



Baroness Berridge of the Vale of Catmose

Parliamentary Under-Secretary of State for the School System
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Shaminder Rayatt
Chair of Trustees
Khalsa Academies Trust
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04 June 2020

Dear Shaminder Rayatt

Termination Notice to the Members and Trustees of Khalsa Academies Trust (“The Trust”) in respect of Khalsa Secondary Academy (“The Academy”)

I write concerning the supplementary funding agreement between the Secretary of State and the Trust in respect of the Academy, dated 21 August 2013. In sending this letter, I acknowledge receipt of your letter to me of 24 May 2020.

Section 2A of the Academies Act 2010 allows the Regional Schools Commissioner (acting on behalf of the Secretary of State) to terminate the funding agreement of an academy that has been judged inadequate regardless of the terms in that academy’s funding agreement. Following an inspection carried out by Ofsted on 3 and 4 December 2019, the Academy was found to be inadequate and requiring special measures.

The definition of an inadequate special measures judgement is that the school is “failing to give its pupils an acceptable standard of education, and the persons responsible for leading, managing or governing the school are not demonstrating the capacity to secure the necessary improvement in the school” (School Inspection Handbook, November 2019).

On 18 February 2020, the Regional Schools Commissioner provided you with written notice under section 2A of the Academies Act 2010 of the Secretary of State’s intention to terminate the funding agreement. The Trust, in accordance with that provision, was invited to respond with written representations no later than 10 March 2020.

In the written representations received on 10 March you recognised that there had been historical weaknesses in governance and the monitoring of safeguarding by the Trust. You also claimed that the significant steps taken by the board since December 2019 should reasonably address any concerns that remained around the Academy remaining part of the Trust. In particular you highlighted:

- The appointment of trustees with experience in education, human resources, finance, health and social services and business.
- The appointment of yourself as interim chair of trustees (now substantive).
- The appointment of an experienced interim headteacher (now substantive).
- The creation of a 'Rapid Trust Improvement Plan for Keeping Children Safe' which sought to address the shortcomings in safeguarding practice identified by Ofsted.

On 13 May 2020 you wrote again to the Regional Schools Commissioner with an update on the changes being made at both Trust and Academy level. You highlighted:

- That the Trust now had six active and experienced trustees and that you had engaged with Academy Ambassadors to help you recruit more.
- That there were trustees actively involved in overseeing safeguarding and finance at the schools within the Trust.
- That you had engaged Confederation of School Trusts to conduct a review of governance and stakeholder engagement at Trust level.
- That a safeguarding audit conducted by Anchored Schools had found safeguarding to be effective and that you had also implemented the short-term recommendations.
- The projected Progress 8 score based on predicted grades.
- The appointment of a new assistant principal for inclusion.

Having carefully considered the representations provided on 10 March 2020 and further updates provided by the Trust on 13 May 2020, the Regional Schools Commissioner has recommended that the Secretary of State, in accordance with section 2A of the Academies Act 2010, terminate the funding agreement for the Academy. The Regional School Commissioner is of the opinion that the representations offered by the Trust:

- Fail to demonstrate that the trustees have a robust understanding of the role and responsibilities of the central leadership team, in particular the Chief Executive Officer (CEO), in an education trust. Much of the improvement to date has concentrated solely on board capacity and not on leadership throughout the organisation where the issues primarily lie. This has led to a blurring between the executive and non-executive roles.

- Lack evidence of the Trust holding the central leadership team, in particular the CEO, to account for the performance of academies in the Trust, the safety of children and the inadequate Ofsted inspection at the Academy. Too much of the responsibility for delivering and monitoring improvements at the Academy sits with the headteacher, staff and local governing body.
- Fail to demonstrate oversight of safeguarding by the central leadership team despite the need for this being raised in the Ofsted report, *“Leaders at trust, local governance, and school level need to ensure that all requirements for safeguarding set out in their own policies are met fully and consistently”*.
- Lack focus and detail in relation to the improvement of provision for children with SEND. There is too little emphasis on the identification of specific needs of children and no priority given to specific curriculum areas or cohorts. The suggestion that all areas will be addressed at the same time is unrealistic. There is also little information about the role that the central leadership team will play in implementing and monitoring improvements or how they will support teachers become better at teaching children with SEND.
- Fail to demonstrate that the Trust has the necessary experience or knowledge to improve a failing school. The school improvement plan submitted for the Academy lacks an appropriate level of detail and is not specific about what is going to be achieved by when and why it has been prioritised.
- Include ambitious aims such as, ‘literacy is the highest priority and all teachers are teachers of literacy’, but ultimately fails to demonstrate how teachers are going to become better at teaching reading.

As a result of the level of interest shown by community stakeholders in the future of the Academy, I have been asked by the Regional Schools Commissioner to take a decision on the recommendation to the Secretary of State. Having reviewed the representations made by the Trust, I too am of the opinion that the funding agreement between the Secretary of State and the Trust in respect of the Academy should be terminated. I do not believe, as you allege in your letter to me of 24 May 2020, that the Regional Schools Commissioner has allowed any coordinated correspondence from religious groups to influence her recommendation.

I recognise that this letter will be disappointing for the Trust and I hope that the trustees will continue to work closely with officials to ensure the best possible education for all the pupils as the Academy transfers to a new education trust. The strong preference of the Department is for the Academy to transfer to a strong performing sponsor that will respect the Sikh ethos of the school. Officials in the Regional Schools Commissioner’s team will now work with you and the incoming sponsor, once confirmed, with the expectation that the termination of the funding agreement takes effect on 31 October 2020 at the latest.

I am copying this letter to the National Schools Commissioner (Dominic Herrington), the Regional Schools Commissioner for North West London and South Central England (Dame Kate Dethridge), Ofsted (Chris Russell) and the Director of Children's Services at Buckinghamshire County Council (Tolis Vouyioukas). This letter will also be published on www.gov.uk.

A handwritten signature in black ink that reads "ER Berridge". The signature is written in a cursive style with a long horizontal stroke at the bottom.

ELIZABETH BERRIDGE

PARLIAMENTARY UNDER SECRETARY OF STATE