



Department  
for Education

**Regional Director's Office**

2 St Paul's Place  
125 Norfolk Street  
Sheffield  
S1 2FJ

Mr [REDACTED]  
Trust Chair  
The Diocese of Norwich Education and Academies Trust  
Diocesan House  
109 Dereham Road  
Easton  
Norwich  
Norfolk  
NR9 5ES

29 November 2022

Dear Mr [REDACTED]

**Termination Warning Notice to the Members and Trustees of the Diocese of Norwich Education and Academies Trust in respect of The Open Academy**

In accordance with sections 2A and 2D of the Academies Act 2010<sup>i</sup> any funding agreement of an academy may be terminated by the Secretary of State where special measures are required to be taken in relation to 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.

The Department received an Ofsted notification dated 31 October 2022 confirming that The Open Academy was judged to be inadequate and has serious weaknesses. I am writing to you in my capacity as Regional Director for East Midlands with delegated authority because the Regional Director for East of England has a conflict of interest with The Open Academy. For the reasons set out below, which have been taken directly from the Ofsted report, I now consider it necessary to issue this Termination Warning Notice.

Leaders, including the trust, have not ensured effective oversight of safeguarding records or made sure that timely action is taken to keep pupils safe. Vulnerable pupils are potentially left at risk of harm. Leaders urgently need to ensure all safeguarding records are accurate and that effective and prompt help is given to those pupils who need it.

Leaders and the trust have not fully developed processes for supporting pupils with SEND. This means that some pupils with SEND do not get effective help to learn, attend and behave as well as they should. Leaders need to ensure that staff are sufficiently trained and guided to support pupils with SEND effectively.

Leaders' expectations of pupils' behaviour are inconsistent and sometimes too low. Despite recent improvements, a small cohort of pupils in each year group account for a high proportion of low-level disruption to lessons and around the school. Leaders should raise expectations and assist staff to ensure they are effectively supporting all pupils to improve their behaviour, which in turn will help pupils access their learning more successfully.

Teachers' delivery of the intended curriculum is hampered by low expectations and weaker assessment processes in some areas. This means that teachers and leaders do not always ensure that pupils learn well, or know how well pupils are faring, especially when pupils have been absent and have gaps in their learning. Leaders should ensure that staff have high expectations and are well trained in a variety of assessment strategies that allow them to identify where pupils need further support to learn effectively.

As the delegated Regional Director, 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 the trust wish to make in response to this Termination Warning Notice. I would be grateful for the following evidence, which I will take into account when assessing whether the Academy is making sufficient improvements:

- the Post Inspection Action Plan;
- information on what action is being taken to support educational improvement at the academy and the timescales of this work; and
- any additional information you consider would be helpful.

Please provide me with any representations the trust wishes to make by 21 December 2022.

I am copying this letter to Ofsted, and Norfolk County Council. A copy of this letter will also be published on GOV.UK.

Yours sincerely

A large black rectangular redaction box covering the signature area.

**Kate Copley / Carol Gray**  
**Regional Director for East Midlands**

CC: Mike Sheridan, Ofsted,  
John Edwards, Director General, Regions Group  
Sara Tough, Director of Children's Services, Norfolk County Council  
Chloe Smith MP for Norwich North

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<sup>i</sup> Inserted by section 14 of the Education and Adoption Act 2016