



Leverhulme Community Primary School

Brightmet Drive, Bolton, BL2 6EE

Headteacher... Mr. A. N. Ashton

Website... www.leverhulmecps.co.uk

Dep Heads... Mrs. S. Abram & Mrs. H. Vyse

Finance / Admin Manager... Mr. R. Dunne

Tel... 01204 333123

Fax... 01204 333124

Email... nashton@leverhulme.bolton.sch.uk

14th January 2015

Her Majesty's Chief Inspector Sir Michael Wilshaw
Ofsted
Aviation House
125 Kingsway
LONDON
WC2B 6SE

Our Ref: JG/NA 15.1

Your Ref: 301998

Dear Sir Michael,

Re: Section 8 Inspection of Leverhulme Community Primary School – 5 and 6 February 2014

I write this open letter in relation to the Section 8 inspection which took place at Leverhulme Community Primary School on 5 and 6 February 2014, and resulted in the school receiving an overall judgement of "requires improvement" following its previous judgement of "good" with outstanding features.

I wish to make it very clear that the overall judgement is **not** accepted by the school, however with great reluctance the school has decided that it can no longer actively challenge the final Ofsted report (the fourth version of the report, following substantial amendment by Ofsted as a result of challenges submitted by the school) for the following reasons:

1. The Ofsted complaints procedure has been exhausted by the school and, despite making substantial amendments to the report on four occasions as a direct result of challenges made by the school and a further half day inspection having to take place to remedy failings, Ofsted has repeatedly refused to consider changing their overall judgement of the school.
2. The Independent Complaints Adjudication Service for Ofsted (ICASO) have refused to accept the school's application for an external review on the grounds that they maintain that the application must have been lodged within three months of the initial Step 3 letter received from Ofsted in May, notwithstanding that this letter confirmed that there was to be a further half day inspection to remedy failings made during the original inspection, and that the report was amended on a further three occasions after the initial Step 3 letter was received, with the fourth and final version of the report being received in August.

The school's view is that Ofsted's published complaints procedure must be amended to make it clear that the time limit will apply from the first letter received following investigation of a complaint under Step 3, irrespective of whether Ofsted have directed in that letter that further action will need to be taken by them to remedy failings.

3. Despite being expressly cited at paragraph 37 of Ofsted's published complaints procedure as a method for challenging decisions made by Ofsted/ICASO, the Parliamentary and Health Service Ombudsman has informed the school's solicitors that they cannot investigate a complaint submitted by a local authority maintained school (although they suggested that this may not be the case in relation to a complaint submitted by an academy).

The school's view is that Ofsted's published complaints procedure must be amended to make it clear that a maintained school will not be able to complain about Ofsted to the Parliamentary and Health Service Ombudsman, to avoid other maintained schools being misled in the future.

4. The cost of taking legal proceedings for judicial review against Ofsted and ICASO would be prohibitively high for a community primary school with limited funding.

5. A considerable amount of my own and the Headteacher's time and resources have already been dedicated to challenging Ofsted's report (often successfully).

6. The school is **absolutely confident** that its next Ofsted report will set the record straight and that Ofsted's overall judgement of the school will be raised. Three months after the inspection, the school's SATs results established that the school's pupils have made some of the best progress of any school in Bolton. Accordingly, the school invites Ofsted to carry out its next inspection without delay.

Please note that it is the school's intention that a copy of this letter be published alongside the final Ofsted report on the school's website, and that it be brought to the attention of the Secretary of State for Education and appropriate sections of the media.

If you would like to discuss the contents of this letter or respond formally to it before it is published by the school, I would invite you to do so within fourteen days of the date of this letter.

Yours sincerely

John Byrne
Chair of Governors

c.c. Her Majesty's Inspector Jo Morgan
The Secretary of State for Education
Shadow Secretary of State for Education
Director of Children's and Adult Services, Bolton L.A.

