

Westbury School

Westbury Village, Shrewsbury SY5 9QX

Inspection dates

24 September 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), 2(2)(a), 2(2)(b), 2(2)(d), 2(2)(d)(i), 2(2)(d)(ii), 2(2)(e), 2(2)(e)(i), 2(2)(e)(ii), 2(2)(e)(iii), 2(2)(i), 3(g), 3(h)3(i), 3(j) and 4

- The proprietor has set out a clear vision and aims for the proposed school in a curriculum statement. This ensures that pupils are likely to be able to access a suitably broad range of subjects, covering linguistic, mathematical, scientific, technological, human and social, physical, aesthetic and creative education.
- The proposed curriculum is likely to ensure that pupils develop their speaking, listening, literacy and numeracy skills. There is an expectation that each scheme of work will explain how pupils will be supported to develop their employability skills.
- The personal, social, health and economic (PSHE) curriculum covers the new requirement to teach relationships and sex education (RSE), appropriate for the intended age group of pupils.
- Leaders plan to provide comprehensive careers advice and guidance which is impartial and includes access to work experience and a range of prospective local employers or further education providers.
- The proprietor has ensured that the school is compliant with the legal requirements under the Equality Act 2010. An accessibility plan is in place. The curriculum teaches pupils about the protected characteristics and the school's ethos actively promotes respect for all.
- The proposed school's curriculum plans and schemes of work do not undermine the fundamental British values of democracy, the rule of law, individual liberty, and mutual respect and tolerance of those with different faiths and beliefs. The proprietor has ensured that the proposed school's ethos fully endorses and upholds these values.
- Leaders intend to carry out baseline assessments as pupils join the school and for their progress to be assessed against curriculum targets. The assessment framework ensures that pupils' progress will be discussed with and reported to parents.
- The proprietor has ensured that these standards are likely to be met.

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

- The proprietor has not ensured that the written policy, curriculum plans and schemes of work will meet the needs of all individual pupils in terms of their ages, needs and aptitudes.
- The proposed school intends to admit pupils with significant special educational needs (SEN), ranging in age from 11 to 18 years old. These pupils may exhibit a range of diverse needs. The curriculum does not cater for pupils who may be able to access and complete level 2 qualifications and beyond. The current curriculum plans do not make adequate provision for all pupils, particularly the most able.
- The proprietor has not ensured that these standards are likely to be met.

Paragraphs 2(2)(g), 2(2)(h)

- The proposed school intends to admit pupils up to the age of 18 who have education, health and care plans (EHCPs). However, the curriculum plans do not make it clear how the proprietor will ensure that all pupils will have the opportunity to learn and make enough progress, particularly the most-able pupils. There is insufficient challenge in current curriculum plans to meet the needs of the most-able pupils.
- The proprietor has not ensured that these standards are likely to be met.

Paragraphs 3, 3(a), 3(b), 3(c), 3(d), 3(e), 3(f)

- As a result of the shortcomings in the school's current plans for the curriculum, it is unlikely that pupils will be adequately supported to make good progress according to their ability, particularly the most able.
- There are currently no teachers employed by the school. There are no coherent plans to ensure that teachers appointed will have the full range of expertise needed to support and teach pupils with wide-ranging special educational needs and with ages ranging from 11 to 18 years.
- No firm decisions have been made about how classes will be arranged, for example what will be the numbers and ages of pupils in each class. It is therefore not possible to see how curriculum plans will be implemented effectively.
- The proprietor has not ensured that these standards are likely to be met.

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

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

- Plans for the proposed school curriculum and wider experiences demonstrate a strong commitment to supporting pupils' spiritual, moral, social and cultural development. A programme of diverse activities, such as charity events, volunteering and community activities, will ensure that pupils develop an appreciation and understanding of the world around them, together with empathy and a sense of responsibility.
- Despite the weaknesses in aspects of the curriculum plans, leaders' commitment to teaching fundamental British values, such as mutual respect, individual freedom, democracy and the rule of law, is clearly demonstrated.

- Leaders are committed to promoting pupils' understanding of right and wrong and of the consequences of their actions and their impact on others. This principle underpins the proposed school's behaviour policy.
- Leaders have plans in place to ensure that pupils are presented with balanced views, and that any teaching or external presentations are not partisan.
- The proprietor has ensured that these standards are likely to be met.

Part 3. Welfare, health and safety of pupils

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

- The school's safeguarding policy reflects the most recent government guidance, 'Keeping children safe in education', September 2020.
- The headteacher will be the designated safeguarding lead and the chief operating officer will be the deputy safeguarding lead. Both have considerable experience in safeguarding children from their previous roles. The headteacher has undertaken recent training and maintains a record of any relevant training he attends.
- Plans are in place to ensure that, once appointed, staff will receive the necessary safeguarding training, including 'Prevent' duty training.
- The curriculum plans for PSHE include helping pupils to develop an awareness of keeping themselves safe in the community and online. Visits from police personnel are proposed to support this.
- However, there are weaknesses in the school's site security measures and in its risk assessment procedures. This means that pupils' safety and welfare could be compromised.
- The proprietor has not ensured that these standards are likely to be met.

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

- Leaders have put in place a behaviour policy outlining their approach to developing positive behaviour management. Leaders stress that the policy is designed to ensure that there is enough flexibility in the rewards and sanctions to ensure that high expectations of behaviour are upheld, while responding to pupils' social and emotional mental health needs.
- It is intended that behaviour incidents will be logged in a generic record, as well as in pupils' individual files. Leaders say that this will enable them to spot patterns of behaviour and to intervene proactively where they can to reduce incidents, for example at breaktimes and lunchtimes or other times of the school day.
- Leaders explained how they intend to focus on positive relationships to help pupils improve their behaviour. Pupils will be supported to reflect on the impact of their actions on others.
- It is planned that all staff will undergo training in the appropriate use of physical restraint, but it is stressed that this approach will be used as a last resort.
- The proposed anti-bullying policy is fit for purpose. It makes links to both the safeguarding and behaviour policies. It sets out how pupils will learn about the

protected characteristics in the Equality Act and different types of bullying, including cyber bullying.

- The school has a written health and safety policy and a health and safety audit has recently been carried out by a suitably qualified person. At the time of the inspection, the proprietor had not yet received the report.
- The proprietor has ensured that the school is compliant with the Regulatory Reform (Fire Safety) Order 2005. A fire evacuation plan is in place. Fire drills are planned to take place regularly and whenever a new pupil joins the school.
- An admission and attendance register is in place which includes all the required information. The admissions and attendance policies are compliant with the most recent government guidance concerning the use of attendance code 'X' to record any COVID-19 (coronavirus) related absence.
- The proprietor has ensured that these standards are likely to be met.

Paragraphs 16, 16(a), 16(b)

- There is a risk assessment policy in place which meets the requirements for this standard. However, the risk assessment for off-site physical education (PE) lessons does not adequately consider the potential risks inherent in travelling to and from off-site facilities. In addition, the potential risk to pupils from members of the public using community facilities at the same time as pupils has not been considered.
- These standards are therefore unlikely to be 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)(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), 20(6)(a), 20(6)(a)(i), 20(6)(a)(ii), 20(6)(b), 20(6)(b)(i), 20(6)(b)(ii), 20(6)(b)(iii), 20(6)(c), 21(1), 21(2), 21(3), 21(3)(a), 21(3)(a)(i), 21(3)(a)(ii), 21(3)(a)(iii), 21(3)(a)(iv), 21(3)(a)(v), 21(3)(a)(vi), 21(3)(a)(vii), 21(3)(a)(viii), 21(3)(b), 21(5), 21(5)(a), 21(5)(a)(i), 21(5)(a)(ii), 21(5)(b), 21(5)(c) and 21(6)

- The proprietor has ensured that recruitment procedures are robust. Before each appointment, leaders intend to request at least two references and carry out a medical check. The inspector scrutinised the recruitment file for the recently appointed headteacher. This showed that the pre-employment checks, including the section 128 check for leaders, had been carried out within the required timescales.
- The single central register includes all the required pre-employment checks. It is stored centrally in an electronic format. Leaders confirmed that the register will be updated as new members of staff are recruited.
- Leaders state that they do not intend to use supply staff, but they are clear about the checks and procedures that would need to be followed if they did, including checking the identity of any agency staff.
- The proprietor and the chief operating officer confirmed that they have completed safer recruitment training and shared their certificates with the inspector. They stated that one or other of them will sit on any recruitment panels.

- The headteacher is experienced in safeguarding practice through his previous experience as a headteacher and recently as a senior leader in a special school.
- The proprietor has ensured that these standards are likely to be met.

Part 5. Premises of and accommodation at schools

Paragraphs 23(1), 23(1)(a), 23(1)(b), 24(1), 24(1)(a), 24(1)(b), 24(2), 26, 27, 27(a), 27(b), 28(1), 28(1)(a), 28(1)(b), 28(1)(c), 28(1)(d), 28(2), 28(2)(a), 28(2)(b), 29(1), 29(1)(a) and 29(1)(b)

- The proposed school will be housed in the building of what was the village school until the school was closed and the building was purchased by the current owners, Unique Care Group.
- The building has recently been redecorated and is now in good decorative order. The accommodation has three light, airy classrooms, with good acoustics and access to outdoor space.
- There are separate toilet facilities for boys and girls, as well as a disabled toilet. As the school building previously housed a primary school, the current fixtures would not be appropriate for young people aged 11 to 18. Leaders confirmed that work is in hand to upgrade the sanitary ware.
- The proposed school has a well-equipped medical room, with its own water supply and toilet.
- Drinking water points are installed in the corridors and clearly labelled as such. Other water supplies in classrooms and toilets are clearly labelled 'Not drinking water'.
- The outdoor space is adequate for pupils to use at breaktimes and lunchtimes and would be acceptable for PE lessons. However, leaders confirmed that PE lessons would take place off site elsewhere.
- A public footpath runs along one side of the school grounds. Leaders have erected a tall perimeter fence along this border to keep children safe.
- The rear aspect of the proposed school overlooks common ground which is accessed by the general public for leisure and exercise. A wire fence separates the school from this land. Leaders have assessed the potential risk to pupils posed by the proximity to this land and have put in place a risk assessment to mitigate this.
- The school is approached via an unadopted road, which could be treacherous to visitors arriving or leaving the site in darkness. However, the proprietor has ensured that adequate outdoor lighting is installed along the lane leading from the car park to the main entrance of the school.
- The proprietor has ensured that these standards are likely to be met.

Paragraph 23(1)(c)

- Leaders originally proposed to carry out PE lessons on site. However, since the school has no changing rooms or showers, leaders confirmed during the inspection that PE would be carried out off site. However, the risk assessment carried out for this activity is not currently fit for purpose. It does not address the risks of travelling to and from any off-site locations. Neither does it assess the risk to pupils from members of the

public who might be using the venue at the same time. This could potentially leave pupils at risk.

- The proprietor has not ensured that this standard is likely to be met.

Paragraphs 28(1)(b), 28(1)(d)

- At the time of the inspection, the toilets had no running water. This was because maintenance work was due to be carried out shortly. It was therefore not possible to check the temperature of the hot water to ascertain whether it presented a scalding risk to pupils.
- The proprietor has not ensured that these standards are likely to be met.

Paragraph 25

- Despite the good decorative order of the school building and the adequate outdoor space, the school facilities require further revisions, as outlined above, to ensure that pupils' health, safety and welfare are maintained, and the facilities are appropriate for the proposed pupils' age group.
- The school occupies half of the building. The other half is owned by the Unique Care Group and an application has been made for this to become a residential home for children in local authority care. The interconnecting door can be locked from the residential side of the building, preventing access from the school. However, the lock could be easily opened without a key from the residential side to gain access to the school. This could present a risk to pupils attending the school.
- The proprietor has not ensured that this standard is 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)(h), 32(1)(i), 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 proprietorial organisation has a website which contains basic information about the proposed school. However, the website does not contain the required information.
- The proprietor has ensured that the required information is available on request from the school office. This includes a draft prospectus stating the vision and aims of the school, a curriculum statement and contact details for the proprietor.
- The proprietor has put in place a pro forma report to parents, an attendance and admissions register, a behaviour and exclusions policy, an anti-bullying policy and a safeguarding policy which takes account of guidance issued by the Secretary of State for Education.
- Plans are in place to report on pupils' progress against EHC plans, as part of a review process involving pupils, carers, the local authority and social workers where appropriate.
- The first aid policy is in place and is fit for purpose.
- The proprietor has ensured that these 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)

- The proprietor has put in place a comprehensive complaints policy which sets out a clear three-step process. Complainants are encouraged to seek to resolve issues at a local level in the first instance.
- Should complaints need to be escalated to level 2 and 3, clear timescales for responses are set out.
- Step three of the complaints policy meets the requirement for an independent panel member to be present. Parents are entitled to attend the panel hearing and be accompanied if they wish.
- The proprietor intends to keep records securely and in line with General Data Protection Regulation (GDPR) requirements.
- The proprietor has ensured that these standards are likely to be met.

Part 8. Quality of leadership in and management of schools

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

- The proprietor has not ensured that those leading and managing the school demonstrate the skills and knowledge to ensure that all the independent school standards are met consistently. The headteacher took up his post in the week preceding the inspection. He was therefore unable to fully articulate the vision and curriculum aims for the school. Much of the preparatory work for the school's application had been completed by a previously appointed headteacher who withdrew from the position, in conjunction with a school improvement adviser acting in a consultative capacity. This raises questions about the stability and sustainability of leadership. Leaders demonstrated limited awareness of the independent school standards, which raises questions about the capacity of leadership.
- Many of the details of provision are yet to be finalised. Class sizes, staffing numbers and teacher-pupil ratios are all yet to be decided. Leaders have also yet to determine where PE lessons will take place.
- The application indicates that the proposed school would take pupils from 11 to 18 years of age, most of whom would have EHCPs with a wide range of special educational needs. However, the curriculum plans do not adequately show how leaders will ensure that the needs of all pupils will be met.
- The issues with the premises and the weaknesses in the proposed school's risk assessment procedures mean that pupils are at risk, compromising their welfare and safety.
- The projected number of pupils is ambitious, considering the significant and varied needs of the pupils the school is proposing to admit and the limitations of the current curriculum and leaders' capacity. Leaders intend to review and resubmit their registration application. They intend to reduce both the number of pupils they propose to admit and the range of special educational needs of pupils.
- This standard is therefore unlikely to be met.

Schedule 10 of the Equality Act 2010

- Leaders have ensured that they have a suitable accessibility plan in place that meets the requirements of Schedule 10 of the Equality Act 2010.

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 | 148041 |
| DfE registration number | 893/6040 |
| Inspection number | 10156543 |

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 | Special day school |
| School status | Independent special school |
| Proprietor | St Marys School LTD |
| Chief Executive | Kelly Leonard |
| Headteacher | Nick Cunliffe |
| Annual fees (day pupils) | £900 per week |
| Telephone number | 01928 583060 |
| Website | Uniquecaregroup.co.uk |
| Email address | info@uniquecaregroup.co.uk |
| Date of previous standard inspection | Not previously inspected |

Provider already operating

| | |
|---|----------------|
| Number of pupils of compulsory school age | Not applicable |
| 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 | Not applicable |
| Total hours operating as a school per week | Not applicable |
| Total hours of teaching provided per week | Not applicable |

Pupils

| | School's current position | School's proposal | Inspector's recommendation |
|-------------------------------------|---------------------------|-------------------|----------------------------|
| Age range of pupils | Not applicable | 11–18 | 11–18 |
| Number of pupils on the school roll | Not applicable | 25 | 15 |

Reason for inspector's recommendations

- The school has three classrooms. A maximum class size of five pupils with significant special educational needs would ensure that pupils would receive the intensive support they need to succeed.

Pupils

| | School's current position | School's proposal |
|--|---------------------------|-------------------|
| Gender of pupils | Not applicable | Mixed |
| Number of full-time pupils of compulsory school age | Not applicable | 25 |
| Number of part-time pupils | Not applicable | 0 |
| Number of pupils with special educational needs and/or disabilities | Not applicable | 25 |
| Of which, number of pupils with a statement of special educational needs or an education, health and care plan | Not applicable | 25 |
| 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 | 25 |

Staff

| | School's current position | School's proposal |
|---|---------------------------|-------------------|
| Number of full-time equivalent teaching staff | Not applicable | 3 |
| Number of part-time teaching staff | Not applicable | 0 |
| Number of staff in the welfare provision | Not applicable | 6 |

Information about this proposed school

- The proposed school, which will be the first school within the Unique Care Group, will be located on the site of the previous St Mary's Primary School in Westbury village, Shropshire.
- The proprietor plans to provide places for pupils with education, health and care plans (EHCPs) who have a range of special educational needs, including cognitive, specific and moderate learning difficulties, social, emotional and mental health needs, communication and interaction needs, speech, language and communication needs and autism spectrum disorder.
- The building is divided into two halves, with one half being the school and the other half being a proposed private residential unit.
- The proprietor is the Chief Executive Officer (CEO) and the school has a chief operating officer (COO). The newly appointed headteacher took up his position one week before the pre-registration inspection.
- There are currently no other teaching or non-teaching staff appointed to the school.
- The proprietor does not intend to appoint a governing board.

Information about this inspection

- This pre-registration inspection was commissioned by the DfE during the COVID-19 (coronavirus) pandemic of 2020, to determine whether 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 pre-registration inspection.
- The inspector scrutinised documents submitted electronically prior to the inspection. Several additional documents, including the school's single central register and proposed attendance and admissions register, were reviewed on site.
- The inspector carried out a tour of the premises and the outdoor space.
- Inspectors complied with the school's COVID-19 measures. For example, masks were worn when walking around the school and social distancing was maintained throughout the inspection. Hand sanitiser was readily available.
- The lead inspector met with the newly appointed headteacher. Meetings were also held with the proprietor, the chief operating officer and the consultant school improvement adviser.
- The proprietor, headteacher, chief operating officer and the school improvement adviser attended the final feedback meeting.

Inspection team

Jane Spilsbury, 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; and
 - 2(2)(g) where the school has pupils above compulsory school age, a programme of activities which is appropriate to their needs;
 - 2(2)(h) that all pupils have the opportunity to learn and make progress; and
- 3 The standard in this paragraph is met if the proprietor ensures that the teaching at the school-
 - 3(a) enables pupils to acquire new knowledge and make good progress according to their ability so that they increase their understanding and develop their skills in the subjects taught;
 - 3(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(f) utilises effectively classroom resources of a good quality, quantity and range.

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.
- 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 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.
 - 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 high standard such that, so far as is reasonably practicable, the health, safety and welfare of pupils are ensured.
 - 28(1)(b) toilets and urinals have an adequate supply of cold water and washing facilities have an adequate supply of hot and cold water;
 - 28(1)(d) the temperature of hot water at the point of use does not pose a scalding risk to users.

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
 - actively promote the well-being of pupils.

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