

Notes of Meeting: East Midlands and The Humber Advisory Board

23 February 2022.

Attendance

Attendance data is published annually on the GOV.UK website.

AB members who sent their apologies for the meeting have, where possible, been consulted on all projects before the meeting. Their views are reflected in the discussion at the meeting (where appropriate). This excludes items where that member declared a conflict of interest.

Regional Schools Commissioner (RSC) chair

- Kate Copley
- Carol Gray

Advisory Board (AB) members

- Anne Martin
- Andy Child
- Paul Stone
- Inderjit Sandhu
- Paul West

Guests

- None

Apologies

- Peter Bell

DfE senior civil servants

- Charlotte Marr
- ESFA representatives

Representations received

One – Discuss sponsor options for Brierley Forest Primary and Nursery School, Nottinghamshire

These representations were shared in advance of the meeting with all attendees (except those who had declared a conflict of interest) and were considered alongside their corresponding item.

Sponsored Route:

Points discussed in relation to a school's sponsor status.

Project: Discuss sponsor options for Brierley Forest Primary and Nursery School, Nottinghamshire.

AB discussion:

Brierley Forest Primary and Nursery School was inspected by Ofsted on 2 November 2021 and judged inadequate (special measures). The school was issued with an Academy Order on 13 January 2022.

Five sponsor options were considered by the Advisory Board. The members also considered the representations received.

The board was of the opinion that all five sponsors had the capacity, capability and financial health to support the school. On balance, Transform Trust was approved as sponsor with the board's support.

The financial health of the school, the strength of financial management and governance arrangements in place at Transform Trust and the impact on the trust's future financial health if this school joins were also considered.

RSC decision: Transform Trust approved.

Conflicts: Andy Child and Paul Stone. They did not receive the papers and were not present for the discussion.

Further actions required: Delivery Officer to inform the school and trust of the decision and the new sponsor to carry out due diligence.

Project: Discussion on the sponsor match for Harlow Academy, Nottinghamshire.

AB discussion:

Harlow Academy, a special academy for 3 to 18 year olds in the constituency and district of Ashfield, joined The Evolve Trust in April 2021 as a sponsored academy.

Harlow Academy was inspected by Ofsted on 18 January 2022 and judged inadequate (special measures). The Evolve Trust board of trustees, with the agreement of the RSC, made a request for Harlow Academy to be transferred to a new trust.

Four sponsor options were considered by the Advisory Board.

Whilst all four sponsors had relevant credentials, capacity and financial health to support the academy, on balance Nexus Multi-Academy Trust was approved. The board agreed that Nexus has expertise in leading and managing outstanding special educational provision for pupils with profound and multiple learning difficulties and the immediate capacity and capability to drive rapid and sustained improvement.

The financial health of the academy, the strength of financial management and governance in place at Nexus Multi-Academy Trust and the impact on the trust's future financial health if this academy joins were also considered.

RSC decision: Nexus Trust approved.

Conflicts: Andy Child. Andy Child did not receive the papers and was not present for the discussion.

Further actions required: Delivery Officer to inform the academy and trust of the decision and new sponsor to carry out due diligence.

Free School Presumption – Sponsor Approval

Points discussed in relation to applications for sponsor application.

Project: Discuss sponsor options for Rotherham Social, Emotional and Mental Health Free School, Rotherham.

AB discussion:

This proposal supports Rotherham Metropolitan Borough Council (RMBC) to establish a special academy for children and young people with special educational needs, specifically in relation to social, emotional, and mental health (SEMH).

The local authority has seen a significant increase in the number of children and young people with special educational needs and disabilities (SEND) who have SEMH identified as their primary need, and therefore require specialist placements.

The first cohort of children in this setting will be those who are currently being educated at two of Rotherham's Pupil Referral Units (PRUs) - The Rowan Centre and Rotherham Aspire Pupil Referral Unit. The LA has engaged throughout the process with the headteachers at both PRUs. They are aware of the proposal and plans.

Wellspring Academy Trust was previously approved by Advisory Board as the sponsor for the project but have subsequently decided not to proceed and Ethos Academies Trust was identified as the next preferred option.

The board were in agreement to approve Ethos Academies Trust as a sponsor.

The strength of financial management and governance at Ethos Academies Trust and the impact on the trust's future financial health if it operated this new free school were considered.

RSC decision: Ethos Academies Trust approved.

Conflicts: Andy Child. Andy Child did not receive the papers and was not present for the discussion.

Further actions required: Delivery Officer to inform the trust and Local Authority of the decision.

Academy Opening Approved in Principle

List of academies approved to open.

Project: Bishopthorpe Infant School

AB discussion: Proposed school opening date – 01 March 2022.

Further actions required: No action required.

Project: St George's CofE Controlled Primary School

AB discussion: Proposed school opening date – 01 March 2022.

Further actions required: No action required.

Project: William Rhodes Primary and Nursery School

AB discussion: Proposed school opening date – 01 March 2022.

Further actions required: No action required.

Significant Change

Points discussed in relation to significant changes application(s).

Project: Whether to approve the physical expansion of St Mary's Catholic High School, Derbyshire, to increase capacity.

AB discussion:

St Mary's Catholic High School is a faith secondary academy in Chesterfield which converted to become a standalone academy on 1st August 2012. The academy previously submitted a significant change request for physical expansion in 2021. This was declined due to the number of local schools that were under capacity and no basic need in the planning area.

The academy was judged by Ofsted as outstanding in October 2021.

The board raised several questions regarding the academy's application for the Condition Improvement Fund, the financial position of the trust and the impact on other schools in the area. The RSC deferred the discussion until the following Advisory Board meeting.

RSC decision: Deferred.

Conflicts: None.

Further actions required: Project to be discussed at a future Advisory Board meeting. Delivery Officer to inform all interested external stakeholders of this decision.

Project: Whether to approve the closure of the sixth form at South Axholme Academy, North Lincolnshire

AB discussion:

This is a significant change application to close the sixth form (16-19 provision) at South Axholme due to declining pupil numbers and concerns regarding financial viability.

South Axholme Academy is based in Epworth, close to the border between Doncaster and North Lincolnshire. The academy currently has an age range of 11 to 18.

The trust states that pupil numbers at the sixth form have declined since 2015 and project further declines. The trust feels that if the significant change application is not approved, the sixth form will naturally close due to low student numbers.

ESFA has confirmed the trust's financial modelling shows that closure would not cause financial instability of the trust.

A consultation was held in November 2021 on the decision to close the sixth form and the variation of 2023/23 admissions to remove all references to the sixth form.

A total of 53 responses were received, where 9.4% (5 people) supported the proposal to close, 9.4% (5 people) had no opinion on the proposal and 81.2% (43 people) were against the proposal to close.

The trust states that the majority of objections expressed disappointment that closure was being considered but acknowledged student numbers are an issue and that alternative local post-16 provision options were varied and of good quality.

The board established that the academy was planning to admit another 19 pupils this September. This did not fully corroborate with their plans to close the sixth form. Further details were requested by the Advisory Board around pupil numbers being broken down into years 12 and 13.

The RSC agreed to defer this decision.

RSC decision: Deferred.

Conflicts: None

Further actions required: Project to be brought forward to a future Advisory Board meeting. Delivery Officer to inform all interested external stakeholders of this decision.

Trust Change

Points discussed in relation to academies moving to a new trust.

Project: Whether to approve the merger of Oval Learning Trust, Leicestershire, with Rise Multi-Academy Trust, Leicestershire.

AB discussion:

Oval Learning Trust is a majority faith mixed multi-academy trust consisting of five primary academies of circa 555 pupils, located in North West Leicestershire.

Following a review of the trust's finances and potential future growth, Oval Learning Trust's trustees decided to explore a merger with another Diocese of Leicester trust.

The trustees considered a number of Diocese of Leicester trusts and completed a consultation exercise with the trust's headteachers, senior leaders, and governors. Following the conclusion of the consultation, trustees voted to merge with Rise Multi-Academy Trust. The Diocesan Board of Education gave consent to the proposed merger. A working relationship has been established between the two trusts and Rise Multi-Academy Trust have provided senior leadership support to Oval Learning Trust since January 2021.

The Advisory Board members were in agreement with this proposal and recommended the supportive deployment of an SRMA post-merger. The financial health of both trusts and the strength of financial management and governance at Rise Multi-Academy Trust were also considered.

RSC decision: Approved.

Conflicts: None.

Further actions required: Delivery Officer to inform the trusts of the decision. Arrangements for the supportive deployment of a SRMA to be put in place.

Project: Whether to approve the merger of St Thérèse of Lisieux Catholic Multi Academy Trust, North Lincolnshire, North East Lincolnshire, Lincolnshire and Rutland, with Our Lady of Lourdes Catholic Multi-Academy Trust, Nottinghamshire.

AB discussion:

This proposal is for St Thérèse of Lisieux Catholic Multi Academy Trust (St Thérèse) to transfer 15 of its 16 academies to the Our Lady of Lourdes Catholic Multi Academy Trust, taking a phased approach, and for St Thérèse to close.

Our Lady of Lourdes Catholic Multi Academy Trust currently has 21 open academies (17 primary and four secondary). Following the transfer of the 15 academies from St Thérèse, the trust would have 36 academies in total (30 primary schools and six secondary).

Our Lady of Lourdes Catholic Multi Academy Trust has been supporting St Thérèse with shared leadership since March 2021 and a strong working relationship has been established.

The Diocese and trust have explored a number of options for the future of St Thérèse and due to the impact of the support already delivered by Our Lady of Lourdes and the existing working relationship, a consensus has been reached that this proposal would provide the best solution.

The Advisory Board members were in agreement with this proposal. It was noted that the transfer of 15 academies would be a significant challenge for Our Lady of Lourdes but the board was satisfied that the trust has the structures and strategy in place to support the

transferred academies. Post transfer, an independent, external review of governance and the supportive deployment of a SRMA was recommended by the board.

The financial health of both trusts and strength of financial management and governance arrangements in place at Our Lady of Lourdes Catholic Multi Academy Trust and the impact on the trust's future financial health if these academies join were considered.

RSC decision: Approved.

Conflicts: None

Further action required: Delivery Officer to inform the trusts of the decision. Arrangements for the supportive deployment of a SRMA to be put in place for post transfer, and an external review of governance.

Project: Whether to approve the transfer of English Martyrs' Catholic Primary School from St Thérèse of Lisieux Catholic Multi Academy Trust to St Thomas Aquinas Catholic Multi-Academy Trust.

AB discussion:

The proposal is for English Martyrs' Catholic Voluntary Academy (currently part of St Thérèse of Lisieux Catholic Multi Academy Trust (St Thérèse)) to transfer to St Thomas Aquinas Catholic Multi-Academy Trust (St Thomas Aquinas).

English Martyrs' is the only academy within St Thérèse that is not located in Greater Lincolnshire. Whilst being part of St Thérèse, English Martyrs has worked in partnership with a number of academies in St Thomas Aquinas. This, alongside restoring the geographical link between Leicestershire and Rutland, is the rationale for English Martyrs' to be transferred to the St Thomas Aquinas Catholic Multi Academy Trust, rather than the Our Lady of Lourdes Catholic Multi Academy Trust.

The financial health of the academy, the strength of financial management and governance at St Thomas Aquinas Catholic Multi-Academy Trust and the impact on the trust's future financial health if this academy joins were also considered. Post transfer, the supportive deployment of a SRMA was recommended by the board.

RSC decision: Approved.

Conflicts: None.

Further action required: Delivery Officer to inform the trust of the decision. Arrangements for the supportive deployment of an SRMA to be put in place.

Decisions escalated to the NSC/Minister

List of decisions that have been escalated to the Minister.

Project: Whether to approve the physical expansion of Landau Forte College, Derby, to increase capacity.

AB advised on:

Landau Forte College (LFC) proposes to expand its capacity by 520 places across Years 7-11, increasing PAN per year from 196 to 260 from September 2022 and to 300 in September 2023. The increase in capacity includes a new 15 place SEND enhanced resource unit (ERU).

LFC is a larger than average secondary academy and sixth form in Derby. It is Ofsted rated outstanding in 2012 and was outstanding in its previous inspection in 2008. As part of the local authority's (LA) strategy for ensuring sufficient secondary school places for peak intake in 2023/24 and future years, Landau Forte Charitable Trust (LFCT) has submitted a full business case for a physical expansion.

The views of the Advisory Board were sought on the significant change expansion (including the addition of a SEND Enhanced Resource unit) and recommendation that the application is referred to the Minister for a decision.

The financial health of the academy, the strength of financial management and governance at Landau Forte Charitable Trust and the impact on the trust's future financial health of this proposed significant change were considered.

RSC decision: Escalated to the Minister.

Conflicts: None.

Further actions required: Delivery Officer to inform school/trust that this proposal will be escalated to the Minister for decision.

Project: Whether to approve the physical expansion of Rushcliffe Spencer Academy, Nottinghamshire, to increase capacity

AB advised on:

Proposal considered to increase the capacity of Rushcliffe Spencer Academy from 1,920 to 2,310, an increase of 390 places; 300 places for Y7 to Y11 and 90 places post 16.

The expansion is being developed in conjunction with Nottinghamshire Local Authority to meet the increased demand for these school places in the Rushcliffe/West Bridgford area and is largely to be funded by the Local Authority.

The academy received an outstanding Ofsted report in February 2014.

The financial health of the academy, the strength of financial management and governance at Spencer Academies Trust and the impact on the trust's future financial health of this proposed significant change were considered.

The supportive deployment of a SRMA is already planned to take place in March 2022.

RSC decision: Escalated to the Minister.

Conflicts: Paul West. Paul West did not receive the papers and was not present for the discussion.

Further actions required: Delivery Officer to inform school/trust that this proposal will be escalated to the Minister for decision.

List of projects listed on the published draft agenda, but were removed before the meeting

List of projects that were on the published draft agenda but not discussed at the AB meeting.

Project: Whether to approve the merger of Inspiring Primaries Academy Trust, Leicestershire, with Learn Academies Trust, Leicestershire.

Type of decision: No decision was made.

Reason for why it was taken off agenda: This was taken off the agenda at the trust's request.