

Empire Coaching Academy

Smithfield House, 24–28 Digbeth, Birmingham B5 6BS

Inspection date

17 December 2019

Overall outcome

The school is not likely to meet all of the independent school standards

Main inspection findings

Part 1. Quality of education provided

Paragraphs 2(1), 2(1)(a), 2(1)(b), 2(1)(b)(i), 2(1)(b)(ii), 2(2), 2(2)(a), 2(2)(b)

- The proprietor has written a curriculum policy. She has also gathered together associated plans and schemes of work for all subjects, which are intended to match the ages and aptitudes of the pupils that the school wants to admit. The proposed curriculum contains learning experiences in linguistic, mathematical, scientific, technological, human and social, physical, and aesthetic and creative education.
- The standards in these paragraphs are likely to be met.

Paragraphs 2(2), 2(2)(d), 2(2)(d)(i), 2(2)(d)(ii), 2(2)(h)

- Leaders have adopted a curriculum for prospective pupils' personal, social, health and economic education. It includes topics such as protected characteristics, relationships, and sexual and mental health.
- The standards in these paragraphs are likely to be met.

Paragraphs 2(2), 2(2)(e), 2(2)(e)(i), 2(2)(e)(ii), 2(2)(e)(iii), 2(2)(i)

- Plans for pupils' careers guidance are embryonic. However, the plans are not well formed. Therefore, prospective pupils are unlikely to be effectively prepared for the opportunities, responsibilities and experiences of life in British society.
- The standards in these paragraphs are unlikely to be met.

Paragraphs 3, 3(a), 3(b), 3(c), 3(d), 3(e), 3(f), 3(g), 3(h), 3(i), 3(j), 4

- Leaders intend to employ qualified teachers to implement the curriculum. They have developed a strategy to assess prospective pupils at appropriate intervals and to monitor their progress. They have designed a behaviour management system and associated policies.
- Leaders have put an equalities policy in place. They also have appropriate policies in place to prevent partisan views being shared with pupils.
- The standards in these paragraphs are likely to be met.
- Not all of the standards in Part 1 are likely to be met.

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

Paragraphs 5, 5(a), 5(b)(iv)

- Leaders aspire to actively promote fundamental British values. However, they have not properly planned the ways in which they will enable prospective pupils to acquire a broad general knowledge of, and respect for, institutions and services in England.
- The standards in these paragraphs are not likely to be met.

Paragraphs 5, 5(b), 5(b)(i), 5(b)(ii), 5(b)(iii), 5(b)(v), 5(b)(vi), 5(b)(vii), 5(c), 5(d), 5(d)(i), 5(d)(ii), 5(d)(iii)

- Leaders have adopted a curriculum for the spiritual, moral, social and cultural development of prospective pupils. This detailed programme is likely to help prospective pupils to develop their self-awareness, self-esteem and confidence, to understand right and wrong and to behave in a way that contributes to a positive school environment. This programme includes exploration of a range of faiths and cultures, protected characteristics and democracy.
 - Leaders have adopted a 'preclusion of partisan views' policy, which outlines their expectation that staff in the school will present a balanced representation of views.
 - The standards in these paragraphs are likely to be met.
- Not all of the standards in Part 2 are likely to be met.

Part 3. Welfare, health and safety of pupils

Paragraphs 7, 7(a), 7(b), 11, 12, 16, 16(a), 16(b)

- Arrangements to safeguard the health, safety and welfare of pupils are not adequate.
- At the time of the pre-registration inspection, upper floors of the building not intended for school use were fully accessible from the school by using a rear staircase. The doors of these floors were propped wide open. In some circumstances, these floors might provide an escape route in the event of a fire. The two upper floors are in a state of dereliction and pose serious hazards to pupils. There is evidence of water damage and fallen-in ceilings. The upper floors contain piles of office furniture, some of which are located on fire escape routes. There are low-dangling light fittings, sharp steel ceiling retainers dangling at head height and a shopping trolley is located on the staircase. There is mouldy food around. There are signs of rodent activity. While these areas are not a part of the proposed school, they are readily accessible from the school's floor and could have an impact on the safety and welfare of any pupils using the school's premises. While this situation would be hazardous for any child, this poses an even more significant risk to the safety of the pupils that the school intends to admit, because of their additional vulnerabilities.
- During the pre-registration inspection, there was a fire alarm triggered by smoke coming from a kitchen on the ground floor. It was not possible for the inspector to easily leave the building by the stairs, because many adults were coming up the stairs to other floors as opposed to evacuating the building. One school leader suggested that it was an alarm test and that the inspector should continue with the inspection.

The inspector could not exit the building on the ground floor because the magnetic door exit would not operate properly. Another fire exit was tied shut on the inside with a power cable and was firmly covered with wooden boards from the outside. This demonstrates that the premises are not, and are not likely to be, safe for pupils.

- The fire exit routes from the building are unclear. At some points of the exit route, which is very poorly lit, there are locked doors marked 'fire exit'. There is a very large storage of bagged waste in the basement of the building near to the fire exit. Some exit routes are through other floors of the building, which are blocked with office waste. The inspector discovered combustible materials stored in a stairwell adjacent to a lift shaft. In the event of an evacuation, there is no clear route out of this building. The proposed school is not likely to comply with the Regulatory Reform (Fire Safety) Order 2005.
- Leaders' risk assessments have failed to evaluate the risks associated with the building. Appropriate action has not been taken to ensure the health, safety and welfare of pupils.
- The standards in these paragraphs are not likely to be met.

Paragraphs 9, 9(a), 9(b), 9(c), 10

- Leaders have drawn up a behaviour policy which outlines their response to poor behaviour. They propose to record any incidents of poor behaviour carefully. They have taken into consideration that the pupils in this proposed school may well display poor behaviour associated with their special educational needs. They have also drawn up an anti-bullying policy which, if implemented effectively, is likely to meet the standard.
- The standards in these paragraphs are likely to be met.

Paragraphs 13, 14, 15

- Leaders have put an appropriate first-aid policy in place. They have purchased appropriately stocked first-aid kits and have undertaken appropriate first-aid training.
- To ensure compliance with the Pupil Registration Regulations, leaders have put an admissions register in place that meets these regulations.
- Leaders have considered how staff will be deployed to help keep pupils safe. Plans include two members of staff to be present in each class at all times.
- The standards in these paragraphs are likely to be met.

- Not all of the standards in Part 3 are likely to be met.

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

Paragraphs 18(2), 18(2)(b), 18(2)(c), 18(2)(c)(ii), 18(2)(c)(iv), 18(3), 20(6), 20(6)(a), 20(6)(a)(ii), 21(3), 21(3)(a), 21(3)(a)(iii), 21(3)(a)(iv), 21(7)(a)

- While arrangements are in place for the majority of suitability checks to be carried out and recorded, information and documentation provided by the proprietor showed that some checks on staff already appointed have not been completed. These include medical fitness checks, checks on qualifications and checks pursuant to section 128 of

the 2008 Act. At the time of the inspection, the proprietor did not know what a check pursuant to section 128 was.

- Therefore, the above standards are unlikely to be met.

Paragraphs 18(2), 18(2)(a), 18(2)(c)(i), 18(2)(c)(ii), 18(2)(d), 18(2)(e), 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)(i)(dd), 19(2)(a)(ii), 19(2)(b), 19(2)(c), 19(2)(d), 19(2)(d)(i), 19(2)(d)(ii), 19(3), 20(6)(a)(i), 20(6)(b), 20(6)(b)(i), 20(6)(b)(ii), 20(6)(b)(iii), 20(6)(c), 21(1), 21(2), 21(3)(a)(i), 21(3)(a)(ii), 21(3)(a)(v), 21(3)(a)(vi), 21(3)(a)(vii), 21(3)(a)(viii), 21(3)(b), 21(5), 21(5)(a), 21(5)(a)(i), 21(5)(a)(ii), 21(5)(c), 21(6), 21(7)(b)

- The proprietor has arrangements in place to make some of the relevant checks on staff and those responsible for governance. She has established an appropriate register of checks. She intends to make the checks before any member of staff begins work.
- The above standards are likely to be met.

- Not all of the standards in Part 4 are likely to be met.

Part 5. Premises of and accommodation at schools

Paragraph 23(1), 23(1)(a), 24(1), 24(1)(a), 24(1)(b), 24(2), 25, 27, 27(b), 28(1), 28(1)(a), 28(1)(c), 28(2), 28(2)(a), 28(2)(b)

- The school contains serious hazards to pupils. Some of these hazards pose even more of a risk because the pupils the proprietor proposes to educate are highly vulnerable.
- The premises are not in an adequate state of repair. The premises are not welcoming. They do not provide a suitable environment for children. Areas are not adequately decorated. Some wallpaper is peeling off and has been stapled back to the wall. There are exposed wires at the site of some plug and light sockets because the sockets are broken or not properly fixed to the wall.
- Some windows do not open because their handles are broken. Others open without restriction, posing a serious risk to pupils because they could easily fall out. One large window came fully off its hinges and out of its casement as the inspector opened it.
- Toilets are not suitable. They are outside of the main doors of the school building. They are locked because other building users have access to them. A pupil accessing them would be at risk, because other building users would have access to the landing area. Pupils could easily lock themselves inside the main toilet room door. Windows open fully in the toilets, posing a serious risk for pupils, who may be able to lock themselves in these rooms while unsupervised.
- There is no accommodation for the medical examination or short-term care of sick and injured pupils on the premises.
- There is no clearly marked and accessible provision for drinking water.
- There is inadequate lighting on fire escape routes. Therefore, pupils may not be able to safely leave the building.
- The standards in these paragraphs are not likely to be met.

Paragraphs 23(1), 23(1)(b), 26, 27(a), 28(1)(b), 28(1)(d)

- There are separate toilet facilities for boys and girls. The facilities contain running hot and cold water at appropriate temperatures.
- Lighting and acoustics in classrooms are appropriate for the activities that are proposed to be undertaken in these areas.
- The standards in these paragraphs are likely to be met.

Paragraph 23(1)(c)

- There are no showers or changing facilities on the premises.
- The standard in this paragraph is not likely to be met.

Paragraphs 29(1), 29(1)(a), 29(1)(b)

- There is no outdoor space to allow pupils to play outside. Leaders propose to use a local gym for physical education. This is an indoor space.
- The standards in these paragraphs are not likely to be met.

- Not all of the standards in Part 5 are likely to be met.

Part 6. Provision of information

Paragraphs 32(1), 32(1)(a), 32(1)(b), 32(3), 32(3)(a), 32(3)(b), 32(3)(d), 32(3)(f)

- The proprietor has prepared a prospectus which is intended to be the main vehicle for providing information to parents. The proposed school does not have a website.
- A significant amount of key information has been omitted from this prospectus. It does not contain information about behaviour, anti-bullying and exclusions, for example.
- This prospectus does not outline the complaints policy. Nor does it give details of how pupils with special educational needs and/or disabilities (SEND) will be provided for. It does not outline how pupils who speak English as an additional language will be catered for.
- The standards in these paragraphs are unlikely to be met.

Paragraphs 32(1)(c), 32(1)(f), 32(1)(h), 32(1)(i), 32(2), 32(2)(a), 32(2)(b), 32(2)(b)(i), 32(2)(c), 32(2)(d), 32(3)(c)

- Leaders have adopted the locally agreed safeguarding policy, which is up to date with all of the relevant statutory requirements. It will be made available to parents on request.
- The school prospectus contains information about how parents will receive reports about their child's progress, and the relevant contact details for the proprietor and chair of the governing body. It states the school's ethos and its curriculum.
- The standards in these paragraphs are likely to be met.

- Not all of the standards in Part 6 are likely to be met.

Part 7. Manner in which complaints are handled

Paragraphs 33, 33(a), 33(b), 33(c), 33(d), 33(e), 33(f), 33(g), 33(h), 33(i), 33(i)(i), 33(j), 33(j)(i), 33(j)(ii), 33(k)

- The school has a complaints policy which complies with all the relevant requirements.
- All of the standards in Part 7 are likely to be met.

Part 8. Quality of leadership in and management of schools

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

- The proprietor and the appointed senior leader have not demonstrated that they have the necessary knowledge, understanding and expertise to make sure that the school is likely to meet the independent school standards on opening. There are numerous unmet standards, and they have not ensured that schedule 10 of The Equality Act 2010 has been met.
- They have not noticed that the proposed school premises pose very serious risks to pupils, both on the leased floor and within the rest of the building. The premises would be dangerous to any building user. Leaders have not considered the needs of the pupils they propose to educate nor evaluated the serious risks that would be posed to these extremely vulnerable pupils.
- Because of leaders' lack of thorough understanding of the independent school standards, some of the required checks on the staff who have already been appointed have not been carried out.
- There is some information required by the independent school standards that is not likely to be accessible to parents, should the school open.
- None of the standards in Part 8 are likely to be met.

Schedule 10 of The Equality Act 2010

- Leaders have adopted an accessibility plan. However, it does not set out in any detail how access to information, the curriculum and the premises will be improved for disabled pupils.
- Arrangements have not been made to fulfil the duties of schedule 10 of the above Act.

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	147611
DfE registration number	330/6131
Inspection number	10131018

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	Independent school
School status	Independent school
Proprietor	Empire Coaching Academy
Chair	Judith McCallum
Headteacher	Muriyam Tariq
Annual fees (day pupils)	To be confirmed
Telephone number	07745 987141
Website	No website
Email address	empirecoachingacademy.org@gmail.com
Date of previous standard inspection	Not previously inspected

Provider already operating

Number of pupils of compulsory school age	N/A
Number of pupils of compulsory school age for whom a statement is maintained under section 324, or who is looked after by a local authority	N/A
Total hours operating as a school per week	N/A
Total hours of teaching provided per week	N/A

Pupils

	School's current position	School's proposal	Inspector's recommendation
Age range of pupils	N/A	12–16	N/A
Number of pupils on the school roll	N/A	60	0

Reason for inspector's recommendations

- The proposed school building does not meet all of the independent school standards. This applies to both the part leased by the proposed school and parts of the wider building to which pupils may have access.
- Leaders have not demonstrated that they can maintain the welfare, health and safety of pupils through proper risk assessment and the management of risk.

Pupils

	School's current position	School's proposal
Gender of pupils	N/A	Mixed
Number of full-time pupils of compulsory school age	N/A	60
Number of part-time pupils	N/A	10
Number of pupils with special educational needs and/or disabilities	N/A	15
Of which, number of pupils with an education, health and care plan	N/A	15
Of which, number of pupils paid for by a local authority with an education, health and care plan	N/A	15

Staff

	School's current position	School's proposal
Number of full-time equivalent teaching staff	N/A	8
Number of part-time teaching staff	N/A	0
Number of staff in the welfare provision	N/A	N/A

Information about this proposed school

- The proprietor and deputy headteacher of the proposed school run an existing organisation, Empire Coaching. This organisation mentors vulnerable pupils who are excluded or at risk of exclusion. They wish to open a school to add education to their mentoring offer.
- The proprietor proposes to provide for some pupils with an education, health and care (EHC) plan. These pupils would have a range of needs, including cognitive, specific, moderate and severe learning difficulties, social, emotional and mental health needs, communication and interaction needs, speech, language and communication needs and autism.
- The proposed school is located in a central Birmingham office block. The proposed school would have use of the rooms on the third floor.

Information about this inspection

- The Department for Education commissioned Ofsted to undertake a pre-registration inspection of this school in advance of a proposed opening date of 6 January 2020. This was the first pre-registration inspection.
- During the inspection, the inspector scrutinised a wide range of documentation, including that associated with the curriculum, behaviour and safeguarding. He also evaluated the proposed school premises and other accessible areas of the wider building against the independent school standards. Discussions were held with the proprietor and the deputy headteacher.
- During this inspection, the fire alarm was triggered by a fire in a kitchen on the ground floor of the building. The leaders of the proposed school suggested that this was a drill and that evacuation was not necessary. The inspector decided to leave the building. The fire doors, which should allow easy escape, were either locked with a padlock, tied up with electrical cable from the inside and boarded up from the outside, or could not be opened easily. The main door was secured by a magnetic lock and could not be immediately opened from the inside by the inspector. The building was not properly evacuated. As a result, the premises were not safe for Ofsted staff. The on-site inspection was terminated. The inspection continued at Ofsted's regional office in Birmingham.

Inspection team

Dan Owen, lead inspector	Her Majesty's 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(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;
 - 2(2)(i) effective preparation of pupils for the opportunities, responsibilities and experiences of life in British society.

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(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;
 - 5(b)(iv) enables 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

- 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.
- 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[12].

- 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)(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)(ii) the person's medical fitness;
 - 18(2)(c)(iv) where appropriate, the person's qualifications.
- 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)(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.
- 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)(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(7)(a) whether each check referred to in sub-paragraph (6) was made.

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)(a) suitable toilet and washing facilities are provided for the sole use of pupils;
 - 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.
- 27 The standard in this paragraph is met if the proprietor ensures that-
 - 27(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-
 - 28(1)(a) suitable drinking water facilities are provided;
 - 28(1)(c) cold water supplies that are suitable for drinking are clearly marked as such.
- 28(2) The facilities provided under sub-paragraph (1)(a) will be suitable only if-

- 28(2)(a) they are readily accessible at all times when the premises are in use; and
- 28(2)(b) they are in a separate area from the toilet facilities.
- 29(1) The standard in this paragraph is met if the proprietor ensures that suitable outdoor space is provided in order to enable-
 - 29(1)(a) physical education to be provided to pupils in accordance with the school curriculum; and
 - 29(1)(b) pupils to play outside.

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)(a) the information specified in sub-paragraph (2) is provided to parents of pupils and parents of prospective pupils and, on request, to the Chief Inspector[14], the Secretary of State or an independent inspectorate[15];
 - 32(1)(b) the information specified in sub-paragraph (3) is made available to parents of pupils and parents of prospective pupils and, on request, to the Chief Inspector, the Secretary of State or an independent inspectorate.
- 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;
 - 32(3)(f) details of the complaints procedure referred to in paragraph 33, and the number of complaints registered under the formal procedure during the preceding school year.

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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