



Department
for Education

Regional Schools Commissioner's
Office
Bishopsgate House, Feethams,
DARLINGTON
Co Durham
DL1 5QE

The Members and Trustees of Marchbank Free School
C/o Mrs Helen Radcliffe, Chair
The Education Village
Salters Lane South
Darlington
DL1 2AN

24 October 2019

Dear Mrs Radcliffe

Minded to Terminate Letter to the Members and Trustees of The education Village in respect of Marchbank Free School

In accordance with section 2A of the Academies Act 2010ⁱ any funding agreement of an academy may be terminated by the Secretary of State where special measures are required to be taken by the academy or the academy requires significant improvement and the Chief Inspector of Ofsted has given notice of that under section 13(3) (a) of the Education Act 2005.

I received an Ofsted notification dated 18 September 2019 confirming that Marchbank Free School was judged to be inadequate and requires special measures.

As the Regional Schools Commissioner acting on behalf of the Secretary of State, I need to be satisfied that this academy can achieve rapid and sustained improvement, if I am not satisfied this can be achieved I will consider issuing a Termination Warning Notice.

I would be grateful for the following evidence:

- copy of the Post-Inspection Action Plan agreed with Ofsted;
- report of actions undertaken so far to address concerns expressed in the Ofsted report and their impact to date;
- a copy of the latest report by your school improvement partner (SIP).

I was grateful to you and to CEO Mike Butler for coming to see me on 8 October 2019. At that meeting you explained your perception of the contributory factors leading to the judgement. You indicated that leadership of the school is now under the executive

leadership of Beaumont Hill Academy, and that significant improvements have already been made in relation to the issues that Ofsted found. You reported that you consider there to be robust succession planning and other measures in place to protect Beaumont Hill against any negative impact from the support they are providing to Marchbank. We also asked about some recent governance changes.

I would like to proceed in the following way:

- arrange an education expert visit as soon as possible to focus on the trust's capacity to secure rapid improvement, particularly in relation to the improvement required at Marchbank and to sustain improvement at Beaumont Hill;
- as agreed, I will arrange for Academy Ambassadors to engage with the trust board, to ensure an appropriate mix of professional expertise;
- as advised, the trust is to review with its advisers its current LA-influenced company status at member level and trustee level and take prompt action to remove this risk in accordance with the [Governance Handbook 2019 Section 5.2.1](#) and Clauses 139-144 of the EVAT Articles;
- review of progress on a half termly basis thereafter;
- the trust to continue to explore with urgency options to join a strong multi-academy trust (MAT) within the 2019/20 academic year.

Please respond to me by **18 November 2019**, outlining the actions that you will be taking to remedy the matters identified above.

I am copying this letter to the National Schools Commissioner.

Yours sincerely



KATHERINE COWELL
Interim Regional Schools Commissioner for the North

ⁱ Inserted by section 14 of the Education and Adoption Act 2016