



Education & Skills  
Funding Agency

Education and Skills Funding Agency  
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[www.gov.uk/contact-dfe](http://www.gov.uk/contact-dfe)

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24 March 2023

Mr Paul Greatorex  
Chair of Trustees  
Queensmill Trust  
Askham Family Centre, 1 Askham Road,  
London  
W12 0NW

Dear Mr Greatorex

**The Queensmill Trust (Company Number: 12493881): Notice to Improve**

I am writing to you in your capacity as the Chair of The Queensmill Trust to inform you that we are issuing the Trust with a Notice to Improve for non-compliance relating to the Trust's financial statements, including conditions of funding outlined in the approval letters dated 30 January 2023 and 21 February respectively.

Paragraphs 4.1 – 4.4 of the Academies Trust Handbook (ATH) and 4.23 of the Trust's Funding Agreement clearly state the Trust's annual reports and accounts, and the auditor's reports, must be submitted to the Secretary of State by 31 December each Academy Financial Year, or as otherwise specified by the Secretary of State. Having failed to comply with this requirement, the Trust was notified on 30 January 2023 in a letter of approval for funding that the Trust must submit their 2021-22 Financial Statements, Management Letter, and Internal Audit Report no later than 28 February 2023. In addition, several conditions were placed on the Trust as a prerequisite of financial support in January and February 2023. Of these, and in addition to the non-compliance of submitting financial statements, the Trust has not supplied evidence of Board and committee meeting minutes or provided sufficient evidence to comply with the Financial Management and Governance Self-Assessment (FMSG) review conducted in March 2022.

I appreciate that the Trust is involved in ongoing discussions with the ESFA regarding financial viability concerns, however, it remains incumbent upon the Trust Board to comply with its financial governance obligations.

This letter and its annexes serve as a written notice for the Trust to comply with submitting its financial statements in accordance with their Funding Agreement and ATH (Notice to Improve or "the Notice"). This includes the terms the Trust agreed upon as a condition for deficit funding in the letters dated 30 January 2023 and 21 February 2023.

The Trust is required, pursuant to the provisions of the Funding Agreement and ATH, to comply with the terms of this Notice. These terms are set out in Annex 1.

Being issued with a Notice means that certain delegated authorities, as defined in the ATH, have been revoked. All transactions previously covered by these delegations, regardless of their size, must now be approved in advance by ESFA, specifically:

- Special staff severance payments
- Compensation payments
- Writing off debts and losses
- Entering into guarantees, indemnities or letters of comfort
- Disposals of fixed assets beyond any limit in the Funding Agreement
- Taking up a leasehold or tenancy agreement on land and buildings of a duration beyond any limit in the Trust's Funding Agreement
- Carry forward of unspent GAG from one year to the next beyond any limit in the Funding Agreement
- Pooling of GAG

If the Trust comes to the ESFA to seek retrospective approval this will be deemed a breach of the ATH. Further detail of the approval process will be forwarded to the Accounting Officer upon acknowledgement of receipt of this letter. These delegated authorities shall be returned to the Trust once we are satisfied that the requirements of the Notice have been, and will continue to be, complied with to the satisfaction of the Secretary of State.

We will monitor progress made towards meeting the requirements of this Notice. We will lift the Notice when the requirements set out in the annex have been met in full.

We reserve the right to issue a revised Notice and add further specific conditions if required, should the Trust fail to make sufficient progress against the original conditions. Should it become evident that the Trust is unlikely to fulfil the conditions and/or requirements set out in this Notice and/or within the agreed timescales, we will explore the contractual intervention options available.

In the event that the Trust fails to meet the requirements of this Notice, to the satisfaction of the Secretary of State, the Trust will be considered to have failed to comply with the terms of the ATH. This will amount to a breach of the terms of the Funding Agreement and may lead to termination.

If continued non-compliance of the ATH occurs, we may also refer the case to the Charity Commission and/or Insolvency Service for further investigation, as deemed appropriate in the circumstances.

I should be grateful if you would acknowledge receipt of this letter by email within three working days of the date of this letter to [REDACTED]. In line with the requirements set out in the ESFA's publishing policy, the Trust has 10 working days to offer any final comments on factual accuracy before publication. The Trust is required to publish

the Ntl on its website within 14 days of it being published by the ESFA and retain it on the website until the Ntl is lifted by the ESFA.

I am copying this letter to the Accounting Officer, Freddie Odu, Chief Financial Officer, Mike Giddings, and Regional Director for London, Claire Burton.

I look forward to hearing from you.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Warwick Sharp', written in a cursive style.

**Warwick Sharp**  
**Director, Schools Financial Support and Oversight**

CC: Freddie Adu (Executive Head, Accounting Officer)  
Mike Giddings (Chief Financial Officer)  
Claire Burton (Regional Director, London)

**Notice to Improve**

1. The Education and Skills Funding Agency (ESFA) has decided to issue a Notice to Improve (the “Notice”) as a consequence of The Queensmill Trust’s (the “Trust”) failure:
  - To prepare and submit their 2021-22 annual reports and accounts in line with the Charity Commission’s Statement of Recommended Practice (SORP) and ESFA’s Accounts Direction and as required in the Academy Trust Handbook (ATH) 2022 Paragraphs 4.1 – 4.4.
  - To comply with the conditions of financial support received.

**Conditions**

2. The Trust is required to comply with all of the conditions set out in Annex 1.

**Financial management and governance requirements**

3. The Trust is responsible for its own financial management, control and governance and is expected to take appropriate action in line with the conditions outlined in Annex 1 to strengthen the weaknesses identified and return to compliance with the ATH.
4. The Trust should take all appropriate actions to ensure the action plan agreed with the ESFA is fully implemented.
5. The ESFA must be satisfied that the Trust is doing everything it can to rectify the weaknesses identified.

**Monitoring and progress**

6. The Trust is required to submit the evidence for the specific conditions to the timescales outlined in Annex 1 and associated letters of approved funding dated 30 January 2023 and 21 February 2023 respectively, to enable the ESFA to monitor compliance and progress.
7. Should it become evident that the Trust is unlikely to fulfil the conditions and/or requirements set out in this Notice and/or within the given timescales, the ESFA will begin to consider and explore contractual intervention options available.

**Compliance and the end of the Notice period**

8. As outlined in Annex 1, the Trust is required to submit evidence to demonstrate compliance with the conditions of this Notice, which the ESFA will use to monitor the Trust’s progress. The Annex and associated letters of approved funding dated 30 January and 21 February 2023 sent to the Trust set out the detail of the evidence required to fulfil the conditions and the timescales to submit this evidence to the ESFA.
9. When the Trust meets all the conditions outlined in this Notice, is fully compliant with the most recent edition of the ATH and no other breaches have been identified, the ESFA will write to the Trust to confirm that the Notice has been lifted.

## Annex 1 - The Queensmill Trust: Table of conditions

The table below summarises the conditions that have been placed upon The Queensmill Trust (the “Trust”). It sets out the evidence the Trust must provide, and the timescales the Trust must meet, to show that they have complied with the Notice to Improve (the “Notice”). All conditions set out in the table must be met before the Notice can be lifted.

	Condition applied	Action/ evidence required from trust	By when
1	The Trust complies with its funding agreement to submit its 2021-22 financial statements to the ESFA.	The ESFA receives outstanding 2021-22 audited financial statements.	6 weeks.
2	The Trust: a) Considers transferring to a strong multi-academy trust. b) Conducts an External Review of Governance, ensuring the review has a key focus on financial management and governance. c) Carries out a follow-up meeting to its External Review of Governance.	a) The Trust notifies the ESFA of its decision. b) The ESFA receives supporting evidence that a review has taken place. c) The ESFA receives supporting evidence that a follow-up meeting has taken place.	a) 28 April 2023. b) 28 April 2023. c) 30 June 2023.
3	The Trust complies with the existing conditions of funding outlined in the approval letters dated 30 January and 21 February respectively.	Please refer to approval letters dated 30 January and 21 February respectively.	Until the Ntl is lifted.
4	The Trust is required to: a) Submit their 2022-23 accounts with an unmodified audit opinion and with an unmodified Auditor’s Report on Regularity on time. b) Submit the Budget Forecast Return (BFR) by the deadline required by the ESFA. c) Contact the ESFA at an early stage if it believes it is not able to follow or is falling behind the schedule set out in their Trust Financial Plan.	a) The ESFA receives an unmodified audit opinion relating to the Trust’s accounts, including an unmodified Auditor’s Report on Regularity until the Ntl is lifted. b) The ESFA receives BFR until Ntl is lifted. c) Returns show recovery in line with the Trust Financial Plan.	a) Submit audited financial statements by 31 December 2023 annually until the Ntl is lifted. b) Submit BFR by date required annually until the Ntl is lifted. c) Until the Ntl is lifted.
5	The Trust requests approval from the ESFA, in advance, for any actions under the revoked freedoms in 6.21 of the ATH. These requests should be sent using the <a href="#">esfa-enquiry-form</a> . Retrospective approval will be deemed as a breach of the ATH.	The Trust must submit a request for approval for any actions relating to the delegated freedom revoked under the terms of the Ntl.	Until the Ntl is lifted.
6	The Trust ensures that all necessary Trustee contact details are up to date.	All fields specified in GIAS for the individuals must be completed before the Ntl can be lifted. The trust must ensure its record on Get information about schools for the individuals remains up to date.	4 weeks.