

Another Ofsted investigation resulting in prosecution – Independent school in Lincolnshire found operating illegally

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Following an Ofsted investigation, it was found that Freiston Hall, an independent school in Lincolnshire, was operating illegally. The school was found to be unregistered and unsafe but had been accepting £1,200 per week per child.

The three owners of the school have now been prosecuted for conducting an unregistered independent school contrary to s.96 Education and Skills Act 2008. The defendants were each given a 12 month conditional discharge and a £1,000 fine by the Lincolnshire Magistrates' Court.

The school taught children with highly complex physical and mental health needs and with some students also residing at the school. It has been reported that children were not supervised adequately and in accordance with their needs; further to this staff members working at the school had not undergone the appropriate checks or first aid training.

In 2017 the Department of Education referred the school to Ofsted's unregistered school task force who issued a warning to the school; however the school continued to operate illegally.

Ofsted's Chief Inspector said: "Registration is so important. Schools operating beneath the radar are not subject to regular inspection, so we cannot be assured that they are safe or providing good quality education. We want to send a clear message to those who continue to run unregistered schools, despite being warned not to. You will face justice."

Understanding when and in what circumstances to register with Ofsted is key to ensuring that organisations do not fall foul of the regulatory regime. Ofsted registration is required in relation to children's homes and most childcare providers looking after children under the age of 8.

It is a criminal offence to provide unregistered childcare, or on unapproved premises, if you are legally required to register. Ofsted is responsible for making sure that only people who are suitable and ready to provide childcare are registered.

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