



Department  
for Education

Regional Director for the South West  
3 Glass Wharf  
Avon Street  
Bristol, BS2 0PS

The Members and Trustees of Pen Mill Infant and Nursery  
Academy Trust  
Yeovil  
Somerset  
BA21 4LD

11 September 2023

Dear [REDACTED]

**Termination Warning Notice to the Members and Trustees of Pen Mill Infant and Nursery Academy Trust in respect of Pen Mill Infant and Nursery Academy**

I notified the trust on 23 February 2023 that Pen Mill Infant and Nursery Academy is not making necessary improvements.<sup>1</sup> On 13 March 2023, I invited the trust's representations in response to the notification letter, 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 29 June 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 and believe being part of a strong multi-academy trust (MAT) is the best way to deliver improvements at your Academy. I therefore intended to issue a Termination Warning Notice.

In accordance with sections 2B and 2D of the Academies Act 2010<sup>2</sup>, 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.

Pen Mill Infant and Nursery Academy converted to a stand-alone academy in October 2012. Since converting, the academy has had two 'requires

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<sup>1</sup> 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

<sup>2</sup> Inserted by section 14 of the Education and Adoption Act 2016

improvement' Ofsted judgments in February 2019 and November 2022.

In the 2022 Ofsted judgement the 'Quality of Education' and 'Early Years Provision' have been judged as 'requires improvement' despite the trust having over 10 years of leadership at the academy.

The 2022 Ofsted report highlights the following:

- “In some subjects, leaders are not clear enough about the key knowledge and skills they want pupils to know. As a result, pupils do not build a deep understanding of these subjects. Leaders must ensure that all subjects identify the key knowledge, skills and vocabulary pupils need to learn as they progress through the school”.
- “Leaders have not established rigorous systems to assess how well pupils remember the knowledge they have been taught. Pupils’ recall of prior learning is often patchy. Leaders need to ensure that staff use assessment effectively to check what pupils know and remember across all subjects”.
- “The curriculum is not always adapted to meet the needs of pupils with SEND. As a result, pupils are unable to fully access all their learning. Leaders should ensure that staff consistently adapt the curriculum to precisely meet pupils’ needs”.

The trust's representations outline some priority areas in which it seeks to improve in response to the areas that were identified in the 2022 Ofsted report as requiring improvement. Furthermore, I have considered evidence of actions taken to improve governance and school improvement.

Notwithstanding the above actions, I am not assured by the information provided by the trust in its representations and continue to be concerned that the necessary improvements in the quality of education and early years provision will not be achieved at pace or to the level required to address sustained improvements at the Academy. In particular, rapid and sustained improvements are required in curriculum planning, educational outcomes and capacity and planning for school improvement.

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

The following action (“the Specified Action”) 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:

- Continue to work closely with the multi-academy trust identified to provide support through the Trust and School Improvement offer (TSI), to deliver improvements at the Academy, and implement the actions identified through the partnership and in response to Ofsted findings and provide me with half termly updates on progress. Please provide the first update by 20<sup>th</sup> October.

I will monitor progress made towards meeting the Specified Action. If the trust fails to meet the above Specified Action by the specified date, 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 3<sup>rd</sup> October 2023 making any representations the trust wishes to make in response to this Termination Warning Notice and the above Specified Action, or providing confirmation that the trust intends to comply with the above Specified Action by the specified dates.

If the trust fails to respond to this Termination Warning Notice by 3<sup>rd</sup> October 2023, I may issue a notice terminating the Academy's funding agreement.

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

Yours sincerely

A black rectangular redaction box covering the signature of Hannah Woodhouse.

**Hannah Woodhouse**  
**Regional Director, South West Regions Group**

Cc: , Director of Children's Services, Somerset County Council,  
, Headteacher of Pen Mill Infant and Nursery Academy Trust  
and Ofsted.