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Allison Shepherd  
Acting Headteacher  
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West Midlands  
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Dear Mrs Shepherd

### **No formal designation inspection of The Orchard School**

Following my visit with Ann Pritchard, Her Majesty's Inspector, to the school on 29 September 2020, I write on behalf of Her Majesty's Chief Inspector of Education, Children's Services and Skills to confirm the inspection findings.

This inspection was conducted under section 8 of the Education Act 2005 and in accordance with Ofsted's published procedures for inspecting schools with no formal designation (NFD). The inspection was carried out because Her Majesty's Chief Inspector was concerned about the effectiveness of safeguarding arrangements and aspects of leadership and management at the school.

We do not give graded judgements on NFD inspections. This visit has raised serious concerns about the effectiveness of the school's work to safeguard pupils and the oversight and scrutiny of governors. Under normal circumstances, we would have immediately treated this inspection as a full section 5 inspection. However, due to the COVID 19 (coronavirus) pandemic, I am recommending that the next inspection of this school is a section 5 inspection and is brought forward once routine inspections resume. The school's current inspection judgement remains unchanged at this time.

### **Evidence**

Inspectors scrutinised the single central record (SCR) and other documents relating to safeguarding and child protection arrangements, and met with the acting headteacher, senior leaders, and those with responsibility for safeguarding. We spoke with staff, including local authority drivers and transport escorts, and the school's premises staff. We also held conversations with health professionals who

were based at the school. We talked to the chair of the governors and one staff governor.

We visited classrooms and observed lunchtime activities. During these times, we spoke with the staff about their safeguarding training and their understanding of their safeguarding responsibilities.

Various school documents were scrutinised and evaluated, including a range of policies, improvement plans, risk assessments, and the minutes of meetings of the board of governors. Information about pupils' behaviour, attendance and welfare was also analysed.

Having considered the evidence, I am of the opinion that at this time:

Safeguarding is not effective.

### **Context**

There are currently 147 pupils on roll at the school, with a broad range of special educational needs and/or disabilities (SEND). These include medical needs, speech, language and communication needs, physical disabilities, social, emotional and mental health difficulties, and autistic spectrum conditions.

There have been several changes to leadership over the last 18 months. The previous headteacher left in June 2019. You were the deputy headteacher at the time and became acting headteacher. As a result of these changes, and because of other absences within the leadership team, the school has gone through significant periods with only two out of four senior leaders. A new headteacher will take up post in January 2021.

### **Main Findings**

Pupils are not safe enough at this school. Not all staff understand what they need to do to keep pupils safe. Some staff do not have the necessary skills and knowledge to identify when a pupil is at risk. There are groups of staff who have not yet completed safeguarding training in line with current guidance. Leaders' processes for ensuring that all staff understand their safeguarding responsibilities are also weak. As a result, leaders are not confident that all concerns are reported to the leader responsible for safeguarding.

Governors and leaders do not check on the effectiveness of safeguarding systems properly. Leaders have placed too much reliance on the local authority to ensure that the drivers and transport escorts who bring many pupils to school have the necessary safeguarding training and knowledge to look after pupils with profound and complex needs during their journeys. During the inspection, we discovered that some drivers and escorts were unaware of the medical needs of the pupils and what

they would need to do if there was an emergency. Some escorts were unclear whom to report a safeguarding concern to.

During the inspection, we also found that leaders had not completed some of the necessary checks on staff to ensure that the SCR was compliant with government requirements. Staff rectified the SCR issues before the end of the inspection.

Systems to ensure that all policies and procedures are in line with current government guidance and legislation are not good enough. Leaders have only recently ensured that the safeguarding policy meets current government guidance and are in the process of updating the health and safety policy. Staff training is inconsistent. Consequently, there are gaps in the staff's knowledge of how to keep pupils safe and what they would do if they were concerned about a child. For example, very few staff knew what they would do if they needed to raise concerns about how other staff members were dealing with safeguarding issues in school.

You and the deputy headteacher now understand that there are weaknesses in safeguarding and have started to address them. You asked an external service to review the quality of safeguarding processes. This review took place earlier this year. However, so far, the current decreased capacity in the leadership team means that you are finding it challenging to remedy these weaknesses.

Attendance for a high number of pupils is poor. This is not a new issue. Too many pupils miss too much school. Low attendance is not challenged consistently. For some pupils, leaders challenge absence quickly and follow up concerns with phone calls and home visits. However, this is not the case for all pupils. Moreover, leaders are too accepting that pupils are safe when they are absent.

Governors have not ensured that safeguarding systems and processes are effective. They are over-reliant on the chair of governors to check on all aspects of safeguarding. It is not clear what safeguarding training the governors have received. As a group, governors are not providing the necessary challenge for leaders to ensure that safeguarding is effective. This lack of challenge has contributed to the significant weaknesses in safeguarding.

Leaders have made sure that staff understand pupils' medical needs well and have the proper training to care for these pupils. Precise plans, protocols and training underpin high-quality medical and physical care. Leaders also carefully consider the behaviour needs of all pupils and put the right actions in place to support them.

Leaders have ensured that the school site is safe for all pupils. All staff have been provided with training to help them to understand their responsibility for health and safety. Detailed risk assessments help to ensure that the site is a safe place for pupils to be. Teachers also carefully plan and risk assess out-of-school experiences.

## **External support**

The local authority has provided a range of support for school leaders since the headteacher left in June 2019. However, this support has not identified the serious weaknesses that exist in the school's safeguarding practices.

Leaders have worked with external safeguarding consultancy services, who have reviewed safeguarding arrangements. This has given leaders a baseline from which to work.

Leaders have also commissioned regular health and safety support from Sandwell local authority to make sure that the school premises are safe and suitable for the pupils. This support has been useful.

## **Priorities for further improvement**

- Recent inconsistencies in leadership and management have contributed to significant weaknesses in safeguarding. Remaining leaders have not had the capacity to maintain and improve safeguarding arrangements. As a result, they have become over-reliant on external services to identify these weaknesses. Governors need to address the gaps in the leadership team quickly to ensure there is the capacity to address these weaknesses.
- Systems to ensure the quality of safeguarding arrangements are not good enough. Governors and leaders are too accepting of what they are told about safeguarding and do not systematically check on and challenge safeguarding procedures. This means that they do not have an accurate understanding of the relative strengths and weaknesses of safeguarding systems and procedures. Governors and leaders need to identify and implement procedures to check how well safeguarding policies are implemented. This also applies to checks being made when other agencies, such as local authority transport, are used to escort pupils to and from school.
- Leaders do not check on the effectiveness of training. They do not know if all staff have a firm understanding of their safeguarding roles and responsibilities. While training happens frequently, leaders are not confident that all staff have accessed and understood the training. Leaders need to identify a clear programme for training that reflects statutory guidance. They must then check that all staff have a secure understanding of training so that they can identify and report any safeguarding concerns.
- Systems and procedures for monitoring and improving attendance are unclear and are implemented inconsistently. Not all low attendance is challenged appropriately. This means that leaders do not always know why pupils are away and if they are safe. This inconsistent approach puts pupils at risk. Governors and leaders need to ensure that all systems for monitoring and promoting high levels of attendance are clearly defined and used by all.

- Policies and procedures do not always reflect current government guidance and legislation. Governors and leaders have not systematically checked that these are still up to date and communicated to staff. Key policies such as health and safety and behaviour are out of date. Governors and leaders need to ensure that all policies and procedures are regularly updated, in line with government guidance, and communicated to all staff.

I am copying this letter to the chair of the governing body, the regional schools commissioner and the Director of Children's Services for Sandwell. This letter will be published on the Ofsted website.

Yours sincerely

Chris Pollitt  
**Her Majesty's Inspector**