



Department for Education
Eastbrook
Shaftesbury Road
Cambridge
CB2 8DR
[REDACTED]

The Members and Trustees of The Shared Learning Trust
Legrave High Street
Luton
LU4 0NE

(Sent via email to: [REDACTED])

16 October 2023

Dear [REDACTED], Chair of Trustees,

Termination Warning Notice to the Members and Trustees of the Shared Learning Trust in respect of The Linden Academy

I notified the trust on 5 October 2022 that the Linden Academy (“the Academy”) is not making necessary improvements.¹ On 14 November 2022 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 28 February 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 acknowledged, 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. I also stated that, although you have agreed to work with the department on a 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.

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

In accordance with clauses 5B to 5E of the academy's supplementary funding agreement, 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.

I recognise the positive way in which the trust is engaging with my team in relation to the future of the Shared Learning Trust and we will continue to work together on this.

I have listened to your rationale against issuing a Termination Warning Notice (TWN). I do not believe the publication of the Termination Warning Notice will be a hindrance to how the Shared Learning Trust develops. I consider this action will emphasise the urgency we place on resolving the challenges the Linden Academy is facing.

I have considered the number of years the Linden Academy has been led by the Shared Learning Trust. When the school opened as a free school, it was rated Good in 2013, but then graded Requires Improvement in 2018, followed by a second judgement of Requires Improvement in 2021.

I noted the improvement in sub-categories in the 2021 inspection outcomes. Nevertheless, there are key areas for development in the 2021 report which led me to consider the rate of progress in implementing improvements needs better pace. Ofsted noted how:

- Leaders have recently introduced a new programme to teach phonics and early reading. This programme is in the early stages of implementation. Leaders should continue to ensure all staff receive the training, guidance and support they need, so they feel confident in teaching the programme consistently.
- Leaders' curriculum thinking is not yet detailed enough in a small number of subject plans. This means that the important knowledge that pupils need to learn is not clearly laid out to ensure pupils build upon what they have learned before. Leaders should make sure this work is completed swiftly, so that teachers are confident they know what should be taught at each stage to ensure pupils achieve well throughout the school.
- Teachers do not consistently plan opportunities for pupils to revisit and practise what they already know and what they are learning. Leaders should ensure that teachers plan lessons, giving pupils the chance to apply what they know more confidently and fluently.

For this reason, 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 5B to 5E of the academy’s supplementary funding agreement:

- By 30 November, provide me with the school improvement plan for the Linden Academy for the academic year 2023/24. The improvement plan with milestones will be subject to agreement by the Department. The plan should allow me to identify the steps being taken to address the areas of concern identified by Ofsted, highlighted above, and to assess the extent of progress addressing those issues since the last inspection.
- Implement the agreed plan and provide termly updates on the actions and milestones within the plan (or other information as requested) and where there are delays or risks how these are being addressed.
- Accept bespoke school improvement support, funded by the Department’s Trust and School Improvement (TSI) offer, and delivered by a school improvement partner (approved by me) that has a track record in delivering improvement.
- Continue to work closely with the school improvement partner to support improvement at the academy. Implement actions identified through the partnership and provide me with 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 6 November 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 6 November 2023, I may issue a notice terminating the Academy's funding agreement.

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

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

Yours sincerely,

Jonathan Duff

Regional Director

East of England, Regions Group

CC: Ofsted

██████████, Corporate Director, Children, Families and Education,
Luton Borough