



Department
for Education

Department for Education
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Shaftesbury Road
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RG.EOE@education.gov.uk

The Members and Trustees of The Active Learning Trust
Sent via email to: [REDACTED] and [REDACTED]

7 July 2023

Dear [REDACTED],

Termination Warning Notice to the Members and Trustees of The Active Learning Trust in respect of Hillside Primary School

I notified the trust on 5 October 2022 that Hillside Primary School (“the Academy”) is not making necessary improvements.¹ On 6 October 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](#).

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. In my letter of 1 February 2023, I said I was not satisfied this was the case and I intended to issue 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.

We have spoken to you as Chair of the trust and [REDACTED], the trust’s CEO, about the Academy and next steps. I have provided governance support to the trust, and we have discussed trust level school improvement support.

The Academy has received two consecutive Ofsted Requirements Improvement judgements while part of The Active Learning Trust. The trust’s representations provided no evaluation as to why it has been unable to return the school to a Good standard of education since it joined in 2014. The Ofsted reports have highlighted

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

issues with, for example, leadership, pupils progress, attendance, curriculum, and quality and consistency of teaching. Despite taking action, the trust has not been able to improve the Academy from Requires Improvement and, in fact, has overseen a decline from a Good judgement on Early Years provision in 2017 to Requires Improvement in 2019.

I was particularly concerned to read in the 2019 Ofsted report that:

- Improvement planning needs to be more sharply focused.
- In early reading and mathematics, learning is inconsistent. Inspectors saw pupils become disengaged as the work is sometimes too easy or too challenging. There are gaps in pupils' knowledge.
- Inaccuracies in the teaching of science in some classes are causing pupils to misunderstand some things. These misunderstandings could impede future learning.
- Pupils' attendance is lower than the national average. Whilst staff follow up when pupils are absent, there is not a whole-school culture of good attendance.

I note the two monitoring inspections highlighting that leaders and those responsible for governance are taking effective action, but the representations did not provide sufficient information or assurances to support the trust's assertions that the Academy will secure an overall judgement of Good at next inspection.

The trust has received Inadequate judgements for three of its schools (including one which has since been judged Good), and has two schools, including Hillside Primary School, that are coasting (not making necessary improvements).

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.

- You must provide a school improvement plan by 28 July 2023 for moving the school from Requires Improvement to Good. The actions should be specific to each area for improvement identified in the Ofsted report (and any others you have identified), each should have a named owner with accountability for the improvement, it should contain measurable outcomes, and clear timescales and milestones for improvement. The plan will be subject to agreement by me. You must implement the plan and provide me with half termly updates on the actions and milestones within the plan and where there are delays or risks how these are being addressed. You should provide me with the first update by Friday 20 October and the second by Wednesday 20 December 2023. My team will agree dates with you for half termly updates in 2024.

- You must continue to work closely with your school improvement partner nominated by the department and funded through the department's TSI offer to support improvement at the Academy. The updates on the plan in the previous bullet point should include actions identified through the partnership.
- You must provide a plan by 28 July 2023 to show how the trust will improve the capability and capacity of the trust board to ensure appropriate accountability for oversight of school improvement at the Academy. This plan should demonstrate how the trust will improve the way school improvement is tracked at the Academy (including actions, timescales, milestones, accountability arrangements and expected outcomes) and how issues preventing improvement will be responded to. It should also demonstrate how progress will be reported to the executive leadership and the trust board. The plan and milestones will be subject to agreement by me. You must implement the plan and provide me with half termly updates on the actions and milestones within the plan and where there are delays or risks how these are being addressed. You should provide me with the first update by Friday 20 October and the second by Wednesday 20 December 2023. My team will agree dates with you for half termly updates in 2024.

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 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 28 July 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 28 July 2023, I may issue a notice terminating the Academy's funding agreement.

I appreciate the commitment shown by you and [REDACTED], and by the board, in tackling the issues at the Academy and thank you for your continued open and honest engagement with me and my team.

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

Yours sincerely,

[REDACTED]

Jonathan Duff

Regional Director
East of England, Regions Group

CC: Ofsted, Suffolk LA.