



Department
for Education

Regions Group
East Midlands
Level 7, 2 St Paul's Place
125 Norfolk Street
Sheffield
S1 2FJ

Email: RG.EM@education.gov.uk

Professor Julius Weinberg
Chair of Trustees
Ormiston Academies Trust
1 Victoria Square
Birmingham
B1 1BD

08 March 2023

Dear Professor Weinberg,

Termination Warning Notice to the Members and Trustees of Ormiston Academies Trust in respect of Ormiston Ilkeston Enterprise Academy

In accordance with clauses 5.B to 5.E of the funding agreement for Ormiston Ilkeston Enterprise Academy (“the Academy”) the Secretary of State may terminate the funding agreement if the Academy is coasting as set out in the Coasting Schools (England) Regulations 2022, provided that the Secretary of State has notified the Academy Trust that the Academy is coasting.

I notified the trust on 7 October 2022 that the Academy meets the legal definition of a school that is coasting (not making necessary improvements) as defined in the Coasting Schools (England) Regulations 2022. On 12 October 2022. I invited the trust’s representations in response to the notification letter. The trust provided its representations on 10 November 2022.

In considering whether to take intervention action, I have taken into account all the available evidence, including the representations received from the trust. I have also applied the principles set out in the published document, [Regional Directors decision making: 2022](#) and considered the Academy’s circumstances in line with the criteria set out in chapter 4 of the [Schools Causing Concern guidance](#).

Having considered all the information and evidence, including the trust’s representations, I am not satisfied that the trust currently has the capacity or capability to deliver sustained improvements at the Academy. For the reasons set out below, I am issuing a Termination Warning Notice to the trust in respect of the Academy. I need to be satisfied that the trust is taking action to address the outstanding concerns, and the purpose of this Termination

Warning Notice is to set out the actions that I expect the trust to comply with in order to raise standards at the Academy.

The Academy has been part of Ormiston Academies Trust (“the trust”) since 2011 and has been judged by Ofsted on five separate occasions to be no better than requires improvement. Under the trust’s leadership, the Academy has twice been judged inadequate.

There are some positive comments in the Ofsted inspection report of November 2021. For instance, the report reflected that *“staff care deeply for the pupils who attend this school”* and that *“leaders have done much to improve pupil’s behaviour”*. However, the report also highlights that:

- *“In some subjects, leaders have not ensured that teaching links well enough with what has been taught before...”*
- *“In many subjects, teachers do not ensure that pupils have a secure understanding of the most important knowledge before moving learning on. Teachers do not always check well enough that any support that they provide to fill in pupils’ knowledge gaps is successful. As a result, pupils can struggle to understand new learning because of the gaps they have in their knowledge that they have not been able to resolve. These pupils can fall further behind and fail to engage in lessons as well as they should...”*
- *“Leaders and teachers do not routinely challenge all pupils to participate fully in lessons. As a result, some pupils do not commit to their studies and do not develop sufficiently positive attitudes to learning. On occasions, pupils engage in off-task behaviour. This can disturb other pupils in their learning...”*
- *“Leaders have not ensured that all pupils who attend alternative provision study a curriculum that is ambitious enough. Leaders’ checks on these providers have not ensured that these pupils receive a good-quality education...”*

I am not assured by the information provided by the trust in its representations and continue to be concerned that the necessary improvements will not be achieved at pace or to the level required.

I note in the trust’s representations that you have outlined some priority areas in which you are seeking to improve leadership and the quality of education at the Academy. I have also considered that you state you have:

- appointed an experienced new Principal who has taken up post in January 2023, as well as a new Vice Principal in the latter part of the last academic year.
- designated an Ormiston Academies Trust education director to work with the Academy.
- deployed subject lead practitioners to support curriculum development and subject specific pedagogy.

Notwithstanding the above actions, I am not convinced that these actions are

sufficient to address the long-standing issues – *leadership and management* has not been judged good by Ofsted in the five full inspections that have occurred at the Academy since it joined the trust.

Whilst there are some positive comments within the Ofsted report – and I am pleased to note that *personal development* was judged good - the longstanding history of underperformance means I am not fully confident that progress will be embedded or sustained, nor will it have the significant impact on pupil outcomes that is required. I am sure that, like me, the trust board is concerned about the pace of progress in the Academy and is keen to ensure that it receives all the support it needs to achieve a good judgement at the next Ofsted inspection and significantly improved pupil outcomes.

Given these concerns, I require the trust to take the following actions (“the Specified Actions”), which I consider will help it secure the rapid and sustained improvements that are required at the Academy. The Specified Actions must be taken by the stated timescales or the Secretary of State may issue a notice terminating the Academy’s funding agreement pursuant to clause 5E.

- Accept bespoke school improvement support, funded by the department’s trust and school improvement (TSI) offer, and delivered by a school improvement partner (identified by me) that has a track record in delivering improvements in schools and for pupils with a similar context. Arrangements for the support to be in place within 6 weeks of the date of this letter.
- Work with the school improvement partner to review the Ormiston Ilkeston Academy Enterprise academy development plan for any areas of weakness and to identify additional measures that could be put in place with a specific focus on driving rapid improvement in pupil outcomes. Revised and quality assured improvement plan in place and shared with my team by the end of June 2023. The plan and milestones will be subject to agreement by the department.
- Implement the agreed plan and provide termly updates to my team on progress against the action plan and impact of those actions in the Academy with the first update submitted by the end of this academic year.

I will monitor progress made towards meeting the Specified Actions. If the trust fails to meet any of the above Specified Actions by the specified date, I will consider whether to terminate the funding agreement in order to transfer the Academy to an alternative trust.

I hope that the trust will continue to work positively with the department in taking forward the above Specified Actions in respect of the Academy. I reserve the right to amend this Termination Warning Notice to specify further action which the trust must take, and the date by which it must be completed.

The trust must respond to this Termination Warning Notice by 29 March 2023, making any representations the trust wishes to make in response to this

Termination Warning Notice and the above Specified Actions, or providing confirmation that the trust intends to comply with the above Specified Actions by the specified dates. If the trust fails to respond to this Termination Warning Notice by 29 March 2023, I may issue a notice terminating the Academy's funding agreement.

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

Yours sincerely

Carol Gray/Kate Copley
Regional Director for East Midlands

CC: Ofsted
Carol Cammiss, Executive Director of Children's Services, Derbyshire County Council