford Hill, London, N16 6QT  
**("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

(2) For the purposes of paragraph (2)(1)(a), the matters are—

(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>2</sup>; and

(i) effective preparation of pupils for the opportunities, responsibilities and experiences of life in British society.

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;

(e) demonstrates good knowledge and understanding of the subject matter being taught; and

(f) utilises effectively classroom resources of a good quality, quantity and range;

### **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—

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

(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.

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.

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 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—

(c) suitable changing accommodation and showers are provided for pupils aged 11 years or over at the start of the school year who receive physical education.

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.

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.

## **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.