

# The Albion Foundation

8 Brasshouse Lane, Smethwick, West Midlands B66 1BA

**Inspection dates**

4 June 2020

**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

*Paragraphs 2(1)(b)(ii), 2(2)(a), 2(2)(b), 2(2)(d)(i), 2(2)(e), 2(2)(e)(i), 2(2)(e)(ii), 2(2)(e)(iii), 3(f), 3(g), 3(h), 3(i) and 4*

- The proposed curriculum for pupils in key stages 2 and 3 is based on the national curriculum. Leaders have ensured that pupils will be likely to be able to access a suitably broad range of subjects to support all aspects of their education. The proposed curriculum is likely to enable pupils to develop their speaking and listening, literacy and numeracy skills.
- Leaders have developed a suitable plan that ensures that pupils are likely to receive impartial careers advice and guidance in key stage 3.
- Leaders have set out clearly their expectations of how pupils should behave in lessons. The behaviour policy sets out a balance of rewards and sanctions. Wall displays in the school show how pupils' positive behaviour is celebrated.
- Leaders have put in place a suitable assessment framework to enable them to check on pupils' progress, from initial entry to the school, to termly checks on how well pupils are achieving.
- Leaders have ensured that these parts of the standards are likely to be met.

*Paragraphs 2(1), 2(1)(a), 2(1)(b), 2(1)(b)(i), 2(2), 2(2)(d), 2(2)(d)(ii), 2(2)(h), 2(2)(i), 3, 3(a), 3(b), 3(c), 3(d), 3(e), 3(j) and 4*

- Leaders have not ensured that all curriculum schemes of work and associated planning have been developed well enough to provide pupils with a sequence of learning. Pupils are not able to build on prior learning and make progress according to their ability. In key stage 2, for example, schemes of work in English, mathematics and science are based only on Year 4 content of the national curriculum.
- Schemes of work do not take into account the needs of older pupils, or pupils with special educational needs and/or disabilities (SEND) sufficiently well. In some planning, support for SEND is described as 'sitting at a separate table with a teaching assistant (TA)'.

- While leaders have an overview of the primary curriculum offer, this is not the case for the key stage 3 curriculum. They have not considered how pupils will make progress in each subject over three years. They have not ensured suitable coverage of curriculum content. Science does not include any physics or chemistry, and mathematics focuses only on graphs and area and perimeter.
- Schemes of work for physical education (PE) are not well planned. Leaders do not yet have an overview of the skills which will be developed or through which activities they will be developed. In key stage 3, for example, the only PE activity is a 12-week tennis plan.
- The personal, social, health and economic (PSHE) education curriculum is in the early stages of planning. The head of education is able to articulate a clear vision of what this curriculum area will incorporate, but this has not yet been translated into any formal curriculum planning. Some, but not all, aspects of fundamental British values are included. Leaders have not considered how relationships and sex education will be addressed across the key stages.
- There is no mention in the curriculum documentation of how pupils will learn about all the different protected characteristics set out in the 2010 Equality Act, such as sexual orientation, disability or gender.
- Leaders recognise that additional professional development is required to ensure that staff have a good knowledge and understanding of subjects they will be teaching. They have plans in place to address this.
- Leaders have not ensured that these parts of the standards are likely to be met.

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

*Paragraphs 5(a), 5(b), 5(b)(i), 5(b)(ii), 5(b)(iii), 5(b)(iv), 5(b)(v) and 5(b)(vii)*

- Leaders have set out clearly in their spiritual, moral, social and cultural (SMSC) policy how each area will be developed. Some aspects of fundamental British values are clearly stated through the curriculum policy and schemes of work. There is a strong emphasis on democracy, the rule of law and mutual respect.
- Leaders have planned for pupils to develop their spiritual and cultural understanding of the world through a series of educational visits and experience of different religious services.
- Leaders have ensured that these parts of the standards are likely to be met.

*Paragraphs 5, 5(b)(vi), 5(c), 5(d), 5(d)(i), 5(d)(ii) and 5(d)(iii)*

- The school's SMSC policy does not fully incorporate all aspects of fundamental British values even though the curriculum policy states that there is a strong emphasis on these values in the school's work. There is no reference to how pupils will be encouraged to respect others in the context of the 2010 Equality Act.
- Leaders have not fully considered how they will ensure that staff do not promote partisan political views in every aspect of the school's work.
- Leaders have not ensured that these parts of the standards are likely to be met.

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

#### *Paragraphs 9, 9(a), 9(b), 9(c), 10, 11, 13, 14 and 15*

- The school's expectations of 'ready, respectful and safe' are clearly stated and displayed around the school building. The anti-bullying policy sets out clearly the different forms bullying can take and that this will not be tolerated. Staff have received additional training to enable them to support pupils' behaviour and well-being. A number of staff have been trained as mental health first aiders.
- There is suitable provision for first aid on site, with access to first aid kits. There are named first aiders, and this information is displayed in the school. The school's policy on medical conditions states how pupils with additional medical needs will be supported.
- Leaders have a suitable health and safety risk assessment policies. They have carried out several risk assessments to ensure that risks to pupils and staff are likely to be reduced. For example, there is a detailed risk assessment policy in place for the offsite visit to the local gym, used for PE activities.
- Arrangements for recording admissions of pupils are in place. The school's attendance policy and register use the appropriate Department for Education (DfE) codes when recording pupils' absence from school.
- Leaders have ensured that these parts of the standards are likely to be met.

#### *Paragraphs 12, 16, 16(a) and 16(b)*

- Leaders' fire risk assessment, in response to a fire survey in September 2019, shows that they have addressed almost all the significant findings identified. There is one outstanding action relating to the training of fire marshals. Leaders were able to provide evidence that some staff members have been booked onto this training, which is currently suspended due to COVID-19 (coronavirus).
- This inspection was conducted without visiting the school site due to COVID-19. Owing to this, I am not able to provide the full level of assurance to judge that these standards would be likely to be met should the school open.

#### *Paragraphs 7, 7(a) and 7(b)*

- Leaders have developed a suitable safeguarding policy which takes account of the most recent guidance issued by the secretary of state. They have included an additional codicil which outlines the extra safeguarding actions that they have put in place due to COVID-19. The designated safeguarding lead (DSL) is suitably trained and knowledgeable in all safeguarding matters. She has received additional training in the 'Prevent' duty and female genital mutilation. An additional member of staff is trained as a deputy DSL. There are clear protocols in place for staff recruitment and induction. Despite this, leaders have not ensured that the safeguarding policy is likely to be implemented fully. This specifically relates to the pre-employment checks made on staff and proprietors.
- Leaders have not ensured that these parts of the standards are likely to be met.

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

*Paragraphs 18(2)(a), 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)(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)(c), 21(1), 21(2), 21(3)(a), 21(3)(a)(i), 21(3)(a)(ii), 21(3)(a)(iv), 21(3)(a)(v), 21(3)(a)(vi), 21(3)(a)(vii), 21(3)(a)(viii), 21(5), 21(5)(a), 21(5)(a)(i), 21(5)(a)(ii), 21(5)(b) and 21(5)(c)*

- The school follows the Foundation's recruitment procedures, which include identity checks, two references, and a medical assessment prior to appointment.
- Leaders have a single central register for all those engaged with the school. It is stored centrally and in electronic form. Currently, the school does not use any supply staff, but leaders know the checks that should be undertaken should they decide to use a supply agency.
- Leaders have ensured that these parts of the standards are likely to be met.

*Paragraphs 18(2), 18(2)(b), 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), 21(3), 21(3)(a)(iii), 21(3)(b) and 21(6)*

- Leaders and the proprietary body have not made all the necessary pre-employment checks on staff prior to their appointment and recorded them on the school's single central register. No prohibition from teaching checks or section 128 checks have been made, to make sure that managers and proprietary body members are suitable. Not all the trustees of the proprietary body have had checks made through the Disclosure and Barring Service. The school's consultant is not listed on the register.
- Leaders have not ensured that these parts of the standards are likely to be met.

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

*Paragraphs 23(1), 23(1)(a), 23(1)(b), 23(1)(c), 24(1)(a), 24(2), 28(1)(a), 28(1)(c), 28(2), 28(2)(a), 28(2)(b), 29(1), 29(1)(a) and 29(1)(b)*

- The proposed school, which is currently operating as a part-time alternative provision, comprises a two-storey building with limited grounds. The premises are well maintained and decorated to a good standard. There are three classroom areas on the ground floor of the building, which provide a suitable space for the number of pupils proposed. The first floor of the building is for use by staff only, and includes office space, storage and toilets for staff and visitors.
- There are separate toilet facilities on the ground floor for girls and boys.
- There is a water fountain for use by all pupils, which supplies drinking water. All other water sources are clearly labelled as not being suitable for drinking.
- Although the outdoor area is unsuitable for PE activities, leaders have made alternative provision for PE at a local gym, which has been risk assessed. The gym provides pupils with access to shower facilities.
- Leaders have ensured that these parts of the standards are likely to be met.

*Paragraphs 26, 27, 27(a), 27(b), 28(1), 28(1)(b) and 28(1)(d)*

- The tour of the premises was conducted remotely, using a hand-held device. The lighting of the classrooms appeared to be suitable, and external lighting was available.
- As the tour of the premises was conducted remotely, it was not possible to assess the quality of the lighting, whether the external lighting was functioning, the temperature of the hot water and whether there was hot water in the toilet areas.
- This inspection was conducted without visiting the school site due to COVID-19. Owing to this, I am not able to provide the full level of assurance to judge that these standards would be likely to be met should the school open.

*Paragraphs 24(1), 24(1)(b) and 25*

- Leaders have identified a suitable medical room, close to a toilet facility. However, there is no handwashing facility in the room.
- The outdoor area, where pupils can play outside, is currently locked with a padlock. For fire safety reasons, this lock could not be in operation while the premises are being used. This means that pupils are potentially able to walk off the site and onto a road. Equally, members of the public would also be able to gain unauthorised access to the site. This puts pupils and staff at potential risk of harm. Leaders have begun to think about how this can be addressed, including the use of a fob or swipe card system, but have not yet taken any action to remedy it.
- Leaders have not ensured that these parts of the standards are likely to be met.

**Part 6. Provision of information**

*Paragraphs 32(1), 32(1)(a), 32(1)(b), 32(1)(c), 32(1)(f), 32(1)(g), 32(1)(j), 32(2), 32(2)(a), 32(2)(b), 32(b)(ii), 32(2)(d), 32(3), 32(3)(a), 32(3)(b), 32(3)(c), 32(3)(d) and 32(3)(f)*

- The school has a website which currently provides a limited amount of information about the proposed school. Leaders were able to provide all the necessary information set out in Part 6 of the standards as paper copies. These include policies on behaviour, attendance and exclusions, and how pupils with SEND will be supported. If the school is successful in its registration, leaders plan to make better use of the website and upload all the relevant documents.
- Leaders have ensured that these parts of the standards 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(i)(ii), 33(j), 33(j)(i), 33(j)(ii) and 33(k)*

- Leaders have established a complaints policy, which will be made available to parents and carers on the school's website. It is currently in paper form. The policy outlines the procedures that will be followed in case of a complaint. Leaders aim to resolve a complaint informally where possible, but set out the more formal steps that will be taken, including a panel hearing.
- Leaders have ensured that these parts of the standards are likely to be met.

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

### *Paragraphs 34(1), 34(1)(a), 34(1)(b) and 34(1)(c)*

- Proprietary representatives, who either work for or are directors of The Albion Foundation express a strong commitment to making the school a success. Along with the head of education, they have a suitable skill set and ambition to enable the school to improve further. They are committed to providing the local community with additional and alternative provision for vulnerable and disadvantaged young people.
- The school is part of the wider Albion Foundation, and directors recognise the need to form a smaller body, such as a governing body, to ensure that systems are established to hold school leaders to account. Currently, the proprietary representatives do not have sufficient knowledge of the independent school standards. As a result, they have not ensured that all the standards are met.
- Proprietary representatives and leaders have not made sure that the curriculum is suitably planned. They have recently engaged the services of an external consultant, who has experience in the independent school sector. Work has begun on developing the curriculum offer, as well as providing support and advice for the monitoring and development of the quality of teaching. However, there is still work to be done to ensure that pupils will be able to access a broad curriculum which will enable them to make progress according to their needs and abilities.
- Some of the unmet standards have an impact on pupils' welfare and well-being. Leaders still have work to do to ensure that pupils are adequately safeguarded.
- Leaders have not ensured that these parts of the standards are likely to be met.

### Schedule 10 of the Equality Act 2010

- Leaders have ensured that they have a suitable accessibility plan in place. Therefore, the requirements of Schedule 10 of the Equality Act 2010 are likely to be met.

## **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	147688
DfE registration number	333/6015
Inspection number	10152187

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	The Albion Foundation
Chair	James Verrier
Head of Education	Anna Pincher
Annual fees (day pupils)	£70 per day
Telephone number	0121 565 4012
Website	<a href="http://www.wba.co.uk/foundation/">www.wba.co.uk/foundation/</a>
Email address	<a href="mailto:anna.pincher@albionfoundation.co.uk">anna.pincher@albionfoundation.co.uk</a>
Date of previous standard inspection	Not previously inspected

## Provider already operating

Number of pupils of compulsory school age	8
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	0
Total hours operating as a school per week	15 (key stage 3), 12 (key stage 2)
Total hours of teaching provided per week	14 (key stage 3), 9 (key stage 2)



## Pupils

	<b>School's current position</b>	<b>School's proposal</b>	<b>Inspector's recommendation</b>
Age range of pupils	8-14	8-14	8-14
Number of pupils on the school roll	0	30	30

## 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	8	10
Number of part-time pupils	0	20
Number of pupils with special educational needs and/or disabilities	0	10
Of which, number of pupils with a statement of special educational needs or an education, health and care plan	0	2
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	0	2

## Staff

	School's current position	School's proposal
Number of full-time equivalent teaching staff	2	2
Number of part-time teaching staff	0	2
Number of staff in the welfare provision	2	8

## Information about this proposed school

- The proposed school is located in a building owned by Sandwell local authority and leased to The Albion Foundation. It is currently operating as part-time, alternative provision for pupils in Sandwell. At the time of the inspection, provision was closed to pupils due to the COVID-19 pandemic.
- Leaders propose that the school will cater for vulnerable and disadvantaged pupils. Some of these pupils are likely to have SEND, in relation to their social, emotional and mental health needs. A very small number of pupils are likely to have an education, health and care plan.
- The proposed school will not have any religious denomination.
- The proposed school does not intend to use alternative provision.

## Information about this inspection

- This pre-registration inspection was commissioned by the DfE during the COVID-19 pandemic of 2020, to determine whether or not the proposed school is likely to meet the independent school standards if it is given permission to open. This is the proposed school's first inspection.
- This inspection was conducted remotely. This was due to restrictions placed on non-essential travel during the COVID-19 outbreak.
- The head of education conducted a virtual tour of the premises with the lead inspector, via a hand-held device.
- The lead inspector reviewed a wide range of documents and policies, submitted electronically by leaders.
- The lead inspector met, via video conferencing, with the head of education, two trustees, including the recently appointed chair of trustees, and the Director of the Albion Foundation, all acting on behalf of the proprietary body. The lead inspector also spoke to the head of education in her capacity as DSL. The lead inspector spoke via telephone to the school's external consultant.

## Inspection team

Deb Jenkins, lead inspector

Her Majesty's Inspector

## **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(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.
- 2(2) For the purposes of paragraph (2)(1)(a), the matters are-
  - 2(2)(d) personal, social, health and economic education which-
    - 2(2)(d)(ii) encourages respect for other people, paying particular regard to the protected characteristics set out in the 2010 Act[9];
  - 2(2)(h) that all pupils have the opportunity to learn and make progress; and
  - 2(2)(i) effective preparation of pupils for the opportunities, responsibilities and experiences of life in British society.
- 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(b) fosters in pupils self-motivation, the application of intellectual, physical and creative effort, interest in their work and the ability to think and learn for themselves;
  - 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;
  - 3(e) demonstrates good knowledge and understanding of the subject matter being taught;

- 3(j) does not discriminate against pupils contrary to Part 6 of the 2010 Act[10].

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

## **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;

- 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.
- 21(3) The information referred to in this sub-paragraph is-
  - 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)(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(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**

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