

# Silver Birch School

170 Packington Avenue, Shard End, Birmingham B34 7RD

## Inspection dates

2 September 2021

### Overall outcome

**The school is unlikely to meet the relevant independent school standards if the material change relating to the school provision is implemented**

## Main inspection findings

### Part 1. Quality of education provided

*Paragraph 2(1), 2(1)(a), 2(1)(b), 2(1)(b)(i), 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)(g), 2(2)(h), 2(2)(i), 3, 3(a), 3(b), 3(c), 3(d), 3(e), 3(f), 3(g), 3(h), 3(i), 3(j), 4*

- The school currently caters for young people aged 14 to 16 who have been unsuccessful in mainstream schools. All pupils have special educational needs and/or disabilities (SEND). Some have education, health and care (EHC) plans. The school has a good track record of re-engaging pupils in learning and preparing them for further education and life beyond school.
- The curriculum currently has a strong focus on developing basic skills including literacy and numeracy. It also places a strong emphasis on pupils' personal development and preparation for adult life. Leaders intend to add several vocational subjects to the curriculum this year.
- Some of the school's pupils struggle with the transition to college at the age of 16. This has become more apparent because of the impact that COVID-19 (coronavirus) has had on many young people. It is for this reason that leaders propose to extend the school's upper age limit from 16 to 18. Pupils will benefit from additional time in the school to gain qualifications and prepare for the move to college. This intention is appropriate.
- It is intended that pupils aged 17 or 18 will extend their key stage 4 curriculum, completing academic and vocational qualifications. Most will move to further education at some time during Year 12 or Year 13, when they are ready to make that transition.
- Leaders' proposal to add key stage 3 to the school has arisen for different reasons. There is a local need for provision for pupils aged between 11 and 13 who are struggling in, or failing to attend, mainstream schools. Leaders rightly believe that such pupils would benefit from the support the school provides without having to wait until they are 14.

- Leaders and teachers have appropriate expertise to provide an effective curriculum at key stage 3. They have put in place suitable curriculum plans and schemes or work that teachers intend to use and adapt when planning each pupil's curriculum.
- The school's curriculum currently recognises the importance of reading. Leaders recognise that the admission of younger pupils is likely to necessitate the development of greater expertise, for example in the teaching of phonics.
- At all key stages, it is intended that the curriculum should be structured in short units, where pupils can experience success before moving on to new learning. Leaders recognise the importance of immediate formative feedback. It is intended that pupils' learning will build sequentially as they move from unit to unit.
- The school already has a carefully structured programme of careers education. Leaders intend to extend this to key stage 3 so that pupils are encouraged to consider career options from an earlier age. The school commissions external, independent careers advice for its pupils.
- The school's proposed curriculum, assessment and teaching arrangements are likely to meet the needs of the pupils which the school already admits and those it expects to admit. The standards in this part are therefore likely to be met if the material change is implemented.

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

- Paragraph 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), 5(d)(iii)
- The school's ethos is one of 'It's not where you start. It's where you finish.' It provides a clear set of values that underpin many of the school's policies and procedures.
- The school has a policy and schemes of work for promoting pupils' spiritual, moral, social and cultural development. For example, moral development is promoted through learning about moral codes and pupils developing their own values. Similarly, social development is promoted by pupils working as part of a team and learning to respect others.
- Leaders promote fundamental British values in several areas of the curriculum and especially through its personal, social, health and economic (PSHE) education programme. For example, the PSHE education programme includes units designed to promote respect for other people, particularly those with protected characteristics. Pupils are taught about civil and criminal law in citizenship units of the PSHE education programme. Additionally, leaders intend to invite into the school representatives of the police to speak with pupils.
- The school's behaviour policy makes clear that pupils will be expected to accept responsibility for their behaviour. They will learn how to contribute positively to the life of the school and the community more widely.
- The standards in this part are likely to be met if the material change is implemented.

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

#### *Paragraph 7, 7(a), 7(b)*

- The proprietor and leaders have not paid due regard to statutory guidance contained in 'Keeping children safe in education'. They have not carried out all statutory pre-employment checks on staff. They have failed to record other checks correctly on the school's single central record.
- The school's safeguarding policy does not reflect the guidance issued by the Department for Education (DfE) over recent years. For example, it does not include the policy and procedures to deal with peer-on-peer abuse. The safeguarding policy is published on the school's website.
- The standards in these paragraphs are not currently met and are therefore unlikely to be met if the material change is implemented.

#### *Paragraph 9, 9(a), 9(b), 9(c), 10, 11, 12, 13, 14, 15, 16, 16(a), 16(b)*

- The school has a clear behaviour policy. It sets out expectations of pupils' behaviour and the sanctions that staff may use. It is complemented by an anti-bullying policy that sets out the measures which the school will take to prevent bullying and deal with any that does happen.
- The proprietor ensures compliance with the Regulatory Reform (Fire Safety) Order 2005. The most recent fire risk assessment took place in 2017 and did not identify any major concerns. Evacuation routes are clearly signposted around the school. Fire extinguishers were serviced in March 2021.
- The school has a suitable risk assessment policy that provides clear guidance on carrying out risk assessments.
- The school has a clear and detailed health and safety policy. It sets out roles and responsibilities and guidance for a wide and appropriate range of health and safety issues.
- The standards in these paragraphs are likely to be met if the material change is implemented.

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

#### *Paragraph 18(2), 18(2)(b), 21(1), 21(2), 21(3), 21(3)(a), 21(3)(a)(i), 21(3)(a)(iii), 21(3)(a)(vii), 21(3)(a)(viii), 21(3)(b)*

- The proprietor and leaders have failed to carry out some statutory pre-employment checks on staff. They have failed to carry out checks to confirm that potential staff are not subject to a prohibition order, an interim prohibition order or a direction made under section 128 of the 2008 Act. Consequently, the proprietor cannot be sure that members of staff are not subject to any such prohibition.
- At the time of the inspection, the proprietor and leaders were not aware of the statutory requirement to carry out checks to confirm that potential staff are not subject to a prohibition order, an interim prohibition order or a direction made under section 128 of the 2008 Act. They were unaware of how to carry out these checks.
- At the time of the inspection, the school's single central record was incomplete. Although pre-employment checks had been made on staff who have lived outside the

United Kingdom as part of the application process, these checks had not been recorded on the single central record. Pre-employment checks of applicants' identity and their right to work in the United Kingdom had been recorded on the single central record, as a simple 'yes'. However, the dates on which these checks were made had not been recorded.

- The standards in these paragraphs are not currently met and are therefore unlikely to be met if the material change is implemented.

*Paragraph 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), 21(3)(a)(ii), 21(3)(a)(iv), 21(3)(a)(v), 21(3)(a)(vi)*

- The proprietor and leaders ensure that most statutory pre-employment checks are carried out when staff are appointed to the school. Some of these checks are correctly recorded on the school's single central record.
- The standards in these paragraphs are likely to be met if the material change is implemented.

## Part 5. Premises of and accommodation at schools

*Paragraph 23(1), 23(1)(a), 23(1)(b), 23(1)(c), 24(1), 24(1)(a), 24(1)(b), 24(2), 25, 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), 29(1)(b)*

- The school is located in a community well-being centre. It has its own separate suite of classrooms that the general public are not able to access. All classrooms are of a good size and provide appropriate lighting and acoustics. The premises are maintained to a suitable standard.
- Pupils use several of the centre's facilities. These include a well-equipped gym, a large sports hall and a dining room. The school uses these shared facilities when they are not being used by the general public. Pupils are closely supervised by staff at these times.
- The building provides ample toilets. They all have washing facilities, including hot and cold water. There are separate boys' and girls' toilets and additional single-use toilets. Drinking water is available throughout the day.
- The centre has a secure outside area that leaders intend to develop as a recreational and outdoor learning space for pupils.
- The school has a good-sized medical room. It has its own washing facilities and is close to toilets. The medical room is not used for any other purpose.
- The standards in this part are likely to be met if the material change is implemented.

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

*Paragraph 34(1), 34(1)(a), 34(1)(b), 34(1)(c)*

- Several of the independent school standards are currently not being met. Leaders have not followed statutory guidance regarding pre-employment checks, the content of the single central record and the content of the school's safeguarding policy.

- The proprietor and leaders are committed to promoting the well-being of pupils. However, their failure to follow statutory guidance about safeguarding has the potential to put pupils at risk of harm.
- The standards in this part are therefore not currently met and are unlikely to be met if the material change is implemented.

## **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 that are relevant to the material change, as set out in the annex of this report.

## School details

Unique reference number	138971
DfE registration number	330/6013
Inspection number	10205212

This inspection was carried out under section 162(4) of the Education Act 2002, the purpose of which is to advise the Secretary of State for Education about the school's likely compliance with the independent school standards relevant to the material change that the school has applied to make.

Type of school	Other independent special school
School status	Independent school
Proprietor	Noel Thomas
Chair	Angela Solomon
Headteacher	Balijit Docfield
Annual fees (day pupils)	£30,000
Telephone number	0121 7474430
Website	<a href="https://silverbirchschoo.com/">https://silverbirchschoo.com/</a>
Email address	<a href="mailto:noelthomas@silverbirchschoo.co.uk">noelthomas@silverbirchschoo.co.uk</a>
Date of previous standard inspection	11–13 June 2019

## Pupils

	School's current position	School's proposal	Inspector's recommendation
Age range of pupils	14 to 16	11 to 18	11 to 18
Number of pupils on the school roll	11	Not applicable	Not applicable

## Pupils

	School's current position	School's proposal
Gender of pupils	Mixed	Not applicable
Number of full-time pupils of compulsory school age	11	Not applicable
Number of part-time pupils	0	Not applicable
Number of pupils with special educational needs and/or disabilities	11	Not applicable
Of which, number of pupils with an education, health and care plan	3	Not applicable
Of which, number of pupils paid for by a local authority with an education, health and care plan	3	Not applicable

## Staff

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

## Information about this school

- Silver Birch School is a small, independent day school situated in Shard End, Birmingham. The school offers up to 24 places to pupils aged 14 to 16 who have social, emotional behavioural and mental health needs.
- All of the current pupils have SEND. Some have an EHC plan, and several others are being assessed for an EHC plan.
- Pupils are referred to the school by local authorities and directly from schools.
- The school is housed within Shard End Well-Being Centre. Pupils have access to facilities within the centre, including a sports hall, a gym and a dining area.



- The school intends to make use of two unregistered alternative provision settings from September 2021. Most pupils in key stage 4 will spend one day each week at one of these providers studying vocational courses.
- The school was last inspected in June 2019, when it was judged to be good.

## Information about this inspection

- This inspection was commissioned by the DfE in response to an application by the school to change its age range from 14 to 16, to 11 to 18.
- This was the first material change inspection in respect of this change that the school has applied to make.
- The inspection focused on whether the school would be likely to meet the standards in Parts 1, 2, 3, 4, 5 and 8 of the independent school standards if the material change was implemented.
- I examined the school's single central record and its safeguarding policy. I scrutinised a range of other documents including those relating to the curriculum, health and safety and risk assessment.
- I toured the premises, accompanied by the proprietor and the headteacher.
- I held conversations with the proprietor and the headteacher.

## Inspection team

Alun Williams, lead inspector

Her Majesty's Inspector

## **Annex. Compliance with regulatory requirements**

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

### **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.
- 21(1) The standard in this paragraph is met if the proprietor keeps a register which shows such of the information referred to in sub-paragraphs (3) to (7) as is applicable to the school in question.
- 21(2) The register referred to in sub-paragraph (1) may be kept in electronic form, provided that the information so recorded is capable of being reproduced in legible form.
- 21(3) The information referred to in this sub-paragraph is–
  - 21(3)(a) in relation to each member of staff ("S") appointed on or after 1st May 2007, whether–
    - 21(3)(a)(i) S's identity was checked;
    - 21(3)(a)(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)(vii) a check of S's right to work in the United Kingdom was made; and
    - 21(3)(a)(viii) checks were made pursuant to paragraph 18(2)(e)–
  - 21(3)(b) in relation to each member of staff ("S"), whether a check was made to establish whether S is subject to a prohibition order or an interim prohibition order, including the date on which such check was completed.

## **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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