

The Board of Directors
The Basildon Academies
Wickford Avenue
Pitsea
Basildon
Essex
SS13 3HL

June 2012

Dear Board of Directors,

Warning notice to the Basildon Academies

I wrote to you on 3 January setting out our concerns that the standards of performance in the Basildon Upper Academy (“the Academy”) were unacceptably low. In that letter I indicated that the Secretary of State would consider issuing a warning notice under Article 39 of the Basildon Academies’ (“the Company”) Articles of Association (“the Articles”) if these concerns were not addressed.

Article 39 of the Articles, gives the Secretary of State power to issue a warning notice to the Company where he is satisfied that that the standards of performance in any of the Company’s Academies are unacceptably low, and are likely to remain so unless he exercises his powers to intervene under Article 41 to appoint additional governors.

Having considered this matter carefully, the Secretary of State and I are satisfied that the standards of performance at the Academy, which includes the attendance, and exclusion rates and quality of teaching, are unacceptably low and are likely to remain so unless the Secretary of State exercises his powers to intervene under the Articles. We are also satisfied that the unacceptably low standards of performance have not been remedied following my letter to you dated 3 January. Furthermore, the recent Ofsted inspection report of 14-15 March 2012 states that evaluation by the governing body was not rigorous and cites that their ‘response to concerns raised by the Department for Education in January 2012 included assurances that do not match the findings of this inspection’.

The Ofsted inspection of 14-15 March supports the conclusion that standards are still unacceptably low. Inspectors found provision to be inadequate across all categories of performance, suggesting a serious breakdown in the way the Academy is managed and governed. In addition, the extremely high level of internal and external exclusion at the Academy threatens the education of young people and their safety. These two serious issues could amount to further grounds for intervention under the Articles.

Terms of the warning notice

Pursuant to Article 40(b), the actions which we require the Company to take, in relation to Basildon Upper Academy, to remedy the matters are:

- to urgently implement the necessary strategies required to address the areas for improvement identified in the Ofsted special measures judgment, specifically:
 - Raise achievement in Key Stage 4 and the sixth form;
 - Improve the quality of teaching and learning;
 - Improve behaviour and safety; and
 - Improve the quality of leadership and management

Amongst other things, these strategies will;

- Ensure that all pupils make, or are rapidly moving towards making or exceeding the expected levels of progress from Key Stage 2 to 4, in English, mathematics and science;
- Ensure that 90% of 6th form students make progress and achieve or are projected to achieve standards commensurate with their starting points in Year12, in the summer 2013 examinations;
- Ensure that 70% of all teaching is, or is rapidly moving towards, being rated to be “good” or better through robust assessment using the most recent Ofsted criteria;
- Ensure that all inadequate teaching has been, or is moving rapidly towards being eradicated;
- Ensure that the attendance (including persistent absence) and exclusion rates (including fixed term and permanent exclusions) are at, or moving rapidly towards, the national averages and that internal exclusion rates are reduced by 70% by the end of June 2012; and
- Ensure that leaders and managers monitor and evaluate the impact of their actions across all the areas for improvement, promptly indicating in writing, progress towards each target.

Pursuant to Article 40(c), the Company must have implemented the necessary strategies to my satisfaction by 11 July 2012. My representatives will assess the implementation of these strategies and the impact and likely impact of these after

this time.

Should the Company fail to comply, or secure compliance, with this warning notice to my satisfaction within the compliance period, the Secretary of State shall consider exercising his powers under Article 41 to appoint such Additional Directors (as defined in the Articles) to the Company as he thinks fit.

I am copying this letter to the Academy Trust's Company Secretary.

*Yours sincerely,
Jonathan Hill*

JONATHAN HILL