



Department
for Education

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

The Members and Trustees of Hertswood Academy Trust
Boreham Wood
Hertfordshire
WD6 5LG

(Sent via email to: [REDACTED] and [REDACTED])

16 October 2023

Dear [REDACTED], Chair of Trustees,

Termination Warning Notice to the Members and Trustees of Hertswood Academy

I notified the trust on 13th October that Hertswood Academy (“the Academy”) is not making necessary improvements¹. On 31st January I invited the trust’s representations in response to the notification letter, which the trust provided on 27th February. 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 30th March. 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, 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 the Coasting Schools (England) Regulations 2022

██████ is the Delivery Officer responsible for working with you on this. He will be in contact with you soon to discuss any school improvement support to assist in raising standards in the Academy as part of joining a strong trust.

Hertswood Academy has been operating as a Single-Academy Trust since 2012. During that time Ofsted have carried out five full inspections and four monitoring visits. The full inspections were Good in 2014, Inadequate in 2017 and Requires Improvement in 2012, 2019 and 2022. The last three inspections in 2022, 2019 and 2017 highlight that leadership and management requires improvement. The representations provided in February do not demonstrate additional leadership capacity to deliver the necessary improvements to bring the academy to an inspection outcome of at least good.

The Ofsted report of June 2022 noted the following areas as needing improvement:

- The work to improve the curriculum is incomplete. Knowledge is not set out in a clear and logical way for some subjects. This means there are still inconsistencies in how the curriculum is taught. Leaders need to ensure that all subjects have detailed plans that support teachers to implement the curriculum well.
- Some assessment is not helpful as it relies too much on examination criteria and is not linked to the key knowledge pupils should have learned. This means that some assessment does not identify what pupils know, understand or can do. Leaders need to ensure that all assessment is purposeful, linked to the knowledge taught and helpful to teachers and pupils.
- While leaders' actions to tackle bullying, unkind remarks and derogatory language have been partially successful, some poor behaviour and attitudes still persist. Some pupils lack confidence that their concerns will be dealt with in such a way as to secure a long-term resolution. This reduces the enjoyment those pupils have of school. Leaders should establish an accurate understanding of the various patterns and causes of inappropriate behaviour and ensure that all staff apply the behaviour policies consistently and fairly.
- Some leaders have not evaluated well their areas of responsibility, nor accessed training or development that will help them. This means some leaders are not clear about what works well and less well. Leaders need to ensure that staff access high quality professional development and expertise that will support them to evaluate the impact of their work and make improvements where needed.

For this reason, 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:

- By 30 November, provide me with the school improvement plan for Hertswood 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 date, I will consider whether to terminate the funding agreement to transfer the Academy to an alternative trust.

The trust must respond to this Termination Warning Notice by 6 November, 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, I may issue a notice terminating the Academy's funding agreement.

I am copying this letter to Ofsted, and to Hertfordshire local authority. 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

██████████, Executive Director of Children's Services, Hertfordshire LA