

Moorland Waldorf School

The Village College, Botton Village, Danby, Whitby, North Yorkshire YO21 2NJ

Inspection date

22 November 2022

Overall outcome

The school does not meet all of the independent school standards that were checked during this inspection

Main inspection findings

Part 1. Quality of education provided

Paragraph 2(1), 2(1)(b), 2(1)(b)(i), 3, 3(a), 3(c), 3(d)

- At the previous inspection, it was found that the school's curriculum was disjointed and not well planned. Inspectors found that teachers did not have the knowledge and understanding to identify pupils who may have special educational needs and/or disabilities. Teachers were unable to ensure that the curriculum met their needs. Additionally, it was found that teachers' professional development was lacking, so they did not have the skills to design the curriculum or teach subjects. Pupils did not achieve well and weaknesses were found in the teaching of reading.
- Senior leaders and trustees are developing written planning documents and schemes of work which take into account pupils' varying needs and their starting points. These are at a very early stage of development for both kindergarten and the main school. Leaders are working closely with the neighbouring Steiner Waldorf school to support them in this work. This includes the teaching of reading.
- At present, the school caters for children from two to six years of age. Leaders have taken the decision to close the main school for children aged from seven to 11 years. However, they are continuing to develop the curriculum offer for all children in readiness for the reopening of the main school at a later date.
- School leaders recognise the uniqueness of their school community and local environment. They understand the importance of ensuring that the curriculum offer is relevant for the children in their setting. They are part-way through the process of refining their curriculum intent. They articulated how this will enable pupils to acquire new knowledge and make good progress according to their ability. Leaders explained how they will take into account pupils' starting points and aptitudes in their curriculum thinking.
- This work is incomplete, therefore these previously unmet standards remain unmet.

Part 2. Spiritual, moral, social and cultural development of pupils

Paragraph 5, 5(b), 5(b)(iv)

- At the previous inspection, pupils' understanding of different faiths and cultures was limited. Pupils did not learn about public institutions and services in England.
- Pupils have numerous opportunities to develop their understanding of difference and diversity. In each kindergarten session, snack time is planned as an activity where pupils develop their self-knowledge, self-esteem and self-confidence. During this social time, the youngest children were observed sitting together, sharing food, learning to be aware of their space and their neighbour. Teachers use this time to develop an awareness of the world around them and to talk about current issues. Snack time begins with a familiar song, 'Hands Under the Table and Whispering Voices'. This supports children to settle quietly and to engage in the session with respect as they share refreshments.
- In kindergarten, planning and observations of learning demonstrate the wealth of experiences that the children are able to access. Children enjoy trips into the local community and visitors to the school and they deepen their cultural understanding through the stories and experiences they share. Children learn about different faiths and cultures. They have learned about the Buddhist culture in Vietnam through the shared experience of two children who recently arrived in school.
- Children regularly visit the local woodworking shop. Through these visits, staff support the children to make links between the skills that they have learned in the classroom and the bespoke products that are made for their community and customers more widely in their village workshop.
- Children learn about the police force and the fire service. They are taught about the important work undertaken in their local farming community and through the supported living opportunities for adults with learning disabilities and other special needs. Children recently visited the local gardens to harvest carrots and learn about the seasons.
- These previously unmet standards are now met.

Part 3. Welfare, health and safety of pupils

Paragraph 7, 7(a), 11, 16, 16(b)

- At the previous inspection, the school's health and safety policy and procedures were not found to be fit for purpose. Leaders did not ensure that the necessary health and safety checks were consistently carried out. Where risks were identified, leaders did not take swift action to mitigate these risks. This meant that at the time of this inspection, pupils were at risk of harm.
- Senior leaders ensure that all staff receive regular training in safeguarding. Staff have access to a safeguarding flowchart and they know who to report concerns to. The flowchart is prominently displayed around the school. Staff use this as a visual reminder of the procedures that they are to follow if they have a concern.
- Staff spoken with are secure in the knowledge that any concerns they have will be taken seriously by senior leaders. Staff make detailed records of all types of incidents and accidents through two paper-based systems. Senior leaders monitor these records and review individual incidents in their weekly safeguarding meeting.

- The school's most recent safeguarding policy and procedures are not available on the school website. Parents and carers may request a copy of these from the kindergarten teacher and safeguarding information is shared with parents in their monthly newsletter.
- School leaders have updated their statutory policies in line with current guidance. They are presenting these to trustees to be ratified before they can be uploaded on the school's website.
- School leaders are working with the local authority to ensure that relevant health and safety laws are complied with. They have drawn up a purposeful set of written health and safety policies and they have updated all of the fire safety procedures. However, the actions that need to be implemented weekly, monthly and termly, in order to safeguard and promote the welfare of pupils at school, are not being consistently undertaken.
- The risk assessment policy does not match the practice that is taking place in school. Not all risk assessments are precise. For example, it is not clear who is checking the tree branches before forest school sessions. It is also unclear how any hazards identified are recorded and addressed.
- Asbestos and legionella checks had not been undertaken at the previous inspection. These checks have now been completed.
- School leaders have not addressed all of the safeguarding issues raised at the previous inspection. These previously unmet standards remain unmet.

Paragraph 15

- At the previous inspection, there were pupils on the admissions register who did not attend the school. There was no record of the new school or settings that pupils had moved to when leaving Moorland Waldorf, or the date that they started at a new school. Leaders were unaware that if there are any changes to the admissions or attendance registers, there must be a log of the date on which the amendment was made, the reason for the amendment and the name and position of the person who made the amendment. Teachers were not consistently using the correct attendance codes. Sometimes, no codes were used.
- The school administrator has ensured that the admissions register now meets requirements. Pupils' starting dates and leaving dates are now recorded. Pupils' leaving destinations are also recorded, along with the date of any changes. Attendance registers are completed daily. Staff use the correct codes and detail any reasons for absence.
- The admission and attendance register is maintained in accordance with the Education (Pupil Registration) (England) Regulations 2006.
- This previously unmet standard is now met.

Part 4. Suitability of staff, supply staff, and proprietors

Paragraphs 18(2), 18(2)(a), 18(2)(b), 18(2)(c), 18(2)(c)(i), 18(2)(c)(ii), 18(2)(c)(iii), 18(2)(c)(iv), 18(2)(d), 18(2)(e), 18(3), 20(6), 20(6)(a), 20(6)(a)(i), 20(6)(a)(ii), 20(6)(b), 20(6)(b)(i), 20(6)(b)(ii), 20(6)(b)(iii), 20(6)(c), 21(1), 21(2), 21(3), 21(3)(a), 21(3)(a)(i), 21(3)(a)(ii), 21(3)(a)(iii), 21(3)(a)(iv), 21(3)(a)(v), 21(3)(a)(vi), 21(3)(a)(vii), 21(3)(a)(viii), 21(3)(b), 21(4), 21(5), 21(5)(a), 21(5)(a)(i), 21(5)(a)(ii), 21(5)(b), 21(5)(c), 21(6), 21(7), 21(7)(a), 21(7)(b)

- At the previous inspection, safer recruitment procedures were not robust. Leaders did not carry out suitable checks on staff before they were appointed to ensure that they are safe to work with pupils. Suitable safety checks were not consistently completed on staff and trustees who have spent time overseas. In addition, information in staff's recruitment files did not match the information on the school's single central register (SCR).
- A review of the SCR shows that this is now completed accurately and complies with statutory guidance.
- All checks, including pre-recruitment checks, overseas checks and medical fitness checks, are completed in line with statutory guidance. Where trustees are awaiting the translation of an overseas police check, a risk assessment has been put in place and additional references are gathered.
- Details of all management personnel and volunteers are now included on the SCR.
- Key trustees, including the chair of trustees, the administration managers and the education coordinator, have recently completed safer recruitment training.
- These standards are all now met.

Part 5. Premises of and accommodation at schools

Paragraph 28(1), 28(1)(d)

- At the previous inspection, the hot water taps posed a scalding risk to pupils.
- During this progress monitoring inspection, the temperature of the water in a number of classrooms and toilet facilities continued to pose a risk of scalding.
- The facilities team has fitted thermostat valves to the sinks in the kindergarten toilet facilities and in the girls' toilets on the first floor since the previous inspection. Taps in the classrooms and in other toilets have not had these fitted. The thermostat valves have not been set at an appropriate temperature to reduce the risk of scalding in the girls' toilets.
- Trustees have carried out some monitoring of water temperatures. This has not been undertaken as regularly as is detailed in the school's legionella policy. In the monitoring logs, the hot water temperature is recorded between 45 and 50 degrees Celsius on a number of occasions. This includes from the taps that have thermostat valves fitted on the upper floor. Appropriate action has not been taken in response to this scalding risk.
- These previously unmet standards remain unmet.

Part 6. Provision of information

Paragraph 32(1), 32(1)(f)

- At the previous inspection, weaknesses were found in leaders' annual written report to parents.
- Reporting procedures have not been changed since the previous inspection.
- This previously unmet standard remains unmet.

Part 8. Quality of leadership in and management of schools

Paragraph 34(1), 34(1)(a), 34(1)(b), 34(1)(c)

- At the previous inspection, trustees did not have a good knowledge and understanding of the independent school standards, so that these are consistently met over time. Trustees were also unaware of the extent of the school's weaknesses.
- While leaders and managers have undertaken a wealth of work since the last inspection, this work has not yet brought about the necessary changes needed. A number of the independent school standards that were unmet at the previous inspection remain unmet.
- The risk of scalding from the hot water taps and the continued unmet health and safety standards could pose a risk to pupils' welfare, health and safety.
- These previously unmet standards remain unmet.

Schedule 10 of the Equality Act 2010

- At the previous inspection, the school did not have an accessibility plan.
- There is now an extensive accessibility plan available.
- This standard is now met.

Statutory requirements of the early years foundation stage

- At the previous inspection, the shortcomings in leaders' actions to secure the welfare of pupils in the main school applied equally to their actions in keeping children in the early years safe. For example, this included where appropriate safety checks had not been carried out on staff who were employed by the school and the inconsistencies within the admissions register.
- There have been some improvements in leaders' safeguarding practice, resulting in the standards in part 4 and paragraph 15 now being met.
- Children in the kindergarten are supported through a calm and purposeful learning environment. Teachers can demonstrate the progress made by children in this setting since their arrival. Learning opportunities are planned to take into account the specific needs of each child attending the session.
- Activities such as 'Eurythmy', an expressive form of movement art which uses a variety of choreographed sounds and rhythms, demonstrate how children are developing physically, socially and emotionally. There are multiple opportunities in the setting to develop language and communication.
- This standard is now met.

Compliance with regulatory requirements

The school does not meet the requirements of the schedule to The Education (Independent School Standards) Regulations 2014 ('the independent school standards') and associated requirements that were checked during this inspection, as set out in the annex of this report. This included the standards and requirements that the school was judged to not comply with at the previous inspection. Not all of the standards and associated requirements were checked during this inspection.

The school now meets the following independent school standards

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-
 - 5(b) ensures that principles are actively promoted which-
 - 5(b)(iv) enable pupils to acquire a broad general knowledge of and respect for public institutions and services in England;

Part 3. Welfare, health and safety of pupils

- 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 2006¹.

Part 4. Suitability of staff, supply staff, and proprietors

- 18(2) The standard in this paragraph is met if-
 - 18(2)(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;
 - 18(2)(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;
 - 18(2)(c) the proprietor carries out appropriate checks to confirm in respect of each such person-
 - 18(2)(c)(i) the person's identity;
 - 18(2)(c)(ii) the person's medical fitness;
 - 18(2)(c)(iii) the person's right to work in the United Kingdom; and
 - 18(2)(c)(iv) where appropriate, the person's qualifications;
 - 18(2)(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;

¹ S.I. 2006/1751, to which there are amendments not relevant to these Regulations.

- 18(2)(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; and
- 18(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.
- 20(6) The standard in this paragraph is met in relation to an individual ("MB"), not being the Chair of the school, who is a member of a body of persons corporate or unincorporate named as the proprietor of the school in the register or in an application to enter the school in the register, if-
 - 20(6)(a) MB-
 - 20(6)(a)(i) is not barred from regulated activity relating to children in accordance with section 3(2) of the 2006 Act where that individual is or will be engaging in activity which is regulated activity within the meaning of Part 1 of Schedule 4 of that Act; and
 - 20(6)(a)(ii) does not carry out work, or intend 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;
 - 20(6)(b) subject to sub-paragraphs (7) to (8), the Chair of the school makes the following checks relating to MB-
 - 20(6)(b)(i) where relevant to the individual, an enhanced criminal record check;
 - 20(6)(b)(ii) checks confirming MB's identity and MB's right to work in the United Kingdom; and
 - 20(6)(b)(iii) where, by reason of MB's living or having lived outside the United Kingdom, obtaining an enhanced criminal record certificate is not sufficient to establish MB's suitability to work in a school, such further checks as the Chair of the school considers appropriate, having regard to any guidance issued by the Secretary of State;
 - 20(6)(c) subject to sub-paragraph (8), where the Secretary of State makes a request for an enhanced criminal record check relating to MB countersigned by the Secretary of State to be made, such a check is made.
- 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.
- 21(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.
- 21(3) The information referred to in this sub-paragraph is-
 - 21(3)(a) in relation to each member of staff ("S") appointed on or after 1st May 2007, whether-
 - 21(3)(a)(i) S's identity was checked;
 - 21(3)(a)(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;
 - 21(3)(a)(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;

- 21(3)(a)(iv) checks were made to ensure, where appropriate, that S had the relevant qualifications;
- 21(3)(a)(v) an enhanced criminal record certificate was obtained in respect of S;
- 21(3)(a)(vi) checks were made pursuant to paragraph 18(2)(d);
- 21(3)(a)(vii) a check of S's right to work in the United Kingdom was made; and
- 21(3)(a)(viii) checks were made pursuant to paragraph 18(2)(e),
- 21(3)(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.
- 21(4) The information referred to in this sub-paragraph is, in relation to each member of staff in post on 1st August 2007 who was appointed at any time before 1st May 2007, whether each check referred to in sub-paragraph (3) was made and whether an enhanced criminal record certificate was obtained, together with the date on which any check was completed or certificate obtained.
- 21(5) The information referred to in this sub-paragraph is, in relation to supply staff-
 - 21(5)(a) whether written notification has been received from the employment business that-
 - 21(5)(a)(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
 - 21(5)(a)(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,
 - 21(5)(b) whether a check has been made in accordance with paragraph 19(2)(e) together with the date the check was completed; and
 - 21(5)(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.
- 21(6) The information referred to in this sub-paragraph is, in relation each member ("MB") of a body of persons named as the proprietor appointed on or after 1st May 2007, whether the checks referred to in paragraph 20(6)(b) were made, the date they were made and the date on which the resulting certificate was obtained.
- 21(7) The information referred to in this sub-paragraph is, in relation to each member of a body of persons named as the proprietor in post on 1st August 2007 who was appointed at any time before 1st May 2007-
 - 21(7)(a) whether each check referred to in sub-paragraph (6) was made; and
 - 21(7)(b) whether an enhanced criminal record certificate was obtained, together with the date on which any check was completed or certificate obtained.

Early Years Foundation Stage

- 3.2 Providers must take all necessary steps to keep children safe and well. The requirements in this section explain what early years providers must do to: safeguard children; ensure the suitability of adults who have contact with children; promote good health; manage behaviour; and maintain records, policies and procedures
- 3.9 Providers must ensure that people looking after children are suitable to fulfil the requirements of their roles. Providers must have effective systems in place to ensure that practitioners, and any other person who may have regular contact with children (including those living or working on the premises), are suitable.

- 3.65 Providers must ensure that they take all reasonable steps to ensure staff and children in their care are not exposed to risks and must be able to demonstrate how they are managing risks. Providers must determine where it is helpful to make some written risk assessments in relation to specific issues, to inform staff practice, and to demonstrate how they are managing risks if asked by parents and/or carers or inspectors. Risk assessments should identify aspects of the environment that need to be checked on a regular basis, when and by whom those aspects will be checked, and how the risk will be removed or minimised.

Schedule 10 of the Equality Act 2010

- The school now meets the requirements of schedule 10 of the Equality Act 2010. The school has an accessibility plan.

School details

Unique reference number	121753
DfE registration number	815/6023
Inspection number	10257449

This inspection was carried out under section 109(1) and (2) of the Education and Skills Act 2008, the purpose of which is to advise the Secretary of State for Education about the school's suitability for continued registration as an independent school.

Type of school	Other independent school
School status	Independent school
Age range of pupils	2 to 11
Gender of pupils	Mixed
Number of pupils on the school roll	17
Number of part-time pupils	4
Proprietor	Eskdale Community Trust for Education Ltd
Chair	Linda Parker
Headteacher	No applicable
Annual fees (day pupils)	£3,500
Telephone number	01287 661206
Website	www.moorlandwaldorf.org
Email address	claire.kilvert-jones@moorlandwaldorf.org
Date of previous standard inspection	1 February and 1 March 2022

Information about this school

- This school was last inspected on 1 February and 1 March 2022. This was an unannounced standard inspection carried out under section 109(1) and (2) of the Education and Skills Act 2008.
- Moorland Waldorf School has no headteacher. The day-to-day running of the school is carried out by the College of Teachers along with the support of the education coordinator.
- The proprietor body (formed of the trustees) manages the school.
- The school follows a curriculum based on the Steiner Waldorf approach to education.

- Children in the kindergarten attend part time in the mornings from Monday to Thursday. Parents whose children are of compulsory school age and are in the kindergarten sign an agreement with the school to confirm that they will home-school their children in the afternoons. From the age of six, pupils attend the school full time. The school is closed to pupils on Friday afternoons.
- The school does not use any alternative provision.

Information about this inspection

- This inspection was carried out at the request of the registration authority for independent schools. The purpose of the inspection was to monitor the progress the school has made in meeting the independent school standards and other requirements that it was judged to not comply with at its previous inspection.
- The previous standard inspection took place on 1 February and 1 March 2022 and the school was judged not to meet some of the requirements of the independent school standards.
- This was the first monitoring inspection to take place.
- The inspection was conducted without notice.
- The inspector met with the proprietor, senior staff from the senior leadership team and the special educational needs coordinator. The inspector also met with a member of the school's accountability and standards board.
- The inspector reviewed safeguarding documentation, checked the school's processes for the safe recruitment of staff and reviewed the school's systems for acting on safeguarding concerns. The inspector also talked to a range of staff, toured the premises, checked the water temperature and visited lessons.

Inspection team

Zoe Lightfoot, lead inspector

His Majesty's Inspector

Annex. Compliance with regulatory requirements

The school does not meet the following independent school standards

Standards that were not met at the previous inspection and remain un-met at this inspection

Part 1. Quality of education provided

- 2(1) The standard in this paragraph is met if-
 - 2(1)(b) the written policy, plans and schemes of work-
 - 2(1)(b)(i) take into account the ages, aptitudes and needs of all pupils, including those pupils with an EHC plan; and
- 3 The standard in this paragraph is met if the proprietor ensures that the teaching at the school-
 - 3(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;
 - 3(c) involves well planned lessons and effective teaching methods, activities and management of class time;
 - 3(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 3. Welfare, health and safety of pupils

- 7 The standard in this paragraph is met if the proprietor ensures that-
 - 7(a) arrangements are made to safeguard and promote the welfare of pupils at the school; and
- 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-
 - 16(b) appropriate action is taken to reduce risks that are identified.

Part 5. Premises of and accommodation at schools

- 28(1) The standard in this paragraph is met if the proprietor ensures that-
 - 28(1)(d) the temperature of hot water at the point of use does not pose a scalding risk to users.

Part 6. Provision of information

- 32(1) The standard about the provision of information by the school is met if the proprietor ensures that-
 - 32(1)(f) an annual written report of each registered pupil's progress and attainment in the main subject areas taught is provided to the parents of that registered pupil except that no report need be provided where the parent has agreed otherwise;

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-
 - 34(1)(a) demonstrate good skills and knowledge appropriate to their role so that the independent school standards are met consistently;
 - 34(1)(b) fulfil their responsibilities effectively so that the independent school standards are met consistently; and
 - 34(1)(c) actively promote the well-being of pupils.

The school now meets the following independent school standards

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-
 - 5(b) ensures that principles are actively promoted which-
 - 5(b)(iv) enable pupils to acquire a broad general knowledge of and respect for public institutions and services in England;

Part 3. Welfare, health and safety of pupils

- 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 2006².

Part 4. Suitability of staff, supply staff, and proprietors

- 18(2) The standard in this paragraph is met if-
 - 18(2)(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;
 - 18(2)(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;
 - 18(2)(c) the proprietor carries out appropriate checks to confirm in respect of each such person-
 - 18(2)(c)(i) the person's identity;
 - 18(2)(c)(ii) the person's medical fitness;
 - 18(2)(c)(iii) the person's right to work in the United Kingdom; and
 - 18(2)(c)(iv) where appropriate, the person's qualifications;
 - 18(2)(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

² S.I. 2006/1751, to which there are amendments not relevant to these Regulations.

record certificate is obtained before or as soon as practicable after that person's appointment;

- 18(2)(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; and
- 18(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.
- 20(6) The standard in this paragraph is met in relation to an individual ("MB"), not being the Chair of the school, who is a member of a body of persons corporate or unincorporate named as the proprietor of the school in the register or in an application to enter the school in the register, if-
 - 20(6)(a) MB-
 - 20(6)(a)(i) is not barred from regulated activity relating to children in accordance with section 3(2) of the 2006 Act where that individual is or will be engaging in activity which is regulated activity within the meaning of Part 1 of Schedule 4 of that Act; and
 - 20(6)(a)(ii) does not carry out work, or intend 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;
 - 20(6)(b) subject to sub-paragraphs (7) to (8), the Chair of the school makes the following checks relating to MB-
 - 20(6)(b)(i) where relevant to the individual, an enhanced criminal record check;
 - 20(6)(b)(ii) checks confirming MB's identity and MB's right to work in the United Kingdom; and
 - 20(6)(b)(iii) where, by reason of MB's living or having lived outside the United Kingdom, obtaining an enhanced criminal record certificate is not sufficient to establish MB's suitability to work in a school, such further checks as the Chair of the school considers appropriate, having regard to any guidance issued by the Secretary of State;
 - 20(6)(c) subject to sub-paragraph (8), where the Secretary of State makes a request for an enhanced criminal record check relating to MB countersigned by the Secretary of State to be made, such a check is made.
- 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.
- 21(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.
- 21(3) The information referred to in this sub-paragraph is-
 - 21(3)(a) in relation to each member of staff ("S") appointed on or after 1st May 2007, whether-
 - 21(3)(a)(i) S's identity was checked;
 - 21(3)(a)(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;
 - 21(3)(a)(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;

- 21(3)(a)(iv) checks were made to ensure, where appropriate, that S had the relevant qualifications;
- 21(3)(a)(v) an enhanced criminal record certificate was obtained in respect of S;
- 21(3)(a)(vi) checks were made pursuant to paragraph 18(2)(d);
- 21(3)(a)(vii) a check of S's right to work in the United Kingdom was made; and
- 21(3)(a)(viii) checks were made pursuant to paragraph 18(2)(e),
- 21(3)(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.
- 21(4) The information referred to in this sub-paragraph is, in relation to each member of staff in post on 1st August 2007 who was appointed at any time before 1st May 2007, whether each check referred to in sub-paragraph (3) was made and whether an enhanced criminal record certificate was obtained, together with the date on which any check was completed or certificate obtained.
- 21(5) The information referred to in this sub-paragraph is, in relation to supply staff-
 - 21(5)(a) whether written notification has been received from the employment business that-
 - 21(5)(a)(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
 - 21(5)(a)(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,
 - 21(5)(b) whether a check has been made in accordance with paragraph 19(2)(e) together with the date the check was completed; and
 - 21(5)(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.
- 21(6) The information referred to in this sub-paragraph is, in relation each member ("MB") of a body of persons named as the proprietor appointed on or after 1st May 2007, whether the checks referred to in paragraph 20(6)(b) were made, the date they were made and the date on which the resulting certificate was obtained.
- 21(7) The information referred to in this sub-paragraph is, in relation to each member of a body of persons named as the proprietor in post on 1st August 2007 who was appointed at any time before 1st May 2007-
 - 21(7)(a) whether each check referred to in sub-paragraph (6) was made; and
 - 21(7)(b) whether an enhanced criminal record certificate was obtained, together with the date on which any check was completed or certificate obtained.

Early Years Foundation Stage

- 3.2 Providers must take all necessary steps to keep children safe and well. The requirements in this section explain what early years providers must do to: safeguard children; ensure the suitability of adults who have contact with children; promote good health; manage behaviour; and maintain records, policies and procedures

- 3.9 Providers must ensure that people looking after children are suitable to fulfil the requirements of their roles. Providers must have effective systems in place to ensure that practitioners, and any other person who may have regular contact with children (including those living or working on the premises), are suitable.
- 3.65 Providers must ensure that they take all reasonable steps to ensure staff and children in their care are not exposed to risks and must be able to demonstrate how they are managing risks. Providers must determine where it is helpful to make some written risk assessments in relation to specific issues, to inform staff practice, and to demonstrate how they are managing risks if asked by parents and/or carers or inspectors. Risk assessments should identify aspects of the environment that need to be checked on a regular basis, when and by whom those aspects will be checked, and how the risk will be removed or minimised.

Schedule 10 of the Equality Act 2010

- The school now meets the requirements of schedule 10 of the Equality Act 2010. The school has an accessibility plan.

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