

# Clarity Therapeutic Education Centre

Morningside Community Centre, Cresset Road, London E9 6SJ

## Inspection dates

4 July 2019

### Overall outcome

**The school is unlikely to meet all the independent school standards when it opens**

## Main inspection findings

### Part 1. Quality of education provided

#### *All paragraphs*

- The proprietors of this proposed special school have developed an appropriate curriculum policy. It suitably outlines the intended coverage of all the required areas of learning for pupils aged 11 to 19 with education, health and care plans for their mental health difficulties. Pupils' timetables and the curriculum they follow will be tailored to their individual needs. Suitable schemes of work are in place for all subject areas, and a range of qualifications are planned to be offered. Planning is likely to appropriately consider pupils' needs, interests and aptitudes.
- The proposed assessment system is likely to be suitable. Pupils' starting points will be identified when they join the school in a range of ways. Their progress will then be monitored regularly in all areas of learning, and this information will be used by teachers to inform their planning.
- The school is likely to be suitably resourced. Staff, including teachers, teaching assistants, an occupational therapist and a learning mentor, are likely to be appropriately deployed.
- An appropriate personal, social, health and economic (PSHE) education programme is planned. It includes, for example, topics on healthy relationships, equality and diversity, sexual health and recognising risk. The teaching of British values has been appropriately considered, as has giving due regard to all the protected characteristics, as identified in the Equality Act 2010.
- The proprietors have not planned a suitably impartial careers programme. As a result, it is not likely that pupils would receive the information, advice and guidance as per the requirements.
- Some of the requirements in this part are not likely to be met, as listed in the annex to this report.

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

### *All paragraphs*

- The proprietors' plans to provide for pupils' spiritual, moral, social and cultural development are likely to be adequate. PSHE education plans show how the school intends to develop these areas over time, including pupils' understanding of British values. Religious education will be a taught aspect of the curriculum. A programme of trips, visiting speakers and assemblies is planned. Themed events, such as Black History Month and Pride week, are examples of how the proposed school has considered how they will encourage pupils to respect other people, including those with protected characteristics.
- However, leaders have not formally considered how to ensure that staff refrain from sharing partisan views, or to ensure that a balanced presentation of views is consistently presented in the teaching of all subjects.
- Some of the requirements in this part are not likely to be met, as listed in the annex to this report.

## Part 3. Welfare, health and safety of pupils

### *All paragraphs*

- The proposed child protection policy reflects the latest statutory guidance and would be made available to parents in hard copy in the absence of a website. However, the proprietors, who will also be the designated safeguarding leaders, have not completed an appropriately enhanced level of relevant training. Many additional policies referenced in the child protection policy, such as those relating to staff conduct, whistleblowing and physical intervention, have not been written. Leaders have not thought through arrangements for staff training, induction, or the management of concerns and referrals. Additionally, the single central record (SCR) of pre-employment checks on staff is not likely to meet requirements, as detailed in part 4. Consequently, arrangements for the safeguarding of pupils are not likely to meet requirements.
- The proprietors have not produced an appropriate behaviour policy. It has been taken from another setting and is not likely to be applicable to this proposed school. The policy was edited in order to be more suitable during the inspection. The proprietors have also not prepared to record incidents of serious misbehaviour and any sanctions imposed as a result.
- The proprietors have produced an appropriate anti-bullying policy, which is likely to be implemented well.
- The proposed school is not likely to be compliant with the Regulatory Reform (Fire Safety) Order 2005. There was no external fire risk assessment available and the fire logs currently being undertaken by the building's owners suggest that the emergency lighting is faulty.
- The proprietors have not written a first-aid policy. There are no trained first aiders and there is not a suitable medical room facility.
- Pupils are likely to be appropriately supervised through the adequate deployment of staff once they are recruited.

- No templates for admission or attendance registers have been prepared.
- The proprietors have not written a risk assessment policy. There are no risk assessments in place, including for fire safety, the premises, proposed trips or in terms of individual pupil's likely complex needs.
- Some of the requirements in this part are not likely to be met, as listed in the annex to this report.

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

##### *All paragraphs*

- The proprietors have produced a suitable SCR template, but have not completed any checks on anybody. There was a lack of understanding about all the required checks, and how and where to undertake them, and for whom, until this inspection.
- Some of the requirements in this part are not likely to be met, as listed in the annex to this report.

#### Part 5. Premises of and accommodation at schools

##### *All paragraphs*

- The modern, safe and secure premises, including three suitable classroom spaces, could comfortably accommodate a maximum of 30 pupils.
- The requirements relating to lighting and acoustics are likely to be met.
- Toilets, washing facilities, hot water supplies and drinking water supplies are all likely to be suitable.
- The outdoor courtyard garden, and indoor sports hall, are likely to be suitable for physical education and recreation.
- There is not an appropriate medical room facility.
- There are no changing and shower facilities.
- The safety of the premises is not likely to be assured until the requirements relating to fire safety and health and safety in Part 3 are met.
- Some of the requirements in this part are not likely to be met, as listed in the annex to this report.

#### Part 6. Provision of information

##### *All paragraphs*

- The proposed school does not have a website. Most of the required policies and information will be made available in hard copy. However, some policies have not been written, for example in relation to admissions, supporting pupils who speak English as an additional language and the provision of first aid.
- The school's intended annual report template for parents is likely to meet requirements.
- The proprietors are clear about their duties in relation to pupils' education, health and care plans.
- Some of the requirements in this part are not likely to be met, as listed in the annex

to this report.

## Part 7. Manner in which complaints are handled

### *All paragraphs*

- The proposed complaints policy is not suitable. The policy fails to adequately address all the requirements related to panel hearings, the provision of findings and recommendations, and the recording of complaints and their outcomes.
- Some of the requirements in this part are not likely to be met, as listed in the annex to this report.

## Part 8. Quality of leadership in and management of schools

### *All paragraphs*

- The proprietors are committed to opening Clarity Therapeutic Education Centre. However, their knowledge and understanding of the independent school standards is very much in development.
- As a result, many requirements, including those in this part, are not likely to be met if Clarity Therapeutic Education Centre is registered as an independent school.

## Schedule 10 of the Equality Act 2010

- The proposed school is not likely to be compliant with Schedule 10 of the Equality Act 2010, because the proprietors have not written an accessibility plan.

## **Compliance with regulatory requirements**

The school is unlikely to meet the requirements of the schedule to The Education (Independent School Standards) Regulations 2014 ('the independent school standards') and associated requirements, as set out in the annex of this report.

## Proposed school details

Unique reference number	147230
DfE registration number	204/6020
Inspection number	10109285

This inspection was carried out under section 99 of the Education and Skills Act 2008, the purpose of which is to advise the Secretary of State for Education about the school's likely compliance with the independent school standards that are required for registration as an independent school.

Type of school	Secondary day school for pupils with SEMH
School status	Independent special school
Proprietors	Damian Muirhead and Michelle Daley
Headteacher	Damian Muirhead
Annual fees (day pupils)	£40,000 to £60,000
Telephone number	07462 183 298
Website	None
Email address	academyclarity@gmail.com

## Pupils

	<b>School's current position</b>	<b>School's proposal</b>	<b>Inspector's recommendation</b>
Age range of pupils	Not applicable	11 to 19	Registration not recommended
Number of pupils on the school roll	Not applicable	30	Registration not recommended

## Pupils

	<b>School's current position</b>	<b>School's proposal</b>
Gender of pupils	Not applicable	Mixed
Number of full-time pupils of compulsory school age	Not applicable	24
Number of part-time pupils	Not applicable	0
Number of pupils with special educational needs and/or disabilities	Not applicable	All pupils
Of which, number of pupils with a statement of special educational needs or an education, health and care plan	Not applicable	All pupils
Of which, number of pupils paid for by a local authority with a statement of special educational needs or an education, health and care plan	Not applicable	All pupils

## Staff

	School's current position	School's proposal
Number of full-time equivalent teaching staff	Not applicable	4
Number of part-time teaching staff	Not applicable	0
Number of staff in the welfare provision	Not applicable	4

## Information about this proposed school

- Clarity Therapeutic Education Centre intends to register as an independent special day school for pupils aged 11 to 19 in the London Borough of Hackney. It intends to cater for pupils with education, health and care plans for their mental health difficulties.
- The school would be led by the two proprietors, who intend to also fulfil the roles of headteacher and deputy headteacher. They plan to be supported by a governing body.
- Clarity Therapeutic Education Centre has never operated.



## Information about this inspection

- This is the school's first pre-registration inspection.
- The inspection was conducted with two days of notice.
- The inspector conducted the inspection with the proposed school's proprietors.
- The inspector considered a wide range of evidence to check the likelihood of the school meeting all the independent school standards. He toured the premises, reviewed key documents and policies, including those related to child protection and health and safety, and considered the school's proposed curriculum.

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## Inspection team

James Waite, lead inspector	Ofsted Inspector
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## **Annex. Compliance with regulatory requirements**

### **The school is unlikely to meet the following independent school standards**

#### **Part 1. Quality of education provided**

- 2(1) The standard in this paragraph is met if–
  - 2(1)(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
- 2(2) For the purposes of paragraph (2)(1)(a), the matters are–
  - 2(2)(e) for pupils receiving secondary education, access to accurate, up-to-date careers guidance that–
    - 2(2)(e)(i) is presented in an impartial manner;
    - 2(2)(e)(ii) enables them to make informed choices about a broad range of career options; and
  - 2(2)(e)(iii) helps to encourage them to fulfil their potential.

#### **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(c) precludes the promotion of partisan political views in the teaching of any subject in the school; and
    - 5(d) takes such steps as are reasonably practicable to ensure that where political issues are brought to the attention of pupils–
      - 5(d)(i) while they are in attendance at the school,
      - 5(d)(ii) while they are taking part in extra-curricular activities which are provided or organised by or on behalf of the school, or
      - 5(d)(iii) in the promotion at the school, including through the distribution of promotional material, of extra-curricular activities taking place at the school or elsewhere,
- they are offered a balanced presentation of opposing views.

### **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.
- 9 The standard in this paragraph is met if the proprietor ensures that–
  - 9(a) a written behaviour policy is drawn up that, amongst other matters, sets out the sanctions to be adopted in the event of pupil misbehaviour;
  - 9(b) the policy is implemented effectively; and
  - 9(c) a record is kept of the sanctions imposed upon pupils for serious misbehaviour.
- 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.
- 13 The standard in this paragraph is met if the proprietor ensures that first aid is administered in a timely and competent manner by the drawing up and effective implementation of a written first aid policy.
- 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 2006.
- 16 The standard in this paragraph is met if the proprietor ensures that–
  - 16(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
  - 16(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–
  - 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; 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.

■ 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 3 months before the date on which the person is due to begin work at the school.
- 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(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.

## **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–
  - 23(1)(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–
  - 24(1)(a) accommodation for the medical examination and treatment of pupils;
  - 24(1)(b) accommodation for the short term care of sick and injured pupils, which includes a washing facility and is near to a toilet facility.
- 24(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.

## **Part 6. Provision of information**

- 32(3) The information specified in this sub-paragraph is–
  - 32(3)(a) particulars of the school’s policy on and arrangements for admissions, misbehaviour and exclusions;
  - 32(3)(b) particulars of educational and welfare provision for pupils with EHC plans and pupils for whom English is an additional language;
  - 32(3)(d) particulars of arrangements for meeting the standards contained in paragraphs 9, 10, 11 and 13.

## **Part 7. Manner in which complaints are handled**

- 33 The standard about the manner in which complaints are handled is met if the proprietor ensures that a complaints procedure is drawn up and effectively implemented which deals with the handling of complaints from parents of pupils and which–
  - 33(f) where the parent is not satisfied with the response to the complaint made in accordance with sub-paragraph (e), makes provision for a hearing before a panel appointed by or on behalf of the proprietor and consisting of at least three people who were not directly involved in the matters detailed in the complaint;
  - 33(g) ensures that, where there is a panel hearing of a complaint, one panel member is independent of the management and running of the school;
  - 33(i) provides for the panel to make findings and recommendations and stipulates that a copy of those findings and recommendations is–
    - 33(i)(i) provided to the complainant and, where relevant, the person complained about; and
    - 33(i)(ii) available for inspection on the school premises by the proprietor and the head teacher;
  - 33(j) provides for a written record to be kept of all complaints that are made in accordance with sub-paragraph (e) and–



- 33(j)(i) whether they are resolved following a formal procedure, or proceed to a panel hearing; and
- 33(j)(ii) action taken by the school as a result of those complaints (regardless of whether they are upheld); and
- 33(k) provides that correspondence, statements and records relating to individual complaints are to be kept confidential except where the Secretary of State or a body conducting an inspection under section 109 of the 2008 Act requests access to them.

## **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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