



Department
for Education

IESSD
Level 3, Riverside
Bishopsgate House
Feethams
Darlington
DL1 5QE

Mr N Faulkner (Proprietor)
Drive Preparatory School
101 The Drive
Hove
East Sussex, BN3 6GE

registration.enquiries@education.gov.uk

Date: 21 July 2025

By email: sp@tdpspupils.co.uk

Dear Mr Faulkner,

Drive Preparatory School (“the School”)

I refer to the inspection carried out by His Majesty’s Chief Inspector of Education, Children’s Services and Skills (‘HMCI’) between 20-22 May 2025 at the above school under s.109 of the Education and Skills Act 2008 (‘the Act’).

You will see from the enclosed report (Annex B), which has been published, that the inspection found a number of serious regulatory failings relating to the independent school standards (‘ISS’)¹.

In the circumstances, the Secretary of State is satisfied that the failings against the ISS are sufficiently serious to warrant 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 report relating to the 20-22 May 2025 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 20 February 2024, required the production of an action plan to be submitted by 29 March 2024, which you submitted on 03 April 2024 and which was rejected by the Secretary of State by a letter issued on 12 May 2024, 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 conditions 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

¹ Statutory Instrument 2014/3283

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 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 de-register the School.

The proprietor also has the right under section 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, 1st Floor, Darlington Magistrate's Court, Parkgate, Darlington DL1 1RU. Telephone 01325 289350.

It is an offence (under section 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

A handwritten signature in black ink, appearing to read 'Sue Whitehouse', with a stylized flourish at the end.

Sue Whitehouse
Deputy Director
Independent Education and School Safeguarding Division

SECTION 116(1)(b) AND (2) OF THE EDUCATION AND SKILLS ACT 2008²

(‘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

Drive Preparatory School

101 The Drive, Hove, East Sussex, BN3 6GE
(846/6020)

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 14-16

November 2023 that a number of the independent school standards (as prescribed in the Education (Independent School Standards) Regulations 2014³) were not being met in relation to the school served a notice (pursuant to section 114 of the Act) dated 20 March 2024 on the school’s proprietor (‘the proprietor’) requiring the submission of an action plan⁴ on or before 29 March 2024;

- (ii) received an action plan on 03 April 2024 from the proprietor.

- (iii) decided to reject the said action plan under section 114(6)(b) of the Act and informed the proprietor of that decision by a letter dated 12 May 2024.

- (iv) having considered the report of the inspection of 14-16 November 2023 and the action plan of 03 April 2024 was satisfied that a number of independent school standards were not being met in relation to the School, and with the condition in section 115(4) of the Act being met (specifically that the proprietor has been required to submit an action plan under section 114 of the Act within the 3 year period mentioned in section 115(4)(a) of the Act, that an action plan was submitted as a consequence and having considered the content of the action plan, the action plan was rejected by the Secretary of State.

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) of the Act to remove the School from

² c.25.

³ SI 2014/3283.

⁴ 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)).

the register of independent educational institutions in England kept by the Secretary of State under section 95 of that Act.

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 124⁵ of the Act or (b) where such an appeal is brought, the appeal has not been determined, withdrawn, or disposed of.

Signed

Date: 21 July 2025

A handwritten signature in black ink, appearing to read 'Sue Whitehouse', with a stylized, cursive script.

Sue Whitehouse
Deputy Director
Independent Education and School Safeguarding Division

⁵ 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 A

Drive Preparatory School
101 The Drive, Hove, East Sussex, BN3 6GE
("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

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

- (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.(2) For the purpose of paragraph 2(1)(a), the matters are:

- (b) that pupils acquire speaking, listening, literacy and numeracy skills;
- (d) personal, social, health and economic education which- (i) reflects the school's aim and ethos; and
 - (ii) encourages respect for other people, paying particular regard to the protected characteristics set out in the 2010 Act
- (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.

2A(1) The standard in this paragraph is met if the proprietor-

- (a) ensures that every registered pupil who is provided with primary education at the school is provided with relationships education,
- (b) ensures that every registered pupil who is provided with secondary education at the school is provided with relationships and sex education, except in so far as the pupil is excused as mentioned in sub-paragraph (2),
- (d) in making arrangements for the purposes of paragraphs (a), (b) or (c), has regard to any guidance under section 80A of the Education Act 2002 that applies in relation to the provision of education by maintained schools,
- (f) consults parents of registered pupils at the school before making or revising a statement under sub-paragraph (e)

2A(2) Arrangements made by the proprietor for the purposes of sub-paragraph (1)(b) must ensure that where a pupil's parent requests that the pupil is wholly or partly excused from sex education provided as part of relationships and sex education, the pupil is so excused until the request is withdrawn, unless or to the extent that the head teacher considers that the pupil should not be so excused.

3. The standard in this paragraph is met if the proprietor ensures that the teaching at the school-

- 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;

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-
 - (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;
 - (vi) encourage respect for other people, paying particular regard to the protected characteristics set out in the 2010 Act; and

- (vii) encourage respect for democracy and support for participation in the democratic process, including respect for the basis on which the law is made and applied in England;

PART 3: Welfare, health and safety of pupils

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
14. The standard in this paragraph is met if the proprietor ensures that pupils are properly supervised through the appropriate deployment of school staff.
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

- 18 (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;

(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.

19 (2) The standard in this paragraph is met if—

(a) a person offered for supply by an employment business to the school only begins to work at the school if the proprietor has received—

(i) written notification from the employment business in relation to that person—

(aa) that the checks referred to in paragraph 21(3)(a)(i) to (iv), (vii) and (b) have been made to the extent relevant to that person; (bb) that, where relevant to that person, an enhanced criminal record check has been made and that it or another employment business has obtained an enhanced criminal record certificate in response to such a check;

(cc) if the employment business has obtained such a certificate before the person is due to begin work at the school, whether it disclosed any matter or information; and

(dd) that, where that person is one 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, it or another employment business has obtained such further checks as appropriate, having regard to any guidance issued by the Secretary of State; and

(ii) a copy of any enhanced criminal record certificate obtained by an employment business before the person is due to begin work at the school;

(b) a person offered for supply by an employment business only begins work at the school if the proprietor considers that the person is suitable for the work for which the person is supplied;

(c) before a person offered for supply by an employment business begins work at the school the person's identity is checked by the proprietor of the school (irrespective of any such check carried out by the employment business before the person was offered for supply);

(d) the proprietor, in the contract or other arrangements which the proprietor makes with any employment business, requires the employment business to provide—

- (i) the notification referred to in paragraph (a)(i); and
- (ii) a copy of any enhanced criminal record certificate which the employment business obtains,
in respect of any person whom the employment business supplies to the school;

(3) Except in the case of a person to whom sub-paragraph (4) applies, the certificate referred to in sub-paragraph (2)(a)(i)(bb) must have been obtained not more than 3 months before the date on which the person is due to begin work at the school.

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) to (7) 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; and

(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.

(5) The information referred to in this sub-paragraph is, in relation to supply staff—

(a) whether written notification has been received from the employment business that—

(i) checks corresponding to those referred to in sub-paragraph (3)(a)(i) to (iv), (vi) and (vii) have been made to the extent relevant to any such person; and

(ii) an enhanced criminal record check has been made and that it or another employment business has obtained an enhanced criminal record certificate in response to such a check,

together with the date the written notification that each such check was made, or certificate obtained, was received;

- (b) whether a check has been made in accordance with paragraph 19(2)(e) together with the date the check was completed; and
- (c) where written notification has been received from the employment business in accordance with a contract or other arrangements referred to in paragraph 19(2)(d) that it has obtained an enhanced criminal record certificate, whether the employment business supplied a copy of the certificate to the school.

PART 5: Premises of and accommodation at schools

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;
- (b) accommodation for the short term care of sick and injured pupils, which includes a washing facility and is near to a toilet facility;

(2) The accommodation provided under sub-paragraphs (1)(a) and (b) may be used for other purposes (apart from teaching) provided it is always readily available to be used for the purposes set out in sub-paragraphs (1)(a) and (b).

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.

27. The standard in this paragraph is met if the proprietor ensures that—

- (a) the lighting in each room or other internal space is suitable, having regard to the nature of the activities which normally take place therein; and
- (b) external lighting is provided in order to ensure that people can safely enter and leave the school premises.

28. (1) The standard in this paragraph is met if the proprietor ensures that— (a) suitable drinking water facilities are provided;

- (c) cold water supplies that are suitable for drinking are clearly marked as such;

(2) The facilities provided under sub-paragraph (1)(a) will be suitable only if—

- (a) they are readily accessible at all times when the premises are in use;

PART 6: Provision of information

32. (3) The information specified in this sub-paragraph is—

- (c) particulars of the policy referred to in paragraph 2;
- (d) particulars of arrangements for meeting the standards contained in paragraphs 9, 10, 11 and 13;

PART 8: Quality of Leadership and Management at 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.