



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](mailto:RG.EM@education.gov.uk)

Mrs Karen Robinson and Mr David Williams  
Chair of Trustees and Chief Executive Officer  
Cavendish Learning Trust  
c/o Netherthorpe School  
Ralph Road  
Staveley  
Chesterfield  
S43 3PU

19 June 2023

### **Termination Warning Notice in respect of Barrow Hill Primary Academy (the Academy)**

In accordance with clauses 5.B to 5.E of the funding agreement for Barrow Hill Primary 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 18 January 2023 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. I invited the trust's representations in response to the notification letter, which the trust provided on 2 February 2023.

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](#).

I acknowledge the positive way in which the trust has engaged with my team since the school became subject to the Coasting Schools (England) Regulations 2022. However, having assessed all the information and evidence, I am not satisfied that the trust currently has the capacity and capability to deliver rapid and sustained improvements at the Academy, therefore I am issuing a Termination Warning Notice to the trust in respect of the Academy.

This Termination Warning Notice confirms that the Academy remains subject to intervention powers and that I retain the power to terminate the funding agreement and transfer the Academy to a new trust should it become necessary.

The school's predecessor, Barrow Hill Primary School, was judged good by Ofsted in May 2014. In September 2016, Barrow Hill Primary School converted to academy status and

re-opened as Barrow Hill Primary Academy, part of Cavendish Learning Trust. Since this time, 2 Ofsted inspections have occurred; on both occasions – March 2019 and October 2022 - the overall effectiveness of the Academy has been judged as requires improvement.

The latest Ofsted inspection on 18 October 2022 highlighted that children enjoy going to Barrow Hill Primary Academy, relationships in the early years are secure and leaders are quick to identify the needs of pupils with special educational needs and or disabilities (SEND). However, the report also outlined numerous areas for improvement:

- *Many of the school's systems, policies and procedures are in their infancy and are yet to have the desired impact on the education of all pupils, including pupils with SEND.*
- *Many subject leaders do not yet have the confidence and skills to lead their subjects and provide effective guidance and support for teachers. Teachers' subject knowledge is not consistently strong in all areas of the curriculum.*
- *Leaders have not ensured that pupils' behaviour is of a consistently high standard. There are inconsistencies in how behaviour incidents are managed.*
- *The early years curriculum is not yet sufficiently planned and sequenced. This means that staff do not have a clear overview of what children in the early years need to know and when.*
- *Leaders have not ensured that pupils have a strong understanding of a range of faiths and cultures. This limits how well pupils are prepared for life in modern Britain.*

I have reviewed your representations which detail the specific strategies put in place after the 2019 Ofsted inspection, targeted at the areas for improvement identified in the report, including introducing a new leadership team. Despite efforts to improve the school, the fact remains that the Academy has been part of the trust for over 6 years and has been judged as requirements improvement on the two occasions it has been inspected by Ofsted. The 2022 inspection also judged the Academy to be requiring improvement in all areas, suggesting the necessary improvements were not delivered at pace following the 2019 inspection. I am therefore not confident that the require improvements will be achieved and/or delivered at the necessary pace following the latest inspection.

Given these concerns, I would ask that the trust takes 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 sections 5.B to 5.E of the Academies Act 2010.

- Continue to work closely with the department, including engaging in a minimum of termly conversations about the actions you are taking to implement school improvement activities both at the Academy and across the trust more generally.
- Provide a school improvement plan that incorporates the areas of focus to drive school improvement. Plan to be provided by 29 September 2023. The plan and milestones will be subject to agreement by the department.
- Implement the agreed plan and provide an update on progress against the improvement plan and its impact on the Academy at the end of each academic term.

I will monitor progress made towards meeting the Specified Actions. If the trust fails to meet any of the above Specified Actions, 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 11 July 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 11 July 2023, I may issue a notice terminating the Academy's funding agreement.

Once again, I appreciate the trust's willingness to working with the department to secure the best outcomes for children at the Academy.

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

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

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