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Research and analysis

Insight from Ofsted's investigations of unregistered schools

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Applies to England

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Introduction

This commentary discusses the findings from Ofsted's work investigating suspected unregistered schools since 2016.

The statistics show the latest published data as at 31 March 2025 from our [Unregistered schools management information - GOV.UK](#).

It is a criminal offence to run an independent school in England that is not registered with the Department for Education (DfE).^{[\[footnote 1\]](#)} Children attending unregistered schools are at risk because there is no formal external oversight of safeguarding, health and safety, or the quality of education. In January 2016, we set up an unregistered schools team, funded by the DfE, to investigate settings that are suspected of operating as unregistered schools.

Identifying potential unregistered

schools

Illegal schools operate under the radar. We first become aware of a suspected illegal school through a referral.[\[footnote 2\]](#)

Between 1 January 2012 and 31 March 2025, Ofsted received 1,661 referrals from a variety of sources.[\[footnote 3\]](#)

Over half of these referrals come from within Ofsted itself (55%). We often identify suspected illegal schools through our inspections of other schools and providers. For example, we may inspect a state-funded secondary school and discover they have commissioned alternative provision from an unregistered provider.

Referrals are also received from local authorities, the DfE, members of the public, other government agencies and the police. Referrals can be made anonymously, and we can receive more than one referral for the same setting.

Figure 1: Proportion of all referrals received, by source, between 1 January 2012 and 31 March 2025

View [data in an accessible table format](#).

In the last 3 academic years, the number of referrals we have received has increased. Since 2022/23, the number of referrals received each year has been over 200, and we have already received 200 referrals so far this academic year (1 September 2024 to 31 March 2025). However, in the years before this (2015/16 to 2021/2022), the average was under 150 per year.

We review all referrals we receive to decide whether to open a criminal investigation. We risk-assess all referrals and deal with any safeguarding or other concerns that may arise from them, regardless of whether we open a full criminal investigation.

Investigating suspected unregistered schools

Between 1 January 2016 and 31 March 2025, we opened 1,574 investigations into 1,414 settings. [\[footnote 4\]](#)

Once a criminal investigation is opened, Ofsted's unregistered schools team will gather evidence to establish whether we believe the setting to be operating illegally. Some types of settings do not need to be registered as a school in order to operate. In such a case, the investigation may end and not lead to an inspection.

Some settings have been investigated more than once. This can happen if additional evidence comes to light after a previous investigation has ended.

Inspections

We may decide to inspect a setting if there is reasonable cause to believe it is operating illegally. During an inspection, inspectors gather evidence. This can include taking copies of documents and records, taking photographs, and recording footage of the inspection using body-worn video cameras. [\[footnote 5\]](#)

Between 1 January 2016 and 31 March 2025, we carried out 945 inspections of 669 settings.

Unregistered settings can vary considerably in their purpose and provision. They may be classed as general educational settings, religious instruction settings, alternative provision, tuition centres, care farms, language academies, sports clubs/academies or other provision types. Until sufficient evidence is gathered, some setting types may remain unclear, even after inspection.

If there is enough evidence, inspectors may determine that a setting has a particular faith ethos. There are also settings whose core purpose is to provide religious instruction.

Of the 669 settings inspected since 1 January 2016, 18% were determined to have a faith ethos.

Inspectors will also determine whether, in addition to the possibility of a setting being run illegally, there are specific areas of concern for children attending the setting. Since 2016, we have identified 205 settings as having health and safety concerns such as unsafe electrical fittings, unsanitary conditions, blocked or unsuitable fire exits and missing fire equipment.^{[\[footnote 6\]](#)} We have also found 203 settings with safeguarding concerns. For example, some had not completed Disclosure and Barring Service checks for all adults or did not have a safeguarding policy in place. In some settings, unsuitable adults had access to the premises. In some settings, we identified both safeguarding and health and safety concerns. Inspectors refer all health and safety and safeguarding concerns to relevant agencies to take action.

We carry out unregistered school inspections as part of a criminal investigation. These inspections are not equivalent to routine inspections of state-funded or independent schools. Inspectors do not make any graded judgements, and the visit does not result in a published inspection report.

Warning notices

During the inspection, if the inspectors find evidence that leads them to believe that a setting is operating as an illegal school, they will issue those responsible with a warning notice.

It is not always possible to issue a warning notice after an inspection, even if the inspector suspects the provider is operating an unregistered school. This is usually because the team does not yet have sufficient evidence and needs to investigate further.

As at 31 March 2025, Ofsted had issued 212 warning notices to 184 settings.^{[\[footnote 7\]](#)}

The following chart shows the most recent status of all settings that have been issued with a warning notice. The status of a setting may change over time. For example, we may close the investigation of a setting and then open a new one if further evidence comes to light.

Figure 2: Most recent status of settings issued with a warning notice, as at 31 March 2025

View [data in an accessible table format](#).

The majority (64%) of the settings issued with a warning notice changed the service they offered to comply with the current legislation, usually by reducing their hours of operation or the number of children attending. A fifth (20%) of the settings stopped operating completely, and 8% chose to register with the DfE as an independent school.

We have taken no further action towards 2% of the settings. We may do this for several reasons; for example, there are limitations in current legislation and in our powers to investigate. The remaining 7% of settings are still actively under investigation.

Prosecutions

The vast majority of settings take action to comply with the law once we have issued them with a warning notice. However, people and organisations that continue to operate outside the law might be prosecuted for the offence of running an unregistered school.

Since the unregistered schools team was created, there have been 7 unregistered school prosecutions, resulting in 21 convictions of individuals or organisations. [\[footnote 8\]](#)

Looking ahead

We will continue to draw attention to the dangers posed by illegal schools. We will work in partnership with the DfE, the Crown Prosecution Service and other agencies to hold wrongdoers to account. The Children's Wellbeing and Schools Bill, which is currently making its way through Parliament, is designed to give us stronger powers of entry and investigation to tackle illegal schools. It also aims to close legal loopholes that enable them to operate.^{[\[footnote 9\]](#)} This legislation will help us to investigate suspected illegal schools and protect children from inadequate education in unsafe settings.

Annex: data tables for figures

This section contains the underlying data in an accessible table format for all figures.

Data for Figure 1: Proportion of all referrals received, by source, between 1 January 2012 and 31 March 2025

Source	% referrals
Ofsted	55
Local authority	15
Members of the public	14
DfE	12
Other	4

See [Figure 1](#).

Data for Figure 2: Most recent status of settings issued with a warning notice, as at 31 March 2025

Setting status	% of settings issued a warning notice
Changed service to comply with the current legislation	64
Setting closed	20
Registered as a school	8

Under investigation	7
No further action	2

See [Figure 2](#).

1. Section 463 of the Education Act 1996 defines an independent school as a school that: is not maintained by a local authority; is not a non-maintained special school; provides full-time education for either 5 or more pupils of compulsory school age, or at least 1 pupil of compulsory school age who has an education, health and care plan or is looked after by a local authority (within the meaning of section 22 of the Children Act 1989). [↵](#)
2. If you wish to tell us about a possible unregistered school, please see the [Report an unregistered school](#) guidance. [↵](#)
3. A number of referrals were received from January 2012 onwards, before Ofsted set up its unregistered schools team in January 2016.
Refers to referrals that have led to an investigation by the unregistered schools team. [↵](#)
4. A single setting may refer to a provider operating across multiple locations or premises. [↵](#)
5. For more detail about what happens during an unregistered school inspection, see the following interview with Victor Shafiee and Sue Will, members of Ofsted's unregistered schools team: [‘What we see are wasted lives’ – meet the Ofsted illegal schools team](#). [↵](#)
6. Most health and safety concerns and safeguarding concerns relate to settings we have inspected. However, a small number relate to settings we have investigated but have not inspected. [↵](#)
7. As settings may have more than one inspection, or have inspections of multiple locations, it is possible for a provider to be served with more than one warning notice. [↵](#)
8. A person or organisation may also be convicted of more than one offence. Two individuals have been convicted twice between 1 January 2016 and 31 March 2025. [↵](#)
9. For a summary of the bill and its progress through parliament, see [Children's Wellbeing and Schools Bill - Parliamentary Bills - UK Parliament](#). For supplementary evidence submitted by Ofsted on the bill, see Ofsted's [Children's Wellbeing and Schools Bill \(3rd February 2025\)](#). [↵](#)

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