

Flexible Learning Centre

23 All Saints Road, Hockley, Birmingham B18 5QB

Inspection dates

30 January 2019

Overall outcome

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

Main inspection findings

Part 3. Welfare, health and safety of pupils

Paragraphs 7, 7(a), 7(b), 32(1) and 32(1)(c)

- The Department for Education (DfE) commissioned this inspection because of concerns raised about the welfare, health and safety of pupils.
- The safeguarding policy published on the school's website is out of date and does not take account of current government requirements. The headteacher provided inspectors with an updated policy during the inspection. However, this policy does not correctly name the designated safeguarding leader and does not meet the current requirements. Some staff stated that they had not received a copy of this policy and, on some sites, a copy of this document is unavailable.
- There are no complete records of when staff received updated safeguarding training, particularly relating to the changes in the document 'Keeping children safe in education 2018'. Some staff spoken to during the inspection stated that they had not received any training relating to the school's specific safeguarding procedures. Some staff lack a clear understanding of how to recognise potential concerns about a pupil.
- Staff know that they must report any concerns to the headteacher. The headteacher follows up these concerns and makes the relevant referrals when needed. However, there have been recent changes in the leadership of safeguarding and it is unclear how well concerns are followed up.
- All of the standards in this part are not met.

Paragraphs 9, 9(a), 9(b), 9(c), 10, 11, 12, 13, 14, 15, 16, 16(a) and 16(b)

- The school has suitable written behaviour and anti-bullying policies. Records of behavioural incidents are maintained in line with the policy. Pupils behave well and say that bullying is rare. Pupils are supervised appropriately throughout the day.
- Health and safety and risk assessment policies are fit for purpose. Fire safety and the administration of medicines and first aid adhere to government guidelines. Admissions and attendance registers are kept in line with regulatory requirements.
- All of the standards in this part are 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), 19(2), 19(2)(a), 19(2)(a)(i), 19(2)(a)(i)(aa), 19(2)(a)(i)(bb), 19(2)(a)(i)(cc), 19(2)(a)(ii), 19(2)(b), 19(2)(c), 19(2)(d), 19(2)(d)(i), 19(2)(d)(ii), 19(3), 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) and 21(7)(b)

- The DfE commissioned this inspection because of concerns raised about safer recruitment practices.
- The single central record is incomplete. The headteacher cannot confirm that all relevant checks have been completed on staff, including prohibition from teaching checks. Where checks have been completed, the outcomes of such checks are not scrutinised closely enough to ensure that staff meet all safer recruitment requirements.
- The recruitment of new members of staff is disorganised and incomplete. Some application forms contain no records of referees and references could not be located.
- All of the standards in this part are not met.

Part 8. Quality of leadership in and management of schools

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

- The headteacher does not demonstrate a strong understanding of the independent school standards. The headteacher has not taken appropriate action to ensure that these standards are met consistently.
- The headteacher has not managed changes in administrative staffing well enough. This has led to poor management of key safeguarding documentation, much of which is now out of date, disorganised and missing information. As a result, safeguarding practices, including safeguarding training and safer recruitment, are weak, which does not support pupils' welfare and health and safety.
- All of the standards in this part are not 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. Not all of the standards and associated requirements were checked during this inspection.

School details

Unique reference number	135561
DfE registration number	330/6128
Inspection number	10092364

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	13 to 16
Gender of pupils	Mixed
Gender of pupils in the sixth form	Mixed
Number of pupils on the school roll	52
Number of part-time pupils	34
Proprietor	Shamim Akhtar
Headteacher	Shamim Akhtar
Annual fees (day pupils)	£8 per hour for full-time pupils (25 hours per week) £10 per hour for part-time pupils (less than 25 hours per week) £12 per hour for pupils on the school's roll
Telephone number	0121 554 7918
Website	www.flexiblelearning.org.uk
Email address	info@flexiblelearning.org.uk
Date of previous standard inspection	28–30 November 2017

Information about this school

- The information held on the government's 'get information about schools' website is no longer accurate. The address of the proprietor has changed and does not match the recorded information held by the DfE. The school has educated primary-aged pupils but is only registered to educate 13- to 16-year-olds. For a brief period of time, the school educated a pupil at a fourth site which is not currently registered with the DfE.
- Flexible Learning Centre is an independent day school for pupils aged between 13 and

16 who have experienced significant disruption to their formal learning. The school provides alternative education for pupils who cannot attend mainstream education.

- The majority of pupils have social, emotional and mental health difficulties. None of the pupils currently on roll has an education, health and care plan.
- The school is located on three sites in Birmingham: Hockley, Erdington and Northfield. Staff work across all three sites. The school is developing a fourth site.
- The headteacher is also the proprietor and owner of the school.
- The school opened in September 2008. It was judged to be good overall at its last full inspection in November 2017.
- Most pupils are referred by local schools through network agreements or partnerships. Some pupils are dual registered and remain on the roll of their secondary school. The school is registered for 140 pupils.
- The school does not use alternative provision.
- The headteacher confirmed that the school provides education for primary-aged pupils on a part-time basis. The headteacher stated that up to two to three hours of tuition are provided on a weekly basis.

Information about this inspection

- This inspection was commissioned by the DfE because of a complaint and concerns raised relating to pupils’ welfare, health and safety, safeguarding procedures, including safer recruitment practices, and the leadership and management. The inspection was conducted without notice.
- Inspectors were commissioned: to review the extent to which leaders promote the welfare, health and safety of pupils; to review the extent to which leaders check the suitability of staff, supply staff and proprietors; and to evaluate the quality of leadership and management within the school. Inspectors checked if the independent school standards were met in all these aspects of the school’s work.
- Inspectors initially visited the proprietor’s registered address at Slade Road as recorded on the government’s ‘get information about schools’ website. There was no one on-site at this property. The headteacher stated that this site is no longer used.
- Inspectors met with the proprietor, who is also the headteacher, and staff from the school’s three sites. Inspectors spoke informally to pupils. Inspectors conducted learning walks and visited all three of the school’s sites. A fourth site in Hockley, which the proprietor intends to use in the future, was not visited.
- Inspectors reviewed a range of documentation, including: safeguarding policies and related information; the school’s single central record and the personnel files that were on-site; behaviour records; documents relating to first aid and fire safety; and further policies relating to health and safety.
- There were insufficient responses to Ofsted’s online questionnaire, Parent View, to conduct an analysis. Inspectors did not speak with parents or carers.

Inspection team

Ann Pritchard, lead inspector	Her Majesty’s Inspector
Jane Spilsbury	Her Majesty’s Inspector

Annex. Compliance with regulatory requirements

The school does not meet the following independent school standards

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
 - 7(b) such arrangements have regard to any guidance issued by the Secretary of State.

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;
 - 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.

- 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.
- 19(2) The standard in this paragraph is met if-
 - 19(2)(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-
 - 19(2)(a)(i) written notification from the employment business in relation to that person-
 - 19(2)(a)(i)(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;
 - 19(2)(a)(i)(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; and
 - 19(2)(a)(i)(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
 - 19(2)(a)(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;
 - 19(2)(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;
 - 19(2)(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);
 - 19(2)(d) the proprietor, in the contract or other arrangements which the proprietor makes with any employment business, requires the employment business to provide-
 - 19(2)(d)(i) the notification referred to in paragraph (a)(i); and
 - 19(2)(d)(ii) a copy of any enhanced criminal record certificate which the employment business obtains.
- 19(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 three 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.

- 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 1 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 1 August 2007 who was appointed at any time before 1 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 to each member ('MB') of a body of persons named as the proprietor appointed on or after 1 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 1 August 2007 who was appointed at any time before 1 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.

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)(c) particulars of the arrangements for meeting the standard contained in paragraph 7 are published on the school's internet website or, where no such website exists, are provided to parents on request.

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.

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