

Queen Ethelburga's College and the Faculty of Queen Ethelburga's

Thorpe Underwood Estate, York, YO26 9SS

Dates of visits 26 March 2015 (Unannounced) and 04 June 2015 (Announced)

Purpose of visit

An unannounced emergency visit was undertaken at the request of the Department for Education (DfE) which focused on the school's compliance with the Education (Independent School Standards) Regulations 2014 (ISSRs), particularly those concerned with the quality of education provided, the welfare, health and safety of pupils, the suitability of staff, supply staff and proprietors, premises and accommodation, the provision of information, the manner in which complaints are handled, and the quality of leadership in and management of the schools.

Specific issues identified during the unannounced visit related particularly to the use and monitoring of CCTV; training and practice of staff in safeguarding; record keeping; and the role of the proprietor/provost and governors. This prompted the announced visit on 04 June 2015 to enable inspectors to clarify issues with the principal and provost who were away from the school during the unannounced visit in March.

Characteristics of the School

Queen Ethelburga's College was founded in 1912, moving to its current location on the Thorpe Underwood Estate northwest of York in 1991. It became part of Queen Ethelburga's Collegiate Foundation in 2006 when its sister school, the Faculty of Queen Ethelburga's, was established. The two schools in the Foundation are owned by Queen Ethelburga's College Ltd., which is itself owned by Buckedge Ltd. The Buckedge Ltd Directors have proprietorial responsibility for the school. The College (incorporating Chapter House for pupils in kindergarten to Year 5 and King's Magna for pupils in Years 6 to 9) provides education to boys and girls aged three months to nineteen years, and is a boarding and day school, with boarding available from age five. The Faculty provides a choice of academic or vocational studies for boys and girls aged fourteen to nineteen and also has boarding and day pupils.

Governance of the Foundation is led by the provost who is the chair of governors, principal executive trustee of the Queen Ethelburga's Charitable Foundation and Director of Queen Ethelburga's College Ltd and Buckedge Ltd. The provost is assisted in the governance of the Foundation by an advisory board of governors.

There are currently 1,491 (1522) students on roll (802 (818) boys and 689 (704) girls), of whom 405 (408) are day pupils and 1086 (1114) are boarders. 750 (707) students have

English as an additional language (EAL) and 93 (137) students have been identified by the school as having special educational needs and/or disabilities (SEND). Comparative figures at the time of the announced visit on 04 June 2015 are in (*brackets/italics*). Pupil numbers have grown from 547 in 2006 to an expected 1715 in September 2015.

The previous ISI integrated inspections of both the College and the Faculty took place in September 2012. An unannounced inspection took place on 26 March 2015 followed by an announced inspection on 04 June 2015.

Inspection findings

Quality of education provided [ISSR Part 1, paragraph 2]

The Regulations and Standard are met

Older students are appropriately advised on course choices and able to sit for suitable tests and examinations. They receive effective careers advice and advice on the next stage of their education, including through the careers office and internal and external speakers. Parents and students feel appropriately consulted and listened to. The school website, prospectus and other documentation provide accurate and wide-ranging information about courses and school organisation.

Welfare, health and safety of pupils [ISSR Part 3, paragraphs 7(a) and (b) and 8(a) and (b), and National Minimum Standards for Boarding Schools (NMS) 11]

The Regulations and Standards are not met

The unannounced visit in March 2015 identified that the child protection policy in place at the time of the visit shows concern for pupils but the arrangements described in it did not fully reflect the latest statutory guidance. The safeguarding and staff recruitment policies were not well understood by staff across the school. In interview with inspectors some staff were unclear about policy requirements and reported they had not seen Part 1 of *Keeping Children Safe in Education* (KCSIE 2014 and 2015). Some staff were uncertain about the level or frequency of safeguarding training they had received and were not able to demonstrate their duties both to children in need and to children at risk of harm. Arrangements for the annual review of the safeguarding policy and the effectiveness of implementation were unsatisfactory including the arrangements for sign off by governors. The provost was not sure of who the deputy Designated Safeguarding Lead was and did not have a clear understanding of his role in overseeing the effectiveness of safeguarding in the school including the respective roles of children's services and the LADO. Governors have recently had a half-day training session on safeguarding.

Guidance on other pupil welfare issues, and on how staff should ensure that their behaviour and actions do not place pupils or themselves at risk of harm or of allegations of harm to a pupil, are contained in separate documentation. The safeguarding policy at the time of the March visit provided a link to relevant other documents, including staff recruitment and staff code of conduct although senior managers who met with inspectors at the time of the unannounced visit, in the absence of the head and provost, were unable to point to the existence of key documents. They could not indicate how policies were reviewed or the arrangements to update the proprietor and board of advisory directors on safeguarding matters. At the unannounced inspection records of the reviews were not made available for scrutiny by inspectors. The announced visit in June learned that the advisory board of six governors includes a safeguarding governor who is also the deputy general manager of another company which is based on the school site and was identified in interview as being

in charge of training in safeguarding. It is this group that carries out the governors' annual review of safeguarding, even though it has no proprietorial responsibility for the school.

Records show that designated safeguarding officers and almost all staff are correctly trained at the required intervals by appropriate providers though evidence for the training of the deputy Designated Safeguarding Lead (DSL) or for routine training of visiting music teachers was not available at the unannounced inspection. This was resolved at the announced inspection where inspectors were able to confirm that designated officers are trained at the required levels by a commercial company. Training certificates were also seen.

Staff were aware of reporting steps to the DSL but less aware of the reporting requirements to the principal where there may be concerns about adults, including staff members or volunteers, in the case of allegations against staff. Not all staff were clear about procedures to be followed in the case of allegations against the DSL or against the principal or the chair of governors/provost/proprietor. Staff were not all aware of whistle-blowing procedures. Staff and volunteers receive induction training in safeguarding and child protection but staff understanding of procedures was too variable. The DSL has direct contact with the LADO but not all staff were aware of the role of the LADO or steps to be taken should they feel the need to report directly any issues of significant concern regarding the welfare of pupils or the conduct of staff. Records are kept of safeguarding concerns and the reports made to external agencies. Four senior managers who met inspectors at the start of the unannounced inspection were unclear about the arrangements for reporting concerns to the LADO as they felt they would not expect to find themselves in a position where they might have to report anything directly themselves. While they indicated they would contact the DSL if concerns were raised about the head or the provost/proprietor they were less clear about their responsibility to directly report if this became necessary.

Information was requested from the school in connection with any member(s) of staff who had been dismissed because of child protection concerns or who had left the school in circumstances under which, had they not done so, they would have been so dismissed. The school informed inspectors of one member of staff dismissed for child protection issues. Inspection found other examples. The provost confirmed details of members of staff who had been dismissed for safeguarding reasons, though not all staff about whom documentation had been seen during the previous visit.

Pupils are generally positive about the college and Faculty and happy in them; they say they have not witnessed much bullying, which they feel is quickly dealt with, and know that the school has what they refer to as a "strict no bullying policy". They also mention the support that is given to the bully. They know whom to contact with any concerns and feel there is a range of staff they can turn to including pastoral and medical staff. Some pupils feel that the school has expanded too rapidly and that this has caused some pressures in classes and in the use of resources. Pupils express the view that they feel safe and able to make disclosures if ever necessary. Some pupils expressed concern over the number of cameras around the site, and the fact that they were sometimes used to catch pupils behaving inappropriately (e.g. kissing or queue jumping). Pupils' views vary on the effectiveness of arrangements for responding to their views. Some feel they are regularly heard when needed, while others feel that they are not always heard or responded to. For example, some boarders stated that they did not feel they were listened to and that some boarding staff did not respond to them in a caring manner. An independent listener and a school counsellor are available but boarders say that these are not often used. The provost also acts as a 'listener' (see section below). Boarders are also happy to go to house prefects for help. Individual mentoring sessions take place each week to provide boarders with further support and guidance and the opportunity to discuss personal issues. Some pupils indicated that when issues are raised they are not always acted upon and they do not receive information on the outcome of concerns raised.

The PSHE schemes of work are detailed and appropriate and cover all main aspects of personal, social and health education, including keeping safe, risk, personal health, bullying, body image, ICT safety, relationships, alcohol and drugs, youth culture, etc. The PSHE course is delivered each week on timetable from Year 6 to Year 13.

A health and safety policy is drawn up and effectively implemented. Risk assessments for the school, the site and school trips are routinely undertaken and updated.

At the time of the inspections around seven hundred CCTV cameras were located around the school, including in the EYFS, though not in boarding houses or designated pupil changing areas. The provost clarified that they were originally introduced during the bird flu epidemic when boarding houses had to be closed, so that students could receive lessons streamed via the cameras in every classroom. The provost explained that they have remained as a security measure, and in order to protect teachers, students and property. The provost and nominated staff members had monitor access to live and recorded images, including in the EYFS.

In the EYFS, it was school policy for staff to cover or stand in front of the cameras to shield the children when the children are changing. The provost explained that there are always areas in the EYFS classrooms that are out of range of the cameras. Risk assessments are carried out in respect of the cameras in both the EYFS and the main schools. The assessments were written in August 2013 and last reviewed in September 2014. Children at reception age and above change in discrete changing rooms. The provost maintains that parents see the value of cameras because it gives the school a full picture of any incidents and feels that "it's useful to persuade children to own up if they've done something wrong". Some pupils and parents who responded to an invitation to contact inspectors indicated that while they understood the need for cameras for boundary security purposes they were less convinced about their general use in classrooms including the EYFS. The CCTV policy, access to images and placement of cameras has been reviewed following the unannounced visit. At the time of the announced inspection the outcome of this review was not known.

The school website does not publish the anti-bullying policy or behaviour policy although both are made available for parents on request. The school states that all policies are contained in the boarding staff handbook stored on a memory stick which is given to all staff, but, in the version provided to the inspection team, the boarding staff handbook contained no behaviour policy or anti-bullying policy. The rewards system is based on *vivos*, tokens worth one penny that can be spent on items in the school shop and lunch room, leading to certificates for pupils, which are logged for each child and enable patterns to be monitored. Sanctions feature more prominently in staff handbooks and pupil notebooks. A record is maintained of all but minor incidents and appropriate sanctions are imposed. Some pupils felt that sanctions were not always consistently applied, and that some staff appeared to "make up" the rules for giving detentions. For more serious offences an incident report is written and attached to the relevant pupil's file.

A sanctions and bullying offences log is maintained which indicates that sanctions are appropriate and consistently applied, and that almost all consist of detention with some gating or suspension. Gating involves pupils being confined to campus and attending weekend detentions. Suspension can involve pupils being isolated during their break and lunch times for a period of five days, during which time pupils are encouraged to reflect on their actions, and complete a two hour detention on all five days. A letter home is also sent to parents/guardians. The log does not contain any information on monitoring or follow up, although an analysis of the detentions is carried out each week and a report sent to all staff informing them of pupils who were accumulating detentions.

The medical centre keeps a written accident log book, details of which are analysed by the head of welfare, health and safety. A report is generated for the senior leadership team and governors. Parents are informed of any accidents unless they are deemed to be minor. First aid administration is appropriately recorded. The medical centre itself is an excellent facility with ample beds, is well-staffed and provides 24 hour care. Doctors visit daily. Pupils' files and medicines are securely stored. The issuing of medication is appropriately recorded and reports of accidents and illnesses are monitored. Any welfare concerns are appropriately reported to the DSL.

Staff receive guidance on pastoral care, supervision and response to pupils' concerns, and are aware of lines of referral within the school. Any incidents arising within extra-curricular activities would be referred in the same way as at other times. Pupils sign an Acceptable Use policy to mitigate risks of cyber-bullying or other inappropriate use of ICT. Pupils themselves stated that the school was a community where everyone talked to each other and had to integrate. They would go to the head of boarding or other boarding staff with any concerns, but also felt that other staff were approachable, including those at the medical centre. Some pupils felt that the school only listened to concerns if parents intervened. Most pupils agreed that if a problem was not resolved, they could approach the provost/proprietor, who would "sort out" their problems. Most parents who responded to the email invitation to contact inspectors said that they were very happy with the way concerns were dealt with, communication from the school and the pastoral care provided for their children.

Suitability of staff, supply staff and proprietors [ISSR Part 4, paragraphs 18, 20 and 21, and NMS 14]

The Regulations and Standard were not met at the unannounced inspection; at the time of the announced visit the school had begun to take steps to rectify these issues, but some remained not met

The single central register of appointments (SCR) for 2011 to 2015 and a number of staff files were scrutinised. At the time of the unannounced visit in March the SCR did not meet requirements because of failures to carry out barred list checks on staff before they started work and when CRB/DBS were delayed, and because there were no barred list entries when DBS checks were delayed.

The SCR is completed by the person with delegated responsibility from the principal but who had not received specific training on this responsibility and had other duties to perform.

A number of staff files, selected by inspectors, were scrutinised. Some clerical errors were noted, including List 99/barred list checks found in the files but not entered in the SCR. In the sample of the SCR scrutinised, many of the support staff and a few teachers appointed in recent years have this specific gap in their entry in the register. Further scrutiny of staff files, mostly those of support staff, did not contain any evidence to indicate that the checks had been undertaken. Other gaps in the SCR include, for some appointments, the start date of the member of staff and/or the post title.

On the announced visit, the school had made considerable progress in rectifying some of these issues. Barred list checks are now carried out on all staff before they start work at the school if the DBS clearance has not been received, and appropriate supervision is in place and recorded; a governor is to be appointed to monitor the implementation of policy, and governors' policy reviews are to be carried out with members of the senior management team. In addition, the person with responsibility for the SCR has begun to implement an action plan to ensure that employment checks are fully carried out and recorded, and the

school will employ additional staffing to facilitate this. A selection of staff and governor files scrutinised was found to contain evidence of the required checks.

Premises and accommodation [ISSR Part 5, paragraph 23.(1)(a), (b) and (c), and NMS 5]

The Regulations and Standard are met

Facilities around the site are of a high standard. At the time of the visit, a large building project was under way for the construction of new boarding houses to accommodate around 250 additional pupils from September 2015. Within the school buildings and the boarding houses, toilets are almost all individual, lockable units, with staff toilets clearly labelled.

Boarding facilities were of a good standard in the boarding houses visited. Pupils have en-suite bathrooms and suitable changing, shower and washing facilities. Boarders are happy with their facilities, enjoying spacious social areas and catering areas. Pupils feel safe and also feel that they have sufficient privacy when needed. There is appropriate separation of genders, age groups and staff in respect of sleeping accommodation. There are no CCTV cameras in the boarding houses.

Provision of information [ISSR Part 6, paragraph 32.(1), (2)(b), (c) and (d) and NMS 1.2 and Appendices]

The Regulations and Standard are met

The name, address and contact details for the proprietor are available to parents.

The boarding handbook states in the index that it contains the aims and a statement of boarding principles and practice, but the copy available during the visit does not contain them, and they are not clearly stated on the school's website. Information given to new boarders was requested by inspectors but was not forthcoming during the inspection. Boarding staff confirmed, however, that an induction process for boarders was in place and that they received a boarders' handbook. This provides general information for boarders regarding pastoral care, but focuses more on sanctions than on rewards. The information is printed in the diary/planner issued to all pupils. Posters and staff duty rotas are displayed in the boarding houses alongside health and safety notices.

With the exception of some minor complaints from pupils, the school appears to operate in a manner consistent with the ethos described in its prospectus and other documentation.

Manner in which complaints are to be handled [ISSR Part 7, paragraph 33]

The Regulation and Standard are met

The complaints procedure includes all provisions required by the regulations, is referred to on the school website and can be found in the parents' handbook. The policy does not provide specific information on what to do if the complaint is about the provost/proprietor/chair of governors, or to whom any such complaint should be referred. The provost/proprietor would normally become involved in the third stage of the formal complaints procedure.

The school does not have a complaints log but senior managers stated that there had been no formal complaints in the past two years. Parent concerns are logged on the school's

management information system and appear to have been appropriately handled and responded to, a view confirmed in some parent responses to the inspectors' email.

Staff are aware of the existence of the complaints procedure. The staff who met inspectors showed understanding of complaints arrangements in the school. The policy provides information with regard to both parental and pupil complaints. Details of this information can also be found in the students' charter (in the parents' handbook).

The parental complaints policy/procedures cover all required areas and stages. Pupils are encouraged to contact the provost directly, outside the normal complaints procedure, which serves to undermine the integrity and reliability of the procedure itself and the school management arrangements. (See Quality of Leadership and Management below).

Quality of leadership in and management of schools [ISSR Part 8 paragraph 34 and NMS 13]

The Regulation and Standard are not met.

Leadership and management have not consistently undertaken their responsibilities in relation to the safeguarding policy, the arrangements for the annual review of the policy and its effectiveness in practice and the application of safe recruitment procedures in accordance with national guidance.

The senior leadership team (SLT) of five consists of the principal and the heads of college management, college, faculty and boarding. The heads and deputies of each of the four constituent schools meet regularly with the head of pastoral care. The head of boarding acts as the child protection officer/DSL, though the latter post title is not referred to in the staff list issued to parents during the current academic year.

The leadership and management of boarding are transparently structured and roles are clearly defined. Communication between staff to ensure that pupil concerns are appropriately addressed, and that their welfare is promoted, is maintained through daily diaries, house meetings and weekly report sheets, all overseen by the head of boarding. Induction is provided for new staff and all boarding staff receive regular training. The school's pastoral system encourages a good link between academic and boarding staff.

Between the unannounced visit on 26 March and the announced visit in June the provost carried out two surveys, among students and parents. These surveys were both conducted by hard copy questionnaires. It is of concern that the provost in his communication to pupils stated "What you write should not be seen, or read, by anyone else – but me" and "if there are things that I need to discuss with (the head) I will, but will not say the names of who wrote what". This message is contrary to the requirements of current statutory guidance that "governing bodies and proprietors should ensure that staff members do not agree confidentiality and always act in the interests of the child". The survey showed that parental responses were mixed but mostly very positive. Student responses established that 79% of boarders were satisfied with their boarding experience but also that one in five boarders indicated a dislike of some or all aspects of boarding.

The extensive use of CCTV surveillance across the school beyond usual security practice is an approach which is causing some pupils and parents concern. The use of cameras in the EYFS without sufficient controls and as observed on both visits is inappropriate.

Regulatory action points

The school does not meet all the requirements of the Education (Independent School Standards) Regulations 2014 and National Minimum Standards for Boarding Schools 2013/2015 and therefore is required to:

Welfare, health and safety of pupils – safeguarding [ISSR Part 3, paragraphs 7(a) and (b) and 8(a) and (b), and NMS 11]

Improve the wording and implementation of the safeguarding policy as follows:

- update all references to statutory and other guidance and documentation;
- ensure that all staff have read Part 1 of Keeping Children Safe in Education (KCSIE 2015);
- ensure that staff have received up to date training regarding their duties both to children in need and to children at risk of harm and know what to do in the event of issues being raised;
- ensure that the policy makes clear that safeguarding is everyone's responsibility and that anyone can make a referral to children's social care and/or LADO and without caveats in respect of a particular route as defined by the school;
- ensure that the role of the member of the governing board nominated to liaise with the local authority on issues of child protection or in case of allegations against the principal also covers allegations against a member of the governing board;
- ensure that procedures for reporting allegations against staff include volunteers and that "staff" specifically includes the DSL or Principal;
- stipulate that induction training includes the school safeguarding policy, the staff behaviour policy/code of conduct, the identity and function of the DSL and a copy of Part 1 of KCSIE 2015;
- ensure reference to both DBS in respect of appropriate referrals of staff leaving because of disciplinary or conduct issues and also to NCTL where the member of staff is a teacher;
- clarify that taking appropriate action does not depend on the position of the person against whom an allegation might be made;
- elaborate and clarify the procedures to be followed concerning child-on-child abuse;
- review, in conjunction with pupils and parents, the purpose, location of CCTV systems, and acceptable use protocols to ensure systems and processes for recording and storing information are appropriate in all circumstances and specifically meet the requirements of the current EYFS framework in respect of the use of cameras.

Suitability of staff, supply staff and proprietors [ISSR Part 4, paragraphs 18(2)(a) and 21(3)(a)(ii), and NMS 14.1]

- ensure that the single central register is appropriately maintained;

- undertake separate barred list checks on staff in regulated activity if appointed before their DBS certificate has been received.

Quality of leadership in and management of schools [ISSR Part 8 paragraph 34 (a),(b),(c) and NMS 13.1, 13.3, 13.4, 13.5]

- ensure the proprietor and governing body have the necessary skills and knowledge to fulfil their obligations in accordance with Part 2 KCSIE 2015;
- review the role of the provost to ensure that any contacts with pupils on safeguarding matters are fully reported and pupils are not able to circumvent the school's existing safeguarding or pastoral arrangements.