



Department
for Education

Department for Education
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www.education.gov.uk/contactus/dfe

Date: 9 May 2022

Dear Sir Paul Marshall,

Termination Warning Notice to the Members and Trustees of Ark Schools in respect of Ark Kings Academy, Birmingham

In accordance with sections 2A and 2D of the Academies Act 2010¹ 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 16 March 2022 confirming Ark Kings Academy was judged to be inadequate and requires special measures. For the reasons set out below, I now consider it necessary to issue this Termination Warning Notice.

- Pupils in the secondary phase say that they do not feel safe. Bullying, derogatory language and homophobic behaviours are commonplace. They have no confidence that staff will support them when they raise concerns.
- Leaders say they have high expectations of every pupil. However, pupils with special educational needs and/or disabilities do not receive the support they need and so they do not achieve well. They are more likely to receive sanctions than their peers. The number of suspensions for pupils with SEND is high and increasing.
- In the secondary phase, teachers do not consistently choose activities that help pupils to learn important information. Pupils understanding is not checked often enough and so teachers do not spot gaps in their learning Leaders and teachers in the secondary phase do not support pupils with SEND well enough in lessons. As a result, they do not make the progress that they should.
- In the secondary phase, pupils learning is often disrupted by poor behaviour. Many pupils receive repeated sanctions. Both detentions and suspensions are used very frequently, and leaders cannot demonstrate the impact of these strategies. Pupils report high levels of bullying and prejudiced behaviour. These are not recorded.

¹ Inserted by section 14 of the Education and Adoption Act 2016

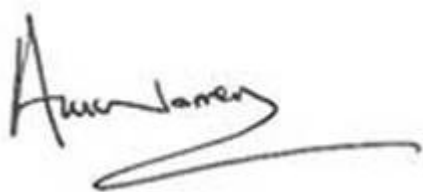
- Lesbian, gay, bisexual and transgender (LGBT) pupils experience repeated discriminatory behaviour against them. Leaders have not recognised these issues, and so cannot take the right steps to stop them from happening.
- Leadership across the school is too variable. Many leaders are new in post and new leaders in the secondary phase are not getting the help they need to improve the school.
- The trust has recognised some of the failings of the school and taken steps to address these. However, this action has been too slow to address what needs to be done and pupils in the secondary phase continue to be let down.
- The arrangements for safeguarding are not effective. There is not a culture of safeguarding in the secondary phase of the school. Teachers do not take responsibility for reporting safeguarding concerns. They are not aware of the extent of the issues that pupils face in or outside school. Leaders have not been diligent in identifying risks and so do not keep pupils safe through regular attendance checks or by keeping them safe from bullying or harassment.

As Regional Schools Commissioner, I need to be satisfied that the trust has capacity to deliver rapid and sustainable improvement at the academy. If I am not satisfied that this can be achieved, I will consider whether to terminate the funding agreement in order to transfer the academy to an alternative academy trust.

In making the decision on whether to terminate the funding agreement I will consider any written representations you wish to make in response to this Termination Warning Notice.

Please provide me with any representations you wish to make by 27 May 2022.

I am copying this letter to the National Schools Commissioner, Birmingham City Council, and Ofsted. A copy of this letter will also be published on GOV.UK.

A handwritten signature in black ink, appearing to read 'Andrew Warren', with a long horizontal flourish extending to the right.

Yours sincerely

Andrew Warren

Regional Schools Commissioner, West Midlands

CC: National Schools Commissioner, Ofsted, Birmingham City Council