

Notes of Meeting: East Midlands and The Humber Advisory Board

27th April 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.

Advisory Board (AB) members

- Paul Stone.
- Inderjit Sandhu.
- Andy Child.
- Anne Martin.
- Paul West.
- Elizabeth Horne CBE (Advisory Board member for the North region. In attendance for the item 3B - Discuss trust options for Brunts Academy, Bramble Academy and Beech Academy (Evolve Trust), Nottinghamshire).

Guests

- None.

Apologies

- Peter Bell.

DfE senior civil servants

- ESFA representative.
- Kelly Hughes (Deputy Director).

Representations received

- One – Discuss trust options for Brunts Academy, Bramble Academy and Beech Academy (Evolve Trust), Nottinghamshire.
- 127 – Whether to approve the transfer of the two academies (Carlton le Willows Academy and Netherfield Primary School) from Greater Nottingham Education Trust to East Midlands Education Trust, 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.

Converter Academy Orders

Points discussed in relation to school conversion.

Project: Whether to approve Iveshead School, Leicestershire to convert and join Mowbray Education Trust, Leicestershire.

AB discussion:

Iveshead School received an Ofsted judgement of requires improvement in February 2022.

Mowbray Education Trust is a six-academy trust based in north-east Leicestershire. The trust has been working in partnership with the school and has been supporting them with their action plan in response to the Ofsted judgement. The school's local governing body passed a resolution to join the trust and the proposal was consulted on between 15 September and 13 October 2021.

The financial health of the school, the strength of financial management and governance at Mowbray Education Trust and the impact on the trust's future financial health were also considered.

The board was in agreement with this proposal.

RSC decision: Approve.

Conflicts: None.

Further actions required: Academy order to be sent to the chair of governors. The trust and Director of Children's Services at Leicestershire County Council to be informed of the decision. The supportive deployment of a School Resource Management Adviser and an external review of governance were recommended.

Project: Whether to approve Donisthorpe Primary School, Leicestershire to convert and join Symphony Learning Trust, Leicestershire.

AB discussion:

Donisthorpe Primary School received a good (short inspection) Ofsted judgement in March 2017. Symphony Learning Trust is a nine-school trust with academies across Leicestershire. Four of the nine academies in the trust were Ofsted inspected in late 2021 and all were rated good.

Donisthorpe Primary School and Symphony Learning Trust worked closely together as part of the local response to COVID and the school's local governing body has passed a resolution to join the trust.

Donisthorpe Primary School is located close to two of Symphony Learning Trust's existing academies, Ashby Willesley Primary School (Ofsted good) and Ashby Hastings Primary School (a free school which opened in August 2021).

The financial health of the school, the strength of financial management and governance at Symphony Learning Trust and the impact on the trust's future financial health were also considered.

The board was in agreement with this proposal.

RSC decision: Approve.

Conflicts: None.

Further actions required: Academy order to be sent to the chair of governors. The trust and Director of Children's Services at Leicestershire County Council to be informed of the decision. An external review of governance at the trust was recommended.

Project: Whether to approve Embark Multi-Academy Trust, Derby to enter into secondary phase education and approve the conversions of Aldercar High School, Anthony Gell School, Buxton Community School and Parkside Community School, Derbyshire.

AB discussion:

Embark Multi-Academy Trust has carefully considered this proposal and worked positively with the department over the past 12 months. The trust currently has 15 academies with 3,357 pupils and will grow to 19 academies and 6,314 pupils should these projects be approved.

This proposal was discussed at the January 2022 advisory board and deferred due to concerns about the trust's readiness for all four schools to join. The proposal now is for schools to join over a period of 12 months and work with the trust during the period before conversion.

The trust has considered the risks of expanding into the secondary phase and has put appropriate mitigations in place.

The financial health of the schools, the strength of financial management and governance at Embark Multi-Academy Trust and the impact on the trust's future financial health were also considered.

The board was in agreement with this proposal.

RSC decision: Approve.

Conflicts: None.

Further actions required: Academy orders to be sent to the chairs of governors. The trust and Director of Children's Services at Derbyshire County Council to be informed of the decision. An external review of governance at the trust was recommended.

Project: Whether to approve Howden Junior School, East Riding of Yorkshire, to convert and join The Education Alliance Trust, East Riding of Yorkshire.

AB discussion:

Howden Junior School is a smaller than average-sized primary school. The school was inspected by Ofsted in November 2021 and was judged to be good overall.

Howden Junior School identified The Education Alliance Trust as their preferred trust due to a shared ethos and values.

The Education Alliance Trust is a mixed-faith trust with representation from the Diocese of York (Church of England). The trust's closest academy to Howden Junior School is The Snaith School, which is 10 miles away (18 minutes by car).

The financial health of the school, the strength of financial management and governance at The Education Alliance Trust and the impact on the trust's future financial health were also considered.

The board was in agreement with this proposal.

RSC decision: Approve.

Conflicts: None.

Further actions required: Academy order to be sent to the chair of governors. The trust and Director of Children's Services at East Riding of Yorkshire Council to be informed of the decision. The supportive deployment of a School Resource Management Adviser was recommended.

Project: Whether to approve Bilton Community Primary School, East Riding of Yorkshire to convert and join Horizon Academy Trust, Hull.

AB discussion:

Bilton Community Primary School received an Ofsted good judgement in May 2016. The school is on the catchment boundary of one of Horizon Academy Trust's academies.

The local governing board met with several trusts before selecting Horizon Academy Trust as their preference. Horizon Academy Trust has provided Bilton Community Primary School with support on catering services, business management and special educational needs and disability provision and a good relationship has been formed between the trust and school.

Horizon Academy Trust consists of six primary academies and is based in Kingston upon Hull. Over the past two years, the trust has been building their central capacity to prepare for further growth.

The financial health of the school, the strength of financial management and governance at Horizon Academy Trust and the impact on the trust's future financial health were also considered.

The board was in agreement with this proposal.

RSC decision: Approve.

Conflicts: None.

Further actions required: Academy order to be sent to the chair of governors. The trust and Director of Children's Services at East Riding of Yorkshire Council to be informed of the decision. The supportive deployment of a school resource management adviser was recommended.

Sponsor Application

Points discussed in relation to applications for sponsor approval.

Project: Whether to approve the sponsor application for T.E.A.M Education Trust, Derbyshire.

AB discussion:

T.E.A.M Education Trust is a three-school trust based in Derbyshire. The trust consists of Stubbin Wood School (a special school) and two local primary academies. Stubbin Wood School is the lead school and Ofsted rated as outstanding since 2014.

The trust aims to be at the forefront of special educational needs provision and wider inclusion programmes that benefit schools, communities and other education providers within the area.

The sponsor application confirms that the trust's Chief Financial Officer and Chief Executive Officer have the necessary experience, knowledge and qualifications for their roles. There are no issues with the financial statements for the trust. The trust's school improvement team has a wealth of experience across educational settings.

The financial health, strength of financial management and governance at T.E.A.M Education trust were considered.

The board was in agreement with this proposal.

RSC decision: Approve.

Conflicts: Andy Child. Andy Child was not sent the papers in advance of the meeting and was not in attendance for this part of the meeting.

Further actions required: Delivery officer to inform the trust of the decision. The supportive deployment of a School Resource Management Adviser and an external review of governance were also recommended.

Sponsored Route

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

Project: Discuss sponsor options for Newman School, Rotherham.

AB discussion:

Newman School is a community special school based in Rotherham. The school currently operates across two separate sites; one at the school's original address and a second located at the Dinnington Free School site.

Newman School was inspected by Ofsted in November 2021 and was judged inadequate. The school was issued with an academy order on 28 January 2022.

This project was discussed at March's Advisory Board but was deferred to allow further information to be gathered.

Four sponsor options were brought to the board for consideration. Following consideration of all options, the board agreed that T.E.A.M Education Trust was their preferred sponsor option.

The financial health of the school, the strength of financial management and governance at each of the sponsor options and the impact on the trust's future financial health were considered.

RSC decision: Approve.

Conflicts: Andy Child. Andy was not sent the papers in advance of the meeting and was not in attendance for this part of the meeting.

Further actions required: Delivery officer to inform the trust of the decision along with the Director of Children's Services at Rotherham Metropolitan Borough Council.

Academy Opening Approved in Principle

List of academies approved to open.

Project: Sale and Davys Church of England Primary School.

AB discussion: Proposed School Opening Date – 01 May 2022.

Further actions required: No action required.

Significant Change

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

Project: Whether to approve Derby Diocesan Academy Trust 2, Derbyshire to merge into Derby Diocesan Academy Trust 1, Derbyshire.

AB discussion:

Derby Diocesan Academy Trust was established as a primary trust in 2013. Given the number of small schools looking to join the trust, Derby Diocesan Academy Trust set up a second trust: Derby Diocesan Academy Trust 2.

The proposed merger will have no effect on the educational provision, staffing, legal status or premises arrangements at the academies.

The diocese fully supports this merger. The trusts have consulted stakeholders over the last two years.

The financial health of the two existing trusts, and the strength of financial management and governance arrangements proposed for the new, merged trust were considered.

The board was in agreement with this proposal.

RSC decision: Approve.

Conflicts: Anne Martin. Anne was not sent the papers in advance of the meeting and was not in attendance for this part of the meeting.

Further actions required: Delivery officer to inform the trusts of this decision. The supportive deployment of a School Resource Management Adviser was recommended.

Project: Whether to approve an increase in capacity from 280 to 360 at Langley Mill Academy (Djanogly Learning Trust), Derbyshire.

AB discussion:

Langley Mill Academy received an inadequate Ofsted judgement in 2017. The academy has not yet been inspected since it was sponsored by Djanogly Learning Trust in 2018.

This significant change application is retrospective as the academy has already completed an expansion of premises.

Prior to joining Djanogly Learning Trust, the school was working with Derbyshire County Council on a proposal to expand to meet basic need in the area from a nearby housing development. The local authority provided basic need funding to add three additional classrooms and internal remodelling to create a fourth classroom. The building work started in May 2019 and was completed in August 2019, with the pupil admission number (PAN) temporarily increased from 70 to 90 from September 2019. The trust plan to increase the PAN permanently to 90 from September 2022.

Increasing the PAN will have no impact on other local schools due to the increasing need for school places and distance to other education provision.

The financial health of the academy, and the strength of financial management and governance at Djanogly Learning Trust were considered.

The board was in agreement with this proposal.

RSC decision: Approve.

Conflicts: None.

Further actions required: Delivery officer to inform the trust of this decision. ESFA to contact the trust regarding the retrospective significant change.

Project: Whether to approve the creation of a new integrated resource (IR) unit within Bradfield School, Sheffield, to provide 12 places for children with cognition and learning difficulties (Tapton School Academy Trust).

AB discussion:

Bradfield School is a mixed 11-19 secondary school located in Sheffield. It is the most recent academy to join Tapton School Academy Trust in February 2020, following an inadequate Ofsted judgement on 26 November 2019.

Tapton School Academy Trust is a Sheffield based trust, consisting of nine academies (five primary and four secondary). The trust wishes to create a 12-place integrated resource unit at Bradfield School for pupils in Sheffield with an education and health care plan.

Tapton School Academy Trust has a track record of supporting children with special educational needs and disabilities, including running an integrated resource unit at another academy within the trust, Forge Valley School.

If approved, the unit will provide provision for pupils with cognition and learning difficulties from 1 September 2022. The proposal is supported by Sheffield City Council due to the increasing demand for special educational needs provision in Sheffield.

The financial health of the academy, the strength of financial management and governance at Tapton School Academy Trust were considered.

The board was in agreement with this proposal.

RSC decision: Approve.

Conflicts: Carol Gray (Regional Schools Commissioner) and Andy Child. Neither Carol Gray nor Andy Child were sent the papers in advance of the meeting. Carol Gray was not in attendance for the meeting and Andy Child was not in attendance for this part of it.

Further actions required: Delivery officer to inform the trust of this decision. Delivery officer also to clarify with the trust the commissioning and funding arrangements for these places and to convey the board's feedback on staffing and feeder school considerations.

Trust Change

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

Project: Whether to approve the voluntary transfer of Ashby Hill Top Primary School Leicestershire, to join Symphony Learning Trust, Leicestershire.

AB discussion:

Ashby Hill Top Primary School became a standalone academy in October 2012 and received an outstanding Ofsted judgment in 2013.

The academy is situated in Ashby De La Zouch, north-west Leicestershire, close to two of Symphony Learning Trust's existing academies (Ashby Willesley Primary School and Ashby Hastings Primary School).

Ashby Hill Top Primary School and Symphony Learning Trust worked closely together as part of the local cluster response to COVID. The trust board of Ashby Hill Top Primary School has passed a resolution to join Symphony Learning Trust.

Symphony Learning Trust is a nine-academy trust based in Leicestershire. Four of the nine academies in the trust were inspected by Ofsted in late 2021 and judged as good. The trust is keen to grow and welcomes the opportunity to work with the school.

The financial health of the two existing trusts, the strength of financial management and governance arrangements at Symphony Learning Trust and the impact on the trust's future financial health were also considered.

The board was in agreement with this proposal.

RSC decision: Approve.

Conflicts: None.

Further actions required: Delivery officer to inform the trust of this decision. An external review of governance was recommended.

Project: Whether to approve the transfer of the three academies within Apollo Partnership Trust, Leicestershire (Broom Leys School, The Castle Rock School, The Newbridge School) to join Lionheart Educational Trust, Leicester.

AB discussion:

The proposal is for Apollo Partnership Trust to transfer academies to Lionheart Educational Trust and to close.

Two of the three academies in Apollo Partnership Trust, Broom Leys School and The Newbridge School are currently rated as good by Ofsted. The Castle Rock School was judged to be inadequate in October 2021. A termination warning notice was issued to Apollo Partnership Trust following the inadequate Ofsted judgement. The trust board has decided that it is in the best interests of all its academies to join an alternative local trust with a strong track record of school improvement. Lionheart Educational Trust has been providing support to Apollo Partnership Trust since the inadequate judgement.

The financial health of the two existing trusts, the strength of financial management and governance arrangements at Lionheart Educational Trust and the impact on the trust's future financial health were also considered.

The board was in agreement with this proposal.

RSC decision: Approve.

Conflicts: None.

Further actions required: Delivery officer to inform the trusts of this decision. The supportive deployment of a School Resource Management Adviser and an external review of governance were recommended.

Project: Whether to approve the transfer of the two academies (Carlton le Willows Academy and Netherfield Primary School) from Greater Nottingham Education Trust to East Midlands Education Trust, Nottinghamshire.

AB discussion:

The advisory board discussed the proposal, along with the representations received. The board agreed that the proposal to consolidate the two trusts is aligned with the department's position on creating a system of strong trusts. There were concerns, however, that the trust needed to engage further with stakeholders who felt that they had not been adequately informed of developments, nor been given the opportunity to make their views known to the trustees, before voting again on the proposal.

RSC decision: Defer.

Conflicts: None.

Further actions required: The Regional Schools Commissioner has written separately to the trust board members and both schools regarding the decision and their responsibilities.

Project: Discuss trust options for Brunts Academy, Bramble Academy and Beech Academy (Evolve Trust), Nottinghamshire.

AB discussion:

Following an inadequate Ofsted judgement at Harlow Academy (one of Evolve Trust's academies), the board of trustees passed a resolution to work with the Regional Schools Commissioner to transfer the trust's other academies (Bruns Academy, Bramble Academy and Beech Academy) to alternative trusts.

. The vice-chair of Evolve Trust has worked with the Department of Education to ensure the process to identify the preferred trust for each academy was fair and independent. The Evolve Trust's preferred choice for Beech Academy is Nexus Multi Academy Trust and the preferred trust for Bramble Academy and Brunts Academy is Greenwood Academies Trust.

The financial health of the academies, the strength of financial management and governance at each of the trusts and the impact on the trusts' future financial health were considered.

The advisory board was in agreement with the Evolve Trust Board's preferences.

RSC decision: Approve.

Conflicts: Andy Child and Paul West. Andy and Paul were not sent any papers in relation to this discussion, nor were they present for it.

Further actions required: Delivery officer to inform the trusts of this decision.

Decisions escalated to the minister

List of decisions that have been escalated to the minister.

Project: Whether to approve the capacity increase at Chellaston Academy, Derby from 1650 to 1860.

AB advised on:

Chellaston Academy was previously part of PEAK Multi-Academy Trust and was judged inadequate by Ofsted in September 2019. The academy joined QEGSMAT in June 2021.

This significant change application is retrospective. The previous trust (PEAK Multi-Academy Trust) completed a series of minor alterations and more significant expansions to increase the net capacity of the academy to 1,860 without the consent of the Regional Schools Commissioner. By submitting this application, the current trust is taking appropriate action to correct this.

Derby City Council are providing funding to remodel and extend the existing building to make the space and facilities more suitable for accommodating a capacity of 1860 pupils. Works are due to conclude in September 2024.

The financial health of the academy and the strength of financial management and governance at QEGSMAT were also considered.

The board was in agreement with the age 11 to 16 element of the expansion request. The post-16 element will be referred to the minister for a decision, with the recommendation to approve.

RSC decision: Approve age 11 to 16 expansion. Post-16 expansion escalated to the minister.

Conflicts: Anne Martin and Paul West. Neither were in receipt of related papers prior to the meeting, nor were they in attendance for this part of the meeting.

Further actions required: Delivery officer to inform trust of the decision.