

Merton Court School

38 Knoll Road, Sidcup, Kent, DA14 4QU

Date of visit 04 June 2015

Purpose of visit

This was an unannounced emergency visit at the request of the Department for Education which focused on the school's compliance with the Education (Independent School Standards) Regulations 2014 (ISSRs), particularly those concerned with welfare, health and safety and the handling of complaints.

Characteristics of the School

Merton Court School was founded in 1899 and is a co-educational day school for pupils aged from 3 to 11 years of age. The school is set within a 17-acre site near the centre of Sidcup. It is owned and governed by members of the Price family, who purchased it in 1979 and who also make up the senior management team. At the time of the visit there were 318 pupils on roll, 177 boys and 141 girls, of whom 43 children are in the Early Years Foundation Stage (EYFS). The school has 17 pupils receiving support for special educational needs and/or disabilities (SEND). No pupil has a statement of special educational needs or Education, Health and Care (EHC) Plan. One has English as an additional language (EAL). The school's previous full ISI inspection was in November 2014.

Inspection findings

The pupils interviewed were articulate and proud of their school. They expressed great satisfaction with the academic and extra-curricular opportunities offered. They felt that Merton Court is a friendly school whose staff are supportive and approachable. They revealed a good understanding of the school's stance on bullying and were confident that staff would deal with incidents effectively if they occur. They enjoy their lessons and find their subjects fun. They considered that the school keeps them safe and safeguards their welfare through such matters as internet and road safety. When asked how the school might be improved, they identified a school minibus and an additional all-weather pitch.

Welfare, health and safety - Safeguarding [ISSRs Part 3, paragraphs 7 (a) and (b); EYFS requirements paragraphs 3.4-3.7]

The Regulation is not met.

The school's safeguarding policy has many good features and generally reflects a clear commitment to the safety and well-being of pupils. However, it does not have full regard to the latest statutory guidance, mainly in respect of contradictory and incomplete details for the handling of allegations against the head and other staff. The version available on the website does not contain several appendices referred to within the policy. The policy is long, repetitive in places, and the formatting makes it hard to follow.

With one exception (the recruitment omissions referred to below), the policy is now effectively implemented in almost all respects. Required training for the designated lead person for safeguarding (DSL) and her deputy is appropriate and up to date. Training for the head, other staff and volunteers is carried out regularly, meets the requirements of the local safeguarding children's board, and is carefully recorded. Induction training for new staff is carried out according to statutory guidance and recorded.

Staff are aware of their safeguarding responsibilities and report pastoral and welfare concerns promptly when needed to the DSL. She has an appropriate awareness of the need to refer cases to local Children's Services, and has done so on a recent occasion, agreeing strategies and responses with them. Despite the contradictory and conflicting advice given in the current policy, staff at all levels are clear about the correct response were any allegation made about the conduct of a member of staff towards a child. They all understand that such issues are to be reported immediately to the head. Furthermore, they recognise the inherent difficulty in reporting an allegation against the head to the proprietor, who is a relative, and are clear that such a situation needs to be reported directly to the local authority's designated officer (LADO) for safeguarding. However, in the past, the school has not always made prompt contact with the LADO when needed, nor has it kept detailed records of such contacts.

The school is committed to its wider duties to safeguard pupils, and takes suitable steps to educate them about staying safe and understanding internet and road safety.

The proprietors, as members of the school's management team, receive reports on, and monitor, safeguarding and child protection matters regularly, and at least annually. However, they have not recorded this process in sufficient detail.

Since the previous inspection, two members of staff have been appointed. One started work before the arrival of the DBS check. All other required checks were completed, an assessment of risk carried out and supervision arrangements put in place. However, the school was unaware that such arrangements should have been reviewed on a regular basis, and the member of staff concerned should have been made aware of and accepted the conditions under which she could operate in the school.

Welfare, health and safety of pupils – the promotion of good behaviour [ISSR Part 3, paragraph 9; EYFS requirements paragraphs 3.52]

The Regulation is met.

The school has an effective policy to promote good behaviour. It sets out clear expectations of pupils' conduct, outlines the staff role in achieving good standards of discipline, and includes the items recommended in the latest non-statutory government guidance. The policy sets out measures to reward good behaviour, and includes appropriate sanctions for mis-behaviour. Pupils spoken to feel that sanctions are fair and appropriate, and that major punishments are very rarely required. Sanctions are appropriately recorded and monitored by the head of pastoral care. The policy outlining temporary and permanent exclusions is short and would benefit from greater detail of the processes involved.

Welfare, health and safety of pupils –countering bullying [ISSR Part 3, paragraph 10]

The Regulation is met.

The school has an effective policy for countering bullying which includes the recommended items outlined in the latest non-statutory government guidance. It would benefit from greater detail of the school's approach for dealing with cyber-bullying. Pupils spoken to confirm that instances of bullying are infrequent. The small number of cases where such behaviour has been alleged or reported are recorded centrally and include details of the actions taken by the school, so that any patterns identified can be addressed.

Suitability of staff [ISSRs Part 4, paragraph 18; EYFS requirements 3.9-3.13]

The Regulation is not met.

Since the previous inspection, the school has appointed two members of staff. The school did not carry out a DBS check on an individual under the age of 18 who was working under supervision in the school. Other required checks and a risk assessment were carried out and supervision put in place.

Handling of complaints [ISSRs Part 7, paragraph 33; EYFS requirements 3.74-3.75]

The Regulation is not met.

The school's policy on handling complaints made by parents does not meet the requirements of the latest regulations. It outlines a four-stage process, involving an additional 'hurdle' for parents to overcome before they can access an appeal panel hearing. It also contains insufficient clarity about the timescales for each stage.

Since the previous inspection, one formal complaint has been received. This was recorded formally, together with appropriate detail of its resolution. Several informal complaints were received, and appropriate documentation kept.

Regulatory action points

The school does not meet all the requirements of the Education (Independent School Standards) Regulations 2014 and requirements of the Early Years Statutory Framework.

Welfare, health and safety - Safeguarding [ISSRs Part 3, paragraphs 7 (a) and (b); EYFS requirements paragraphs 3.4-3.7]

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

Policy wording

- Include the appendices of the policy which relate to the types and signs of abuse and the responsibilities of the DSL.
- State clearly that referrals to the local Children's Services and/or the LADO will be made within one working day.
- Set out the procedure for responding to an allegation against the DSL.
- Include a single procedure for dealing with allegations against head. As the head is also a proprietor and has a family relationship with the chairman, the policy should state that referrals should be made directly to the LADO without informing the head. Delete the reference to making referrals to the school solicitor.
- Specify the circumstances whereby a member of staff may need to be referred to the National College for Teaching and Leadership.
- Make specific reference to the restrictions on the use of mobile telephones and cameras in the EYFS setting.

Implementation

- Ensure that all staff and adults working in the school are informed about the correct procedures for reporting allegations.
- Ensure that appropriate risk assessment is carried out and supervision put in place for any member of staff starting work before receipt of the DBS check, and that such safeguards are reviewed regularly and the person in question is informed what these safeguards are.
- Ensure that, when concerns or allegations arise about staff behaviour towards pupils, prompt contact is always made with the LADO to seek further advice, and detailed records kept.

Suitability of staff [ISSRs Part 4, paragraph 18(2)(d); EYFS requirements 3.9-3.13]

Ensure that a DBS check is always carried out before or as soon as practicable after the appointment of all staff, including those over 16.

The handling of complaints [ISSRs Part 7, paragraph 33; EYFS requirements paragraphs 3.74-3.75]

Amend the policy wording as follows.

- Clarify contradictions in timescales that occur at different stages of the policy. Indicate what the 'other factors' are which might prevent a school from reasonably adhering to the stated timescales. [Regulation 33(c)]
- Delete the additional stage whereby parents have to submit their complaint to the proprietor before he will agree to convene an appeal panel hearing.
- The wording providing for a written record to be made of complaints received is repeated and is contradictory. Neither complies with the wording required by the latest regulations. [Regulation 33(j)]
- The paragraph covering the confidentiality of complaints does not meet the requirements of the latest regulations. [Regulation 33(k)]
- The policy needs to state specifically that complaints about fulfilment of EYFS requirements must be investigated and the complainant notified of the outcome within 28 days; and that records of such complaints will be made available to Ofsted and ISI on request.
- The contact details for ISI are missing.

Other Recommendations

In addition to the above regulatory action points, the school is advised to make the following improvements.

1. Improve further the wording of the safeguarding policy as follows.
 - Refer to the 2015 versions of the relevant government guidance.
 - The policy is long, repetitive, and hard to follow with very small print. For example, procedures for dealing with allegations and referrals are stated three times in different places. It is recommended that the required policy items are grouped under clear section headings, with a table of contents or other means of identifying key information.
2. Ensure that minutes of the proprietors' meetings provide sufficient detail of the process whereby they undertake the required annual review of safeguarding.
3. In the exclusions policy, provide greater detail on the procedural stages of a permanent exclusion, such as the investigation process, a disciplinary meeting and an appeals process.
4. In the anti-bullying policy, provide further detail on the steps the school takes to prevent cyber-bullying and the school's responses to it.