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David Hall
Academies Enterprise Trust
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Sent via email to: [REDACTED]

The Members and Trustees of Academies Enterprise Trust (AET)

3 July 2023

Dear David,

Termination Warning Notice to the Members and Trustees of Academies Enterprise Trust in respect of Clacton Coastal Academy

John Edwards, Regions Group Director General, notified Academies Enterprise Trust (“the Trust”) on 7 October 2022 that the Clacton Coastal Academy (“the Academy”) is not making necessary improvements.¹ On 20 February 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 10 May 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. Therefore, I am issuing a Termination Warning Notice.

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.

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 regulation 4 of the Coasting Schools (England) Regulations 2022.

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

The Academy joined Academies Enterprise Trust in September 2009 and, since then, has received five Ofsted inspections, four of which have been less than Good judgments. I remain concerned that the Academy has not been able to demonstrate consistent improvement over a prolonged period of time.

In the April 2022 inspection report, Ofsted noted that Clacton Coastal Academy is an improving school and highlighted the positive progress made in improving behaviour which has meant that most lessons can now proceed without disruption. Inspectors also found that incidents of bullying in school are reducing, according to the perceptions of pupils and school records. Ofsted recognised more pupils are attending school regularly with few suspensions being issued. In addition, the report identified improvements in the curriculum and in the quality of its delivery.

The Ofsted inspection report from April 2022 also noted the following areas for improvement:

- *‘Leaders need to ensure that relevant staff receive appropriate training, and that they help pupils to understand the value of reading and its link to further education, employment, and training’.*
- *‘Leaders need to review the breadth and delivery of the curriculum to ensure it is equally as ambitious as the national curriculum’.*
- *‘Leaders need to ensure that staff are suitably trained so they can ensure the best support is provided to help SEND pupils learn well’.*
- *‘Leaders need to continue to develop pupils’ behaviours for learning so that they are ready to learn, listen and are engaged with their learning regardless of who is teaching them’.*

I note in the Trust’s representations that it has identified Clacton Coastal Academy as a high priority school, and it is therefore being provided with additional support and challenge from the Trust. I have also considered that AET’s education quality review at the Academy found:

- Improvements have been made in reading with a revised curriculum and the introduction of Read Write Inc.
- There have been curriculum developments in RE, PHSE and Computing. However, assessments need to be strengthened in order that pupils know how well they are progressing and how they can improve in all lessons.
- Plans have been developed to support staff to adapt teaching to meet the needs of SEND students and ensure they make good progress.
- Improvements in pupil behaviour, although more still needs to be done to raise the expectations of the behaviour of all pupils.

While I am encouraged by the recent changes and the progress that the Trust is making, including the outcomes of the recent Ofsted Requires Improvement monitoring inspection (March 2023), it is important that the school continues to improve at pace and is judged Good by Ofsted at its next inspection. We want to see evidence of these improvements becoming embedded within the Academy and having a positive impact on pupil outcomes.

Notwithstanding the above, the long-standing history of underperformance at

the Academy means I need to be assured that progress will be embedded and sustained. Therefore, 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 clause of sections 2B and 2D of the Academies Act 2010:

- Provide an up-to-date statement of action plan for the Academy. **Please provide this by 31 July 2023.**
- Provide further information on the support given by the Secondary Regional Education Director for the East, specific to the Academy. This may include information detailing time spent at the Academy, actions undertaken and progress evidenced, or details and feedback from any reports or meetings concerning the Academy to date. **Please provide this information by 29 September 2023.**
- The Secondary Regional Education Director for the East to provide the East of England Regions Group team with updates against the Academy’s action plan and meeting termly to measure progress against the stated milestones. These updates may include progress reports, updates to the Academy’s action plan showing actions completed, minutes from any school improvement meetings and/or the outcomes of any evaluative work completed by the Academy/Trust. Updates should cover the impact of actions being taken to address the issues raised by Ofsted **with the first meeting being held by 31 October 2023.**

I will monitor progress made towards meeting the Specified Actions. If the Trust fails to meet any of the Specified Actions by the above dates, I will consider whether to terminate the 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 actions which the Trust must take, and the date by which it must be completed.

The Trust must respond to this Termination Warning Notice by 24 July 2023 making any representations the Trust wishes to make in response to this Termination Warning Notice and the Specified Actions, or providing confirmation that the Trust intends to comply with the Specified Actions by the above dates.

If the Trust fails to respond to this Termination Warning Notice by 24 July 2023, I may issue a notice terminating the Academy’s funding agreement.

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

Yours sincerely,



Jonathan Duff
Regional Director for East of England

CC:

Rebecca Boomer-Clark, AET CEO

Ofsted

Helen Lincoln, Director of Children's Services, Essex County Council