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for Education

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St Laurence Education Trust  
The Proprietor, Ampleforth College  
Ampleforth  
York, North Yorkshire YO62 4ER

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Date: 27 November 2020

Dear Sir or Madam

## **Ampleforth College (“the School”)**

### Conditions for Enforcement Action

I refer to the inspection of the School carried out by Her Majesty’s Chief Inspectorate on 24-25 September 2020 under section 109 of the Education and Skills Act 2008 (“**the Act**”).

In light of the resulting inspection report’s findings (*enclosed*), the Secretary of State for Education (“**the SoS**”) is satisfied that one or more of the independent school standards (“**the ISS**”) are not being met in relation to the School<sup>1</sup>. The annex to the attached notice sets out the breaches of the ISS that the SoS is satisfied are not being met in relation to the School. Section 115 of the Act therefore applies to the School, see section 115(1).

Further, following an inspection carried out by the Independent Schools Inspectorate (“**the ISI**”) on 7-8 March 2018, which also found that the ISS were not being met, a statutory notice was issued to the School pursuant to section 114 of the Act, requiring an action plan. An action plan was submitted in response to that notice on 11 June 2018 but was deemed to be unacceptable and was rejected by the SoS on 10 July 2018. The School was advised of this decision by a letter dated 10 July 2018.

The condition set out at section 115(4) is also therefore met, and given that the section applies, and one of the conditions is met, the SoS has the power to take enforcement action against the St Laurence Education Trust as the proprietor of the School under sections 115 and 116 of the Act.

### Decision to impose relevant restriction

The Secretary of State has decided to impose the following relevant restriction pursuant to sections 116(1)(a) and 117(1)(c) of the Act:

*The St Laurence Education Trust, the proprietor of Ampleforth College (Ampleforth, York, North Yorkshire, YO62 4ER), is required to cease to admit any new students to*

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<sup>1</sup> Schedule to the Education (Independent School Standards) Regulations 2014 (S.I.2014/3283).

*that school, and this relevant restriction shall apply immediately after the expiration of the 28-day period for making an appeal to the Tribunal stipulated by section 125(2) of the Education and Skills Act 2008.*

In taking this decision, the SoS has principally had regard to Ofsted and ISI inspection reports from January 2016 to the present day, and the School's response to regulatory action.

The SoS also had regard to the fact that that the School is failing to meet the ISS, including standards relating to safeguarding and leadership and management, and in his view, these failings are considered to be very serious. The nature of these failings are detailed by Ofsted's current report.

It is acknowledged that the School has filed a complaint against Ofsted's recent findings, and the SoS has carefully considered that complaint, as well as correspondence which sets out the School's views on the contents of the report. However, having taken this into account, the SoS is satisfied that the standards are not being met.

The SoS has taken into account the fact that the School has shown some willingness to improve and has made some progress since March 2018, with the January and August 2020 inspection reports both finding that the School was meeting all of the ISS that those inspections considered, and noting that new leadership had secured improvement since the prior inspection in May 2019. The September 2020 report notes that since the arrival of the Headteacher in September 2019, leads have improved internal safeguarding arrangements. However, the SoS's view, taking into account all the evidence, is that progress has been too slow and has been insufficient. The School failed to meet the ISS for more than a year before new leadership was brought in. In the year since then, the School has still not done enough to consistently meet the ISS, and in some respects the School appears to have relapsed. The current failures to meet standards, taken together with the fact that the School has had a previous Action Plan rejected, is considered to be serious.

The SoS has therefore decided that, on the basis of considerations set out by the relevant policy<sup>2</sup>, that enforcement action is required, in line with the overall policy aim to safeguard the education and well-being of children

### Next Steps

The proprietor of the School may apply to the SoS to have the relevant restriction revoked or varied under section 118(4) of the Act at any time. Such an application would be approved only if the SoS was satisfied that it would be appropriate to do so because of any change in circumstances. In particular, the extent to which the ISS are being met at the time of the application would be of considerable importance in the Secretary of State's consideration of any such application. There is no time limit on when a proprietor may make an application to the SoS under section 118(4) of the Act.

The proprietor also has the right under section 125(1)(c) of the Act to appeal against the decision to impose this relevant restriction to the First-tier Tribunal. Any appeal must be made, in writing, within 28 days of the date on which the attached notice is served on the proprietor. If an appeal is made by the proprietor within the required time limit, then the relevant restriction will not take effect until such time as the appeal is determined, withdrawn

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<sup>2</sup>[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/809551/ind\\_schools\\_enforcement\\_policy\\_statement\\_post\\_consultation\\_130619.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/809551/ind_schools_enforcement_policy_statement_post_consultation_130619.pdf)

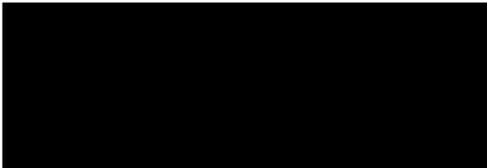
or otherwise disposed of. The relevant contact details for lodging an appeal are: HM Courts and Tribunal Service, 1<sup>st</sup> Floor, Darlington Magistrate's Court, Parkgate, Darlington DL1 1RU. Telephone 01325 289350.

The 28-day period referred to above will begin with the date on which the attached notice is served on the proprietor. Our working assumption is that the notice will be served on the proprietor after the end of two working days following the date of this letter. On this assumption, the proprietor will be prohibited from admitting new pupils to the School after 29 December 2020, in the event that no appeal is made by the proprietor to the Tribunal within the 28 day period.

It is an offence for a proprietor to fail to comply with a relevant restriction which has taken effect, with penalties of up to six months' imprisonment and/or a substantial fine (see section 118(2) of the Act).

Continued failure to comply with the ISS may also result in the SoS deciding that it is appropriate to remove the school from the register of independent schools.

Yours faithfully



Joint Head of Independent Education and School Safeguarding Division

**SECTION 116(1)(a) AND (2) OF THE EDUCATION AND SKILLS ACT 2008<sup>3</sup>**

**(“the Act”)**

**NOTICE OF THE DECISION BY THE SECRETARY OF STATE FOR EDUCATION TO  
IMPOSE A RELEVANT RESTRICTION ON THE PROPRIETOR OF THE FOLLOWING  
SCHOOL:**

**TO THE PROPRIETOR (St Laurence Education Trust)**

**Ampleforth College  
Ampleforth  
York  
North Yorkshire  
YO62 4ER  
(‘the School’)  
(815/6006)**

The Secretary of State for Education, being the regulator of independent schools in England,

(i) having been satisfied (taking into account a report of an inspection by the Independent Schools Inspectorate carried out between 7- 8 March 2018 and other available and relevant evidence) that a number of the independent school standards (as prescribed by the Education (Independent School Standards) Regulations 2014<sup>4</sup>) were not being met in relation to the school, served a notice (pursuant to section 114 of the Act) dated 11 May 2018 on the school’s proprietor, the St Laurence Education Trust (‘the Proprietor’) requiring the submission of an action plan on or before 11 June 2018;

(ii) having received an action plan on 11 June 2018 from the Proprietor;

(iii) having rejected the said action plan under section 114(6)(b) of the Act on 10 July 2018, and informed the Proprietor of that decision by a letter dated 10 July 2018; and

(iv) having received the report of an emergency inspection carried out by Ofsted between 24-25 September 2020, and having taken into account other relevant information in respect of the School, is satisfied that the independent school standards specified in the Annex to this notice are not being met in relation to the School, and with the condition in section 115(4) of the Act being met (specifically that the Proprietor has been required to submit an action plan under section 114 of the Act within the 3 year period specified in section 115(4)(a) of the Act, and that the action plan was submitted but was rejected by the Secretary of State);

(v) has decided to impose the following relevant restriction<sup>5</sup>:

*The St Laurence Education Trust, the proprietor of Ampleforth College (Ampleforth, York, North Yorkshire, YO62 4ER), is required to cease to admit any new students to that school, and this relevant restriction shall apply immediately after the expiration*

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<sup>3</sup> c.25.

<sup>4</sup> SI 2014/3283.

<sup>5</sup> ‘Relevant restriction’ is defined in section 117(1) of the Act – see in particular section 117(1)(c).

*of the 28-day period for making an appeal to the Tribunal stipulated by section 125(2) of the Education and Skills Act 2008.*

**NOW THEREFORE –**

Notice is hereby given to the Proprietor of the School, for the purposes of section 116(2) of the Act, that the Secretary of State has decided under section 116(1)(a) of the Act to impose the following relevant restriction:

*The St Laurence Education Trust, the proprietor of Ampleforth College (Ampleforth, York, North Yorkshire, YO62 4ER) is required to cease to admit any new students to that school, and this relevant restriction shall apply immediately after the expiration of the 28-day period for making an appeal to the Tribunal stipulated by section 125(2) of the Education and Skills Act 2008.*

By virtue of section 116(3) of the Act, the decision in question does not take effect during the period in which (a) an appeal to the First-Tier Tribunal may be brought against it under section 125 of the Act or (b) where such an appeal is brought, the appeal has not been determined, withdrawn or otherwise disposed of.

Any appeal under section 125 must be brought within the period of 28 days beginning with the day on which notice of the decision is served on the proprietor (section 125(2) of the Act).

Signed



Date: 27 November 2020



*Joint Head of Independent Education and School Safeguarding Division*

**ANNEX TO NOTICE OF THE DECISION TO IMPOSE A RELEVANT RESTRICTION ON THE PROPRIETOR OF THE FOLLOWING SCHOOL**

**TO THE PROPRIETOR (St Laurence Education Trust)**

**Ampleforth College  
Ampleforth  
York  
North Yorkshire  
YO62 4ER  
(‘the School’)  
(815/6006)**

The following independent school standards, as prescribed by the Schedule to the Education (Independent School Standards) Regulations 2014, are not being met in relation to the school:

**PART 3: Welfare, health and safety of pupils**

7. The standard in this paragraph is met if the proprietor ensures that—

(a) arrangements are made to safeguard and promote the welfare of pupils at the school; and

(b) such arrangements have regard to any guidance issued by the Secretary of State.

8. Where section 87(1) of the 1989 Act<sup>6</sup> applies in relation to a school the standard in this paragraph is met if the proprietor ensures that—

(a) arrangements are made to safeguard and promote the welfare of boarders while they are accommodated at the school; and

(b) such arrangements have regard to the National Minimum Standards for Boarding Schools or, where applicable, the National Minimum Standards for Residential Special Schools or the National Minimum Standards for Accommodation of Students under Eighteen by Further Education Colleges.

**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—

(a) demonstrate good skills and knowledge appropriate to their role so that the independent school standards are met consistently;

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<sup>6</sup> Section 87(1) was amended by section 105 of the Care Standards Act 2000 (c.41) and section 1A was inserted by section 43 of the 2011 Act.

(b) fulfil their responsibilities effectively so that the independent school standards are met consistently; and

(c) actively promote the well-being of pupils.

(2) For the purposes of paragraph (1)(c) “well-being” means well-being within the meaning of section 10(2) of the Children Act 2004<sup>7</sup>.

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<sup>7</sup> 2004 c.31.