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The Members and Trustees of Hurstmere School
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By e-mail to: [REDACTED]

8 June 2023

Dear Mr Osborne

Termination Warning Notice to the Members and Trustees of Hurstmere School

I notified the trust on 16 January 2023 that Hurstmere School (“the Academy”) is not making necessary improvements.¹ In that letter, I invited the trust’s representations, which the trust provided. I have 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 refer to my letter of 15 March 2023. As stated in that letter, as Regional Director I must be confident, based on the information available and evidence provided, that the trust can deliver rapid and sustained improvements at the Academy. Currently, I am not satisfied this is the case. I acknowledge, however, that the trust is currently engaging with the department on options to transfer the Academy to a strong trust, appreciating the benefits that the transfer will bring. Although you have agreed to work with the department on a

¹ The term “not making necessary improvements” is used in the Schools Causing Concern guidance (October 2022 update). A reference in that guidance, and in this letter, to schools “not making necessary improvements” should be read as meaning that such schools meet the statutory definition of ‘coasting’, contained in the Coasting Schools (England) Regulations 2022

transfer, I intend to issue a Termination Warning Notice to reflect the fact that the Academy remains subject to this intervention power, and the trust remains accountable for the outcomes of the Academy and its pupils until the transfer takes place.

In accordance with sections 2B and 2D of the Academies Act 2010², any funding agreement of an academy may be terminated by the Secretary of State where paragraphs (2), (3), (4) or (5) of regulation 4 of the Coasting Schools (England) Regulations 2022 applies to the academy and the Secretary of State has notified the Academy Trust.

On 23 March 2023 [REDACTED] (DfE delivery officer) explained next steps and outlined the department's school improvement offer, in a meeting with the trust's CEO. It was agreed that work to identify an appropriate MAT leader to support Hurstmere (under DfE's trust and school improvement offer) would continue, with the intention of making a suitable deployment as soon as possible. It was noted that an external review of governance had been conducted, and that the report and recommendations were being finalised.

Since that meeting, I understand that a suitable school improvement partner has been identified. I also understand that the trust board has decided to engage with the department on options to transfer the Academy to a strong trust; and I recognise the positive way in which the trust is working with my team to identify a suitable sponsor trust to secure the Academy's future success.

Since Hurstmere School became an academy in 2011, after being judged Good in 2014, the Academy's Ofsted rating declined to requires improvement in 2018 and was again judged as requires improvement (in all areas) in September 2022.

In its September 2022 inspection report, Ofsted noted that:

- Sometimes, leaders do not provide teachers and support staff with precise information on how pupils with SEND can be supported. Clear information is not always shared about the specific strategies needed to support pupils' learning. This means that these pupils do not always receive the help needed to access the curriculum and learn effectively.
- In some subjects, some of the work pupils are asked to complete does not focus sufficiently well on the most important concepts. As a result, pupils struggle to understand and recall these ideas.
- Sometimes, teachers do not check well enough what pupils have learned. This means that gaps in pupils' knowledge can be overlooked and, in turn, continue.
- The provision for pupils' personal development is not clearly planned and defined. Pupils do not develop their understanding of some important issues. Pupils with SEND do not always receive appropriate

² Inserted by section 14 of the Education and Adoption Act 2016

careers guidance.

- Leaders' expectations for behaviour are not implemented consistently. In some lessons, pupils' learning is disrupted by the behaviour of others.

For these reasons I require the trust to take the specified actions below.

The following actions ("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 2B and 2D of the Academies Act 2010.

- Provide an improvement plan that includes action to address the following weaknesses identified by Ofsted:

To ensure that leaders provide staff with precise guidance to support children with SEND, enabling them to access the curriculum and learn effectively;

To ensure that work pupils are asked to complete focuses on the most important concepts, across the curriculum; and that teachers consistently check what pupils have learned, in order to identify gaps in pupils' knowledge.

To define and plan a scheme for pupils' personal development across the school, including careers guidance for pupils with SEND;

To ensure that there are consistent expectations around pupil behaviour across the school, and that these are implemented consistently.

The plan must be provided on or before **6 July 2023**. The plan and milestones will be subject to agreement by the Department.

- The trust must implement the agreed plan and provide half-termly updates on the actions and milestones within the plan (or other information as requested). The first update must be submitted to the Department by **23 October 2023**. Where there are delays or risks, the trust must explain how these are being addressed.
- The trust must implement the action plan agreed following its recent external review of governance, and provide me with half-termly updates on implementation. The first update must be submitted to the Department by **23 October 2023**. Where there are delays or risks, the trust must explain how these are being addressed.
- Confirm by **6 July 2023** that the trust has entered into a partnership, agreed by the Department, to support improvement in the academy. The trust Implement actions identified through the partnership and

provide me with half-termly updates on progress.

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 dates, I will consider whether to terminate the Academy's funding agreement in order to transfer the Academy to an alternative trust.

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 June 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 June 2023**, I may issue a notice terminating the Academy's funding agreement.

I am copying this letter to Ofsted, and to the London Borough of Bexley. A copy of this letter will also be published on GOV.UK.

Yours sincerely

A solid black rectangular box redacting the signature of Claire Burton.

Claire Burton
Regional Director for London Region

CC: Ofsted, London Borough of Bexley