



Department
for Education

Regional Director for North West
Piccadilly Gate
Manchester
M1 2WD

The Members and Directors of Walney School

4 September 2023

Dear [REDACTED]

Termination Warning Notice to the Members and Directors of The Fells Multi Academy Trust in respect of Walney School.

I notified the trust on 7 October 2023 that Walney School (“the Academy”) is not making necessary improvements.

On 7 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 26 April 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 confirmed my view that being part of a strong multi-academy trust (MAT) is the best way to deliver rapid and sustained improvements at the Academy and that I therefore intended to issue a Termination Warning Notice.

In accordance with sections 2B and 2D of the Academies Act 2010 for Walney School, 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.

Walney School converted to academy status on 1 September 2014. Since this time, three Section 5 Ofsted inspections have occurred, and all three resulted in overall judgements of requires improvement. The most recent Ofsted inspection report in February 2022 shows a decline in leadership and management: leadership and management was judged good in the November 2018 report but requires improvement in February 2022.

The February 2022 Ofsted report identifies areas for improvement. The report states that:

- “There is a variation in how well subject curriculums identify the knowledge that pupils will learn. This means that some teachers do not have the information that they need to ensure that activities are suitably demanding.”
- “Leaders’ approaches to reducing persistent absence are not securing sustainable improvements. Rates of persistent absence are still too high.”
- “Leaders and governors do not evaluate the quality of education carefully enough. Often, they draw conclusions about the quality of information that may be inaccurate

or invalid.”

I have reviewed the specific support you have invested in the Academy since the Ofsted inspection, as outlined in your representations. Whilst I am encouraged by the school development plan, it does not clearly outline how the trust is monitoring progress. The impact of the plan is yet to be evidenced, and I do not yet have sufficient confidence in the trust’s capacity to drive improvements. 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 of the 2B and 2D of the Academies Act.

- **Continue to receive external school improvement support.** The partner must have a track record in delivering improvements in schools and for pupils with a similar context. I would like confirmation by 11 September 2023 that the current arrangements for the support will remain in place or a new partner secured.
- **Produce a revised and quality-assured improvement plan.** This is to be shared with my team by 29 September 2023. The improvement plan must clearly set out how the trust will monitor progress at the Academy. The plan and milestones will be subject to agreement by the department.
- **Implement the agreed plan and provide termly updates to my team on progress against the action plan and the impact of those actions in the Academy.** The first update is to be submitted by 20 October 2023 and following updates provided on or before the last day of each term.

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 22 September 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 22 September 2023, I may issue a notice terminating the Academy’s funding agreement.

I understand my team visited the trust on the 17 April 2023 and is continuing to support the trust as it considers its next steps. I recognise the positive way in which the trust has engaged with my team and understand the trust is currently considering whether to pass a resolution to transfer the Academy to another trust. 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 Westmorland and Furness Council. A copy of this letter will also be published on GOV.UK.

Yours sincerely

[REDACTED]

Vicky Beer CBE
Regional Director – North West
Regions Group

CC: [REDACTED]

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