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for Education

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The Proprietor  
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Our ref: 941/6070

Dear Proprietor

Date: 17 July 2025

## **PROGRESS SCHOOLS NORTHAMPTONSHIRE**

### **NOTICE TO IMPOSE RELEVANT RESTRICTION –SECTION 116(1)(A) OF THE EDUCATION AND SKILLS ACT 2008**

I refer to an inspection carried out by His Majesty's Chief Inspector of Education, Children's Services and Skills ("HMCI") on 6 November 2024 at Progress Schools Northamptonshire ("the School") under s.109 of the Education and Skills Act 2008 ("the 2008 Act").

You will see from the enclosed report of that inspection ("the November 2024 inspection report"), which has been published, that the inspection found a number of failings relating to the Independent School Standards ("the ISS").

The Secretary of State has been satisfied, taking into the account the inspection history relating to the school (including that detailed in the November 2024 inspection report), that there are one or more failings to meet the ISS in relation to the school. In addition, she is of the view that the seriousness and longstanding nature of the failings identified in the November 2024 inspection report warrants the taking of enforcement action. Specifically, it appears that the quality of education and the leadership and management of the school failed to meet the relevant standards in the ISS. Furthermore, for the reasons set out below in this letter, the condition in section 115(4) of the Act for taking enforcement action against a proprietor has been met in relation to the school. The Secretary of State 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 to impose will be, when it takes effect, that no new pupils may be admitted to the school.

### **Decision to proceed with enforcement action**

Taking account of the report relating to the November 2024 inspection carried out by HMCI, the Secretary of State is satisfied, for the purposes of section 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 3 May 2024, required the production of an action plan (which was rejected on 27 June 2024) with a further non-compliance inspection on 6

November 2024, and that the Secretary of State has not at any time, since the requirement was imposed, been satisfied that the School is meeting all of the ISS, 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) of the Act is satisfied). Therefore, the Secretary of State is authorised to take the enforcement action specified under section 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 section 116 of the Act would be 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 Progress Schools Northamptonshire, 8 Notre Dame Mew, Northampton, NN1 2BG, 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 will begin with the date on which the attached notice is served on the proprietor. Our working assumption is that notice will be served on the proprietor after the end of two working days following the date of this letter. On this assumption, the proprietor will be prohibited from admitting new pupils to the school after 18 August 2025, 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 of the school may 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.

The proprietor also has the right under section 125(1)(a) of the Act to appeal against the decision to impose this relevant restriction 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 relevant restriction 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, 1st Floor, Darlington Magistrate's Court, Parkgate, Darlington DL1 1 RU. Telephone 01325 289350.

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 maximum set in the Act (see section 118(2) of the Act and section 85 of the Legal Aid, Sentencing and Punishment of Offenders Act 2012)).

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,

Sue Whitehouse

Deputy Director

Independent Education and School Safeguarding Division

**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  
IMPOSE A RELEVANT RESTRICTION ON THE FOLLOWING INDEPENDENT  
EDUCATIONAL INSTITUTION: TO THE PROPRIETOR**

**PROGRESS SCHOOLS NORTHAMPTONSHIRE  
8 NOTRE DAME MEW, NORTHAMPTON, NN1 2BG  
941/6070**

**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 His Majesty’s Chief Inspector of Education, Children’s Services and Skills (“HMCI”) carried out between 12-14 July 2022 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 section 114 of the Act) dated 18 October 2022 on the school’s proprietor (‘the proprietor’) requiring the submission of an action plan<sup>3</sup> on or before 18 November 2022;
- (ii) received an action plan on 17 November 2022 from the proprietor;
- (iii) decided to approve said action plan under section 114(6)(a) of the Act, and informed the proprietor of that decision by a letter dated 9 February 2023;
- (iv) having received a further report of an Inspection by HMCI of the School carried out on 14 March 2023 to the effect that the standards from the Independent School Standards were not being met in relation to the School, served a notice (pursuant to section 114 of the Act) dated 10 May 2023 on the school’s proprietor (‘the proprietor’) requiring the submission of an action plan on or before 12 June 2023;
- (v) received an action plan on 19 June 2023 from the proprietor;
- (vi) decided to reject said action plan under section 114(6)(b) of the Act, and informed the proprietor of that decision by a letter dated 21 July 2023;
- (vii) having received a further report of an Inspection by HMCI of the School carried out on 18 October 2023 to the effect that the standards from the Independent School Standards were not being met in relation to the School, served a notice (pursuant to section 114 of the Act) dated 23 November 2023 on the school’s proprietor (‘the proprietor’) requiring the submission of an action plan on or before 3 January 2024;
- (viii) received an action plan on 22 December 2023 from the proprietor;

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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)).

- (ix) decided to reject said action plan under section 114(6)(b) of the Act, and informed the proprietor of that decision by a letter dated 22 January 2024;
- (x) having received a further report of an Inspection by HMCI of the School carried out between 12-14 March 2024 to the effect that the standards from the Independent School Standards were not being met in relation to the School, served a notice (pursuant to section 114 of the Act) dated 3 May 2024 on the school's proprietor ('the proprietor') requiring the submission of an action plan on or before 3 June 2024;
- (xi) received an action plan on 3 June 2024 from the proprietor;
- (xii) decided to reject said action plan under section 114(6)(b) of the Act, and informed the proprietor of that decision by a letter dated 27 June 2024;
- (xiii) having received a further report of an Inspection by HMCI of the School carried out on 6 November 2024 to the effect that the standards from the Independent School Standards were not being met in relation to the School 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
- (xi) 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);
- (xii) has decided to impose the following relevant restriction<sup>4</sup>:

#### **NOW THEREFORE –**

Notice is hereby given to the proprietor, for the purposes of section 116(2) of the Act that the Secretary of State has decided under section 116(1)(a) of that Act to impose the following relevant restrictions:

- (1) to cease to admit any new students.

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 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.

Signed

Date: 17 July 2025

Sue Whitehouse  
Deputy Director  
Independent Education and School Safeguarding Division

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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).

## **ANNEX 1 TO NOTICE**

**PROGRESS SCHOOLS NORTHAMPTONSHIRE  
8 NOTRE DAME MEW,  
NORTHAMPTON,  
NN1 2BG  
("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.
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;
  - (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.

### **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.