



Department  
for Education

**Vicky Beer**  
**Regional Director for North West**  
**Department for Education**  
**Piccadilly Gate**  
**Manchester**  
**M1 2WD**

Mr Anthony Burke – Acting  
Chair of Trustees  
Vantage CE Academies Trust  
SS Simon and Jude CE  
Primary School  
Newport Road  
Great Lever  
Bolton, BL3 2DT

**Tel: 0370 000 2288**  
[www.gov.uk/contact-dfe](http://www.gov.uk/contact-dfe)

**23 September 2024**

Dear Mr Burke,

### **Notice to improve: Vantage CE Academies Trust**

We are writing to you in your capacity as the Acting Chair of Vantage CE Academies Trust (the Trust). Firstly, we want to acknowledge the exceptional and challenging circumstances the trust has been dealing with since the fire at SS Simon and Jude school on 17 August 2023. We note the actions taken by the Trust in the period following the fire and appreciate the significant impact this situation will have had upon you and your team. However, concerns regarding the trust's governance have also arisen in relation to the fire at SS Simon and Jude school.

As a result, we are writing to inform you that the Education and Skills Funding Agency (ESFA) has assessed that the trust has breached para 2.37 of the Academy Trust Handbook (ATH) by failing to take out adequate insurance cover and this breach is significant enough to warrant a Notice to Improve. On this basis, we are issuing the trust with a Notice to Improve on governance grounds.

We understand that this decision will be disappointing and want to assure you that we do recognise that the trust has been under new leadership since 1 September 2023. We are aware that positive actions have since been taken to address some of the governance and executive team issues identified by the fire.

This letter and its annexes serve as a written Notice to Improve financial management at the trust (Notice to Improve or "the Notice"). It reflects the continued concerns on governance and oversight of financial management by the Board.

The trust is required, pursuant to the provisions of the ATH and the Funding Agreement (FA), to comply with the terms of this Notice. These terms are set out in Annex A and Annex B.

Being issued with a Notice means that certain delegated authorities, as defined in the ATH, are revoked. All transactions previously covered by these delegations, regardless of their size, must now be approved in advance by ESFA, specifically:

- special staff severance payments
- compensation payments
- writing off debts and losses
- entering into guarantees, indemnities or letters of comfort
- disposals of fixed assets beyond any limit in the funding agreement
- taking up a leasehold or tenancy agreement on land and buildings of a duration beyond any limit in the Trust's funding agreement
- carry forward of unspent GAG from one year to the next beyond any limit in the funding agreement
- pooling of GAG

If the trust seeks retrospective approval from ESFA this will be deemed a breach of the ATH. Further details of the approval process will be forwarded to the Trust's Accounting Officer upon acknowledgment of receipt of this letter. These delegated authorities shall be returned to the trust once we are satisfied that the requirements of the Notice have been, and will continue to be, complied with to the satisfaction of the Secretary of State.

ESFA will monitor progress made towards meeting the requirements of this Notice and will keep us updated through regular case reviews. A decision to lift the Notice will be taken when we are satisfied the requirements set out in the Annexes have been met in full.

We will support the trust as it implements the required changes through regular contact and clear routes of escalation to resolve any questions or queries you might have. However, if the trust is unable to deliver the necessary improvement and fails to make sufficient progress against the original conditions, we reserve the right to issue a revised Notice and add further specific conditions. Should it become evident that the trust is unlikely to fulfil the conditions and / or requirements set out in this Notice and / or within the agreed timescales, we will explore the contractual intervention options available.

In the event that the trust fails to meet the requirements of this Notice to our satisfaction, it will be considered to have failed to comply with the terms of the ATH. Failure to comply will be deemed a funding agreement breach and may lead to termination.

If continued non-compliance with the ATH occurs, we may also refer the case to the Charity Commission and/or Insolvency Service for further investigation, as deemed appropriate in the circumstances.

We should be grateful if you would acknowledge receipt of this letter by email within three working days of the date of this letter to [REDACTED], who will be your main point of contact related to this Notice to Improve. In line with the requirements set out in our publishing policy, the trust has 10 working days to offer any final comments on factual accuracy to ESFA colleagues before publication. The trust is required to publish the Notice on its website within 14 days of it being published on GOV.UK and retain it there until the Notice is lifted.

We recognise that this may be an uncertain time for the trust and its staff. We are mindful of creating additional pressures on individuals involved. Therefore, we ask the trust to ensure appropriate provision is in place to support all its staff, as necessary. You may find the Education staff wellbeing charter (<https://www.gov.uk/guidance/education-staff-wellbeing-charter>) helpful.

We will continue to keep clear and regular lines of communication open with you.

██████████ will be in contact shortly to answer any questions you may have, and to discuss the next steps in more detail including any support the trust may require to drive the necessary improvements.

We look forward to hearing from you.

Yours sincerely

A handwritten signature in black ink, appearing to read 'V. Beer', with a long horizontal stroke underneath.

**Vicky Beer CBE**  
**Regional Director for North West, DfE**

A handwritten signature in black ink, appearing to read 'L. Henning', with a long horizontal stroke underneath.

**Lindsey Henning**  
**Director, Schools Financial Support & Oversight, ESFA**

cc. Jill Messham – Chief Executive Officer

Deborah Smith – Member

Ian Tomkin – Member

Ned Solanki – Member

Ross Malkin – Member

Sarah Whitty – Member

## Notice to Improve

This Notice to Improve (the 'Notice') is a consequence of Vantage CE Academies Trust (the 'Trust')

- failing to ensure the academy trust had adequate insurance cover in compliance with its legal obligations by not taking out required additional commercial insurance (Academy Trust Handbook 2023 para 2.37).

## Conditions

1. The trust is required to comply with all the conditions set out in Annex B.

## Financial management and governance requirements

2. The trust is responsible for its own financial management, control and governance and is expected to take appropriate action to strengthen the weaknesses identified and return to compliance with the ATH.
3. The trust should take all appropriate actions to ensure the action plan agreed with ESFA is fully implemented.
4. ESFA must be satisfied that the trust is doing everything it can to rectify the weaknesses identified.

## Monitoring and progress

5. The trust is required to submit the evidence for the specific conditions to the timescales outlined in Annex B to enable ESFA to monitor compliance and progress.
6. Should it become evident that the trust is unlikely to fulfil the conditions and / or requirements set out in this Notice and / or within the given timescales, ESFA will begin to consider and explore the contractual intervention options available.

## Compliance and the end of the notice period

7. As outlined in Annex B, the trust is required to submit evidence to demonstrate compliance with the conditions of this notice, which ESFA will use to monitor the Trust's progress. Annex B sets out the detail of the evidence required to fulfil the condition and the timescales to submit this evidence to ESFA.
8. When the trust meets all the conditions outlined in this Notice, is fully compliant with the most recent edition of the ATH and no other breaches have been identified, we will write to the trust to confirm that the Notice has been lifted.

**Table of conditions**

The table below summarises the conditions that have been placed upon Vantage CE Academies Trust (“the trust”). It sets out the evidence the Trust must provide, and the timescales the Trust must meet, to show that they have complied with the Notice to Improve (“the Notice”). All conditions set out in the table must be met before the Notice can be lifted.

Condition	Evidence required to show compliance with the notice	Timescale
1. Ensure there are clear lines of accountability between the Accounting Officer of the trust and the trustees, including effective oversight and support for financial management.	The trust to submit evidence of a terms of reference and scheme of delegation that evidences the clear lines of accountability between the Accounting Officer and the trust board.	4 weeks
2. Ensure that proper arrangements are in place, whereby the Trust board has the appropriate skill set and processes in place to challenge and hold to account the Accounting Officer, Finance Officer and other members of the executive management team and evidence this.	The trust to submit the report following the independent governance review commissioned by the trust.	4 weeks following the review
3. Establish a revised scheme of delegation, which meets the required criteria set out in the ATH.	The trust must approve a written scheme of delegation of financial powers that maintains robust internal controls, ensure delegated financial authorities are complied with, and provide ESFA/DfE with evidence of its use.	6 weeks
4. Undertake a review of board and executive team capability.	The trust must share Terms of Reference and outcomes of the review with ESFA/DfE within 8 weeks.  If the review highlights gaps in skills or experience, the trust must take action to address this within 4 weeks of the outcome.	8 weeks

<p>5. The trust should undertake a review of its processes relating to capital projects.</p>	<p>The trust to submit a written report detailing the actions the trust has taken to strengthen the management and monitoring of capital projects.</p> <p>The trust should provide evidence that trustees and the executive are managing their school estate and maintaining it in a safe working condition strategically and effectively.</p>	<p>8 weeks</p>
<p>6. The trust should supply their monthly management accounts to ESFA each month until further notice. The board must also consider these when it meets and be assured that it has appropriate oversight of the trust's financial position.</p>	<p>The trust to submit the required information to ESFA by the 25<sup>th</sup> of each month.</p> <p>The trust should also submit board meeting minutes evidencing that the management accounts have been discussed.</p>	<p>Until the Ntl is lifted</p>
<p>7. The trust is required to:</p> <p>a) Comply with the funding agreement requirement to submit all audited reports, accounts and statements to ESFA on time and without qualification.</p> <p>b) Submit an Academies budget forecast return (BFR) by the deadline required by ESFA.</p>	<p>The trust must submit audited financial statements by 31 December, and the BFR by the date required.</p>	<p>Until the Ntl is lifted</p>
<p>8. The trust requests approval from ESFA, in advance, for any actions under the revoked freedoms in paragraph 6.18 of the ATH 2023. These requests should be sent using the <a href="#">ESFA enquiry form</a>. Retrospective approval will be deemed as a breach of the ATH.</p>	<p>The trust must submit a request for approval for any actions relating to the delegated freedom revoked under the terms of the Ntl.</p>	<p>Until the Ntl is lifted</p>
<p>9. Ensure that all necessary Trustee contact details are up to date.</p>	<p>The trust must ensure its record on Get information about schools is up to date.</p>	<p>4 weeks</p>