



**Lord Nash**

Parliamentary Under Secretary of State for Schools

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Mr Tahir Alam  
Chair  
Park View Educational Trust  
Nansen Primary School  
Naseby Road  
Birmingham  
B8 3HG

9 June 2014

Dear Mr Alam

### **Nansen Primary School**

I am writing to you in your capacity as the Chair of Park View Educational Trust ("the Trust") setting out the scale of my concerns about Nansen Primary School ("the Academy").

On 2 and 3 April 2014 Ofsted carried out a section 5 inspection of the Academy. In its report, a copy of which was sent to you on 20 May, it concluded that the Academy requires special measures, because the achievement of pupils and quality of teaching requires improvement and the behaviour and safety of pupils and leadership and management are inadequate. In addition, an investigation into the Trust, of which the Academy is a member, by the Education Funding Agency (EFA) found evidence of numerous and serious breaches of the funding agreement and the Independent Schools Standards. Both reports are published today and they cause me grave concern.

Having considered the evidence gathered by Ofsted and its conclusion that the Academy requires special measures, I have decided under clause 5.6 of the supplementary funding agreement for the Academy to give written notice of the Secretary of State's intention to terminate that agreement. I set out below some particular examples from the Ofsted inspection.

### **Governance**

The Ofsted report states *"The governance is inadequate. The governing body has failed to fulfil many of the terms and conditions of its funding agreement."* and that *"The governing body and senior leaders do not adopt effective strategies that develop pupils' awareness of the risks of extremism or radicalisation."*

The Ofsted report also states that *"The governing body is overly controlling in the day-to-day running of the school. For example, when the teachers in the Early Years Foundation Stage wanted pupils to take part in a nativity play, governors insisted on vetting a copy of the script for its suitability and told staff they must not use a doll as the 'baby Jesus'."*

The Ofsted report states that *"Some teachers have been appointed to posts without interview and without the knowledge of the acting Principal."* and that *"Many staff have little confidence in the multi-academy trust."*

### **The leadership and management**

Ofsted rate the leadership and management of the Academy as inadequate.

The Ofsted report states that *"Since the academy opened 17 months ago, it has been led and managed by two temporary principals. This lack of stability and clarity about who is going to lead the academy on a long-term basis has stopped the academy from improving quickly"*.

The report also sets out that *"Many leaders have temporary contracts. There are vacancies for several important roles. There is no-one with responsibility for pupils who are disabled or have special educational needs. In a number of year groups, particularly Year 5 and Year 6, the curriculum is narrow with heavy emphasis placed on English and mathematics at the insistence of the governing body. Subjects such as history, geography, religious education, music and art do not have a coordinator, so there is no clear oversight of the achievement of pupils in these subjects"*.

*"Omissions in key policies such as those for anti-bullying, child protection and safeguarding mean that pupils are not adequately safe from all risks."* For example, there is no mention or understanding in policies of the need to protect girls from the threat of Female Genital Mutilation and forced marriage or pupils generally from the risk of extremism.

Ofsted found evidence that some parents were concerned about the attitudes of some Teaching Assistants towards Somali pupils.

The Ofsted report states *'Pupils have only a superficial knowledge and understanding of religions and beliefs other than Islam. The lack of leadership of religious education means that teachers are ill-informed about what to teach and how to teach this subject. Pupils' cultural development is inadequate because the academy does not help pupils to develop an understanding of the diversity of traditions, religions and customs in modern British society. This leaves pupils at risk of cultural isolation.'*

The Ofsted report states that *"Pupils in Years 5 and 6 told inspectors that they felt it was unfair that they could not have music lessons. They also told inspectors that there had been a music room where pupils were taught to play a musical instrument before the school became an academy. Since then, this had been taken away. Pupils also said that they would like the opportunity to learn a European language, such as Spanish or French, as they wanted to know more about people from other countries and backgrounds."*

### **Behaviour and safety of children**

Ofsted judge *"The academy's systems for keeping pupils safe and secure are inadequate. Pupils do not know how to keep themselves safe when using the internet. Inspectors found that the computers did not have an adequate level of protection to prevent access to inappropriate websites"*.

The Ofsted report states that *"Pupils do not have secure understanding of all of the different types of bullying, particularly those associated with prejudice-based bullying. For example,*

*pupils do not fully understand the consequences of intolerance and the damaging impact that this behaviour may have on the self-esteem of others who are different from themselves. They have an adequate understanding of dealing with racism and know who to tell if there is a concern."*

The Ofsted report states that *"Omissions in key policies such as those for anti-bullying, child protection and safeguarding mean that pupils are not adequately kept safe from all risks" "The governing body and senior leaders have not engaged with the government's 'Prevent' agenda. Consequently, pupils are not taught or prepared well enough to deal with any potential exposure to extremism or radicalisation"*.

Ofsted reports that *"Behaviour requires improvement because in some lessons pupils are restless and inattentive. This reduces the amount of work they complete and slows down their progress. This is most noticeable when pupils are taught by temporary teachers or, during planning and preparation time, when they are not taught by their regular teacher."*

### **Quality of teaching & achievement of pupils**

The Ofsted report judged the achievement of pupils and quality of teaching as requiring improvement. For example, the Ofsted report states:

- *"Teaching over time has not been good enough to lead to good achievement."*
- *"In some lessons, the more able pupils do not make enough progress, particularly in reading and writing"*
- *"Teaching in religious education is inadequate because it does not achieve the necessary gains in pupils' knowledge, skills and understanding of the major religions."*
- *"Subjects such as art and music have been removed for some year groups"*
- *"The achievement of disabled pupils and those who have special educational needs requires improvement"*
- *"More able pupils do not always reach the standards of which they are capable, particularly in reading and writing where few pupils gained the higher Level 5."*
- *"...the standards attained by pupils in Year 6 were below average in reading and mathematics in 2013. They were well below average in writing."*
- *"Teachers' own spelling and grammar are sometimes incorrect."*

The Ofsted report describes that Arabic is taught well and that pupils make good progress. It is not enough for one subject to be taught well. The quality of the teaching is poor across the Academy.

### **Intention to terminate the funding agreement: special measures termination**

Ofsted has determined that the Academy requires special measures. As set out in this letter Ofsted's report causes me grave concern. Accordingly, this letter is notice of the Secretary of State's intention to terminate the supplemental funding agreement for the Academy, in accordance with clause 5.6 of that agreement.

I invite you to make representations in response to this notice. For the purpose of clause 5.7 of the supplemental funding agreement, any representations you do wish to make must be received by me before 4 July 2014.

## **Independent School Standards**

It is a requirement of the Academy being listed on the Register of Independent Schools, and therefore of entitlement to run an independent school, that you should comply with the Independent School Standards.

This letter also gives notice under section 165(3) of the Education Act 2002 identifying the following standards which you are failing to meet and requiring you to submit an action plan in accordance with section 165(4) before 4 July 2014.

### **Part 2 of Schedule 1 – 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) ensures that principles are promoted which—

(v) assist pupils to acquire an appreciation of and respect for their own and other cultures in a way that promotes tolerance and harmony between different cultural traditions

(vi) encourage pupils to respect 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 of Schedule 1 – Welfare, Health and Safety of Pupils**

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.

9 The standard in this paragraph is met if the proprietor ensures that a written policy to promote good behaviour amongst pupils and set out the sanctions to be adopted in the event of pupil misbehaviour is drawn up and effectively implemented.

10 The standard in this paragraph is met if the proprietor ensures that an effective anti-bullying strategy is drawn up and implemented.

### **Part 4 of Schedule 1 - Suitability of Staff, Supply Staff, and Proprietors**

22 (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.

(2) The register referred to in sub-paragraph (1) may be kept in electronic form, provided that the information so recorded is capable of being reproduced in legible form.

(3) The information referred to in this sub-paragraph is, in relation to each member of staff ("S") appointed on or after 1st May 2007, whether--

(a) S's identity was checked;

(b) a check was made to establish whether S is barred from regulated activity relating to children in accordance with section 3(2) of the Safeguarding Vulnerable Groups Act 2006 or is subject to any direction made under section 142 of the 2002 Act or any disqualification, prohibition or restriction which takes effect as if contained in such a direction;

(c) checks were made to ensure, where appropriate, that S had the relevant qualifications;

(d) an enhanced criminal record certificate was obtained in respect of S;

(e) checks were made pursuant to paragraph 19(2)(d);

(f) a check of S's right to work in the United Kingdom was made; and

(g) checks were made pursuant to paragraph 19(2)(e), including the date on which each such check was completed or the certificate obtained.

(4) The information referred to in this sub-paragraph is, in relation to each member of staff in post on 1st August 2007 who was appointed at any time before 1st May 2007, whether each check referred to in sub-paragraph (3) was made and whether an enhanced criminal record certificate was obtained, together with the date on which any check was completed or certificate obtained.

(5) The information referred to in this sub-paragraph is, in relation to supply staff--

(a) whether written notification has been received from the employment business that--

(i) it has made checks corresponding to those referred to in sub-paragraph (3)(a) to (c), (e) and (f); and

(ii) it or another employment business has made an enhanced criminal record check or has obtained an enhanced criminal record certificate in response to such a check made by it or another employment business,

together with the date the written notification that each such check was made, or certificate obtained, was received;

(b) whether a check has been made in accordance with paragraph 20(2)(e) together with the date the check was completed; and

(c) where written notification has been received from the employment business in accordance with a contract or other arrangements referred to in paragraph 20(2)(d) that it has obtained an enhanced criminal record certificate which disclosed any matter or information, or that information was provided to it in accordance with section 113B(6) of the Police Act 1997, whether the employment business supplied a copy of the

certificate to the school.

(6) The information referred to in this sub-paragraph is, in relation each member ("MB") of a body of persons named as the proprietor appointed on or after 1st May 2007, whether the checks referred to in paragraph 21(6)(b) were made, the date they were made and the date on which the resulting certificate was obtained.

(7) The information referred to in this sub-paragraph is, in relation to each member of a body of persons named as the proprietor in post on 1st August 2007 who was appointed at any time before 1st May 2007--

(a) whether each check referred to in sub-paragraph (6) was made; and

(b) whether an enhanced criminal record certificate was obtained, together with the date on which any check was completed or certificate obtained.

(8) It is immaterial for the purposes of sub-paragraphs (3), (4), (5)(a) and (b), (6) and (7) whether the check was made or certificate obtained pursuant to a legal obligation.

I am clear that you are failing to meet these standards, based on the matters reported on by Ofsted as set out above in this letter.

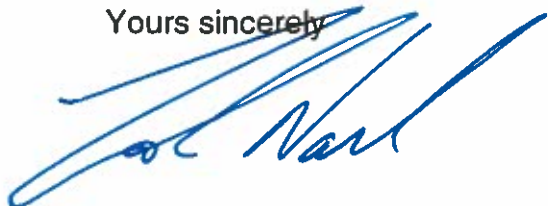
You should note that I reserve the right to impose further conditions on the Trust should other matters come to my attention.

I am deeply mindful of the need to eliminate discrimination, advance equality of opportunity and foster good relations between those sharing protected characteristics and those who do not share such characteristics (Equality Act 2010, section 149). Ensuring that the Trust meets the requirements and conditions set out in the funding agreement, as well as the standards for independent schools, positively promotes these aims.

## Response

Your responses should be in writing, addressed to me, and a copy emailed to Colin Diamond at the Department for Education ([colin.diamond@education.gsi.gov.uk](mailto:colin.diamond@education.gsi.gov.uk)) before 4 July 2014.

Yours sincerely



LORD NASH