



Department  
for Education

Department for Education  
Bishopsgate House  
Feethams  
Darlington  
DL1 5QE

Mr J I Khan (Chair of Trustees)  
Rabia Educational Trust  
25 Cromwell Road  
Luton  
Bedfordshire  
LU3 1DP

**Tel: 01325 340440**

[www.gov.uk/dfes](http://www.gov.uk/dfes)

**Email enquiry form:**

[registration.enquiries@education.gov.uk](mailto:registration.enquiries@education.gov.uk)

**Date: 2 August 2018**

Dear Mr Khan

### **RABIA GIRLS SCHOOL**

I refer to the inspection carried out by Her Majesty's Chief Inspector of Education, Children's Services and Skills ('HMCI') on 16 to 18 January 2018 at the above school ('the school') under s.109 of the Education and Skills Act 2008 ('the Act'). You will see from the enclosed report ("the January 2018 inspection report"), which has been published, that the inspection found a number of failings relating to the independent school standards ('ISS')<sup>1</sup> at the school.

The Secretary of State is of the view, taking into the account the inspection history relating to the school (including that detailed in the January 2018 inspection report), that there are one or more failings to meet the ISS in relation to the school. Furthermore, for the reasons set out below in this letter, the condition for taking enforcement action against a proprietor stipulated in section 115(5) of that Act is satisfied in relation to the school. In addition, he is of the view that the breadth and seriousness of the failings identified in the January 2018 inspection report and the continued failure to meet all of the ISS at the school warrant enforcement action. He has, therefore, decided to impose a 'relevant restriction' on the proprietor of the school. The effect of the specific restriction which the Secretary of State has decided upon will be, when it takes effect, that no new pupils may be admitted to the school.

However, to be abundantly clear, for the purposes of taking his decision, the Secretary of State has disregarded the failing at the school, identified in the January 2018 inspection report, to meet paragraph 3(j) in the Schedule to the Education (Independent School Standards) Regulations 2014. The failing here was identified as a result of segregation of girls and boys at the school into different classes and it is not the Secretary of State's current policy to take enforcement action in relation to a breach of paragraph 3(j) which results from such segregation.

---

<sup>1</sup> See the Education (Independent School Standards) Regulations 2014, Statutory Instrument 2014/3283.

## **Decision to impose relevant restriction**

Taking account of the January 2018 inspection report, the Secretary of State is satisfied, for the purposes of section 115(1) of the Act, that one or more of the ISS are not being met in relation to the school. In addition, a notice dated 11th July 2014 was served on the proprietor of the school by the Secretary of State requiring the proprietor of the school to submit an action plan under section 114 of the Act (which is in excess of two years ago). Since that notice was served, a number of inspections by HMCI have been carried in relation to the school (i.e. on 15 January 2015, 13 October 2015, 12 to 14 April 2016, 10 January 2017, 27 April 2017 and on 16 to 18 January 2018). At no time since the July 2014 notice was served has the Secretary of State been satisfied that the school was meeting all of the ISS (and, when relevant, the standards in the Schedule to the Education (Independent School Standards) Regulations 2010). Therefore, the condition in section 115(5) of the Act is satisfied.

Having the power to take enforcement action under s.116 of the Act, and having considered whether any, and what sort of, enforcement action under section 116 of the Act is appropriate, the Secretary of State has decided to impose the following relevant restriction (see section 117 of the Act and in particular subsection (1)(c)):

The proprietor of Rabia Girls School (12-16 Portland Road, Luton, Bedfordshire, LU4 8AX) is required to cease to admit any new pupils to that school and that this requirement is to start to apply immediately after the 28-day period stipulated in section 125(2) of the Education and Skills Act 2008 for making an appeal against the decision to impose this relevant restriction, has expired.

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 3 September 2018, in event that no appeal is made by the proprietor to the First-Tier Tribunal within the 28 day period. The annex to the attached notice sets out the regulatory failings which have led to the decision to impose this relevant restriction.

The proprietor of the school may apply to the Secretary of State to have the relevant restriction revoked or varied under section 118(4) of the Act. Such an application would be approved only if the Secretary of State 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 then being met would be of significance to 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 Secretary of State 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 or otherwise disposed of. The relevant contact details are: HM Courts and

Tribunal Service, 1<sup>st</sup> Floor, Darlington Magistrate's Court, Parkgate, Darlington DL1 1RU.  
Telephone 01325 289350.

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 fine (see section 118(2) of the Act).

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

Yours faithfully

A handwritten signature in black ink, appearing to read 'Peter Swift', written in a cursive style.

DR PETER SWIFT  
DEPUTY DIRECTOR,  
INDEPENDENT EDUCATION DIVISION

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

Rabia Girls School  
12-16 Portland Road,  
Luton,  
Bedfordshire,  
LU4 8AX  
(‘the school’)

**WHEREAS -**

- (i) The Secretary of State for Education (“the Secretary of State”) has received a report (“the January 2018 inspection report”) of an inspection by Her Majesty’s Chief Inspector of Education, Children’s Services and Skills (“HMCI”), carried out on 16<sup>th</sup> to 18<sup>th</sup> January 2018, showing that a number of the independent school standards (as prescribed in the Education (Independent School Standards) Regulations 2014 – “the 2014 Regulations”) were not being met in relation to the school;
- (ii) The Secretary of State having considered the January 2018 inspection report is satisfied that the independent school standards specified in Annex 1 to this notice are not being met in relation to the school;
- (iii) The condition in section 115(5) of the Act has been met (specifically because (a) that the proprietor of the school was required to submit an action plan under section 114 of the Act by notice from the Secretary of State dated 11<sup>th</sup> July 2014 (which is in excess of 2 years ago), (b) since that notice was served, a number of inspections by HMCI have been carried in relation to the school (i.e. on 15 January 2015, 13 October 2015, 12 to 14 April 2016, 10 January 2017, 27 April 2017 and on 16 to 18 January 2018) and, (c) at no time since the July 2014 notice was served has the Secretary of State been satisfied that the school was meeting all of the independent school standards as prescribed in the 2014 Regulations (and, when relevant, the standards as prescribed in the Education (Independent School Standards) Regulations 2010);
- (iv) The Secretary of State has decided to impose the following relevant restriction<sup>2</sup>:

---

<sup>1</sup> c.25.

The proprietor of Rabia Girls School (12-16 Portland Road, Luton, Bedfordshire, LU4 8AX) is required to cease to admit any new pupils to that school and that this requirement is to start to apply immediately after the 28-day period stipulated in section 125(2) of the Education and Skills Act 2008 for making an appeal against the decision to impose this relevant restriction, has expired.

**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 proprietor of Rabia Girls School (12-16 Portland Road, Luton, Bedfordshire, LU4 8AX) is required to cease to admit any new pupils to that school and that this requirement is to start to apply immediately after the 28-day period stipulated in section 125(2) of the Education and Skills Act 2008 for making an appeal against the decision to impose this relevant restriction, has expired.

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 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: 2 August 2018

*Dr Peter Swift*

*Deputy Director, Independent Education Division*

---

<sup>2</sup> 'Relevant restriction' is defined in section 117(1) of the Act – see in particular section 117(1)(c).

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

---

Rabia Girls School  
12-16 Portland Road,  
Luton,  
Bedfordshire,  
LU4 8AX  
**(‘the school’)**  
**(204/6002)**

The following independent school standards, as prescribed in the Schedule to the Education (Independent School Standards) Regulations 2014, are standards that the Secretary of State is satisfied are not being met in relation to the school:

**PART 1: Quality of education provided**

1. *The standards about the quality of education provided at the school are those contained in this Part.*
- 2.(1) The standard in this paragraph is met if—
  - (a) the proprietor ensures that a written policy on the curriculum, supported by appropriate plans and schemes of work, which provides for the matters specified in sub-paragraph (2) is drawn up and implemented effectively; and
  - (b) the written policy, plans and schemes of work—
    - (i) take into account the ages, aptitudes and needs of all pupils, including those pupils with an EHC plan
3. The standard in this paragraph is met if the proprietor ensures that the teaching at the school—
  - (a) enables pupils to acquire new knowledge and make good progress according to their ability so that they increase their understanding and develop their skills in the subjects taught;
  - (c) involves well planned lessons and effective teaching methods, activities and management of class time;
  - (d) shows a good understanding of the aptitudes, needs and prior attainments of the pupils, and ensures that these are taken into account in the planning of lessons;
  - (f) utilises effectively classroom resources of a good quality, quantity and range;
  - (g) demonstrates that a framework is in place to assess pupils’ work regularly and thoroughly and use information from that assessment to plan teaching so that pupils can progress.

## **Part 2: Spiritual, Moral, Social and Cultural development of pupils**

5. The standard about the spiritual, moral, social and cultural development of pupils at the school is met if the proprietor—

- (a) actively promotes the fundamental British values of democracy, the rule of law, individual liberty, and mutual respect and tolerance of those with different faiths and beliefs;

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

6. *The standards about the welfare, health and safety of pupils at the school are those contained in this Part.*

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.

11. The standard in this paragraph is met if the proprietor ensures that relevant health and safety laws are complied with by the drawing up and effective implementation of a written health and safety policy.

12. The standard in this paragraph is met if the proprietor ensures compliance with the Regulatory Reform (Fire Safety) Order 2005<sup>3</sup>.

15. The standard in this paragraph is met if the proprietor ensures that an admission and attendance register is maintained in accordance with the Education (Pupil Registration) (England) Regulations 2006<sup>4</sup>.

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

- (a) the welfare of pupils at the school is safeguarded and promoted by the drawing up and effective implementation of a written risk assessment policy; and
- (b) appropriate action is taken to reduce risks that are identified.

## **PART 4: Suitability of staff, supply staff, and proprietors**

17. *The standards about the suitability of staff, supply staff, and proprietors are those contained in this Part.*

18. (1) The standard in this paragraph relates to the suitability of persons appointed as members of staff at the school, other than the proprietor and supply staff.

(2) The standard in this paragraph is met if—

---

3 S.I. 2005/1541, to which there are amendments not relevant to these Regulations.

4 S.I. 2006/1751, to which there are amendments not relevant to these Regulations.

(a) no such person is barred from regulated activity relating to children in accordance with section 3(2) of the 2006 Act where that person is or will be engaging in activity which is regulated activity within the meaning of Part 1 of Schedule 4 to that Act;

(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;

(d) the proprietor ensures that, where relevant to any such person, an enhanced criminal record check is made in respect of that person and an enhanced criminal record certificate is obtained before or as soon as practicable after that person's appointment;

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.

(3) The information referred to in this sub-paragraph is—

(a) in relation to each member of staff ("S") appointed on or after 1st May 2007, whether—

(ii) a check was made to establish whether S is barred from regulated activity relating to children in accordance with section 3(2) of the 2006 Act;

(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;

(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 5: Premises of and accommodation at schools**

25. The standard in this paragraph is met if the proprietor ensures that the school premises and the accommodation and facilities provided therein are maintained to a standard such that, so far as is reasonably practicable, the health, safety and welfare of pupils are ensured.

29. (1) The standard in this paragraph is met if the proprietor ensures that suitable outdoor space is provided in order to enable—

(a) physical education to be provided to pupils in accordance with the school curriculum; and

(b) pupils to play outside.

#### **PART 6: Provision of information**

32. (1) The standard about the provision of information by the school is met if the proprietor ensures that—



(a) the information specified in sub-paragraph (2) is provided to parents of pupils and parents of prospective pupils and, on request, to the Chief Inspector<sup>5</sup>, the Secretary of State or an independent inspectorate<sup>6</sup>;

(b) the information specified in sub-paragraph (3) is made available to parents of pupils and parents of prospective pupils and, on request, to the Chief Inspector, the Secretary of State or an independent inspectorate;

(2) The information specified in this sub-paragraph is—

(a) the school's address and telephone number and the name of the head teacher;

(3) The information specified in this sub-paragraph is—

(e) particulars of the school's academic performance during the preceding school year, including the results of any public examinations

## **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;

(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>.

---

<sup>5</sup> For the meaning of "Chief Inspector" see section 138(1) of the 2008 Act.

<sup>6</sup> An independent inspectorate is a body approved by the Secretary of State under section 106 of the 2008 Act.

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

