



Department
for Education

Office of the Regional Schools
Commissioner, North
Academies Regional Delivery Group
Department for Education
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Feethams, Darlington DL1 5QE

Email: RSC.North@education.gov.uk

24 May 2018

Gerard Garvey,
Chair of the Board of Trustees
Discovery School

Dear Gerard,

Notice of Intention to Terminate Funding Agreement

I write concerning the funding agreement between the Secretary of State and Discovery Learning Limited ("the trust") dated 14 January 2014.

Section 2A of the Academies Act 2010 allows the Secretary of State to issue a Notice of Intention to Terminate where a school is in Special Measures and/or requires significant improvement. The trigger for the use of this power is the issuing by Ofsted of SCC Form 2 notice of Inadequate judgment to Discovery Learning Limited following their inspection at Discovery on 21 and 22 March 2018.

Discovery School had an Ofsted Section 5 Inspection on 10 May 2017 which judged the school to have serious weaknesses and rated the effectiveness of Leadership and Management Inadequate. Whilst an Ofsted section 8 monitoring inspection carried out in December 2017 reported that the school's leaders and managers were taking effective actions towards the removal of the serious weaknesses designation, this has not been borne out by events since that inspection.

Serious concerns regarding Discovery culminated in us being made aware of numerous significant safeguarding incidents at Discovery school. We were told that Discovery was 'at crisis point'.

The trust was asked to provide a detailed response to each of the safeguarding allegations/incidents raised including the action taken to address those matters. We were extremely concerned to receive only a partial response from the trust, via the Principal, which did not reassure us that the trust was taking appropriate and swift enough action to ensure that pupils at Discovery were safe.

Since then, we have continued to receive safeguarding disclosures which have included the response of the trust's sponsors, Newcastle College Group (NCG), to the various safeguarding concerns. Again, although some reassurances have been given by the trust in response to our enquiries, we have remained extremely concerned at the response and the lack of support provided to the Principal and Vice-Principal by both the trust and NCG to matters of such gravity.

Over the past year, we have written to you on more than one occasion indicating that our concerns in terms of Discovery's educational performance, financial position, and leadership and governance have been such that we felt the only way of securing

Discovery's recovery was for your trust to join a Multi Academy Trust with sufficient capacity to improve the school. You have repeatedly refused to do so.

In the light of the ongoing serious safeguarding concerns we have regarding Discovery, Ofsted's findings and significant concerns regarding the school's leadership and governance, we are not reassured that the trust has the capability or capacity to make the improvements needed at the Academy to ensure pupils receive an acceptable standard of education.

Therefore, having considered this matter carefully, I am satisfied that it would be appropriate to terminate the funding agreement. I am therefore issuing you, on behalf of the Secretary of State, with a notice of intention to terminate under Section 2A of the Academies Act 2010.

You are invited to respond to this notice with representations from the Academy Trust **by 21 June at the latest**. If no representations are forthcoming, or if the Secretary of State is dissatisfied with your response, he may proceed to terminate the funding agreement.

Moving forward, I and my DfE colleagues are committed to working with your trust and with the relevant local authorities to secure the best possible outcome for all pupils at Discovery.

I look forward to your response.

Yours sincerely,

A handwritten signature in cursive script that reads "Katherine Cowell".

Katherine Cowell
Deputy Director, Academies Regional Delivery Group North